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whether or not there was a hate element that inspired it. My understanding is the committee decided not to go that route. Rather, they said we're going to make or we're going to have the prosecutor decide up-front whether or not it was a hate crime, so we're going to put the crime, the underlying crime and the hate motivation, if that's the proper term, all together in one package and put that before the jury. It seems to me that that is probably not as good an approach as what was done on the death penalty issue. For one thing, I am not sure, and this is one question I hope I can get answered, would it be possible if, again in my case, where I'm charged with assault and the suspicion is that it was racially motivated, if the prosecutor accuses me with assault, a racially motivated assault, and the associated penalty, if the jury finds that, yes, I did commit the assault but, no, they aren't going to go with the racial motivation, does that mean they can't convict me? I don't know the answer to that question. And if the answer is, no, they can't convict me, then it looks to me like this is going to...this procedure would make it much less likely that a prosecutor would add the hate crime element, if you will, to the charge, because it would be more difficult to prosecute, to get a jury decision, and therefore more likely that I would go away without being prosecuted for a crime, an underlying crime, which I actually did commit. So, again I repeat, I hope I can get that question answered. Why was this approach, and I think it is a different approach than what was done regarding the death penalty, why was this approach selected and if there's an advantage I'm not seeing of this approach over the death penalty approach, I'll describe it as that, then please explain that to me. Because it seems to me that this does have a disadvantage as compared to the approach that was taken on dealing with, again, the same court decision, Ring v. Arizona,...

SPEAKER BROMM: One minute.

SENATOR RAIKES: ...and also the one in New Jersey. In dealing...updating our statute to make it consistent with the constitution on the death penalty, we went one direction; in dealing with hate crimes we're going in another direction. Why the two different directions? That's my question I'll wait for an answer. Thank you very much.