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FLOOR DEBATE

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County Deputy Attorney...the Deputy Lancaster County Attorney, I believe. He did not offer any amendments. He said that the prosecutors like the bill...like the court's decision the way that it was, that he didn't see any need to change it. I think that was the thrust of his testimony, leave it the way the court decided. When I asked him questions, namely the one about the standard the court put in place about having to have a substantially different decision than was found in the first trial, did he agree that where the first decision was guilty, the only substantially different decision would have to be one of not guilty, and he agreed. And I pointed out that if a person is found to be innocent, then you don't get a new trial, you are released, and he agree with that. So that, in my mind, took away any argument he could have, and I'm not aware of his having distinguished between being released and being entitled to a new trial, as being establishable from the Nebraska Supreme Court said.

SPEAKER BROMM: Okay. I'm going to try to get a grip on this if we're going to...is it your intent to follow through with this amendment and take a vote, Senator Chambers?

SENATOR CHAMBERS: Yes, but I will not bring down Senator Thompson's bill with it.

SPEAKER BROMM: Okay.

SENATOR CHAMBERS: And if you have serious objection to it, that will terminate it, for me.

SPEAKER BROMM: Well, I'm not sure if I do or I don't, is my problem. If we're changing the standard under which DNA evidence would result in either an overturning of a conviction or the conditions under which that DNA standard would be applied by the court, then I need to understand and think through how it really changes things. What standards, if any, does it change from the existing state of the law when a court can order...

SENATOR CUDABACK: One minute.

SPEAKER BROMM: ...the DNA testing...