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FLOOR DEBATE

March 10, 2005      LB 53

SENATOR CUDABACK: Sorry. Senator Kruse.

SENATOR KRUSE: Thank you, Mr. President and members. I support the motion. We've been at this for a while. We've come a long ways, and it is most appropriate that we have spent that time. I remember four years ago when we brought this issue to the Legislature, that we were told to wait for a ruling from the court as to whether this was constitutional. We waited for three years, and one year ago, in fact, this month, the court did say that it was an issue that the Legislature may speak to. We were also told to wait for a change in procedures in the Board of Pardons, and we're still waiting. I see that as kind of a side issue because what we were waiting for, frankly, was unrealistic and disconnected from the real world, as I would see it. I'm in my fifth year here and I've never put on my pastoral hat on the floor. I will do so now. Pastors have to deal with real people. I have a neighbor who has been out for ten years. He is a joyful man, with a wonderful family, good job. He is out there in the community, he does everything, he's just the kind of person you want within your community. Some would say that I should go to him if we were to vote one way on this and say to him that he should approach the Board of Pardons for permission to vote. Could I ask him to do that? Could I ask him to go back to a place that he has successfully put behind him? Can I ask him to go back to the nightmare of the courtroom and to relive that? Could I ask him to go back and, with hat in hand and attorney at his side, putting down as much of himself as he can, be as self-effacing and humble as he possibly can, as he stands before the man and pleads for justice; and then sits there waiting with rounded shoulders and bowed head to hear the man decide if he was worthwhile? I don't think I could ask him to do that. I know that he would not do it. It is total humiliation. And one thing that I have to recognize, we on the floor see this Board of Pardons as good folks. That's our view. His view is a nightmare. Would I, if I were in his place, go back and make application? I don't think so. I would rather keep my dignity, and I would much rather that we allow him to keep his dignity and help him to move on.

SENATOR CUDABACK: Thank you, Senator Kruse. Senator Foley, followed by Senator Smith and others.