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FLOOR DEBATE

March 30, 2005      LB 361

opposition.      The County Attorneys Association sent a representative to appear in a neutral capacity because the organization was not prepared to go on record opposing the bill. So if you look at the statement, the committee statement, you will see no opposition. One of the people who testified for the bill is a man named Dick Davis. He had played fullback for UNL, which probably carries more weight with some people than the fact that he has become a successful businessman. I believe he's on the commission...the Coordinating Commission for Higher Education, whatever the official title is. And his son was one of the victims at OPPD who had his DNA sought pursuant to a dragnet-type approach by the Omaha Police Department. Mr. Davis pointed out that his son did not fit within the description. The tallest that the person would have been was 5 feet 9, had a big belly, and was bald. His son was over 6 feet tall. He was in the process of working toward a position in management. When this traumatic experience occurred, it set him back tremendously. And the way the police would do it is to go to somebody's house in the evening. Hopefully, if the person is married, the wife and the children would be home. And they would have several unmarked cars come and park in front of the house. The officers would descend on the dwelling. And if the man was home, they would point out that they want to take a DNA sample in connection with a serial rape, and suggest that he certainly shouldn't have any opposition to it, because if he hadn't done anything, then he should be willing to give it. This is the kind of not-so-subtle coercion and pressure that was being used. In this case, and similar cases, the wife or the significant other would look with suspicion at the man if he didn't agree to give the swab. Some men refused anyway. Others, because of the embarrassment caused to them in front of their wife or their significant other, their children, and neighbors who were wondering why all these police were at the house, would agree to give the swab. In one case, a man had been cleared by one of the victims in a one-person lineup. She looked at the man. She said, he is my neighbor. I know him. He did not have anything to do with this. The police went and got a court order to compel the taking of a sample from him, after he'd already been cleared. That is how messed up that so-called investigation was. I was critical. The judge was aware of the fact that he should not have issued such an order,