

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

April 27, 2005 LB 117

take the names of everybody and whatever other information is there and take it. They don't have to suspect that anybody whose name is there has done anything wrong. All they did was purchase a cold remedy, or a cold treatment product. That's all. You all are too quick to go for what law enforcement says without even analyzing what they're telling you to do, and seeing whether or not it directs itself to the problem to be solved. And if so, does it go any distance in solving that problem? None of this stuff does. What this will do is put a crimp on the ordinary people who are not violating the law, who don't intend to violate the law. That's what you're doing. So I don't care if everybody on this floor stands up and says that I'm Looney Tunes. Fine. I'm still going to resist these things that I think are unwise, impractical, and that are not going to solve the problem. I'm the only one who will say that, and that's why I will be the only one who will say, I told you so. You all know the same thing I know, but you can't bring yourself to admit it because you want to feel like you're doing something. That's what I mean by feel good. When I talked about the case--shifting gears now--in Norfolk and the killings that occurred during that bank robbery, Senator Flood misunderstood me. I did not say that being on meth would go to the issue of guilt or innocence. It goes to the level of culpability, which is what you look at when you determine imposition of the death penalty. We're talking about mitigating and aggravating factors. They have nothing to do with the determination of guilt. That has been done already. So I did not suggest that if a person is under the influence of alcohol, that can be used as a defense against a crime that was committed. I didn't say that. Senator Flood made a presumption or an assumption not based on what I said.

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: I talked about the death penalty, and I was pointing out that it's ironic, with all of the talk here about how meth, in effect, makes people go crazy and they do all kind of things they wouldn't otherwise do, when it comes to imposing the death penalty, all of a sudden that falls out of the equation. It does not make you crazy, after all. You're possessed of your faculties. You can plan, you can understand.