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April 27, 2005 LB 117

SENATOR CHAMBERS: ...possible harsh punishment, and you scare them into going into the drug court. Is that what the laws are for? It shouldn't be. And I think it is not the reason. So once again, I will assume the role of the one who has to stop bad legislation. And if you would talk to some people who understand the law and the purpose of it, you would see that what I'm suggesting is based on truisms within the law and the ethical community. Thank you, Madam President.

SENATOR SCHIMEK: Thank you, Senator Chambers. (Visitors introduced.) Senator Chambers, your light is next.

SENATOR CHAMBERS: Madam President, members of the Legislature, I must continue along the path that I was going. Rather than take time at this point to look at the punishments that are being recommended by this bill, I've stated that I'll do that at a different time, because there are general comments I need to make for the record. The legislators should try to broaden our scope. We should read and study the works of people who have given their lives to addressing the issue of crimes and punishments, how you go about trying to fit a punishment to the nature of the crime. Courts, when they're confronted on appeal with a defendant who has been convicted and sentenced making the allegation that the penalty is overly harsh, the courts start by saying that they're going to look at the sentencing range available based on legislation. Then they're going to look at the nature of the crime. But in general, if the sentence falls within the perimeters set out by the Legislature, the appellate court is not going to disturb that sentence, absent what the court calls an abuse of discretion. And that occurs, to make it simple, when a court has an invalid reason or an unjustified reason for taking an action, or when the action taken does not fit the circumstances before the court. So although some sentences have fallen within the range allowed by the Legislature, a court, when given the proper information, has modified some sentences because they were unduly harsh. In a number of instances, death penalties, even in Nebraska, have been reduced to a sentence of life imprisonment, because the sentence of death was inappropriate. That is based on the idea and the concept of fitting the punishment to the crime. When we