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PRESIDENT SHEEHY: Thank you, Senator Johnson. Senator Baker.

SENATOR BAKER: Thank you, Mr. Lieutenant Governor. I would yield my time to Senator Foley.

PRESIDENT SHEEHY: Senator Foley.

SENATOR FOLEY: Thank you, Senator Baker, for the time. Senator Johnson, when you were speaking I was interrupted in conferring with someone, so I didn't hear every word of what you said. I tried to. But let me just answer you in this way. You talked about the hypothetical, the woman who may have undergone multiple beatings, and now you've got a child who's injured and, okay, who's the bad guy? That may very well be a case where a prosecutor says, you know, I don't know who did it. I don't know which one of the bad guys, potential bad guys, did it, so I'm not going to take that case to trial. There's prosecutorial discretion in every criminal matter. And as I said earlier, prosecutors like to win, and they like to take their best cases to trial. Senator Beutler raised this question earlier that we talked about on the transferred intent. We've had that case already in Nebraska. That was the case of Destiny Davis. The...I'm looking...oh, Floyd, I guess, this gentleman, Floyd, was shooting at his girl...yeah, William Floyd. Here it is. William Floyd is guilty of first-degree murder and manslaughter of an unborn child and possession of a firearm. What did he do? Well, William Floyd Jr. was shooting a gun at his girlfriend. He missed and he hit Destiny Davis, killed her, and killed the unborn child. William Floyd didn't know that Destiny Davis there, and he didn't know she was pregnant. He killed both of them, and we have a successful prosecution in Nebraska. This state was also...this question you're raising was also addressed in a court decision out of Minnesota, 1990, State v. Merrill, where the court held that the possibility that a female homicide victim of childbearing age may be pregnant is a possibility that an assaulter may not safely exclude. And I think that also speaks to the issue that you're raising, Senator Beutler. And it's a good question, it's a fair question, but I think it's adequately addressed in the way the criminal law is applied today. Thank you.