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that discipline. That was the only real point I was making and, if the legal profession or the legal branch is interested in loosening up this, then I think we ought to take a second or a third look at it because we need to enforce discipline rather than limit it and that's really what I am trying to get at in a layman's language in realizing a tough job of trying to attack judicial approach to the problem.

SPEAKER: The chair recognizes Senator Dickinson.

SENATOR DICKINSON: Mr. Speaker, members of the body, could I have a question of Senator Barnett, please.

SPEAKER: Senator Barnett, do you yield?

SENATOR DICKINSON: Wally, a simple question and I would appreciate a straight simple answer. Does it make it more or less difficult for the court to detain a juvenile, under any given condition?

SENATOR BARNETT: It doesn't have...I can't answer that yes or no. It doesn't have anything to do with whether it is harder or easier for the court to detain it. It is a question of what the court decides after a probable cause hearing. It has nothing to do with whether it would be easier or harder to detain a child. You would have to take the...

SENATOR DICKINSON: I believe Senator Luedtke made some remarks, and perhaps you, about the rights of the charged or the accused and it has appeared to me in many cases you don't add rights to one segment of the populace without taking away rights of some other segment. Does this in anyway do either one of those?

SENATOR BARNETT: No, it does nothing of the sort because it could detain this child until the time of the hearing, or the time of the trial. It is to find out if he should be detained and I think, Senator Dickinson, you should realize and I know exactly what you are driving at, and I think you are right, the same as Senator Marvel, I think you should be concerned, but I also say that the defendant, until he goes on trial, is not guilty and I think it is time that some people realize this. Until they go on trial, they are not guilty in the American way of life and they should be treated that way and this is to determine, before the trial, whether that child shall be detained or released for bond.

SENATOR DICKINSON: How do they determine without the new language, without the present bill. Make a determination now?

SENATOR BARNETT: I would have to ask Senator Luedtke to answer that one. He's the..

SPEAKER: Senator Luedtke, do you yield.

SENATOR LUEDTKE: Yes, I yield. The only problem, and I tried to indicate this..this was...I thought I was explaining it to Senator Marvel. The only reason that this clarification is in the law is because the Supreme Court opinions have said that you have to accord these individuals a probable cause hearing. Now, Senator Dickinson, the problem isn't whether it is easier or tougher to do this. The answer is whether it meets with the constitutional standards of the state of