

determined to go ahead and run this piece of poor legislation through. I say again what I said yesterday that it is an unnecessary bill. There has been no need for it established. To give an example of how insanity is handled in this state, yesterday a judge in Douglas County found that a woman who drowned her three children was insane at the time, so she is not guilty by reason of insanity. This was... Senator Pirsch said, not responsible by reason of insanity. Those terminologies, those distinctions are really distinctions which are not distinctions to me. The idea is this that certain conduct indicates that a person is not right when they engage in that conduct. Based on the status of the law in Nebraska, the judge made his finding because he said she did not know the nature of her act at the time she committed it. She could not distinguish or did not distinguish between right and wrong. Nothing about an irresistible impulse or an inability to control herself, simply that she did not distinguish between the rightness and wrongness of that act. So he found her not responsible. I haven't heard anybody criticize that judge's finding. As a matter of fact, she chose not to have a jury trial. The county attorney did not oppose her making this plea. From the way I read the account in the paper, he stated or offered to the judge the findings of a psychiatrist and a psychologist. That would indicate to me that changes in the law are not needed and I know that there will come times when people will say, if it is not going to make any difference, why don't we go ahead and do it and reassure the public? The purpose of the legislative process is not to enact laws that have no meaning and no purpose. When that has been done, such laws on occasion have come back to haunt members of the Legislature. We talk about the bringing in of police state tactics in other contexts. I think when you incorporate into the system itself the discriminations that exist at large in the society, you are corrupting the system. I don't care how many other states do what Senator Pirsch wants you to do. The morality or propriety of the Legislature's acts should not be based on arithmetic and that is what these kind of arguments always boil down to. If the initial individual was a fool and twenty-six others follow, then you have twenty-seven fools, not twenty-seven people who are right. The more fundamental rights that citizens in this country enjoy the U. S. Supreme Court has said must be protected by the courts. They cannot be left