

March 20, 1973

(Start of Belt #2)

Mr. President, LB 268, the title was read on March 15, its a Bill (READ) The Committee reported the Bill to General File without Amendments. An Amendments by Senator Chambers to add the emergency clause was adopted. There is pending a amendment offered by Senator DeCamp, which is set up in full in the Legislative journal on page 817.

PRESIDENT: Ok, we have LB 268 for debate here on General File. As the clerk recited, we've adopted the emergency clause under that, Senator Chambers Amendment. Senator DeCamp we're working on your Amendments to LB 268, what is your pleasure?

SENATOR DECAMP: I assume we're talking about the, the first Amendments I offered which had to do with eliminating mitigating and extenuating circumstances and making the Death Penalty mandatory, is that correct?

PRESIDENT: As I read them, they were the ones, that were found on Page,

CLERK: Page 817 of the Journal. Its the only ones you've offered. Theres another one, but this is the one on 817.

SENATOR DECAMP: Ok, a to clear up some confusion, I read in the paper this morning for example, that the Amendments were offered because I was opposed to the Death Penalty and was trying to kill the Bill. This is not correct. These Amendments are offered in all sincerity and honesty because I believe they will strengthen the Bill. Now Senator Chambers, I know is very, very strongly opposed to the Death Penalty. As the Bill now exists, without any Amendments, I think it could be said to be a very clear cut anti-Death Penalty Bill. It would insure that the Death Penalty will almost never, certainly never be implemented in Nebraska. Its got 3 or 4 pages of circumstances and separate trial procedures at the original trial, to allow a person who's been convicted of one of the particular crimes, innumrated in the Bill, to get out of ever having to suffer the actual Death Penalty. My Amendment which follows the Illonois concept, which their Attorney General suggested, merely sets up these specific crimes, innumrated in the Bill, and then makes it mandatory that once a person is convicted of these crimes, that is it. The Death Penalty is imposed. Now the arguments against the Death Penalty, which I think have to be touched on at least briefly. Are that it only afflicts the very poor. That it is not a deterrent and that it is inhumane. On the point of whether the Death Penalty is a deterrent or not, I think common sense tells us that if the penalty for rape, or the penalty for murder, were a \$7.50 fine, that we would probably have more murders, and more rapes. Now where you reach the exact point, where a penalty ceases to be a deterrent, I don't know and I don't think any study or anybody can really say. I do know that the Death Penalty is a deterrent to the person who committed the particular crime, from committing it again. For example, if a person has murdered a 7 year old child, in a sexual crime and cut up their body, and this person is then executed. It is a deterrent to that person, not to do it again without question. So to that degree it is a deterrent. I personally am repulsed by the idea