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penalty had a lower rate of murder of policemen than the states with the death penalty. So, without any firm evidence that the death penalty actually accomplishes something, we need to ask; why do we approve it. One reason I suppose, is punishment and yet, I really think that as a punishment the death penalty is barbaric, that it is not befitting a, the kind of state that we want Nebraska to be. It then becomes only a matter of revenge and again, I don't think that this is a standard that we can use. I think that the death penalty as revenge is really the supreme copout. I think instead that if our Judeo-Christian heritage means anything to us at all, that we have to recognize that our obligation is to attempt to redeem some kind of value out of every situation. Our responsibility is to prevent further murder; our responsibility is to attempt to identify some kind of value in every human life and I submit to you that the death penalty does neither.

PRESIDENT: Senator Stahmer, did you wish to be recognized again here, then we'll go back to Senator Rasmussen.

SENATOR STAHMER: Mr. President, Mr. President, want to turn on the--we're not on--

PRESIDENT: You're on, speak away.

SENATOR STAHMER: All right. Mr. President, I'd like to ask another question if I could of Senator Luedtke. Senator Luedtke.

PRESIDENT: Senator Luedtke, will you yield to another question?

SENATOR STAHMER: I would like to have you tell me as a lawyer and the head of the Judiciary Committee, whether there is any provision one way or another in this bill that would prevent or obviate a person from making a plea with the prosecution so that he might have his death penalty set aside in return for testifying for the court, no matter how heinous his crime might have been. Is there any preclusion of this in this bill?

SENATOR LUEDTKE: Well, Mr. President and Members of the Legislature, I'll answer it this way. Of course he could, this would be in the nature of plea bargaining at the most serious point and it could happen, however, you could not bind that court to that. In other words, you could drop a plea in this kind of a situation and say you're, you're guilty of this most heinous crime, however, the court would still, upon mitigating and aggravating circumstances, have to make the decision.

SENATOR STAHMER: You're suggesting maybe they could do it but it would be possible now under this bill as it now exists?

SENATOR LUEDTKE: I suppose he could do it with the prosecutor, but you'd still, the court would still have the final say.

SENATOR STAHMER: Yes, now one other point, --

SENATOR LUEDTKE: But they could do it, I mean, the ultimate, the end result could be that.

SENATOR STAHMER: So that they could escape.

SENATOR LUEDTKE: The end result of the court rule that there are circumstances here and read them into it that he should be sentenced to life imprisonment thereby getting a chance for parole could have.

SENATOR STAHMER: Yes. One other question I'd like to ask; on page number 8, line 10 under Mitigating Circumstances, it says