

April 2, 1974

SENATOR FELLMAN: Mr. President, and members of the Legislature. I don't like the idea of having to stand up and argue against the quiet gentleman that sits next to me. I've been in the Legislature now for two years and I've thoroughly enjoyed and have come to appreciate and like Senator Kime very, very much. And I want it clearly understood by all that though I'm very interested in the passage of this bill and very, very much against the arguments raised by Senator Kime, I have the highest respect for him. In fact, more often than not when I come in the morning, I refer to him as Sheriff and I've enjoyed very much the stories of his very colorful career as a sheriff. I recognize....I'll give you the facts now, Senator Skarda. Very briefly, this bill applies only to Douglas County and it's doubtful that it would ever apply across the state because of the nature of what's happening in the field of corrections. Number two, all current thinking from the federal level to the state level to the universities, in law enforcement, in corrections, all current thinking says that the police departments and the law enforcement arms should be separated from the corrections and from jails. We've done it on the state level, this does it in Douglas County. Thirdly, the sheriff in Douglas County is aware of this and though the State Sheriffs Association has expressed opposition, there is no formal opposition that has surfaced from the sheriff of Douglas County to this bill as it now stands having gone through many amendments. There has been concern expressed that the jobs of those who are now employed by the sheriff in Douglas County are in jeopardy and that's not true. This bill, if you will read it, guarantees the job of every person now employed by the sheriff. There has been concern that the sheriffs auxiliary or reserve forces in Douglas County will be in jeopardy. And there is specific provision to prevent that in the bill. There has been concern expressed that there could be politics in the appointment of the corrections director in Douglas County. That has been covered because the bill specifically requires that the person who is appointed by the County Board to be the Director of Corrections be professionally and educationally qualified. There is nothing in this bill that should cause any sheriff in this state to be concerned. It applies only to Douglas County. It has safeguards in it for all the people who work in the sheriff's department. No one's job will be in jeopardy. And the forward approach that people in Douglas County are attempting to take to separate corrections will be brought about. The sheriff under this bill maintains jurisdiction over every prisoner until he is convicted. After he is convicted, jurisdiction switches to the Department of Corrections which is exactly where it belongs. The corrections department can go in prior to conviction to interview and if a man is being held in jail and could be placed on a work release program or could be placed on an educational release program, then the Corrections Department has authority to work out that in cooperation with the sheriff. This bill is a very good bill. I can understand why sheriffs around the state are worried but I can tell you there is no need to worry because it doesn't apply to them and all the legitimate protections and concerns that they have expressed have been resolved within this bill. Let me close by telling you this. I have been in extremely close contact with deputy sheriffs in Omaha and they have now expressed to me their satisfaction with this bill. I've been in close contact with the reserve sheriff's people.....

(End of Belt #2)