

March 8, 1979

LB 450

SPEAKER MARVEL: Senator Koch.

SENATOR KOCH: Mr. Chairman, I move the previous question.

SPEAKER MARVEL: The question is, shall debate cease. Do I see five hands? All in favor of ceasing debate vote aye, opposed vote no. Have you all voted? Have you all voted? Clerk, record the vote.

CLERK: 13 ayes, 18 nays to cease debate, Mr. President.

SPEAKER MARVEL: Now, Senator Koch, do you wish to speak to the motion? Senator George.

SENATOR GEORGE: Thank you, Mr. President. I have a question of Senator Johnson if he would yield.

SPEAKER MARVEL: Senator Johnson.

SENATOR GEORGE: Senator Johnson, is there a clear difference between arrest record and a conviction record?

SENATOR JOHNSON: Yes, LB 450 just deals with an arrest record and that is all I am talking about. I am not talking about expunging conviction records.

SENATOR GEORGE: It would not touch the availability of conviction records at all?

SENATOR JOHNSON: No, and they are also made available under the Criminal Records History Act that we have.

SENATOR GEORGE: And question number two, you do intend to amend the bill in such a way that the arrest records will still be available to law enforcement agencies?

SENATOR JOHNSON: Absolutely, Senator George.

SENATOR GEORGE: But not to the public?

SENATOR JOHNSON: No. For example, I think that Mr. Gacey in Illinois would not have been brought to justice without the availability of arrest records to the law enforcement agencies and I am glad that man has been brought to the bar and I would not seek to confine...I would not seek to expunge arrest records totally, to leave them available to law enforcement agencies but to make certain they are not available to the public.