

CLERK: Mr. President, I have a series of amendments offered by Senator Murphy, but the DeCamp amendments are found on page 217 of the Legislative Journal.

PRESIDENT: The Chair recognizes Senator DeCamp for purpose of explanation of the amendments. Senator DeCamp.

SENATOR DeCAMP: Mr. President, members of the Legislature, the particular legislation before you has had a very stormy, interesting history. It goes back to the formation of, I guess it was called the LR 154 committee. That committee was designed and set up by the Legislature for the specific purpose of studying the overall picture of law enforcement, how it is functioning, what changes could be made, what is good about it, what is bad about it. Because the committee began delving into some very, very sensitive things and received some very heavy allegations as to alleged wrong doing, the committee found it necessary to pioneer several new concepts that this legislature has chosen this year to adopt as model committee rules. Systems for closing hearings, for taking information under oath, so on and so forth. As the committee progressed, and as its work progressed, as most of the people in the Legislature know, the committee came under heavy fire both from the press and from various agencies of law enforcement so on and so forth. Ultimately, ultimately the committee looked into one particular death in great depth, among others, a death that had been labeled a suicide came to be known as the Ida Fitzgibbons case. Ida Fitzgibbons was a very elderly woman, living in McCook, Nebraska, some 82 or 83 years old, who was found one day in her burning house with rope around her neck, knife in her, her foot broken off, sundry other things, her house on fire, a fire started in the basement, and that death was labeled a suicide. Because one of the police officers, a state patrolman involved in that investigation felt that dear Ida hadn't committed suicide, he went to the Governor, he went to the head of the Patrol, he went to the sheriff, he went to the county attorney and kept pressing the case. Because of the particular nature of the investigatory system, in the State of Nebraska, many problems developed. The chief among these was who really has authority or responsibility to say or do anything or to control the investigation. Who has authority to check the other man's work and make sure that there wasn't something covered up or done improperly. Ultimately out of this case arose two or three major things. Number one, which has just been resolved in the last five or six days was a law suit in the federal courts against the members of the committee suing them personally for damages and suing the Legislature. That case was won by the committee, I might add, both in the federal court here and in the appeals court in St. Louis within the last week. It established for the benefit of legislators in this state and in the other 49 states the principle, a fundamental