

crimes are very severe, then a punishment can reflect that, but if you take different degrees of prohibited conduct, and by different degrees, I mean some is far less serious than others, and you make one blanket penalty for all of them, it allows for and encourages arbitrariness on the part of a judge. One person who commits the most severe offense may get one year, let's say that the penalty, there may not be a bottom limit, but for the sake of discussion, let's say that it would be from one year to fifty years, and one person commits the most severe crime covered by that statute. If it happens to be the friend of the judge, as has happened in Omaha on occasion like the daughter of a federal judge caught shoplifting, her problem was cut down and diminished quite a bit although I know black young ladies who were in the same situation. They wound up getting thirty to sixty days. So it depends on who you are. Now at the top level of the serious crime, if that person has a relative or a friend in law enforcement or the judiciary, that person gets the bottom sentence or none, if they can hide it long enough and slide them out of the system without the public being aware of it. On the other hand, if a child, friend or individual commits a low level or low degree of crime covered by the statute, that person can be punished, as they used to say on Gang Busters, to the limit of the law. So I think it is not a good thing to put this many different things, types of matter into a bill. There are substantive changes, I think, which were not subject to a public hearing. So whatever the Legislature would decide to do would be appropriate so long as what they decide to do is not to just advance the bill. There are a number of prosecutor bills which are coming before the Judiciary Committee and I think it would be a mistake for those prosecutors to get the idea that they can slide any and everything past the Legislature by attaching it to a bill that the Judiciary Committee approves of. If you read the heading on this bill, you will see that it doesn't deal with the drugs, nor does it deal with rental property, but it deals with the operation of a motor vehicle to avoid arrest, and even if you read, even if you read the language that deals with what constitutes a crime related to operation of a motor vehicle, the bill may be drafted in such a fashion as to allow you to flee in certain cases and that is not a crime. When you specify what constitutes a crime, anything that you don't specify is not covered. So if you want to pass this bill, you can go ahead and do so but I do think that some legitimate questions have been raised and I will not vote in favor of the bill.