

county attorney does. That is what I wanted...the point I wanted to make because several had asked me. Thank you.

SENATOR LAMB: The motion is the adoption of the amendment. . .Senator Hoagland.

SENATOR HOAGLAND: Senator Lamb and colleagues, I think that all of us who are in this body are in favor of rehabilitative programs for people with drinking problems. There is no question about that at all. We simply, the proponents of this amendment simply want those programs available after conviction and not before to maximize the deterrent effect of the law. There is nothing inconsistent with having a deterrent effect of the law, including a 48 hour period in jail for second offenders and a seven day period in jail for third offenders and also having extensive rehabilitative programs like the current Sarpy County diversion program available as conditions of probation. That is the way Lancaster County operates. After somebody is convicted why then as conditions of probation all of the rehabilitative programs are available. Senator Lamb, I would like to yield the rest of my time to Senator Wesely to talk about Lancaster County's probation program.

SENATOR LAMB: Senator Wesely.

SENATOR WESELY: Mr. President, members of the Legislature, both Senator Nichol and Senator Hoagland talked about the Lancaster County approach and I think it is the one that we would encourage other counties to follow if this amendment is adopted and I would support the amendment. Understandably there is an advantage to the effort undertaken by pretrial diversion in terms of trying to rehabilitate people. What we are talking about with drunk driving is an alcoholism problem, fundamentally and clear. We should deal with that problem. Punishment is part of the cure possibly to keep them from going back to the bottle. There are other things that are also important and in Lancaster County rather than having pretrial diversion and thus not convicting these individuals and going through the court system we go through the court system, if they are found guilty, they are then possibly put on probation and they are requested to have treatment undertaken in order to fulfill their probation. That seems like a very clear approach to the problem we have. Number one, it identifies those individuals of having a conviction of DWI, number two, it does provide them with a treatment that they need to rehabilitate themselves and I think number three deals with the problem we have with