

knocked on her door and asked her out for a date, and that was the factual setting that produced one of the early right of privacy cases in Nebraska. I am hard pressed on this case because I don't think what we normally think of as the right of privacy, the solitude of my physical space from the invasion of others is appropriate in a situation of incarceration. I don't think we should say you may not search this, you may not search this blocked box, you may not search my cell, because that is the kind of thing that the right of privacy guarantees. Or, for example, televise or video tape cameras, those would be a clear invasion of a right of privacy for you and I. Recently, there was a Supreme Court decision that ruled that no constitutional right of privacy existed for inmates. That constitutional right of privacy is contained in such cases as Griswold v. Connecticut in which the Supreme Court has said, you know, inherent in that being free from unreasonable searches and seizures is sort of a right of privacy, and in the application of that amendment and claims under it by inmates, the Supreme Court said, nope, there is nothing in the Fifth Amendment that says you can't go in and search at any time the cell of an inmate. That is not an unreasonable search or seizure. Because the Supreme Court said that, John has this bill that says there is no constitutional right of privacy, therefore, there need not be any statutory right of privacy. I am torn in this way. I can't think of a logical sample where I would defend the right of privacy of an inmate with the exception of the one, by the way, that Senator Higgins suggested. However, is it a violation of the right of privacy to have a female guard observing the behavior of inmates even during washing. I would say, no. It is the fact that they are male...

SPEAKER NICHOL: One minute.

SENATOR LANDIS: ...guards that transgresses my sense of fair play but not that in taking a shower somebody should be free from observation. There are assaults. There are risks to the security of the institution even in a showering facility. So I am torn. At this point I intend to vote for the bill and to send it to Select File. I would, however, agree with the notion that perhaps greater refinement is possible than simply saying there is no condition under which the right of privacy is guaranteeable for an inmate. Let me close, I think I have just a little bit less than a minute, however. If you pass this statute, the only kind of