

and are trained in the use of firearms, are trained to put down riots within prisons and yet they are not excluded from being prosecuted under this law. Now, I am assuming the state penitentiary does the same as the federal penitentiary and has special squads that they train to do that very thing. And I would have to, in my simple mind, think that a riot caused in a state penitentiary would be a civil disorder. And yet the correctional officers who are trained, can you see the possibility then of the American Civil Liberties Union coming forward and saying, every correctional officer and everyone at the penitentiary should be prosecuted and guilty of a Class IV felony because they are not excluded in this amendment that Senator Chambers just had defeated? And I mentioned it to Senator Hoagland, and I said this section should include those people. So, under that basis, I voted for Senator Chambers' amendment because it is not all inclusive, and what it brings to my mind is, what else is missing in the bill? Are there any other groups that by the nature of their work have to be trained in that? I wonder if the Omaha Police Department, that has a special squad, or the sheriff's office, are they excluded? I am just asking the question where, Senator Chizek, you keep pointing to the bill, I will ask you, if you tell me where they are excluded from being prosecuted. I only see the exclusion in Section 3. Would you respond, please, Senator Chizek.

SENATOR CHIZEK: Line 16, Section 3. Fifteen, it starts, "or law enforcement agencies."

SENATOR HIGGINS: Senator Chizek, thank you, but correctional guards are not law enforcement agencies. They have become known as rehabilitative officers. We no longer are allowed in federal prisons to call them guards. I don't know if they do in Nebraska, but they are called correctional officers, not law enforcement officers. They are correctional people and that is why I said to Senator Hoagland, you need to...

PRESIDENT: One minute, please.

SENATOR HIGGINS: ...amend this section and add something to it just to make sure that they would come under this exception. Otherwise, I can see, like I say, the American Civil Liberties Union, or inmates of the penitentiary suing the state, or suing and asking that these very men and women