

considerable amount of time. This bill was supported by the Omaha Police Department as a result of a crackdown in the City of Omaha, Douglas County, as well as in Lancaster County with individuals that were selling these photographs and actually making the photographs. Now, this was also supported by the city prosecutor as well as the Douglas County Attorney's Office and the county attorneys throughout the State of Nebraska because they see a real need to increase the penalties in dealing with these types of individuals. Now, serving on the Judiciary for the last four years we've had to deal with a lot of very difficult topics. The bill was first introduced my first year down there, my first year in the Judiciary Committee by Senator Goodrich and there was some concern at that time with the First Amendment questions, with just the general philosophy of increasing the penalties. Now I was a co-sponsor at that time on that bill as well as Senator Higgins' bill in increasing the penalties and I can guarantee to you that in that particular committee we have a broad range of viewpoints from those that seek to increase the penalty to those that would seek to keep the criminal penalties as they are. So I was quite content with the unanimous approval of the committee in a 6-0, I believe, vote to move the bill out of committee. I thought we had put together a nice compromise to deal with the particular problem in Douglas County. Now what does the amendment do that Senator Higgins is offering? Well it increases the penalties from...at the present time it's a first class misdemeanor for individuals that basically distribute or sell these photographs. Now, what my bill does is it increases it from a first class misdemeanor to a Class IV felony with a maximum possible term of five years and maximum fine of \$25,000 which is a considerable jump over a Class I misdemeanor, which I believe has a one-year penalty on it. Now, I think it's a big change any time you move up a step in the criminal scale. I think it says to these child molesters that the State of Nebraska is very tough on the individuals that sell or distribute these photographs, but more importantly I think you have to be consistent in the criminal law. I think a murder, an individual that murders another individual should have a greater penalty than an individual that speeds through a traffic light. You should have a greater penalty for an individual that rapes another individual in comparison to a penalty from a person that commits a simple traffic infraction like running a stop sign or parking on the wrong side of the street and so we have different scales with the criminal system. At the present time in the law, the bill that was enacted last year by the Legislature that was spearheaded by Senator Higgins, we enacted into law penalties that provided that if an