

a very high threshold. There can be virtually no doubt. It must be clear. It must be convincing. Now the law has been this way for a long, long time, and I don't know why the county attorneys support this, if they do. I haven't heard from them. I wasn't a party to the discussions. I hadn't heard that agreement before I came in here and heard this bill today and, frankly, it doesn't matter to me that this agreement was struck. What matters to me is whether or not this is the best policy for the State of Nebraska. And I can tell you without any doubt, without any doubt, with clear and convincing conviction, that if your constituents understood this change in the law with the atmosphere of crime and crime enforcement that we, in this country, have, they would say do not change the law the way you are doing it. You're going to make it much more difficult to get convictions where you have people who habitually go out and do things and do things and finally get caught, and finally get caught, and in order to use all of the evidence that is relevant, the prosecution attempts to show these prior acts, and this is going to make it extremely difficult. Now bear in mind that regardless of what standard you apply here, the judge will hold the hearing in camera, in chambers or out of the presence of the jury to determine whether or not this evidence should be submitted to the jury. Just want to reemphasize that, if the judge...judges are very cautious about this. If they feel that the evidence is prejudicial at all, or that it is unfair, or that it is 25 years ago, or the one example of Senator Hall, they are not going to let it be used. It is that simple. You already have that safeguard. How many safeguards do we need? How many safeguards do we need? You first have to catch somebody. You then have to get the evidence. The evidence has to be admissible. Then when you get to court, you are going to throw up another safeguard. I mean the public has a right too.

SPEAKER BAACK: One minute.

SENATOR BROMM: The public has a right to protection, and I don't think we understand what we are doing here, and I'm not comfortable going on to Select File and saying, well, we'll talk about it, we'll talk to cou...I'm not comfortable with that. This is too significant of a change, and I want you to understand that. I want you to vote knowing that. Thank you, Mr. Speaker.

SPEAKER BAACK: Thank you, Senator Bromm. Senator Robinson.