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**Capitol View**

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**Looking for an Honest Politician? Here’s a Suggestion!**

As the world struggles to sort out fake news and understand the not-so-civil discourse, I turn to the Nebraska Legislature. While I don’t agree with everything they do, I do know there is a good chance for my voice to be heard.

I will even go so far as to say I can find an honest politician among the 49 state senators. I choose Ernie Chambers of Omaha, the reigning “dean” of the Nebraska Legislature with 44 years of experience. Because of term limits, there will never be a longevity record like his again.

So, unless you’ve decided to wad up this page of the paper and call me or the 81-year-old senator a choice name or two, let me explain. Yes, I understand that Chambers, who calls himself “the defender of the downtrodden,” has rankled a few people with comments he occasionally makes. Seems to me he doesn’t have the market cornered on that annoying trait now, does he?

If you’re still with me here, remember that Ernie Chambers does what he says he will do. Proof: he has introduced LB44 to abolish the death penalty. That fulfills a promise he first made 44 years ago when he vowed during his tenure to pursue the repeal of the death penalty. He has. That’s walk-matching talk. That’s honest.

So, does his bill stand a snowball’s chance? Hard to say. Early indicators are that this new group of senators is a plucky lot. Yes, they recognize and acknowledge that their predecessors successfully repealed the death penalty in 2015. Yes, they recognize that a ballot initiative largely funded by the Governor and his dad gave voters an opportunity to reinstate the death penalty on a 61 percent to 39 percent vote.

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Yes, they are aware that Amy Miller, legal director of ACLU of Nebraska, claims the Governor violated the separation of powers clause of the state Constitution when he initiated, funded, organized and operated the petition campaign.

They most likely heard the rural county sheriff who told the Judiciary Committee that advancement of LB44 would send a message to Nebraska citizens that 'We hear you, but we don't have to listen.’ No doubt they heard Nebraska Deputy Solicitor General David Lopez say that introduction of this bill was too soon after the 2016 vote. When pressed for an answer as to how long lawmakers should wait, he said, "Whatever it is, this is too soon."

But what does Chambers say?

"As long as I'm in the Legislature, I'm not going to be bound by the vote of people when it comes to a matter of conscience, human dignity, respect for all living things," he said. "That is not to be determined for me by the vote of people whose vote may have been purchased by the expenditure of a lot of money. Or anybody else. I will do what I feel compelled by my conscience to do. On this and every other issue."

How’s that for honesty?

Senators are also aware that Nebraska killed inmate Carey Dean Moore with a never-before-tried drug cocktail during an execution that was punctuated by 14 minutes of a drawn curtain. Seventeen states carried out executions between 2011 and 2018.

A report from the Death Penalty Information Center, on secrecy and the death penalty, said for the past seven years states have been using drugs and drug combinations that have never been used in state-ordered deaths, and it has been done in an expanding veil of secrecy that shields the process from public scrutiny. Center Director Robert Dunham told the Judiciary Committee he supports a bill (LB238) to change that.

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Lincoln Sen. Patty Pansing Brooks introduced the bill in response to that 14 minutes. Dunham called Nebraska's execution process the least transparent of any in recent times. "Nobody drops a curtain before the defendant is declared dead," he said.

In written testimony, Corrections Director Scott Frakes said the state does not conduct executions in secrecy. Really? What about the lengthy legal battle to get the state to reveal the drugs that would be used and where they were purchased, to say nothing of the 14 minutes.

I agree with Dunham who said government shouldn’t be breaking the law to carry out the law. If you’re going to have a death penalty, carry it out in a manner that's open and honest and fair.

U.S. Court of Appeals Judge J. Damon Keith wrote: "When government begins closing doors, it selectively controls information rightfully belonging to the people. Selective information is misinformation."

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***J.L. Schmidt has been*** *covering Nebraska government and politics since 1979. He has been a registered Independent for 20 years.*