

# Drunken driving sentence stiffer if proposal passes

By Maxine Kubicek

Current drunken driving laws do not provide enough control, said Omaha Sen. Patrick Venditte before the Nebraska Legislature's Judiciary Committee.

The committee heard arguments for and against the bill (LB223), introduced by Venditte, at a Monday hearing. The bill would require a seven-day jail sentence for persons convicted of driving while intoxicated (DWI) of under the influence of drugs.

Current laws are "totally ineffective," and the bill he introduced "speaks for itself," Venditte said. It is not aimed at stopping drinking, but at stopping drunken driving, he said.

Under LB223, a first offense conviction of DWI would be punishable by a seven-day jail sentence and six-month suspension of the driver's license.

After discharge from jail, the offender would be required to attend a prescribed alcohol or drug abuse education program.

### Suspension of license

A second DWI conviction would carry a penalty of seven days in jail and the suspension of the offender's driver's license for one year. If the car driven by the person when arrested is registered to that person, the car would be impounded for a period of two months to a year.

A third offense or subsequent convictions are considered felonies and would be punishable by one to three years in the penitentiary and a five-year revocation of the driver's license.

No probation consideration would be given to anyone convicted of DWI and LB223 does not provide for payment of a fine rather than a jail sentence. Both fines and probation rather than imprisonment are included under current drunken driving laws.

The seven-day jail sentence for a first offense may seem a bit stiff, he said. However, he said he was willing to work with Judiciary Committee members on a compromise for a reasonable jail sentence.

### Weekend jail sentence

Omaha Sen. Neil Simon spoke in favor of LB223, but said he thought the seven-day jail sentence for first offenders was too harsh. He proposed that the Judiciary Committee consider a 2-day jail sentence to be served on the weekend so that the offender would not miss work and be fired from his job.

Walter Giles, coordinator of alcohol programs in municipal court probation, said he opposed the bill because it was punitive, not rehabilitative.

"It (LB223) treats cases of DWI as if driving was the problem and not drinking," he said. Giles said probation and other programs deal with the problem, not simply the complaint.

Giles said judgment is lost first when a person drinks and that "people don't think of the consequences when they have a .04 blood alcohol level.

"Sen. Venditte and I agree that there is a problem and that no one wants to share the highway with a drunk," he said. "The only difference is that he wants jail sentences and I want to stretch the hours spent in jail out over a year into some kind of program."

Chief City Prosecutor Norman Lange-mach spoke in opposition to the bill, saying that mandatory sentencing removes the judge's discretion in individual cases. The educational factor of specific programs is also absent in mandatory sentencing, he said.



# Club seeks meeting spot

The Faculty Club executive board considered several ideas but made no decision Tuesday on a plan to keep the club together after they leave the Faculty Club dining room this spring, said Virginia Corgan, Faculty Club president.

Club members plan to leave the dining room by March 18 because they no longer can afford to operate it. The UNL Central Planning Committee will decide how the space will be used.

At its last meeting, the Faculty Club authorized the executive board to look

into places for the club to meet, Corgan said.

The executive board is not going to use a "hurry-up process" to decide on the options open to the club, Corgan added.

She said the executive board was under no pressure from the Central Planning Committee to move out of the dining room.

Unless the executive board decides on a controversial plan for the Faculty Club, they probably will not ask the entire membership for approval, Corgan said.

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