

# Emergency service vote delayed

By Cara Pesek  
Staff writer

After hours of public hearing, members of the Lincoln City Council voted 4-3 Monday to delay voting on a resolution that could affect Lincoln's emergency medical service providers.

Among other things, the resolution calls for independent medical oversight for pre-hospital care.

Independent medical oversight requires someone not affiliated with Lincoln's emergency medical systems to decide how patients should be treated.

Currently, Emergency Medical Systems, Inc. oversees patient emergency medical treatment.

Doctors and members of the Lancaster Medical Association spoke in favor of the resolution.

Lincoln Dr. Charles Gregorius said the quality of emergency medical care has declined since 1993, when the city switched emergency medical service providers and added 50 new paramedics.

"If you put politics first, patients will come in last, and some patients will come in dead last," Gregorius said.

Former councilman Curt Donaldson said when the new paramedics were hired in 1993, politics

had indeed been a factor.

"I came to speak about a political payoff I participated in in 1993," Donaldson said.

He said in 1993, the council voted to approve a contract with Eastern Ambulance to provide Lincoln's emergency medical services, even though another EMS provider underbid them.

Eastern Ambulance was later bought by Rural/Metro Medical Services, which is Lincoln's current EMS provider.

Donaldson said the contract added of 50 paramedics in Lincoln, many of which were unnecessary.

"There is no way to keep the current number of EMS people qualified," he said.

Those opposed to the resolution said they also saw problems with Lincoln's current emergency medical services.

Lincoln resident Mike Morosin said the emergency medical services provided by Rural/Metro are both inadequate and expensive.

He said the ambulance response time is sometimes 20 minutes, over twice that of the recommended time of no more than eight minutes.

Furthermore, he said the city could save tax money if a different EMS service was contracted.

Councilman Jerry Shoecraft moved to put the item on pending,

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Dr. Charles Gregorius  
Lincoln doctor

which delays a vote until the council is better equipped to deal with the item.

He said since the city's contract with Rural/Metro is up at the end of this year, the council should wait until a new provider is chosen to take action on the resolution.

In other business, the council voted 7-0 to approve an ordinance amending an ordinance passed in February that bans sexual contact in public places.

The amended ordinance makes exceptions for theaters, art halls, museums and similar venues.

# Constitutionality of electrocution tested

EXECUTION from page 1

unconscious or create an anesthetic-like effect, he said.

According to court documents and testimony, some inmates are still breathing after the first shock, which Soucie said makes the process cruel and unusual.

John Peter Wikswa, a physics professor from Vanderbilt University, said in a deposition that the inmate experiences pain, according to other cases.

"There has been no evidence that judicial electrocution leads to immediate or instantaneous unconsciousness," he said.

Paula Hutchinson, a Lincoln attorney, testified that during Otey's execution, he was still breathing after the first jolt of electricity. Also, each jolt lasted at least 30 seconds, as opposed to the eight-second protocol, she said.

She also heard a low growling coming from his body after the second shock, which means he was aware and awake, she said.

According to court documents, after the first low-voltage shock to Otey, the procedure was stopped for 20 seconds and then resumed.

Wikswa said when a pause in the procedure is made and the inmate is still alive, it creates extreme pain for

the inmate.

According to Nebraska law, after the first round of the five steps, the executioner must wait five minutes to see if the inmate is alive, and if not, the procedure is repeated.

Wikswa said when the electricity is sent through the body, all the muscles contract, including the respiratory muscles, which results in suffocation.

When the electricity is stopped and the body is still alive, it will try to gasp for air, implying that the person is conscious and experiencing pain, Wikswa said.

Also, the contracting of the body's muscles has created enormous pressure and pain on the bones, he said.

The electricity also directly affects the nerves and pain receptors in the brain and throughout the body, he said.

Wikswa said electricity does not flow evenly in the body, which can cause burns on the head and legs of the inmate, where the electrodes are placed.

Also, because Nebraska procedure does not require monitoring the amount of electricity in the body, it is difficult to determine if there is enough electricity flowing through the inmate's body to cause death.

Chris Peterson, Gov. Mike Johanns' press secretary, said at the beginning of the 2000 legislative session, the governor was pushing to change Nebraska's means of execution to lethal injection because a Florida case. The case would have questioned the constitutionality of electrocution in front of the U.S. Supreme Court.

Because Florida switched their method of execution to lethal injection, the case was dropped, and Nebraska put the legislation on the back burner, Peterson said.

A lethal injection bill might come before the Legislature next year, he said.

The hearing at the law college will conclude today.

Soucie said he expects a decision from Hippe in a week to 10 days.

If the statute is found unconstitutional, Assistant Attorney General Kirk Brown said the state would appeal the decision to the Nebraska Supreme Court.

If not, Mata will appear for sentencing in Scottsbluff on May 10.

The Associated Press contributed to this report.

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