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what they did because I don't want to take time, but let's say that happened and you were a prosecutor, would you be likely to charge three felonies, seek three convictions and then have the terms served consecutively? Or would there likely be a plea bargain to one of them?

SENATOR KRISTENSEN: I really think it would depend on...on what sort of character I'm dealing with. If it's somebody who hit town and who's been doing this, hitting town after town after town, runs in, writes a ton of bad checks and has a scheme, is three steps ahead of the law, gets to the next town and does that scheme and we were finally the ones that got them...

SENATOR CHAMBERS: Uh-huh.

SENATOR KRISTENSEN: ...and could prove those, and I had that bad character, I might well charge the three felonies. But, as you and I know, if they didn't have a prior record, the chances of getting three consecutives were so bad, if I could try them all at once, yes, but I might well wind up having three separate trials, it isn't worth the time and the expense to do that. As long as I can get that evidence in at sentencing, which I could, I'm probably going to go with the one felony to get a conviction and let the judge determine what the penalty should be.

SENATOR CHAMBERS: Then would...what I'm getting to, and I think you see it now, is that in the practical world you might only get one felony conviction and sentence however way you proceeded. So this is not necessarily taking something from the prosecutor and giving something to a criminal.

SENATOR KRISTENSEN: Oh, I don't...I don't view that that way. I don't see this as the good guy wins and the bad guy loses sort of thing. I'm more concerned about legitimate fact situations being barred because of some amendment we did on Select File.

SENATOR CHAMBERS: Oh, good.

SENATOR KRISTENSEN: I guess I'm a little more concerned about that it's correctly drafted rather than stopping.

SENATOR CHAMBERS: That's kind of what I thought you were saying but I didn't want to try to paraphrase it. And I think, through our discussion, it's clear what you're...at least it's clear to me now what you were talking about. Members of the Legislature,