

January 8, 1982

LR 465

SPEAKER MARVEL: Senator Chambers, do you wish to be recognized?

SENATOR CHAMBERS: Yes. Mr. Chairman and members of the Legislature, if you turn to page 90 and go down toward the bottom of the page in lines 22 and 23 they are talking about people confined in an institution and if you wrecklessly cause bodily injury to a person or threaten that person the punishment is the same. So what you are telling a person who is locked up that if one of these guys makes you mad enough to threaten him, you ought to go on and hit him. The only time the penalty is different is if you use a deadly weapon. But they are making a threat the same as the actual infliction of bodily injury. Now I wish Senator Johnson would be where he can hear me. He is more careful in his drafting of legislation than that. And as to what Senator Higgins told me about that bill that she bought, I told her the first version was atrocious, but I also told her that she would have a better chance of getting it through the Judiciary Committee if she cut those sentences, but I told her and if she tells the truth and if her memory serves her correct, I told her I am against mandatory sentences and I have fought mandatory sentences except where I am trying to trade it off to get rid of a far worse thing, namely the death penalty. So we need people when they stand on this floor to keep their memory intact and not imply that something is one way when it is another. And if I would try to correct every piece of trash legislation that comes through the Judiciary Committee, then I would be doing the job that this whole legislative body is supposed to do. I fight that stuff in there day after day after day, so all you will see in terms of results by me is on the committee report where I voted against the stuff. I am not going to rewrite every piece of trash legislation that comes through that committee, and it is overburdened with it, and you now are just getting a taste of it, and I think it is the responsibility of everybody to assume some of that burden. But going back to some of this material that you find in here, psychologists have found out that those people who want to punish severely have certain guilt problems within themselves and this was found out during the inquisition especially. The crimes that were punished most severely related to sexual problems and ironically it was members of a church where the people are supposed to be celibate who carried out the inquisition. That is a matter of history. There was an Iowa sheriff at the tail end of last year who told the sheriffs, the deputies, not to arrest anybody for certain crimes because he was overcrowded. He told them, don't arrest them, we don't even have any place to put them. But there

6370