

salvaged by being taken to trial?

SENATOR KRISTENSEN: At least in my jurisdictions, the ones that were filed first. They go date of filing and not on degree of seriousness.

SENATOR CHAMBERS: So if there were a number of prostitution cases that were backing up, then conceivably they could be, if a number of them were filed at the same time, conceivably some could wind up being dismissed because they could not be tried within the six-month period.

SENATOR KRISTENSEN: They could be dismissed and then refiled.

SENATOR CHAMBERS: And that would be additional action and the person, if they're out on bond, they would be allowed to get out on bond again if it is refiled, is that correct?

SENATOR KRISTENSEN: Well, I doubt if anybody...unless it is a very serious in terms of this is their seventh rate offense and that is a whole other issue, but generally what is going to happen is that those people will not come back in if the case is dismissed because of the speedy trial problems, they are not brought back in, they are not rebooked for anything.

PRESIDENT: One minute.

SENATOR KRISTENSEN: What happens is they just refile that case and start all over again, so in those terms, yes, they do have some additional paperwork to do. Then it comes down to a matter of your discretion and your judgment. How important is it to you? And that is where you make those value judgments or those discretion judgments.

SENATOR CHAMBERS: Thank you. And I'm not going to make any judgmental comments about the discussion Senator Kristensen and I have had, but simply to let you see that this is not as clear-cut and easy a remedy as may have been offered when the bill was presented to the Judiciary Committee, when the committee advanced it to the Legislature and when the Legislature votes to advance it, but I definitely will not vote to advance it and I hope a number of you will join me in voting no.

PRESIDENT: Thank you. Senator Smith, please.