

we're talking about here today, we again jump to the symptom or the manifestation and will not go to the cause, part of which rests with us. When we cripple people and take away the means to make it in a society such as this we help foment those reactions that are anticipated from those people. This bill, I haven't talked about the technical aspects of it because I was trying to get you to see something else. But to show that not very much study has gone into what the bill itself says, if you set a minimum of five years, saying mandatory, putting that word there doesn't mean anything. A judge can set a sentence of five years, that then becomes the maximum and there is no language in this bill to suspend the operation of the good time laws. So it simply means that when the judge announces a sentence he cannot announce a sentence that is less than five years, so the judge says five years. Let's say one of these big shots comes before the judge and there is a lot of pressure, and he's driving down the street and the bottom falls out of his car and kilo after kilo of cocaine falls and breaks open on the street, so they got him in the middle of this big parade where the mayor, the chief of police, 15 legislators are there, the prosecutor, the attorney general, so they can't cover for him. Maybe they rode on a jumbo jet across into Europe, maybe they landed on his heliport and felt like they were something, but now he has committed an offense in such a way that he can't get out from under it, so he stands before the old judge and the old judge has gotten favors from this guy, may have even gone to parties at his house. So he says, I sentence you to five years. Senator Kristensen, I'd like to ask you a question or two, if I may, to maybe sharpen what it is I'm trying to talk about. Under this bill, could a judge impose a sentence of five years on a person who had committed an offense that would make him or her eligible to this bill?

SPEAKER BARRETT: Senator Kristensen.

SENATOR KRISTENSEN: Yes. Yes, he can.

SENATOR CHAMBERS: And, if the sentence were five years, what, in effect, would occur?

SENATOR KRISTENSEN: A straight sentence of five years becomes both the minimum and the maximum. So in other words, if he's sentenced to five years, he will...as he goes into the Penitentiary, will receive good time upon his entrance, which, basically put, is half the sentence plus a month.