

SENATOR KRISTENSEN: That's right, the contact was there.

SENATOR CHAMBERS: Now...

SENATOR KRISTENSEN: Now, whether the whole definition is there or not, I assume you're get...

SENATOR CHAMBERS: Now, if she said that had she known what his purpose was in dancing with her like that, she would not have agreed to the dance, did he deceive her into doing something she would not have done had she known his intentions. Because we're dealing with what is in the mind of the perpetrator.

SENATOR KRISTENSEN: Right, and that's what you've got to prove.

SENATOR CHAMBERS: Let's forget the proof, let's deal with the act that the law allows. Could that constitute second degree sexual assault, based on what the statute says?

SENATOR KRISTENSEN: You're making two assumptions, one is, yes, it could. If you want me to go on, I will, but, yes, that could be...but you're still going to have to show gratification, and you haven't, you haven't given me any evidence that would show or indicate gratification.

SENATOR CHAMBERS: All right. The boy who was dancing had told people that's what his purpose was, and when she asked him, he said, sure, why else do you think I'd do that.

SENATOR KRISTENSEN: Okay. And providing that she doesn't have some form of consent that he couldn't show that she voluntarily did it at the time, that would be the (interruption).

SENATOR CHAMBERS: Well, she's genuinely incensed and outraged...

SENATOR KRISTENSEN: Okay.

SENATOR CHAMBERS: That he would use her in that fashion.

SENATOR KRISTENSEN: Okay.

SENATOR CHAMBERS: She could bring a complaint as much as five years later, based on that.