

because it would protect the plea bargaining in cases. You know, for example, often the perpetrator is allowed to plead guilty to third degree sexual assault and they exchange that for agreeing to enter counseling and family reunification program. The feeling is what if you have a four year old case and then you...you're able now to go back and do something, because it is four years old, but with the statute of limitations now you wouldn't be able to do so. To stretch it to five you may in fact be able to take those cases that are four and five years old and be able to use that in order to get them into counseling, in order to use the plea bargaining approach to handle situations. I'd just be kind of curious to your comments about that. My experience in this area is very limited. Sometimes what is said to those of us that are not within the legal profession, are not within the courtroom day in and day out make sense on the surface, but down below the surface there are some problems with that. Can you respond to that type of...or maybe Senator Kristensen...who...Senator Kristensen is nodding his head, I'll have Senator Kristensen respond to that, if he would, please.

PRESIDENT: Senator Kristensen, please.

SENATOR KRISTENSEN: Well, I think, Senator Bernard-Stevens, what you're talking about is protecting a plea negotiation possibility. Let me explain to you what I think that the sponsors and what you intend to do. So many times you'll have a felony case, let's say it's four years old and your law is into effect now, and once the matter goes to trial as it progresses towards trial more evidence occurs, you have more interviews with witnesses and victims and the prosecutor starts to put his case together and he sees that it's going to be...you know, it's not a locked case. In other words, people haven't confessed to doing it. They're going to have to prove it. Every time you go to a jury you take a risk. And the guy says, well, I really didn't commit the felony, but he's kind of hemming and hawing around, like, you know, I'd go to treatment if you'd let me go to treatment. So, what you'll do is take that case from a felony, and oftentimes you're working with the victims themselves, and you'll say, well it's better to get some conviction and get the man into treatment and get something done, and it's better than nothing. In other words we've made the best we can get, and so they'll reduce it to a misdemeanor. The problem is, if you take the misdemeanor out of here, is that we're past the three years. So they'll reduce it down, the guy