

SENATOR BERNARD-STEVENS: ...to shoot the house and I know that the person, that there was a person in the house, you're saying that there is no way by any stretch of the imagination that a county attorney could stretch that into an assault, attempted assault with a deadly weapon?

SENATOR ABOUD: Yes.

SENATOR BERNARD-STEVENS: Okay, so I guess I'm back to where I started, it seems to me that if we know the intent, we know the intent was to hit the house that the person was at, and we're getting to the point now that we could then go to an assault with a deadly weapon because we know the intent, that now a felony charge could be done. Now, with this bill, to me that doesn't change anything because you still have to have absolute intent before you could even, even before this language will go into effect, and I guess I don't see where we're improving things, though I understand the intent.

SPEAKER BARRETT: Time.

SENATOR BERNARD-STEVENS: And maybe when...Senator Abboud can, I think he's after me, can go into some of those areas just a little bit. Thank you.

SPEAKER BARRETT: Thank you. Any other discussion? Senator Abboud, did you want to respond? Your light is on next. Thank you.

SENATOR ABOUD: Yes, Senator Barrett. I'm glad we're having a discussion about this bill. When you provide for an assault, an individual has to have an intent to assault that other individual and I think that is where the prosecutors and the courts have had problems, that there is no clear intent to provide for that assault. When someone assaults...let's say I walked over to Senator Bernard-Stevens and I take a swing at him, there is clearly an intent on my part to do bodily injury to Senator Stevens. But when an individual, as strange as it may sound, when an individual fires a weapon which can easily kill any number of individuals within the household and they fire that weapon, the weapon hits the house, goes inside the house, breaks the windows, comes perilously close to hitting someone and injuring someone, then that individual no longer has that type of...is no clear intent to do bodily injury to that individual. So that would be in response to Senator Stevens and