

briefly mention it. There is an incentive for the drug dealers to be under 18 because they are exempt from this. If the drug dealers are under 18 and they sell to adults and children, then the law says that they have been put in a protected category. The law actually says that a young drug dealer is not the same as an old drug dealer. So if you have somebody 17 years 364 days and he or she goes to a grade school or an arcade, all these other places, and deals drugs, Senator Johnson's bill doesn't touch them because he doesn't mind that somebody that age is selling the drugs. I know he does, but based on the way this bill, this amendment is drafted, there is an incentive to have younger drug dealers. Sometimes in enacting legislation with the meat-axe approach, we think that we are going to be able to tell the public we did great things, but when it comes into actual fruition, we are going to see that we created protected classes of drug dealers, and there are people who will be aware of what the Legislature does and will take advantage of this. And then the legislators will come back and say, that didn't occur to us, we didn't mean to do that. But a criminal statute is construed and applied based on what the words actually say, and the Legislature can say all it wants to that it didn't mean to do that. The Supreme Court of this state in construing certain laws has even said the court can feel that it was stupid for the Legislature to do something unwise, but it is not for the court to rewrite the law that the Legislature passes. It has to strictly construe a criminal statute, which means, you take the words that are written and you apply them as they are written. However, if the way they are written winds up in vagueness or ambiguity so that a person does not know what is allowed and what is prohibited, or if it punishes conduct that is protected by the Constitution, then the court strikes all such laws down as being unconstitutional. But in most instances when these kind of bad bills are enacted, when they are offered by Governors in a package or pushed by a President, by the time they are struck down, the political advantage has already been gained. But a lot of harm happens out there where people really live who are going to be subjected to this type of poor legislation. There are a lot of people who say anybody accused of the crime is the same as being convicted because you wouldn't be accused if you hadn't done it. There might be fewer or there might be more who hold to the idea that until somebody has been proved guilty they are innocent. Being arrested for an offense puts you to the expense of hiring a lawyer, perhaps going to trial, or if there is a decent prosecutor who is intelligent and mindful of the law will dismiss the charge and you don't have to