

enforcement officials. We have no law enforcement functions. We do not respond to emergency situations. We do not render medical care as a part of our duties and responsibilities. So I think we ought to go very slowly in making it a crime to give what is considered false information to politicians. It's one thing I say again to have a committee sitting as a committee, empowered to subpoena witnesses, to require the taking of an oath; and when you have a committee setting, that person has all of the rights that a person coming into a court would have. He or she need not say anything that may be self-incriminating. He or she is entitled to a lawyer. These are all things contained within our rules. But to put this kind of language in the statute would say that if you have a special investigator, if a person gives false information to that investigator or the investigator says it's false, it gives a type of leverage that I would not want to see a free-wheeling individual who is an employee of the Legislature and not a senator having...I would not want to see special counsel...It doesn't say "special counsel," but counsel having the power to initiate criminal charges against a person for what they may not say. Can you not imagine the power for mischief that this kind of language could have in the statute, even though I don't think that's the intent in bringing it? You could tell somebody, look, buster, you'll talk to me or I'll have you brought up on charges. The court doesn't even say that. You don't have to incriminate yourself. So it is dangerous to allow politicians to be put in a position to exert pressure through the threat of criminal sanctions to try to influence people to talk or to criminalize what they say. How do we, as senators, know whether or not somebody has told us a lie? And then if they've told us a lie that's not enough. It has to be for the purpose of impeding an investigation or instigating an investigation. How can we make that judgment? We say things on the floor that are not true. We say things designed to mislead each other on the bills. So now if that's not going to be criminalized when we say it and we're formulating policy, why should we put citizens at risk of being charged with a crime and taken to trial and facing a criminal sanction because they say words that we say are not true, that they're known to be untrue, they were intended to be untrue, and furthermore they were intended to impede an investigation or instigate an investigation?

SPEAKER BARRETT: One minute.

SENATOR CHAMBERS: This is not a good policy. I do not think