

never get to the other issues of proof. Yeah.

SENATOR BEUTLER: Okay, so let's say even if they have a restraining order or one of the four orders, so we're already limited to that situation, but still you could not use this for a pure stalking situation without a credible threat.

SENATOR KRISTENSEN: You must have a credible threat and I assume that that's done...generally, that's going to be done with words, but it's much tougher to do credible threat with an action, short of swinging, let's say, an axe at them, and then you have an...you have an overt act there that that becomes an attempt to assault. That's another crime.

SENATOR BEUTLER: Then you'd have another crime anyway.

SENATOR KRISTENSEN: Yes.

SENATOR BEUTLER: Yeah, okay.

PRESIDENT MOUL: One minute.

SENATOR BEUTLER: Well, thank you, Senator Kristensen. I don't know that there's a whole lot more to say or to argue. I think you just heard that, as far as the stalking activity itself is concerned, this bill does not do it, will not prohibit that kind of action, any more so than our existing statutes would, and I think that what we're doing is perhaps deceiving ourself in saying that we've addressed this situation. Maybe we need to come back in here and really address the situation. If you want to make the act of following in and of itself a crime, then maybe we need to get rid of credible threat and need to get rid of the protection order language and see if we really want to address directly the problem.

PRESIDENT MOUL: Time.

SENATOR BEUTLER: I think that's what should be done. Thank you.

PRESIDENT MOUL: Thank you, Senator Beutler. Senator Pirsch, followed by Senators Wickersham, Nelson, Robak, Crosby, Chambers, Haberman, Withem and Chizek. Senator Pirsch.

SENATOR PIRSCH: Thank you, Madam President. Senator Beutler,