

SENATOR CHAMBERS: Okay, and harasses is one of those alternatives that you use to define the word "harassment" by.

SENATOR WICKERSHAM: Yes.

SENATOR CHAMBERS: Now in lines 7 through 10, we get this, starting in line 6: The course of conduct must be such conduct as would cause a reasonable person to suffer substantial emotional distress and must actually cause substantial emotional distress. With the way this is worded, isn't it possible for a person to suffer substantial emotional distress from something that might not cause a reasonable person to suffer such distress? Aren't there things that could distress some people which you might say a reasonable person wouldn't be distressed by that, like what Senator Beutler mentioned?

SENATOR WICKERSHAM: Yeah.

SENATOR CHAMBERS: Maybe somebody's walking around with his collar turned up and his hat pulled down and that...

SENATOR WICKERSHAM: Yes.

SENATOR CHAMBERS: ..causes serious emotional distress to a person...

SENATOR WICKERSHAM: Yes. And...and...

SENATOR CHAMBERS: ..maybe from prior experiences.

SENATOR WICKERSHAM: And generally we rely on judges and juries to sort out those questions.

SENATOR CHAMBERS: But isn't it possible for a person to suffer severe emotional distress from conduct which would not cause a reasonable person to feel that?

SENATOR WICKERSHAM: I suppose that's possible.

SENATOR CHAMBERS: And that's what the bill says. You have to have both of them, so, again, there is a difficulty. And, Senator Wickersham, I'm not making you responsible for any of this. I'm trying to get things in the record and I hope you understand that.