

greater likelihood of a conviction, and being able to lock somebody up, then that ought to be done because the state is beholden to cities and political subdivisions as entities rather than having the responsibility to protect the rights of the people. We aren't sworn to uphold the rights of any political subdivision. The Constitution does not talk about protecting the rights of political subdivisions. Even the U.S. Constitution, Senator Bromm, starts out "We, the people" not "political subdivisions and states" and I think it is unconscionable, and to me it is abhorrent, it is abominable to hear people, especially lawyers, stand on this floor and barter away the rights of people by saying is this more convenient to the city, how many jury trials will they have. That is determined by how many times they try to lock somebody up under one of their poorly drawn ordinances. I will bet Senator Bromm won't go back to his people and say I proudly brought a bill and supported it that would deny you the right to a jury trial, if you happen to be charged under a city ordinance. And I know when Senator Kristensen runs for Governor, he is not going to boast about the fact that he was more concerned about the convenience to the city prosecutor than he is to the rights of the people. Let him face going to jail for six months. You saw Senator Hohenstein was so gung-ho on crime and harsh punishments, but as soon as he was convicted and got a sentence, he tried to have it reduced. He thought it was too severe. And we've had senators charged with crimes in this body, and they fought tooth and nail not to be convicted; the same ones who want to be so harsh in imposing punishments that they think will apply only to others. I find the attempt to allow the cities to take away somebody's freedom and not give them a jury trial while we are discussing that issue to be contemptible. In fact, it is beneath contempt. And I think the principle ought to be that whenever your freedom can be taken, that's when you get a jury trial, not based on what the elements of an offense would be or whether a city or a...

**SPEAKER WITHEM:** One minute.

**SENATOR CHAMBERS:** ...artfully drafts an ordinance so it doesn't look the same as a state statute. Anytime a person is going to lose his or her freedom, the jury trial should be available. And if the prosecutors don't think it is serious enough to warrant a jury trial, let them bring a charge that is not going to put a person in jail. Jail means it is serious. That's what determines the seriousness, and Senator Kristensen knows it. He