

would concede that it likely could.

SENATOR CHAMBERS: Okay. Then that's all I'll ask you now. I am really opposed to these provisions that we're talking about now and I would really like to strike this last part, but I'm not going to try to do it on this amendment. But I have an article that came from the Washington Post, National Weekly Edition,...

SENATOR HALL: One minute.

SENATOR CHAMBERS: ...dated March 20 through 26th of 1995, and its headline, "Three Strikes and You're Out of Wiggle Room", then a subhead, "California's Tough New Sentencing Law May Put The Court System in Handcuffs". And I will have to turn my light on again because there is not enough time left to really even do an overview of the item.

SENATOR HALL: Senator Chambers, your light is next so you can continue.

SENATOR CHAMBERS: And before reading some specific element aspects of it, this is what it talks about, the fact that you're putting these mandatory sentences in place has led to more trials and more demands for jury trials. There is no advantage to a person threatened with the habitual criminal statute pleading guilty because that's a mandatory 25 years. So if you know you've got to get a mandatory 25 years, why are you going to plead guilty? Why not throw the dice on the chance that you might beat it? And you know what's happening in California? And I hope those who are hiding in their offices will pay attention to this because it talks about money. They have such a huge backlog of individuals charged with these offenses, these three-strike, and they have a two-strike offense too, that there are some county jails, like in San Bernadino County, which will not accept misdemeanants because they have all of their space filled up with people charged with two-strike and three-strike offenses but haven't gone to trial, and they cannot be taken to trial because all of these individuals who formerly would have accepted a plea bargain are demanding a trial, and they're demanding a jury trial. And during the first few months, since after this bill was put in place, there were...okay, I will read this paragraph. A survey by the District Attorney's Association estimated that six months after the law's enactment more than 7,400 second and third-strike cases had been filed. However, at