

gave, but can you think...

SENATOR LANDIS: Yes, I do.

SENATOR CHAMBERS: ..of any others?

SENATOR LANDIS: And I, by the way, I thought the run down of the situations was a very fair characterization of what happened in the testimony before the committee. Senator Chambers, to me I think there's some amplification in lines 20 through 25, let's say, and let's go to that because it's new language. The victim need only resist, and here we're talking about that response, either verbally or physically, so as to...and physically here would be that conduct aspect,...

SENATOR CHAMBERS: Okay.

SENATOR LANDIS: ...right?

SENATOR CHAMBERS: Okay.

SENATOR LANDIS: So as to make the victim's refusal to consent genuine and real, as opposed I think by the way to that sort of the eyes say yes but the voice says no. In other words, we have to have a pattern here in which the absence of consent, the refusal to consent is genuine and real and so as it rises to the level reasonably make known to the actor the victim's refusal to consent. As you know, this is a jury-based decision.

SENATOR CHAMBERS: Right.

SENATOR LANDIS: It's one of the reasons...

SPEAKER WITHEM: One minute.

SENATOR LANDIS: ...there's a lot of problems both in acquittals and in wrongful convictions. This is a tough area. What I'm trying to keep in the new language is the idea that you have a real standard and the real standard is the...is a real, genuine refusal to consent through words or conduct, but that it's unnecessary to physically fight off the rapist as a precondition or element to the crime.

SENATOR CHAMBERS: Mr. Speaker, did you give me the one minute warning?