

But anyway, they put the gun to my head and he says, Ernie, I'm doing, as I see Fisher over there, I'm going to pull this trigger, and I say, if you must pull the trigger, please let the gun be unloaded. That doesn't mean I want him to shoot me. That doesn't mean I want him to kill me. And in these days unprotected sex can be a death sentence, so what the woman is really saying, you're going to violate me, you're going to do this terrible thing to me, but don't put me in risk of physical death also. A group of people heard this fact situation and, Senator Bohlke, if I'm not mistaken, they said that constituted consent. She's nodding yes. That was the way I remembered it too. How in the world are we going to elevate in this society the consideration that people ought to have for each other when the court, under a set of facts where it's obvious a woman is being taken against her will, will seize on something like that to say that consent was given. Consent means more than uttering the word "yes" because some of these people want to, and they often say that rape is a crime of control or violence and not necessarily a sexual type of thing, it's a sex act but it's not sexual in nature from the psychological standpoint, some of these men want to...

SPEAKER WITHEM: One minute.

SENATOR CHAMBERS: ..force a woman to utter words that she would utter if she was agreeing to it so he might force her to say, yes, I want this, yes, I like it. And maybe she has bruises all over her, and if somebody elicits testimony from her where she said, yes, I want it, yes, I like it, some people might say that's sufficient for me, she went along with it, because some people have the attitude a woman shouldn't be in a position where she can be raped. She shouldn't wear the kind of clothes that would want to make somebody rape her. Well, I don't believe what a woman wears can make me do anything to her. I don't believe where a woman is can make me do anything to her. If I am as, well, my time is out on that one, but I've got my light on.

SPEAKER WITHEM: Senator Landis, your light is on.

SENATOR LANDIS: Thank you, Mr. Speaker, members of the Legislature. I'd like to get back to the underlying issue because I thought the letter that is now being sent around from the Criminal Defense Attorneys Association deserves to be discussed. I'd like to read to you the jury instruction that a