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them about it? Are they planning to do it, if you know?

SENATOR AGUILAR: That if they are forced to do that, their concern is that some enterprising lawyer will come along and say, okay, this doesn't exist in law; you can't put my client in jail. There goes your hammer.

SENATOR CHAMBERS: And Judge Luther, based on what you understand, agrees with this provision that exists in the green copy, that a person can be sentenced to jail for a noncriminal offense? She agrees with that, because she supports the bill. Is that correct?

SENATOR AGUILAR: She supports the bill. That's correct.

SENATOR CHAMBERS: Then I'm going to keep saying about the one who I think is responsible for it, is a lunkhead. But since I know it's a woman in it too, she's a lunkhead if she agrees with this. And that's why I wanted to have those questions with you. I thought Judge Luther was smarter than that. But it shows that appearances can be deceiving. Members of the Legislature...and that includes Senator Wehrbein...who want to support something like this, I should tell you this. This bill is not necessary for those drug courts to continue to exist. It's not necessary. They exist now. The only purpose of this bill is to allow them to put a person in jail for a noncriminal offense. And the reason I say it's heaping punishment on punishment, if you can put two boxes in your mind so that it will help me explain what I'm saying. In box A is the original crime. You plead guilty. And the judge tells you, if you do not go into box B, which is this program, you go to jail for the offense you committed. If you go into box B and you take this program, if you fail to comply...and the statute does not say what that means...but if you fail to comply, you can go to jail for violating something in box B, even though it's not a crime. And if you fail to comply again, and we take you out of box B, then we take you back to box A and send you to jail on the original criminal offense.

SPEAKER BROMM: One minute.

SENATOR CHAMBERS: No matter how much people may hate drug