## TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office FLOOR DEBATE

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whole thing, treatment versus prosecution. Isn't that a classic dilemma that we look to with respect to drug laws generally now? And we're looking more to treatment, but that doesn't mean that we set prosecution aside, because there are an awful lot of people who won't get treatment until they're prosecuted. We all And so therefore I would argue why would we treat this person differently? They're a violator of major drug laws. In fact, they should be treated more harshly under our traditional value system, because they're hurting somebody else and because they have a high degree of responsibility in this instance to be careful of that other being. So I don't know why you would step outside of what we do generally with regard to versus...with regard to treatment versus prosecution and treat this person any differently. Again, it comes down to equality before the law, doesn't it, ingrained in stone above our Capitol Building, equality before the law. There's no equality before the law for this person. If this person harms a three-year-old or a four-year-old or a five-year-old who is this...who is the their child, most of us would think there's probably something mentally wrong, and hopefully our law protects those situations, but let's say it's drugs. Treatment versus prosecution: Would you say, with respect to someone that harmed a three-year-old that, no, there will be no prosecution because they were on meth or they were on cocaine and, therefore, we'll make an exception, having harmed this living child? So why would you make an exception here? You can object to Senator Foley's whole concept of carrying this matter to unborn children, carrying prosecutions to unborn children, but once you're there, you need to fairly construct the law so that it applies equally to all and especially to those who have the greatest responsibility. It's not my position, as Senator Chambers has indicated, and if I misspoke I take it back immediately. The purpose of this is not to supply prosecutions for a law we're putting into effect. That's not why the I simply indicated by that reference that we're amendment. creating a law and ignoring the one biggest factor, the one biggest menace. The one worst thing that's happening with regard to unborn children, we're ignoring it. We're excepting it out. How many times is some sort of stranger going to be involved in an assault that ends an unborn...that seriously damages an unborn child? I mean really, not very often. We're