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SENATOR BRUNING: Thank you.

SPEAKER WITHEM: Continue, Senator Bruning.

SENATOR BRUNING: Thank you.

SPEAKER WITHEM: Thank you very much, Senator Bruning. Senator Chambers.

SENATOR CHAMBERS: Yes. And Mr. President, let me go on in answering Senator Bruning's question. I wanted to give a complete response, because I have another amendment similar to this that would relate to police officers, but I haven't submitted that formally yet, so I didn't want to confuse the two. Senator Bruning, this one does not say "reasonably should know", so that would be over on the other side where we're talking about the police officer. But to deal specifically with this language, what I would do in line 24, it would be a situation where this public servant has lawful custody. It wouldn't be a situation where the individual is a public servant, in fact, and decides that, since I have this job, I work for the Welfare Department, I'm going to go into this house and I'm going to take charge of a situation. Let's say that the person to be taken charge of is deemed to be, by this individual, mentally incompetent. This person who is going to do this taking into custody determines that this person is not safe, will be a harm to himself or others. So...is going to take it upon himself or herself to take that person into a safe environment, and the person does not want to go and kills this individual deliberately, intentionally. And not in self-defense because the one taking him or her into custody is not putting the perpetrator's life at risk. This individual doing the taking into custody may get control of the individual, but that is not a lawful exercise of his or her duties and responsibilities. Or you could say that there's a case of mistaken identity and the one snatched is not the one who might, in fact, be in need of protection, and the one snatched is old enough to be subject to the death penalty if convicted of first degree murder. If you're going to elevate all of these public servants to the same level you're trying to put these police officers, then I think there should be some restrictive language to narrow, as much as possible, the circumstances under which