

SENATOR ABOUD: Mr. President, colleagues, or Madam President, colleagues, I strongly object to the Pirsch amendment. It essentially guts out the amendment that was adopted by the committee in dealing with restitution, with restitution as conditions of parole as well as probation. I think it gets down to a basic philosophical argument as to why the committee amendment was adopted and why certain segments dealing with parole were stricken from the restitution order that could be granted by a judge. It is my belief that if an individual has money, or I should say it is my belief if an individual commits a crime that that person should have to spend some time in jail or in prison and that that individual shouldn't be allowed to buy his way out of prison. Now, with this amendment, if an individual commits a crime and with the commission of that crime one of the conditions of parole is to make restitution to the victim, then he can essentially go and leave prison as a condition if he...let's say, for example, he commits an act of arson. He burns down an individual's home. Well, that home let's say is valued at \$50,000, \$60,000 and as a condition of parole they say, well, we'll let you out of prison if you pay back that person whose house you burned down. Well, that's nice and I suppose that person should pay it back anyway and maybe that should be in the original order by the judge in sentencing that individual, but is my belief that if a person has money, he shouldn't be able to buy his way out of prison. By the same token, an individual that doesn't have any money and he commits a crime against some property, burning down an individual's home and he doesn't have the 50 or 60 thousand dollars to reimburse that individual or make restitution, then that individual is going to have to stay in prison. I think the laws should be set so that if a person is poor or rich he has his day in trial and that individual is sentenced and he has to serve the time no matter what his financial position is. With that we put in some restrictions on restitution dealing with probation which I thought were agreeable. It was my understanding when I voted the bill out of committee they were agreeable to all of the parties, but now at this time the...they don't even go halfway with these amendments. They just go all the way and return the bill back to its original form. I have some real problems with this. I have some real problems that this amendment is even being offered. With that, I urge you to reject these amendments. Thank you.