

the moment. It is currently faddish to do the kinds of things that Senator Pirsch is trying to do with this bill. By saying that a person can be sentenced to probation, to parole, I meant to restitution, is a departure from the law of the state as it exists now. And remember what this bill is saying. A sentencing court may order the defendant to make restitution to any victim of any offense. That is very broad, very general language. It is as open-ended as it could be, but if you're going to allow restitution as a condition of parole, then you should not allow two bites. When I was present at the committee deliberations on this bill, the committee members had said they were not in favor of making this restitution a condition of parole. I had said that if the bill were advanced, Senator Hoagland argued learnedly and well for making it apply to probation knowing that once it was out here the amendment that was added and adopted, would be added and adopted. So what I want to do is take this amendment that I am offering and saying that once restitution has been granted by the court, has been ordered by the court, there should not be any civil action for damages after that. If you allow an additional civil action, you taint all of the proceedings. You allow things to be brought into that case which Senator Hoagland knows now would not be allowed to be brought. You're making a hodgepodge out of the law because you have people with half-baked ideas who don't understand the law and don't know what they're doing, persuading you that you're being hard on crime and criminals, therefore, throw the criminal law out of kilter in this fashion. I am concerned about the status of the law and I'm concerned about these types of changes that are being made. There were members of the committee who expressed a concern but somehow between then and now I guess their concerns have been alleviated. It is regrettable when we have lawyers in the Legislature who will not help give direction and guidance to the Legislature on issues as serious as this one. You don't expect lay persons to have that much interest. They are very quick when they have an attitude such as that being manifested by Senator Pirsch's legislation to convert ideology into legality. Ideology is being put into the criminal law. There was a lot of "yow-yow" about taking care of victims and then as Senator Pirsch pointed out the Legislature doesn't want to fund that program. I'm the one who wanted it funded. I'm the one who couldn't persuade Senator Pirsch to put something in the law to make the state liable for any award that that Victims Reparation Committee decided to give to