

1 protected if the law enforcement authorities may not attempt
2 to find incriminating evidence through the use of illegal
3 means. And it is not the guilty who matter in the
4 situation, but the innocent.

5 Now, the exclusionary rule has only been effec-
6 tive in Maryland since 1961 when in the cases of Mapp v.
7 Ohio the Supreme Court dictated that the States would have to
8 follow it. In the 200 years of the 4th Amendment's exist-
9 ence it was not until 1961 that the citizens of Maryland
10 by fiat of the Supreme Court actually had to accept and live
11 by it. And in all felony cases we had a statute known
12 as the Bauze Act which forbade the introduction of
13 evidence illegally seized in misdemeanor cases, but
14 its effect was very limiting. This proposal would carry
15 the concept of the exclusionary rule not only into criminal
16 cases, but into any cases where a court or a State agency
17 acted.

18 It is extremely important in protecting the right
19 of privacy because it would take a great deal of the impe-
20 tus out of the invasions of privacy which occur day in and
21 day out.

THE CHAIRMAN: Delegate Bothe, you have only three