

1 Kiefer rise?

2 DELEGATE KIEFER: For a point of clarification.

3 Our research indicated that there are in Maryland
4 while the -- this language exactly parallels the Fifth
5 Amendment language and while Maryland cases defining infamous
6 crimes are not exactly the same as federal crimes, as
7 far as we have been able to determine, there are no felonies
8 in Maryland that are not infamous crimes and there are
9 serious other misdemeanors which have been classified
10 as infamous crimes. Therefore, this is a little bit more
11 broad in granting a right.

12 On the other hand, under the federal rules and
13 under Maryland rules, there is always a right of waiver,
14 so that we are not doing anything but giving a person
15 a right to be indicted by a grand jury in situations that
16 parallel, we think, what the common law was, but which
17 we felt ought to be put in now because the common law may
18 not be as clearly stated because of what we are doing in the
19 way of eliminating some of the present declaration of
20 rights.

21 DELEGATE JAMES: Delegate Marion?