

1 40, I take it it would have nothing to do with a search
2 warrant. Is that correct?

3 DELEGATE BOTHE: As applied to a case in which
4 a warrant -- of course, where there is no warrant and where
5 there is an unreasonable search or seizure, there would be
6 no admissibility.

7 THE CHAIRMAN: Well, to be specific, because I
8 don't understand the application of your amendment, in view
9 of what you just said, in a private matter, a civil proceed-
10 ing, suppose one takes moving pictures of a person claiming
11 to be injured as a result of an automobile accident.

12 If it was deemed that those moving pictures were
13 an unreasonable invasion of privacy of a person, would it
14 mean that they would not be admissible in evidence?

15 DELEGATE BOTHE: That is correct.

16 THE CHAIRMAN: And the same thing would be true
17 if a witness, an eye witness, not moving picture, observed
18 conduct which might be evidence in a divorce case; if it
19 were deemed an unreasonable invasion of privacy it would
20 not be admissible?

21 DELEGATE BOTHE: With the proviso that the