

1 I know that the body here tonight does not want
2 to reargue what was just said, and I will not do so, but I
3 feel that this is a subject which should be considered very
4 closely, contrary to what Judge Henderson said in his final
5 remarks. This is not just a rule of evidence. It is a
6 rule or a principle which effectuates the right of privacy.
7 In the 200 years since the 4th Amendment has existed, there
8 has been no other means devised by judges or people to
9 effectuate the 4th Amendment other than the exclusionary
10 rule, other than the rules that say that at least the Courts
11 will not entertain in evidence matters which are seized in
12 violation of the 4th Amendment.

13 Now, since the case of Mappe versus Ohio,
14 which, as Judge Henderson said, was a five-four decision,
15 I dare say this is going to remain the law of the land
16 for time immemorial anyway. It has been adopted in much
17 lesser margin cases many times since. The exclusionary
18 rule has become a part of the constitutional rights of the
19 people.

20 You and I have a constitutional right not to
21 have evidence introduced against us, not to have the