

1 (Whereupon, the motion was seconded.)

2 THE CHAIRMAN: The Chair recognizes Delegate
3 Dukes to speak to the motion.

4 DELEGATE DUKES: Mr. Chairman, I think I have
5 already stated the bulk of what I had to say. I reiterate
6 the principle very simply: If we believe that you are
7 not convicted until you have had a trial, then it seems
8 to me we must also believe that you shouldn't have to sit
9 in jail and cool your heels because some judge thinks you
10 might be guilty. Regardless of what the members of the
11 bench may say I suggest to you there is no other reason
12 that a judge keeps a man sitting in jail. There is one
13 possible other reason, and that is he thinks he is a bad
14 man for some other reason. Surely none of us would go so
15 far as to say that every man who happens to be accused of
16 a crime and the judge thinks he is a bad fellow and should
17 be kept off the street because of some other crime, that
18 he ought to be allowed to keep him in jail. That leaves
19 him accused. He stands before the bench and the judge
20 says, in my opinion, young man, although you won't be found
21 guilty until later, I think you probably are and if I let