

arrangement, and again he answered in the affirmative.

Now, this specific proposal was introduced by Delegate Charney Harris of the Committee. The purpose of it, ladies and gentlemen, is to bring, as much as we can, to this very sensitive position, an atmosphere of non-politics. We suggested and I think many here concur, that the office of state's attorney is very much a quasi-judicial office. It has become over the past decades very much a partisan political office.

Now, there is certainly great advantage to the elective system and I frankly personally have come around to recognizing that since I originally suggested the appointment system. At the same time I do not think we should entirely give up the possibility in the elective system of creating a non-partisan atmosphere. I do not suggest I am naive enough to recommend to you that simple cross-filing will make a non-political office of state's attorneys; certainly that is not the case.

What I do suggest to you is that it will bring it as close as we possibly can to a non-political atmosphere.

Why do we suggest that the political atmosphere is not the best atmosphere? This resolves itself into favors to political and financial benefactors. It evolves into assistants being chosen for political and not professional reasons. It evolves itself into state's attorneys campaigning for political office rather than efficiency of their office.

I think it is clear that the people do not know how important and sensitive this job is. We can draw some conclusion in any event from the results in the Democratic primary in Baltimore City in 1956 where 152,000 votes were cast for the office of governor, and only 80,000 for the office of state's attorney.

The non-partisan atmosphere which we suggest would be promoted is not accomplished by this amendment. The mind of the General Assembly to divide into districts the state's attorneys districts in the State would make for more efficient use of manpower and technology and propel that office to that distant day when it will be regarded and become in fact a highly professional efficient office designed to play a coordinated and significant role in crime suppression, something it will never truly become while it remains essentially a political office, despite some of its most talented and professional, but transient, holders.

Now, our method preserves the right of the people to participate in this selection and gives the state's attorney a greater incentive to act courageously and independently. There is some merit in placing an independently elected official in a position to intervene in cases of governmental or citizen misconduct, but to the extent this official is elected on a partisan ticket with partisan financial and political support—to that extent this valuable independence is diminished.

No one suggests it should be partisan, only that it be elective.

I would now like to address myself to the question why I have alluded to this matter of the criminal law enforcement package, if you will, and the role of the state's attorney in this area.

The Committee on the Executive Branch obviously recognized the relevance of this, because it provided a most wise provision, that there could be districts rather than a state's attorney in every county.

I have already submitted to you and, therefore, will not repeat, the statistics which indicate that we have various degrees of competence and attention to duty in all the counties of our State. In Baltimore City we have a highly efficient and large staff of thirty-three and relatively high salaries of \$20,000 for the state's attorney himself and \$20,000 in 1968 for the deputy and beginning salaries of \$7500, I believe, for his assistants.

But in other counties, we find it is a completely part-time job with salaries commensurate therewith.

I would like to refer to the State's Attorney Moylan himself in his statement to the people of Maryland of which you all know.

He makes the point that the state's attorney's office is part of the same law enforcement package as the whole new complex of courts. He points out that twenty-eight of fifty states establish prosecutors offices by constitution, but forty-five of fifty states elect a state's attorney.

Then in response to suggestions that there be a statewide attorney general to supervise the state's attorney, he said "To have an office which can devote at best a small part of its time to the criminal field, supervise comparable or even larger offices", meaning for example his own, "which are engaged full time in the field, is patently absurd."