

Tenderloin district of San Francisco, and he will see that law enforcement in those places fell down because of political considerations, politics of certain of the prosecuting attorneys in those areas at different times.

It is a matter of great importance, it seems to me, to remove the state's attorneys from politics, as much as possible, and this is one of the things that will do it. I think that the law enforcement commission's recommendation was sound and we can set a good example by including this small provision insofar as the state's attorneys office goes in the constitution.

THE CHAIRMAN: Any other delegate desire to speak in opposition to the amendment?

Delegate Bushong?

DELEGATE BUSHONG: Mr. Chairman, this thing can work both ways. If we put this in the constitution, you can also get a state's attorney to perpetuate himself in office and he might not be a good one.

It is a very peculiar and sensitive job. As one of the speakers before pointed out, we handled this situation some years ago about judges by having the legislature do it. If it becomes necessary, this can be done by the legislature also. I do not believe that this belongs in the constitution.

THE CHAIRMAN: Any other delegate desire to speak in favor of the amendment?

Delegate Della.

DELEGATE DELLA: Mr. Chairman, I only have a question to ask Delegate Bennett, if he would yield for one.

THE CHAIRMAN: Delegate Bennett.

DELEGATE BENNETT: Yes, sir.

THE CHAIRMAN: Delegate Della.

DELEGATE DELLA: Delegate Bennett, you mentioned the crime in New York and Cooks County in Illinois, and I believe they have elective state's attorneys. Would you say that also applies in the District of Columbia, where the district attorney is appointed, and the crime rate has not increased?

THE CHAIRMAN: Delegate Bennett.

DELEGATE BENNETT: Well, if I am not chastised again by my good friend Al Scanlan for answering that question, I would say that the situation is no differ-

ent in the District of Columbia than it is in Baltimore or Philadelphia.

THE CHAIRMAN: Does any other delegate desire to speak in opposition to the amendment?

Delegate Malkus?

DELEGATE MALKUS: Mr. President, I rise on a point of inquiry.

THE CHAIRMAN: State your inquiry.

DELEGATE MALKUS: I would like to ask Delegate Hal Clagett, who I understand yesterday made remarks about my not being present, if he will yield now to a question.

THE CHAIRMAN: Delegate Malkus, the Chair rules that that would not be in order at this time. We are discussing Amendment No. 25. I would suggest that you ask Delegate Clagett, if you can find him, at an appropriate time.

DELEGATE MALKUS: Mr. President.

THE CHAIRMAN: Delegate Malkus.

DELEGATE MALKUS: You have answered my question. Thank you very much, sir.

THE CHAIRMAN: Does any other delegate desire to speak in favor?

Delegate Willoner?

DELEGATE WILLONER: Mr. Chairman, I had not intended to speak in favor of this, although being an ex state's attorney I think it is an excellent amendment, until Mr. Hanson spoke about it.

It seems to me that we have written a judiciary article that is, as I contended before, somewhat legislative in nature, but we have not only insulated the judges from running against opposition, we have provided for a method of selection that completely insulates them from politics.

The state's attorneys position is an extremely sensitive judicial position. You have the power in secret to nolle pros cases that essentially never get out to the public where the judge at least has to act or at least usually acts in the public or in an open courtroom.

I think it would be an extremely helpful procedure to allow the state's attorney to cross file for the simple reason that when you run on a ticket or when you run with another political group, after you are elected you are asked to do political favors for that group.