

1 MR. SCANLAN: I would point out, Mr. Eney,
2 under Mr. Sayre's proposal, and assuming that the Com-
3 mittee's proposal stays in, the first part of it, it
4 would permit a situation where you could ransack a man's
5 house under a warrant to find out if he was violating
6 a building code, but you couldn't get a warrant to tap
7 a telephone in a hotel room where the Mafia was holed
8 up. Is that the situation that would be permitted
9 under your amendment? Under your amendment, you couldn't
10 get a warrant for any kind of interception.

11 MR. SAYRE: That is correct.

12 MRS. BOTHE: I don't go along with that myself,
13 having raised the subject.

14 THE CHAIRMAN: I am not sure it is clear what
15 you don't go along with.

16 MRS. BOTHE: Mr. Sayre wants the Constitution
17 to ban any kind of interception, with or without reasonable
18 cause. Those who have the model, on Pages 30 and 31, this
19 question is discussed, and it is pointed out that New
20 York, I believe, is the only State that has such a pro-
21 vision, and it doesn't go anywhere near as far as