

1 PROFESSOR ASPER: The second thing that occurs
2 to me, and I suppose this is influencing my thinking,
3 I wish I could remember the name of the case, but the
4 thing that comes to my mind when I look at these provisions,
5 the famous Supreme Court case against mailing obscene
6 matter, which was described as papers, films, documents,
7 pamphlets, everything, and it took them three tries, and
8 three, five and four decisions to decide whether dirty
9 records was covered by that statute. This is exactly
10 the kind of question, kind of problem that we are asking
11 for, I believe, in putting into a constitution here this
12 detailed kind of proscription against a certain kind of
13 search and seizure. I just can't believe --

14 MR. SAYRE: How does this provision differ
15 from our present court limitations?

16 PROFESSOR ASPER: It doesn't differ at all.
17 We are not trying to add anything here to what has
18 already been decided. We don't happen to believe that
19 the Supreme Court or certainly, the Court of Maryland,
20 or the Maryland Legislature has locked itself in.

21 MR. SAYRE: I am suggesting here that in case