

1 we have it. All it does is make it explicit.

2 MR. CLAGETT: Mr. Chairman, a question of
3 Mr. Martineau. Does this contemplate that the sheriff
4 is an officer of the judicial department?

5 MR. MARTINEAU: We brought this out purposely.
6 We don't know, exactly. He is obviously an executive in
7 some capacity. He is the chief police officer in some
8 counties. The reference to the sheriff is in Article IV,
9 the Judicial Arm. He has many duties relating directly
10 to the judicial department. I am not sure, frankly,
11 whether he is an officer of the judiciary or an officer
12 of the executive.

13 THE CHAIRMAN: But whether he is one or the
14 other, under this Section, his duties in the enforcement
15 of judicial orders is subject to court order.

16 MR. MARTINEAU: That is right. That is why
17 we phrased this the way we did.

18 THE CHAIRMAN: Any further questions? All right,
19 in Section 8, no change.

20 MR. MARTINEAU: No change.

21 THE CHAIRMAN: Let's proceed to Section 9, on