

1 provision and have said it wasn't necessary, but since  
2 it is here, it put any doubts to rest of the constitution-  
3 ality of such a law.

4           The Committee, of course, has no notion of  
5 recommending any action which would place Article 31B in  
6 jeopardy of constitutional attack by recommending the  
7 deletion of the entire area of Section 60, Article III.  
8 We checked with Frank Kaufman, now Judge Kaufman, who was  
9 Chairman of the State Bar Committee dealing with criminal  
10 laws at the time, and he was also on a committee which was  
11 studying the possible revision of the Defective Delinquent  
12 Act, and Judge Kaufman felt that the provision was unneces-  
13 sary. I believe his letter is attached as an appendix to  
14 the report.

15           We also contacted Professor Francis Allen at  
16 the University of Chicago Law School who is an expert in  
17 the area of constitutional law, and the indeterminate  
18 sentence, and his response -- he assisted in the drafting  
19 of the Michigan Constitution in this area, I believe --  
20 and his response, stating that he felt the provision  
21 unnecessary is also attached to the report. We took note,