

1 MR. BROOKS: Three.

2 THE CHAIRMAN: Motion carried, 14 to 3.

3 Now, let me phrase the next one in rather
4 general terms, unless someone wants to be more specific
5 about it: That the Committee consider whether it would
6 be appropriate to include language specifically which
7 would make possible the discovery process in criminal
8 cases and report back to the Commission.

9 MR. SCANLAN: Would it cut both ways, prosecu-
10 tion have the right to take the deposition of the defen-
11 dant and the defendant's supporting witnesses?

12 THE CHAIRMAN: I would so assume from the use
13 of the phrase. I am not suggesting in putting the ques-
14 tion in this manner that this is a direction to the
15 Committee to come up with such a proposal. I am merely
16 suggesting that they report on it and may report adverse-
17 ly. Mr. Miller?

18 MR. MILLER: There might be some difficulty
19 if we solemnize it too much because of the constant
20 question that comes up of people demanding to know who
21 informers are or this or that, and the records of the