

1 F.B.I., et cetera -- many prosecutions have had to be
2 dropped because they can't afford to give away their
3 change of information. I wonder if, whatever we do in
4 this field, if we ought to be very careful in thinking
5 it ought not to unduly handicap the proper kind of law
6 enforcement that we all want to see done.

7 THE CHAIRMAN: That is an excellent reason why
8 the matter should be very carefully studied by the Com-
9 mittee.

10 Any further comment?

11 MR. SAYRE: Could there be some elaboration
12 just as to how this would work? I assume here we are
13 talking about the source.

14 THE CHAIRMAN: Well, the several instances,
15 or some of the instances in which it has arisen are
16 these, the judge, Montgomery County Judge, Shook, in
17 Montgomery County, for instance, ruled that the discovery
18 rules of the Court of Appeals were applicable in criminal
19 cases, and therefore a defendant had the right prior to
20 trial to take the deposition of, that is, examine orally
21 under oath or by interrogatory, witnesses who would