

enforce, have defined human conduct to where it is no longer a simple matter of right or wrong.

In some sections, misbehavior is governed by a complicated, almost impossible to understand statute, and this is further complicated by a judicial interpretation of the statute, and all too frequently the latter only holds for a very brief period of time before it is again reinterpreted, and I believe that the *Mallory* case has been already cited in 142 Federal cases on appeal, many of these in conflict with one another.

It is almost impossible to train an officer today to operate within the meaning of the statutes, let alone to educate them to understand the various interpretations that constantly succeeds the law.

It is not unusual for us to be called upon to interpret and apply to an active situation or social condition, constitutional provisions that have been and are at this very moment a subject of deep study and review by the best legal minds and students of government.

Most often the actor on our side is the rookie policeman on the street, with an immediate responsibility to discharge.

It is also unrealistic that our acts be reexamined and judged on the basis of the law or interpretation of the law that has not taken into consideration the developments of our social order and the present acceptable standards of conduct, or misconduct, if you will.

According to the record, our distinguished justices disagree as so do many of the accomplished members of the bar, both in practice and in the area of academic study, as to the meaning of statutes and interpretation of the statutes. Yet we, without the benefit of this great training and experience, are expected to identify the law and to stand accountable if it is wrong or if it is wrongfully applied or even if it is unacceptable in any given situation.

We are not lawyers, nor do we think we should be. Nor do we think it necessary in order to understand the rules of human conduct that our society provides through its government.

Some of the interpretations that have come down to us guaranteeing the rights of individuals by overcoming the statutory provisions as applied by the police, I am sure interfere with the paramount rights of society, who alone guarantee these privileges.

We believe, however, and we plead for your support, that the law and its interpretations should be sufficiently clear to be understood by all.

The CHAIRMAN. I think that is a very fine sentence. But I think we will be at the millennium if we ever get to a point where we can draw a law with which everyone is in agreement and the court becomes unanimous.

Humans being what they are, they are going to have differences of opinion as to the meaning of statutes.

I understand what you are saying, but I wonder how you overcame this problem.

Sheriff CANLIS. My prayerful hope is the Congress of the United States, and what you are doing here today in sifting out everybody's thinking, including the proponents and opponents of a thing like this, and the detail in which you are doing, and the graciousness with which you are encouraging this type of testimony, and really being interested in the problems of every segment of society.