

is that they are merely doing their job, whether it is a search without a warrant, whether it is wiretapping, as long as it is in pursuit of their job to try to catch criminals, nothing is ever done either by the agency for which they are employed in the form of disciplinary action or by any agency as far as criminal prosecution. This is one reason, for example, but certainly not the only one, that we have opposed the proposed wiretapping bill of the administration, which has been introduced the past couple of sessions. The advantage that the administration suggests is that it will then stop all unlawful tapping, and it will vigorously prosecute anyone who taps outside the law. But the whole pattern of the U.S. Department of Justice or any law enforcement agency is that they never prosecute individuals who are in law enforcement agencies for nonbrutal activities which they commit in the pursuit of law enforcement purposes. Until that occurs, then it seems to me that police officers are going to continue to search homes without warrants. The most that happens then is that the cases are tossed out of court, and we are throwing more and more of a burden on the courts. But the police continue to do it. They continue to violate their own rules of their departments, they continue to violate the penal laws because they know they can do it with impunity. The worst that happens is that a case is lost, and until we have some kind of Executive order, or perhaps an expansion of the Civil Rights Act with some clear legislative intent, that that act be enforced for invasions of privacy, then perhaps the kind of legislative oversight that this committee is considering and I hope will do, we are not going to have Government agencies concerned with and observing the values that we have, which I think are necessary for a free society including protecting the right of privacy.

Thank you.

Mr. GALLAGHER. Thank you very much, Mr. Speiser, for your very meaningful remarks.

The Chair would appreciate it if you would submit the type of questions that you mentioned in your testimony. If you will make those a part of the record, we would like to have them.

Mr. SPEISER. Because of the rules of your committee, I would prefer to cut out references to specific names and any identifying remarks, but I will submit the questions that were submitted by the Civil Service Commission to prospective Government employees, plus a copy of the Walter T. Skallerup memorandum.

Mr. GALLAGHER. We would like to have both of those.

Mr. HORTON?

Mr. HORTON. I just wanted to ask about that memorandum. You left out some questions, that you said had to do with personal——

Mr. SPEISER. I would be glad to read them.

Mr. HORTON. Are you going to submit it?

Mr. SPEISER. There are only a few. Let me read those questions.

Mr. HORTON. These are the type of questions you say were being asked, but this memorandum apparently eliminated but you contend are still being asked?

Mr. SPEISER. That is correct, or at least I have had cases which have arisen since then, which indicate they are still being asked and when complaints have been made no disciplinary action was taken against the investigators who asked the kinds of questions.