and it certainly should not be a license for "Peeping-Tomism" of the most offensive kind.

In all honesty, I would rather have somebody looking in my window than in my mind.

Mr. ROMNEY. Just for the record, I want to refer to one of the standards legal reference works, "American Jurisprudence," which, under the subject heading, "Disorderly Conduct," has this statement, from page 100, volume 17:

> Peeking into the windows of an occupied lighted residence at the hours of night when people usually retire by one who has no business there constitutes indecent or insulting conduct or behavior within the meaning of an ordinance relative to disorderly persons and an improper or unlawful purpose is not necessary to constitute the offense.

I merely cite that to remove any implication that your acquaintance's reference to "Peeping Tomism" not being unlawful is, in some jurisdictions at least, not true.

Mr. FREEDMAN. Yes; I am aware of that. I appreciate your mentioning it, and, indeed, I did not mean to encourage anybody to look in my window.

Mr. ROMNEY. One brief question: Where a set of questions verges into an area which is constitutionally protected and these questions are asked of minors, do you think that the parents should be regarded as being able, in law, to waive any constitutional right that is involved, waive it on behalf of the minor child?

Mr. FREEDMAN. I would be inclined to say yes. In all honesty, I have not given that considerable thought, but I would say, at least, there should be knowing waiver by the parent, and, again, by "knowing" I do not mean general information about what a great test this is, or even reference to some specific questions or areas to be covered, but the parent should also know what kind of inferences are going to be drawn about his child from these questions and answers and what use those inferences are going to be put to.

Again, the question may seem entirely innocuous, and yet, the interviewer may be trying to find out whether the child is emotionally unstable or Lord knows what else.

Mr. ROSENTHAL. Thank you very much.

The subcommittee stands adjourned.

(Whereupon, at 1:20 p.m. the subcommittee adjourned.)

(NOTE.—Selected portions of the transcript of these hearings were published independently by a professional association in November 1965. These numerous and often extensive extracts were printed without benefit of available witnesses' and Members' corrections of the reporter's transcript.)