

# Carter Lauds Court Ruling On 'Bugging'

State Supreme Court Justice Jesse W. Carter said yesterday that the court's recent decision barring the use of illegally obtained evidence in criminal cases was one of the few the court has made to protect civil liberties in the last 15 years.

Judge Carter, who voted with the majority in the 4 to 3 decision, spoke at a meeting of lawyer members of the American Civil Liberties Union.

He declared himself "amazed" that Assistant Attorney General Clarence Linn had called the ruling "a Magna Carta of the criminal."

## BILL OF RIGHTS

"I am glad the attorney general's office has discovered the Magna Carta," he said. "I hope now that they will soon discover the Bill of Rights."

He also noted that some other members of the court "do not have the same attitude toward civil liberties as the framers of the Bill of Rights."

Asked later if he regarded the most recent ruling as indicating a general change in attitude toward civil liberties of at least some members of the court, Judge Carter replied quickly that he did not.

The recent ruling involved two cases, one in which evidence was secured by illegally placing a microphone in a bookmaker's place of business and the other in which evidence was seized in a search conducted on an illegal warrant. The ruling also has been widely interpreted as barring use of evidence obtained by wiretapping.

## POLICE COMPLAINTS

Judge Carter showed little sympathy for law enforcement officers' complaints that it makes their task more difficult.

"True, it makes it a little more difficult to prosecute a crime . . . but if we follow that rule . . . why not abolish juries?" he asked. "The officers of the law should not be permitted to commit crimes themselves in order to get convictions."

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