

May 1, 1973

(Start of Belt #14)

SPEAKER: The Legislature will please come to order. Will you please record your presence? Roll call taken. Please record your presence. Have you all recorded your presence? Cler will record.

CLERK: 4 of them present, Mr. President.

SPEAKER: The chair recognizes Senator Syas on the motion which we had just prior to recessing.

SENATOR SYAS: No, I'll tell ya, I wanted to talk and of course now I'll half to go through with it, but I've cooled off a little bit, during the session, but I was complemented, I might say, by several Senators, that the most logical and the speech that made the most sense this morning was mine, when I moved to recess till 2:00. I, the only reason I was interested in rising again was that Senator Chambers said that I should go about entrapment, which I do of course and that the inference was and so was Senator Simpson I suppose, the inference was that you by hiding a car or something, your entrapping speeders and maybe drunks and something like that and my heart bleeds for them. It really does. But entrapment of course, I suppose if I had something in my back yard and it was being stolen and I put up a rigging there so you'd reach for something, say an apple on a tree, a trigger go off and a gun would fire, and of course then I would be guilty. Whether the person was stealing or not, because I could get entrapped in that, some innocent person, at the same time. Historically and it might go back further than this, alot of this entrapment stuff started with chicken thifs. The way back in early days, when persons rigged up certain things to trap chicken thieves, and sometimes they caught their neighbor. Well Senator Nore says, whats wrong with that? The only thing is that in many of these cases, in many of these cases you get somebody that wasn't guilty. I don't know about the chickens though but. Now theres certain types of what I call entrapments that I think are perfectly legal. Now for instance as Senator Keyes, asked Senator Simpson, about you don't go up in a uniform or a marked car and try to buy dope or narcotics from a seller. Or that would ruin your case. So the courts have held as far as I can determine, that that type of, of activity is legal and they've also held in some cases, that you can listen in and record a telephone conversation, which you couldn't a few years ago. So when your, when I'm charged by Ernie Chambers in good faith of, of not knowing what entrapment was, the courts have on different issues, have come up with different rulings and I just wanted him to know that I knew the difference on some of these things. Now theres one thing and I'm going to sit down, a Senator mentioned to me over the weekend that I think is important on this Senator Carpenters amendment, and that is now and we're becoming more so to enforcing the law in many cases by airplan or helicopters and I suppose that that hasn't been thought of in this debate and I think the highway department uses them, at least on football games, I know they do, and they have radios down directing traffic and so forth. I hope their getting speeders and drunks also and I imagine on a football game, you could get a certain amount of drunks without trying too hard and they should be taken off the road, but what's what's the person that's flying one of these operators supposed to do. Have a big long rope and have the, the speed manipulation hanging it up over the highway so everybody can see it. The radar or how are you supposed to handle this thing. Your talking about cars, hiding. Highway patrolmen in the bushes so to speak. What are you going to take, the airplanes all out of the sky that also participate in this? I think that end should enter into this discussion. It is part a seriously. It is part of law enforcement and one of the utilities thats used today in law enforcement.