

The CHAIRMAN. Thank you very much.
Now, our next witness is Mr. James Doyle.

STATEMENT OF JAMES DOYLE III

Mr. DOYLE. Mr. Chairman, my name is James Doyle. I am an attorney from Baltimore. I am also here on behalf of the National Troopers Coalition.

I have previously prepared and I believe have had distributed to the committee my written testimony, and I would simply request that it be placed in the record, in lieu of my reading it.

The CHAIRMAN. It will be placed in the record.

Mr. DOYLE. However, I would like to make a couple of points, while I have the opportunity, and that is that, first, as the committee knows, the Supreme Court in this country deals with criminal law issues that are of extreme importance.

For example, last term, the Court decided major decisions concerning auto searches, interrogation of suspects, use of victim impact statements in sentencing, the use of confessions and whether a confession can ever amount to harmless error. So, there are very important criminal law questions that come before the Supreme Court. I think, for that reason, the nominee's qualifications to decide fairly criminal law issues should also be of great importance to this committee.

Now, I have reviewed Judge Thomas' criminal law decisions, the decisions that he has authored while a member of the Federal appellate court, and I think that those decisions consistently show a judge who has performed a well-reasoned type of analysis of the criminal cases that have come before him. In fact, I believe that the American Bar Association, in its testimony before this committee, has similarly indicated that his opinions are well crafted, analytical, and well reasoned.

In addition to that, however, I have looked at those opinions from the viewpoint of law enforcement and I think that, as Captain Hughes has testified, those decisions have been extremely supportive of law enforcement. Yet, at the same time, his decisions have also been fair to the accused, and my written testimony goes into a number of the decisions that he has written, but I will just mention two here in my testimony today.

United States v. Halliman, for example, was a search and seizure case involving an investigation of a drug operation. The particular drug dealers in this case were using a hotel in Washington and switching rooms and renting a number of rooms and constantly switching rooms on a day-to-day basis.

In upholding the search of one of those hotel rooms where drugs were found, I think Judge Thomas showed a keen understanding of the difficulties that police officers face in today's society, particularly when they are investigating crimes involving drugs and drug operations, which tend to be of an evasive and clandestine nature, and his opinion in that case I think is particularly well reasoned and particularly shows his understanding of the kinds of difficulties that police officers face today.

On the other hand, Judge Thomas has also shown a keen desire to be fair to the criminal accused. For example, in the case of

United States v. Long, Judge Thomas reversed a firearm conviction of an individual in a drug case. Even though a jury had found that there was sufficient evidence for the conviction, Judge Thomas, in rather strong language, indicated that his role as an appellate judge would not allow him to simply sit by when there was clearly insufficient evidence to sustain the conviction, so in that particular case he reversed.

The point that I think needs to be made to the committee is that Judge Thomas has shown through his criminal decisions that he is supportive of law enforcement, yet he has struck the appropriate balance and has also shown that he intends to be fair to the accused. I think that is all we can ask of a judge. I think that his qualifications in this area are clear and, on behalf of the National Troopers Coalition, I would urge this committee's endorsement.

Thank you.

The CHAIRMAN. Thank you very much.

Mr. Suthard.

STATEMENT OF BOB SUTHARD

Mr. SUTHARD. Chairman Biden, members of the Judiciary Committee, I am Robert L. Suthard. I am the Secretary of Public Safety in the Commonwealth of Virginia.

I want to express my sincere appreciation for the honor of being able to appear before you and add the endorsement of the International Association of Chiefs of Police for Judge Thomas. I am the second vice president of IACP, and there are presently in excess of 8,000 police chiefs across America who are members of IACP.

The governing body of our organization carefully reviewed the background and experience of Judge Thomas before voting to support his confirmation as an Associate Justice of the Supreme Court.

Suffice it to say that we are really impressed with his personal background, with his legal training, his diverse legal experience, and his record as a jurist, especially in the area of crime and criminal justice issues. We believe him to be extremely well qualified to serve on the highest court in the United States.

Our governing body determined that Judge Thomas is a tough anticrime judge who has recognized the problems that law enforcement officers face in combating crime. As an example, he has resisted efforts to impose unreasonably burdensome requirements on the police and prosecutors or to overturn criminal convictions on technicalities that are not required by the Constitution, and at the same time he has guarded against infringement on the fundamental rights of the criminal defendants.

His decision in *United States v. Long*, *United States v. Rogers*, and *United States v. Wooly* all highlight his commitment to the tough law enforcement of our criminal laws and a common sense and reality based on a reasonable approach of judging in this society, both of which are consonant with the stated policy of the International Association of Chiefs of Police.

We believe that Judge Thomas was nominated by President Bush to be a Supreme Court Justice because of his fidelity to the Constitution and the rule of law. We believe that he will interpret the