

The CHAIRMAN. Thank you very much, sheriff.
Mr. Hughes.

STATEMENT OF JOHNNY HUGHES

Mr. HUGHES. Mr. Chairman, good morning.

The CHAIRMAN. Good morning.

Mr. HUGHES. Larry Tally and the Delaware troopers send their regards.

The CHAIRMAN. Thank you very much.

Mr. HUGHES. Honorable members of this committee, I would like to thank the committee for once again giving me the opportunity to appear before you and speak on this matter of great public interest, the nomination of an individual for Associate Justice of the U.S. Supreme Court.

The National Troopers Coalition, an organization representing State troopers in 44 States, strongly endorses the nomination of Judge Clarence Thomas to Justice of the U.S. Supreme Court. Judge Thomas has a diverse background.

As assistant attorney general for the State of Missouri, where he practiced in the areas of criminal and tax law, Assistant Secretary of Civil Rights in the Department of Education, Chairman of the Equal Employment Opportunity Commission, and a Federal appellate judge, a member of the Circuit Court of Appeals for the District of Columbia, his experience qualifies him to be appointed to our Nation's highest court.

More importantly, the National Troopers Coalition has reviewed Judge Thomas' criminal law opinions while on the court of appeals and believes him to be a tough law enforcement judge who at the same time will protect the constitutional rights of the accused. He has participated in over 140 decisions, many of them criminal cases.

Like a vast majority of citizens throughout this country, law enforcement officers are particularly interested in a nominee's qualifications in the area of criminal law. The criminal courts and the decisions they render vitally affect the lives of all Americans.

The National Troopers Coalition believes that in criminal cases, which occupy a large percentage of cases that ultimately reach the Supreme Court, Judge Thomas has demonstrated, while sitting on the appellate court, a clear understanding of the challenges facing police officers. He has been supportive of law enforcement, yet fair to the accused.

Judge Thomas, we believe, has struck the appropriate balance between protecting the rights of society and enforcing its laws on the one hand, and upholding the constitutional rights of the accused on the other.

As we have repeatedly stated in past confirmation hearings, we could not support a nominee who would sacrifice either of these interests for the sake of the other.

More than others in society, police officers know of the evil and tragic side of life—crackhouses, senseless and brutal killings, the carnage caused by the drunk driver. Law enforcement officers know how people are intimidated by drug dealers and muggers on our streets. Millions of Americans are deeply concerned about the

effectiveness of our criminal justice system, which needs to be able to deal effectively with these vicious and violent criminals. We believe that Judge Thomas has the resolve and the conviction to do just that.

We view the nomination of Judge Thomas as evidence of the President's strong commitment to effective law enforcement. It is still unfortunately true that our legal system too often breaks down after an arrest is made. Legal rulings sometimes impede prosecution and turn a trial away from the search for the truth, into an exercise into legal technicalities.

The exclusionary rule, for example, may turn a criminal proceeding into a trial more of the police officer than the defendant. Officers who act in good faith in conducting a search or interrogating a suspect may find highly relevant evidence inadmissible, because a court, sitting with 20/20 hindsight, finds a technical violation of a legal right.

As an organization, the National Troopers Coalition is committed to backing the nomination of individuals to the Court who have shown a strong commitment to law enforcement. As an appellate judge, Judge Thomas has fairly, yet effectively, dealt with criminal defendants. We have the necessary confidence in him to believe that he will fairly judge and decide the many and important criminal law issues that will come before him on the Supreme Court. We strongly endorse Judge Clarence Thomas and urge confirmation by the Senate.

I passed out a copy of our resolution which was passed at a national troopers conference.

The CHAIRMAN. It will be made a part of the record.

Mr. HUGHES. Thank you, Mr. Chairman.

[The resolution referred to follows:]