

The joint meeting of the Senate and Assembly Judiciary Committees was called to order at 9:00 a.m. Senator Close was in the Chair.

SENATE MEMBERS PRESENT:

Senator Close, Chairman
Senator Hernstadt
Senator Dodge
Senator Sloan
Senator Raggio
Senator Don Ashworth
Senator Ford

ASSEMBLY MEMBERS PRESENT:

Mrs. Hayes, Co-Chairwoman
Mr. Stewart
Mr. Banner
Mr. Brady
Mr. Coulter
Mr. Fielding
Mr. Horn
Mr. Malone
Mr. Polish
Mr. Prengaman
Mr. Sena

SENATE MEMBERS ABSENT:

None

ASSEMBLY MEMBERS ABSENT:

None

Senator Close informed the members that the purpose of the meeting was to take testimony on the following measures:

SB 361 Removes prohibition against televising of court proceedings and limits use of artificial light during broadcasting.

AB 571 Repeals prohibition against televising, broadcasting, or filming of court proceedings.

Assemblyman Steve Coulter testified that he had requested AB 571 on behalf of the Nevada State Press Association. It was his opinion that the legislature should not be involved in the regulation of cameras in the courtroom. He stated that that should be left to the discretion of the judiciary, the State Supreme Court, and the press. He suggested a one year trial period in which to allow for the development of guidelines in this area.

Senator Hernstadt testified in support of SB 361. He stated that he believed that the judiciary was quite competent to regulate their own affairs. He informed the committees that he did not believe that he had a conflict of interest in this matter in that his television station is presently being sold.

Chief Justice John Mowbray testified in support of these measures on behalf of the Nevada State Supreme Court. For his comments, see attached Exhibit A.

Frank Delaplane, Managing Editor, Reno Newspapers, Inc., testified in support of these measures. For his remarks, see attached Exhibit B.

Larry P. Nylund, reporter for Reno Newspapers, Inc., testified in support of these measures. For his testimony, see attached Exhibit C.

Joe Jackson, Nevada State Press Association, testified in support of these measures. For his comments, see attached Exhibit D.

Mike Malloy, Assistant District Attorney, Washoe County, testified in support of these measures. He felt that anything which causes the various branches of government to be reported accurately and to be brought closer to the people, was a good idea.

Senator Dodge asked if Mr. Malloy thought this would have an inhibiting effect on witnesses, particularly those in criminal matters.

Mr. Malloy stated that he believed there might be some initial, additional nervousness but that that would be overcome once the testimony began.

Dorothy Kosich, representing Sigma Delta Chi, read into the record a resolution adopted at the national convention of the Society of Professional Journalists in support of these measures. See attached Exhibit E.

Dick Dewitt, News Director, KCRL, testified in support of these measures. For his testimony, see attached Exhibit F.

Patrice Bingham, KOLO Radio, testified in support of these measures. For her remarks, see attached Exhibit G.

John Howe, News Director, KOLO-TV, stated that he concurred with Mr. Delaplane's comments. He hoped that the committees would have respect for the press with regard to their responsibilities and ethics as professionals and to give them a vote of confidence by allowing them to work in conjunction with the judiciary in this area.

Alice McMorris, KOLO-TV and Radio informed the committees that she had done her masters thesis on cameras in the courtroom.

Her research indicated that all the participants in a trial try to do a better job when the television cameras are present because they know that the eyes of the community are upon them.

In a questionnaire sent to the various judges in states where cameras are allowed, the responses were unanimous in the belief that there was no effect on the outcome of the trial as a result of television cameras being present. She further testified that she believed there were certain cases that should be excluded: divorces, sex offenses and cases involving children. She also felt it was important that the defendants give their consent to being televised.

Bob Miller, District Attorney, Clark County, stated that he was in support of these measures.

There being no further testimony, the meeting was adjourned.

Respectfully submitted,



Cheri Kinsley, Senate Secretary

APPROVED:

Senator Melvin D. Close, Jr., Chairman

Assemblywoman Karen Hayes, Chairwoman

MEDIA COVERAGE OF THE TRIAL COURT

THERE ARE, NO DOUBT, MANY PROBLEMS WHICH WILL CONFRONT US IN ALLOWING RADIO, TELEVISION, AND PHOTOGRAPHIC COVERAGE OF COURTROOM ACTIVITIES. NONE OF US HAVE ALL THE ANSWERS TO ALL THE QUESTIONS AND, AS A MATTER OF FACT, IT IS DOUBTFUL THAT ANY OF US KNOW ALL THE QUESTIONS. IT IS MY FEELING, HOWEVER, THAT THE PROBLEMS WHICH WE WILL FACE ARE CAPABLE OF BEING SOLVED.

THERE ARE NUMEROUS PROPOSALS CONCERNING RESTRICTIONS THAT WE SHOULD OR SHOULD NOT IMPLEMENT. THERE ARE THOSE WHO BELIEVE WE SHOULD NEVER ALLOW MEDIA TO RECORD OR PHOTOGRAPH A JUDICIAL PROCEEDING. ON THE OTHER HAND, THERE ARE THOSE WHO FEEL THAT THE MEDIA SHOULD HAVE UNFETTERED DISCRETION AND ACCESS TO OUR JUDICIAL PROCEEDINGS. NO DOUBT THE BEST SOLUTION WOULD LIE SOMEWHERE IN BETWEEN. WE MUST ALWAYS KEEP FOREMOST IN OUR MINDS THAT PARTIES BEFORE THE COURT HAVE A RIGHT TO A FAIR TRIAL AND ANY RULES WE IMPLEMENT MUST INSURE THAT THE RIGHT IS NOT ABRIDGED. I BELIEVE THAT RULES CAN BE ADOPTED WHICH WILL PROVIDE ACCESS TO THE MEDIA AND STILL GUARANTEE A FAIR TRIAL.

I WOULD PREFER NOT TO ADDRESS THE SPECIFICS OF PROBLEMS AND SOLUTIONS AT THIS TIME, SINCE, AS I HAVE ALREADY STATED, I DO NOT PRETEND TO KNOW ALL THE PROBLEMS, NOR ALL THE SOLUTIONS. I WOULD PREFER INSTEAD TO BRIEFLY OUTLINE THE PROCEDURE WHICH WILL MOST LIKELY BE FOLLOWED IN DEVELOPING RULES FOR MEDIA COVERAGE OF THE COURTS. THAT IS, OF COURSE, ASSUMING THAT YOU PASS THE LEGISLATION NOW BEFORE YOU.

FIRST, EITHER THE SUPREME COURT OR OUR NEW JUDICIAL COUNCIL, OR BOTH ACTING TOGETHER, WILL APPOINT A STUDY COMMITTEE OR STUDY COMMITTEES, TO DEVELOP AND PROPOSE RULES FOR MEDIA COVERAGE OF THE COURTROOMS.

I WOULD EXPECT THAT THE MEMBERSHIP OF THESE STUDY COMMITTEES WOULD BE JURISTS, ATTORNEYS, JOURNALISTS, AND PERHAPS LEGISLATORS AND CITIZENS. THE STUDY COMMITTEE WOULD THEN DEVELOP RULES WHICH WOULD BE SUBMITTED TO THE JUDICIAL COUNCIL FOR REVIEW OR DIRECTLY TO THE SUPREME COURT ON THE ADMINISTRATIVE DOCKET. I WOULD ANTICIPATE THAT THE STUDY COMMITTEES WITHIN THEIR DISCRETION WOULD HOLD HEARINGS AND SOLICIT OTHER INPUT FROM THOSE INTERESTED.

IT IS QUITE POSSIBLE THAT THE REPORTS OF THE STUDY COMMITTEES WOULD CONTAIN MINORITY OPINIONS AND REPORTS WHICH WILL HAVE TO BE RESOLVED BY THE SUPREME COURT. SHOULD THE SUPREME COURT DECIDE THAT IT WOULD BENEFIT FROM ADDITIONAL INPUT IT COULD ALLOW WRITTEN COMMENTS AND ORAL ARGUMENTS ON THE RULES BEFORE A FINAL DECISION.

AFTER THE INITIAL RULES ARE ADOPTED, I WOULD EXPECT A PERIODIC REVIEW, SAY AT THE END OF SIX MONTHS, ONE YEAR AND PERHAPS TWO YEARS, TO DETERMINE IF THE RULES ARE FUNCTIONING PROPERLY. IT IS LIKELY THAT THE COURT WOULD TAKE A CONSERVATIVE APPROACH AND THAT THE RULES AS FIRST ADOPTED WOULD BE RELAXED IN SUBSEQUENT EVALUATIONS.

Nevada State Journal

RENO EVENING GAZETTE

Pulitzer Prize Winning Newspaper

April 3, 1979

To: Senate and Assembly Judiciary Committees.
Re: SB 361 and AB 571 -- repeal of NRS 1.220 and 178.604,
regarding use of cameras in courtrooms.

Because positions coincide on the above bills, the committees can consider this statement to the position of the Reno Evening Gazette, Nevada State Journal, Las Vegas Review Journal, North Las Vegas Valley Times and Sigma Delta Chi, which represents some 100 working journalists and media related persons in the print and broadcast media in Northern Nevada.

Both SB 361 and AB 571 have our strong endorsement. The only difference between the two is SB 361 stipulates the use of available light in use of cameras in the courtroom.

You probably will hear considerable testimony today on the use of cameras in the courtroom. It is a subject that has been experimented with and much debated in many states. You will also see a demonstration of just how far camera technology has come in recent years.

What I would like to do is put the matter in perspective for you.

First, I would like to say that repeal of the two existing laws will not open the door automatically for the use of cameras in Nevada's courtrooms. Far from it. What repeal will do is clear the way for members of the Nevada Supreme Court, bar associations, judicial committees and the media to explore the possibility and, hopefully, eventually set up a trial program in Nevada for use of cameras in courts.

The ground rules for that program will be carefully controlled by the court. No trial program will evolve that will turn our courts into a circus atmosphere. The courts wouldn't allow such a program, nor would the media want such a program. The media certainly recognizes and respects the many sensitive issues involved in such a trial program.

Why cameras in the courtroom?

The only reason is to better inform the public of what goes on in their courtrooms and to give that public a better understanding of how the judicial process operates. That process is a

from the Perry Mason type of atmosphere displayed on television. There are three major benefits to the public -- education, how the process works; accountability on the part of judges and attorneys; and, a better understanding of news events that occur in our courts, events that effect almost all our lives.

These are basically the same benefits that are derived in camera coverage of the Legislature, local government and the broad spectrum of other public meetings and events that are now covered by the use of cameras.

I would say that news coverage of events in our courts goes far beyond the high interest criminal trial. The criminal trial is only one small segment of news covered in our courts. On the civil case side, decisions are constantly being made that affect the lives of all of us. To localize this, for example, I think the public is far more interested in water rights or utility rate cases in the Truckee Meadows and Nevada than in the high interest murder case.

In Nevada, there has already been some use of cameras in courts. The Nevada Supreme Court has allowed some use of cameras before it in the appeal process.

I think you will hear testimony today from the legal profession supporting the repeal of the two laws in question. You will probably hear some testimony against.

Nevada Supreme Court Chief Justice John Mowbray in his "State of the Judiciary" message to both houses of this Legislature supported repeal of these laws.

I think the judiciary and bar associations recognize there is a great need to inform and educate the public on how our courts operate. They, like the media, see cameras as a powerful tool to accomplish that end. They, like the media, recognize that setting up a program is not going to be easy.

What we are asking the Legislature to do is clear the way to approach this program and all its problems and also clear the way for what I believe the legal profession and the media both believe can be a progressive step forward in our state.

Frank Delaplaine
Managing Editor

Nevada State Journal

RENO EVENING GAZETTE

Pulitzer Prize Winning Gannett Newspapers

April 3, 1979

TO: Assembly and Senate Judiciary Committees

RE: Statement of Reno Evening Gazette, Nevada State Journal and Society of Professional Journalists, Sigma Delta Chi relative to Assembly Bill No. 571 and Senate Bill No. 361 concerning cameras in the courtroom.

Bills AB 571 and SB 361 which would repeal N.R.S. 1.220 and N.R.S. 178.606 have our endorsement.

These two statutes currently prohibit the taking of photographs and the electronic gathering of news in the courtroom. The removal of these statutes will allow the media to work with the Nevada State Supreme Court and the Judicial Council to set appropriate standards which would insure the dignity of the court and the protection of the right of a fair trial and, at the same time, provide access to the courtroom for all media concerned.

More than 20 other states either have similar experiments or are planning them. The state of Colorado has permitted coverage since 1956. The State of California is currently establishing guidelines for an experiment to start later this year.

Massive strides in communications technology during the last few years have completely changed the way we gather the news. Gone are the noisy speed graphic cameras used by press photographers. And gone are the large TV cameras with their intrusive lights and cables.

Today, photojournalists use faster film, enabling them to take pictures without the big reflectors and flashbulbs displayed so often in movies. They use small quiet photographic equipment which allows them to work candidly and quietly and a good distance from their subjects.

Photojournalist in the field of TV broadcasting use small noiseless electronic cameras and recording equipment which have revolutionized television broadcasting.

Members of radio newsteams gather their news with quiet cassettes tape recorders small enough to fit into a pocket purse.

Technology has brought us a long ways in the last few years. In his opinion on the landmark Estes trial, United States Supreme Court Justice John Harlan wrote: "The day may come when television will have

become so commonplace an affair in the daily life of the average person as to dissipate all reasonable likelihood that its use in courtrooms may disparage the judicial process."

The day when a visually oriented society finds cameras acceptable anytime, under almost any circumstances has arrived. Our city council meetings, our county commission meetings and the State legislative sessions have been opened to cameras and recording equipment making public events more accessible to the general public.

World wide broadcasts and transmissions of still photographs bring us instantly sporting events, war, and presidential trips. We have become a society that depends on the visual and recorded transmission of news.

Today's journalists are trained professionals that are concerned about the public's right to know and the individual's right to a fair trial.

The highly publicized trial of Rodney Zamora, a teen-ager accused of murdering an elderly neighbor proved that cameras can be in the courtroom without affecting the dignity of the court or distracting the participants. Florida Judge Paul Baker appointed a media pool coordinator selected from the local media to assist in the day to day operations of the camera in the courtroom pool. He maintained control of his courtroom and said at the conclusion of the trial, "I have to commend you all...you've done a hell of a good job. I think we have found a common ground to protect the first amendment rights of the press to be in the courtroom and not have to give up the defendant's right to a fair trial."

He later endorsed coverage of court trials saying, "It gives the public a touch of reality instead of the TV nonsense about the justice system that they are accustomed to seeing."

It is being proven daily in many states across the country that cameras don't disrupt the dignity and decorum of the court. The only question that remains is whether a public trial should be open to the handful of people who can attend or to the general population through the use of cameras and electronic recording equipment.

In conclusion, I firmly believe that a study committee established by the Supreme Court of Nevada and consisting of members of all concerned parties (media, judges, attorneys) can devise a workable system for all concerned.

Sincerely,

Larry P. Nylund
Graphics Editor
Reno Evening Gazette/Nevada State Journal
Director of Sigma Delta Chi

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Nevada State Press Association

POSITION STATEMENT of the Nevada State
Press Association re. Assembly Bill 571

April 3, 1979
Joe Jackson,
2375 South Arlington Ave.
Reno, Nevada 89509

The Nevada State Press Association believes this bill is a step in the right direction and wishes to commend the eleven introducers on their foresight. The bill would repeal Nevada prohibitions against televising, filming or broadcastin court proceedings.

The bill is a step in the right direction because it provides benefits to two segments of Nevada community life -- the reading public and the viewers, and to the court system itself, as well as to the news media which in effect serves both segments. Newspapers, television and radio will be able to produce a letter rounded out report of all the happenings we all must understand if we are to succeed as a nation of, by and for the people.

This legislation also follows a trend developing in the nation to bring cameras into the courtroom. Wisconsin recently launched such a one-year experiment. A circuit judge there said of the first trial experience that neither the witnesses nor attorneys seemed to be affected by the presence of cameras. Another trial experiment in Florida has ended and the results are being evaluated. Six states have permanent rules on courtroom coverage and another 13 have allowed coverage and are in the process of establishing rules. In Florida, some members of the legal profession have taken the positive view that neither television nor the courts have encountered serious problems.

Some of the pros and cons being weighed here today were covered in a mock hearing at Indiana law school in Indianapolis not long ago. The pro view: What is proposed today is simply an extension of a public trial from the courtroom, where persons are invited to come in and observe justice in action. The con view: the purpose of this trial is not to educate or entertain the public. The purpose of this trial is a very limited thing - to determine the guilt or innocence of the defendant. One law school professor, assailing coverage, claimed few things could interfere more with the defendant's right to due trial. He said cameras would frighten some witnesses and distract the jury. Others would be tempted to put on a show as would some lawyers and judges. He added that witnesses not yet called up could be influenced by what they saw on tv. But pressures of a public trial exist anyway, his opponent countered. Despite such notorious examples as the Billy Sol Estes trial in 1965, he said later experience shows trial participants quickly become accustomed to the cameras and ignore them. He said also that trial coverage is already covered on print and in the air, that film and tape would simply make possible greater accuracy in reporting. It is interesting to note that at the Indianapolis mock trial some of the traditional arguments were not made. Minicameras covering the trial made no noise. The only lights and microphones used were those already in court.

The American Bar Association's code of judicial conduct has since 1937

has called on judges to prohibit such coverage. During 1978 a committee of ABA members, after a two year study, sent a recommendation to the ABA House of Delegates asking for cameras in the courtroom and the committee was joined by the ABA board of directors. Both groups said such coverage is not inconsistent per se with the right to fair trial. The groups suggested that the high court in each state join with the U.S. Supreme Court to form guidelines. The House of Delegates turned the proposal down flat.

In January the New York State Bar House of Delegates defeated a proposal to support electronic coverage of criminal proceedings except on an experimental basis with the consent of all parties. During the debate a number of opponents of the resolution said they didn't trust the press. The chief judge of the New York Supreme Court went against the turndown, permitting himself to be photographed at his swearing-in ceremonies in January and he maintains he will permit cameras in state courtrooms. He said he finds photographers and cameramen less disruptive than artists.

35.000 memo
RESOLUTION NO. 8

WHEREAS the state and federal courts are integral parts of American government, and the public has the right to the fullest information on their actions, and

WHEREAS the federal courts and many state courts have rules which prohibit the use of contemporary journalism technologies such as cameras and recorders, and

WHEREAS technological advancements have created cameras and recorders which no longer create physical intrusions and distraction in court settings, and

WHEREAS several states now allow the use of such new journalism technology in court settings permanently or experimentally, and

WHEREAS the American Bar Association is moving to recommend the lifting of restrictions on cameras and recorders in courts, therefore,

BE IT RESOLVED that the Society commends courts in the states of Colorado, Washington, Alabama, Georgia, Nevada, New Hampshire, Minnesota, Louisiana, Montana, Oklahoma, Wisconsin, Tennessee, Texas and any other states which have taken steps to permit cameras and recorders for coverage of court activities, and

BE IT FURTHER RESOLVED that the Society urges other state and federal courts to open their proceedings to the use of all contemporary tools of journalism, and

BE IT FURTHER RESOLVED that the Society urges all state and federal courts to examine the experience in those state courts which have the fewest restrictions on the use of cameras and recorders in court coverage for guidance on future court rules, and

BE IT FURTHER RESOLVED that the Society urges the American Bar Association and state bar associations to move quickly and with determination to remove existing recommended court rules which prohibit contemporary journalism technology in court coverage and to encourage significantly wider use of such technology in state and federal courts.

NEVADA SUPREME COURT JUSTICE JOHN MOWBRAY WAS CORRECT WHEN HE TOLD THE JOINT SESSION OF LEGISLATURE " WE ARE ALL ON THE SAME TEAM, WORKING FOR THE SAME GOALS, TO SERVE THE SAME PEOPLE." HE IS TO BE COMMENDED FOR CALLING FOR THE REPEAL OF THE NEVADA LAW THAT PROHIBITS BROADCAST COVERAGE OF COURT PROCEEDINGS.

I SUPPORT AB-571 AND SB-361 BECAUSE THE ELECTRONIC MEDIA LIKE THE MEMBERS OF THE BAR, WORK TO SERVE THE PEOPLE OF NEVADA. THERE ARE NOW TWENTY FIVE STATES IN THE UNION THAT PERMIT AUDIO/VISUAL NEWS COVERAGE OF COURTROOM PROCEEDINGS, AND THREE ARE PENDING.

THE NEW JERSEY AND WISCONSIN SUPREME COURTS HAVE CONCLUDED A TEST PERIOD OF BROADCAST MEDIA COVERAGE OF COURT TRIALS...AND TERMED THE EXPERIMENT SUCCESSFUL. THE CONFERENCE OF CHIEF JUSTICES OF STATE SUPREME COURTS VOTED 49 TO 1 LAST YEAR TO ALLOW THE SUPERVISORY COURT IN EACH STATE TO ALLOW RADIO AND TV COVERAGE OF COURT PROCEEDINGS. THE ABA COMMITTEE ON FAIR TRIAL/FREED PRESS HAS ALSO RULED THAT SUCH COVERAGE OF JUDICIAL PROCEEDINGS IS NOT "PER SE" INCONSISTENT WITH THE RIGHT OF A FAIR TRIAL, SO LONG AS IT IS UNOBTRUSIVE AND DOES NOT AFFECT THE CONDUCT OF THE TRIAL.

PERHAPS THE LEGAL COMMUNITY FEARS A REPLAY OF THE COURT CARNIVAL CASE OF BRUNO HAUPTMANN IN 1935. BUT YOU CAN BE ASSURED THAT MEMBERS OF THE MEDIA WANT NO SUCH REPETITION. THE BROADCAST MEDIA HAS WORKED HARD AND LONG WITH MEMBERS OF THE LEGAL PROFESSION TO ESTABLISH GUIDELINES TO PREVENT JUST SUCH AN EVENT FROM HAPPENING AGAIN.

IN EVERY STATE WHERE THE BROADCAST TEST HAS BEEN MADE AND PROVEN SUCCESSFUL, THE BROADCAST MEDIA HAS WORKED WITH MEMBERS OF THE BAR TO SEE THAT COURT PROCEEDINGS ARE CARRIED ON WITH THE USUAL DIGNITY AND DECORUM THAT PEOPLE SEE EVERY DAY IN ANY COURT OF LAW.

LEGAL HISTORIANS HAVE STATED THAT BOTH THE PROSECUTION AND DEFENSE ATTORNEYS IN THE HAUPTMANN CASE WERE GUILTY OF THEATRICALS,

AND THE PRESIDING JUDGE FAILED TO ESTABLISH PROPER GUIDELINES FOR MEMBERS OF THE MEDIA. THE PRINT MEDIA IS NOT PROUD OF THAT OUTBURST IN 1935, BUT USING THAT CASE AS PRECEDENT WOULD BE AS ILL ADVISED AS USING JUDGE ROY BEAN AS AN EXAMPLE OF JUDICIAL EXCELLENCE.

WE HAVE ALL WITNESSED JUDICIAL THEATRICS BY MEMBERS OF THE BAR WITHOUT BROADCASTING COVERAGE OF COURT TRIALS. JUDGES AND ATTORNEYS WHO ENGAGED IN SUCH PRACTICES DO SO WHETHER CAMERAS AND TAPE RECORDERS ARE PRESENT. BUT DESPITE JUDICIAL FEARS, BROADCAST COVERAGE OF THE COURTS HAS NOT LEAD TO MORE COURTROOM DISPLAYS. IN FACT, MANY OF THE JUDGES AND ATTORNEYS WHO ONCE ACTED AS PROUD PEACOCKS, NOW SHOW MORE RESTRAINT AND RESPECT FOR THE PEOPLE'S RIGHTS UNDER THE LAW.

GUIDELINES HAVE BEEN USED IN 28 STATES TO SEE THAT BROADCASTORS DO NOTHING TO DISTRACT FROM THE ATTENTION OF TRIAL PARTICIPANTS. COLORADO HAS ALLOWED CAMERAS IN THE COURTS SINCE 1956 AND HAD NO PROBLEMS OR MISTRIALS.

THE U.S. SUPREME COURT RULED IN CRAIG VS HARNEY, 331 US 367, THAT A "TRIAL IS A PUBLIC EVENT. WHAT TRANSPIRES IN THE COURTROOM IS PUBLIC PROPERTY." BROADCASTING OF A TRIAL IS A GREAT EDUCATION DEVICE AND A SERVICE TO THE ENTIRE LOCAL COMMUNITY.

BROADCASTING OF A JUDICIAL PROCEEDING WOULD BE NO DIFFERENT THAN COVERAGE OF A CHURCH SERVICE. NOTHING WOULD, NOR HAS AFFECTED THE DIGNITY OF SUCH PROCEEDINGS IN ANY COMMUNITY WHERE THE COVERAGE HAS BEEN ATTEMPTED.

The WISCONSIN SUPREME COURT SAYS ALLOWING BROADCAST COVERAGE IN THE COURTROOM "DOES NOT SEEM TO BOTHER ANYBODY IN ANY RESPECT AT ALL, THE WITNESSES DON'T SEEM TO BE NERVOUS, THE LAWYERS DON'T SEEM TO BE NERVOUS OR BOTHERED."

A MAJORITY OF THE JURORS AND WITNESSES WHO TOOK PART IN FLORIDA'S YEAR-long TEST OF CAMERAS IN THE COURTROOM FELT THAT SUCH PROCEEDINGS DO NOT DISRUPT TRIALS.

A RECENT SURVEY BY THE WASHINGTON POST FOUND THAT COURTROOMS SHOULD BE OPENED TO COVERAGE BY THE ELECTRONIC MEDIA. OF THE 410 SURVEYS SENT TO STATE SUPREME COURTS, MEMBERS OF THE ABA AND OTHERS IN THE LEGAL PROFESSION, WELL OVER 50% APPROVED OF THE BROADCAST COVERAGE.

MEMBERS OF THE BROADCAST MEDIA HAVE THE SAME GOAL AS MEMBERS OF THE BAR, THAT IS, TO SERVE THE PUBLIC INTEREST. NO TRIAL PROCEEDING SHOULD BE HIDDEN FROM PUBLIC SCRUTINY. IT IS TIME TO REMOVE THE BLINDFOLD FROM THE STATUE OF JUSTICE. WHERE THERE IS LIGHT THERE IS TRUTH, AND WHERE THERE IS TRUTH THERE IS TRULY JUSTICE FOR ALL.

Testimony of

One of the major complaints I have heard from opponents of cameras in the courtroom is that we would use quotes out of context... to exaggerate a defendant's or lawyer's comments...without impairing the entire meaning of his/her dialog.

Well...it was only last week that a prosecutor in a major murder trial in Washoe County told members of the jury, in open court, that they should listen back to tapes of a particular conversation entered as evidence in the case...not just study the transcripts. For as he put it "how a person says something is just as important, if not more so, than the actual words he uses." That is our contention as well. For it is really not a reporter or anchor's prerogative, or even ability, to imply just the same intonation and expression in a phrase as the individual did in court.

This is one of the reasons I stand before you today...as a journalist, a member of Sigma Delta Chi, and a radio news director, to ask that you consider the bills before you and encourage the introduction of cameras and tape recorders into the courtrooms in Nevada. The equipment needed for radio is very simple and unobtrusive. Here is a tape recorder and a patch cord which can tie in directly to a courtroom's public address system. No need to run around checking volume levels or anything else. Microphones utilized in the court's own system would serve as our own. I might add that we would also like to be able to bring our tape recorders in, set them down at our feet in the first row, and let them run during the proceedings. If not to use later within the story, at least to enable us to get the exact quote someone used. Something more than one person has been critical of in the past.