



NEW YORK STATE SENATOR

Malcolm Smith

Senate Democrats Provide Near Unanimous Support For Returning Cameras To The Courtroom

MALCOLM A. SMITH June 12, 2007

Calling it a victory for transparency in government, State Senate Democratic Leader Malcolm A. Smith (D-Queens) applauded passage of legislation that would return cameras to New York State's courtrooms for the first time since 1997.

Senator Smith said that passage of this legislation had been long overdue, noting that a State committee recommended that audio-visual coverage be allowed permanently, as did a New York State Bar Association committee in 2001. The New York Newspaper Publishers Association had also called for its passage.

"We have taken quite a few positive steps over the last few years to shine light on the way the Legislature operates, including the recent series of open leaders' meetings where the most important topics of the Legislative Session have been discussed, and the broadcasting of the Senate session on television and the Internet. We need to apply the same steps to the judicial process," Senator Smith said.

Senator Neil D. Breslin (D-Albany) represented Senate Democrats in the leaders' meetings on this issue, and noted that it was unlikely that judges and attorneys would grandstand during televised proceedings.

"In fact, I am confident that trial participants will perform their duties in an even better fashion, because they will be better prepared. This will enhance the public's trust in the judicial process," Senator Breslin said.

He also noted that there are several other benefits to televising proceedings, including the public's ability to scrutinize the trial, including the public's education about the process.

"Rather than thinking that the portrayal of a trial in a television show or a movie is the real thing, New Yorkers would see the way trials actually proceed, without the dramatics often seen on screen. In addition, defendants would see their rights to a public trial in an enhanced way," Senator Breslin said.

The bill also imposes some restrictions, including the prohibition of any audiovisual coverage of jury selection, any juror, any undercover peace or police officer, any child (except in a juvenile delinquency proceeding), or any sex offense victim.

Senator Smith said most states now permit some coverage of courtroom proceedings be it trials or appellate proceedings, and that televised proceedings guarantee the public's First Amendment right to access to the courts.

"Now that this bill has been delivered to the Assembly, I hope that my colleagues in that house will consider it as soon as possible, so that we can continue to open our government to all who want to see how it operates," Senator Smith said.
