

One Step at a Time

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In an era when electronic media, like television, radio, and the Internet, often dominates the way people gather information, the federal Judiciary remains all but closed to the scrutiny of the American public. Currently, U.S. federal courts do not allow electronic media coverage of criminal proceedings. But, next week will mark an important step forward in transparency of the Judicial Branch of the federal government when for the first time Iowa's U.S. District Court for the Southern District will record a trial, and then [make the video available to the public](#) via the court's website. The Southern District of Iowa is one of 14 federal trial courts participating in a three-year pilot project, which began on July 18. The program will be used to study the impact of cameras and digital media in courtrooms.

As the author of legislation to allow cameras in federal courtrooms, the new trial program is a positive step forward. Cameras in federal courtrooms are at the very heart of an open and transparent government. The First Amendment supports the notion that court proceedings be open to the public and, by extension, the news media and broadcast coverage, the same way C-SPAN opened Congress to the public.

[The legislation](#) I've introduced with Senator Chuck Schumer, which has passed the Senate Judiciary Committee, would allow the chief judge of federal trial appellate courts to permit cameras in their courtrooms. The bill would also direct the Judicial Conference, the principal policy-making entity for the federal courts, to draft nonbinding guidelines that judges can refer to in making a decision pertaining to the coverage of a particular case. It also instructs the Judicial Conference to issue mandatory guidelines for obscuring vulnerable witnesses such as undercover officers, victims of crime, and their families.

Additionally, the bill has safeguards in place to protect vulnerable witnesses, to exclude jurors from broadcast, and to allow a judge to use his or her discretion in determining whether to allow cameras in the courtroom.

Our efforts since first introducing our legislation more than 10 years ago have led to the Supreme Court releasing audio of the oral arguments in compelling cases, starting with the Florida election count in the presidential race of 2000. Chief Justice John Roberts has also released audio recordings the day of oral arguments for more than 20 cases, including *Grutter v. Bollinger*, *D.C. v. Heller*, the Guantanamo cases and the *Citizens United* case.

Greater transparency leads to greater accountability, which is all too often in short supply around the federal government.

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