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On March 11, 2009, Jim Astrachan testified in Annapolis in favor of allowing cameras in criminal sentencing proceedings as a crime deterrent and an education tool.

Televising criminal sentencings provides a public service and harms no one.

In 1947, Supreme Court Justice William O. **Douglas wrote, "A trial is a public event. What transpires in the courtroom is public property."** [*Craig v. Harney*, 331 U.S. 367, 374 (1947).] The 1807 treason trial of former U.S. Vice President **Aaron Burr** was presided over by John Marshall, who was the Chief Judge of the U.S. Supreme Court. Justice Marshall moved the trial from a **small Virginia courtroom** to the Great Hall of the Virginia House of Delegates. Marshall was obsessive about accommodating the public and determined that Burr's trial **be a public event open to as many citizens as could attend**. The public overflowed the Great Hall and the rotunda. *Id.* Justice proceeded under the assumption that a trial should take place in front of as large mass of interested persons as could be accommodated – like a "town meeting." The Supreme Court has recognized the practical realities of modern life make large-scale attendance at trials "no longer a widespread pastime." People work full time jobs; travel is expensive; for important trials, space is at a premium. [*Richmond Newspapers, Inc. v. Virginia*, 448 U.S. 555, 572 (1980).] Newspapers are, sadly, on the wane and are shutting down. Americans receive their news by television and video on the Internet.

As of June 2007, **34 states allowed cameras in most civil and criminal trials**. 19 of those allow the trial judge to decide whether there was a reason not to allow coverage, but presume coverage should be permitted.¹ 15 states allow coverage under similar standards at trial and appellate levels – with mandatory exclusions pertaining to certain types of witnesses.²

Many published studies have debunked myths associated with cameras in the criminal courtroom.

¹ Those 19 states are: California, Colorado, Florida, Georgia, Idaho, Kentucky, Michigan, Montana, Nevada, new Hampshire, New Mexico, North Dakota, South Carolina, Tennessee, Vermont, Washington, West Virginia, Wisconsin and Wyoming.

² Those 15 states are Alaska, Arizona, Connecticut, Hawaii, Iowa, Kansas, Massachusetts, Missouri, North Carolina, New Jersey, Ohio, Oregon, Rhode Island, Texas and Virginia.

Today you are only considering cameras during **criminal sentencing** – a proceeding involving the judge, the already-convicted defendant, the prosecutor and the defense lawyer. No witnesses.

- Televising criminal sentencing serves and number of **important public purposes**.
- Televising criminal sentencing **deters crime**, as reported by the 1980 report to the Maryland Court of Appeals by the Public Awareness Committee of the Maryland Judicial Conference. Two researchers, Drs. David Phillips and John Hensley also noted in 1984 that televising severe punishment for violent crime decreased reported homicides.
- Televising sentencings will also **promote confidence in the courts**. Too many Marylander's think Judge Judy is the norm; we can easily fix this. It is hard to have **confidence** in a system most of the public will never see. To many, the judiciary appears to be a **secret and closed club**.
- **Professional commentary** can help **make the experience educational**.
- Knowing a sentencing is televised may prevent a judge from making that occasional really **ignorant comment**.