

Minutes of Pilot Program Committee Meeting, April 28, 2008

Present: Co-chairs Judge Patrick Clifford and Tom Appleby, general manager and news director, News 12 Connecticut; Judge Marshall Berger Jr.; Hartford Public Defender Sara Bernstein; Linda J. Cimino, director, Office of Victim Services; Paul Giguere, president & CEO, Connecticut Network; Hartford State's Attorney Gail Hardy; John Long, photographer, retired from The Hartford Courant; Ken Margolfo, assignment editor, WTIC-TV Fox 61; Patrick Sanders, Connecticut news editor, Associated Press; Chief Clerk Robin Smith; Judge Eliot Solomon; Michael St. Peter, news director, WVIT-TV Channel 30; and Mr. Dave Ward, assignment editor, WFSB-TV Channel 3.

Absent: Judge David Gold; Chief Judicial Marshal Lawrence Callahan; and Kirk Varner, vice president and news director, WTNH-TV Channel 8.

Agenda Item No. 1 – Open Meeting

Mr. Appleby and Judge Clifford opened the meeting at 2 p.m.

Agenda Item No. 2 – Minutes

Committee members approved the minutes from their meeting on March 24, 2008.

Agenda Item No. 3 – Summary of what's occurred in courts with cameras since last meeting

The committee discussed two recent situations in different courts where a TV camera was allowed into the courtroom, but a still camera was not. Mr. Sanders explained that his understanding was that the judges thought the video images could be transferred to still images. That's not easy to do, however, and the photos are not of the quality that's required, Mr. Sanders said. Judge Clifford responded that he had spoken with Mr. Sanders and the involved judges, who were unaware of the technological difficulties. Judge Clifford added that he believes it is a matter of educating the judges about camera technology. He added that he does not see a problem allowing in one TV camera and one still camera, but emphasized that the decision ultimately is within a judge's discretion. Mr. Long added that it is a big deal for still cameras to be excluded and that the TV cameras do not capture what the still cameras can. He added that he would be happy to do a demonstration of a camera with a "silencer," which reduces shutter noise.

Committee members discussed other situations that had occurred during arraignments and the varying logistics among arraignments where judges allowed cameras. Judge Clifford mentioned an arraignment where a judge ordered that no pictures be taken of a defendant coming out of the lockup. The TV station in the courtroom did not show the walk on its news that night, but did not relay the prohibition to another station – which did show the footage. In such situations, Judge Clifford suggested that the media offer to speak with the judge and explain what happened.

Committee members also received the following information:

Pilot Program, Arraignments Camera Summary
(As of April 25, 2008)

Total Number of All Camera Requests Made Since Jan. 1, 2008: Approximately 147
Total Number of Distinct Cases: Approximately 70

Total Number of All Camera Requests Granted Since Jan. 1, 2008: About 70
Total Number of Distinct Cases Where Requests Have Been Granted: Approximately 51

Total Number of Arraignment Requests Made Since Jan. 1, 2008: About 108
Total Number of Distinct Cases: Approximately 67

Total Number of Arraignment Requests Granted Since Jan. 1, 2008: About 56
Total Number of Distinct Cases: About 43

Total Number of Requests Under Pilot Program Since Jan. 1, 2008: 11 (1 request pending)
Total Number of Distinct Cases: 9 (including 4 defendants charged in the same killing)

Total Number of Requests Granted Under Pilot Program: 7
Total Number of Distinct Cases: 5

*Please note that the numbers in the categories of *all requests made* include multiple requests for one cases.

*As of April 28, 2008, all judicial districts have received camera requests.

IV. Discussion of evaluation forms

The committee discussed drafts of three evaluation forms – one each for judges, the media and attorneys. Committee members reviewed all three and agreed to meet on May 19, 2008, to review the revised evaluations incorporating their suggested changes. Attorney Hardy added that she would supply questions from a prosecutor’s perspective for the attorneys’ evaluation, especially regarding victims and witnesses.

Chief Clerk Robin Smith asked how the evaluations will be compiled, distributed, and what the committee will do with the information. Judge Clifford answered that he believes the committee will need to collect the data and prepare a report at the end of the 2-year pilot program, for the review of the Rules Committee. Committee members discussed distributing the evaluations through the clerks’ offices, with External Affairs being responsible for compiling the data.

V. Next meeting

Committee members agreed to meet same time, same place on May 19.

VI. Adjourn – The meeting was adjourned at about 4 p.m.