

Statement of

The Honorable Russ Feingold

United States Senator
Wisconsin
November 9, 2005

Sen. Russ Feingold
Statement for Cameras in the Courtroom hearing
November 9, 2005

Mr. Chairman, thank you for holding this hearing. I have supported allowing cameras in the courtroom for many years. I take this position for one simple reason - court proceedings are public hearings, and the American people have the right to actively observe the operations of all branches of our government.

Television plays an enormous role in providing information and bringing the country together. For decades, Americans have been able to watch virtually every significant event of national importance on television, except for proceedings of the judicial branch. Recently, through television, the eyes of America turned to this Committee for now-Chief Justice Roberts' confirmation hearings, and in just two months, they will see another such hearing. But once those hearings are over, the curtain comes down on the new Justices. The Committee hearings present the only opportunity for most Americans to see these important judges at work. Once confirmed, they essentially disappear from public view.

I think it is fair to say that interest in court proceedings has increased in the past decade, although there have been notorious trials and prominent Supreme Court arguments throughout our history. Now that the technology is readily available, the American people deserve the opportunity to see for themselves what goes on in our courts of law. It is no longer sufficient to offer the public second-hand accounts in the morning paper or evening news broadcasts. Through televised court proceedings, the American people can learn so much more about the operation of our judicial system.

Cameras in the courtroom will also increase transparency in government. When the workings of government are transparent, the governed can understand them more thoroughly and constructively, and more readily hold their elected leaders and other public officials accountable. These are tangible benefits that will flow from allowing cameras in courtrooms across our country. Except in the most rare and unusual circumstances, the public is entitled to see what happens in those proceedings.

The possibility of televising trials raises some complicated issues, including the safety of witnesses and jurors and the rights of criminal defendants, witnesses, and jurors. Experience in the state courts - the majority of states now allow trials to be televised - has shown that it is possible to permit the public to see trials on television without compromising the defendant's

right to a fair trial or the safety or privacy interests of witnesses and jurors. There is no question in my mind that the highly trained judges and lawyers who sit on and argue before our nation's federal courts would continue to conduct themselves with dignity and professionalism if cameras were recording their work.

There is no good argument, in my view, for keeping cameras out of appellate proceedings. And I am proud to cosponsor your bill, Mr. Chairman, S. 1768, relating to the Supreme Court in particular.

Cameras in the courtroom, including the Supreme Court, are long overdue. I hope this hearing will bring us closer to taking legislative action to accomplish this important goal.