

A WINDOW TO THE WORLD

By DICK FOGEL

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IN MID-SEPTEMBER of last year a committee of judges of the Los Angeles County Superior Court realized it had a problem.

In the high security courtroom selected for the trial of Sirhan B. Sirhan for the murder of Sen. Robert F. Kennedy there were only 35 seats available to the press. Requests to be accredited were pouring in from Burbank to Zurich.

H. M. Frediani, Criminal Court coordinator, contacted me in my capacity as chairman of the California Freedom of Information Committee.

Members of our executive committee, scattered throughout the state, flew to Los Angeles and met with the judges on Sept. 17. We agreed to make a study and report back in two weeks.

Larry Sisk of the Copley newspapers took on the chore of interviewing newsmen and compiling their views. I wrote an analysis which follows. Addressed to trial judge Herbert V. Walker, it said in part:

It is apparent that the press does not have a uniform outlook on the question of representation. Much depends on predilections, orientation and in some cases self interest.

Let's separate the arguments and study them in geographical (later functional) aspect:

1. The rationale for coverage by foreign media.

It is obvious from the outset that this case is of extreme importance in the world political context because it was a Kennedy who was assassinated, a United States Senator, brother of the assassinated President and a rising political figure in his own right. The accused is a foreign national from the volatile Middle East.

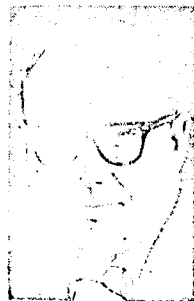
Earl Foell of The Los Angeles Times expresses the viewpoint of a United Nations correspondent when he says the "trial and courtroom will be a window to the world. Best psychology for the benefit of U.S. would be to get as much foreign exposure of U.S. court system as possible."

2. The national media.

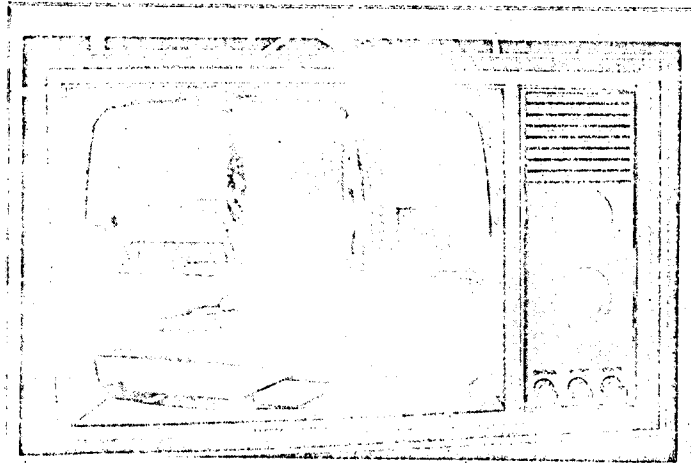
The major American wire services, operating throughout the world, serve more readers than any other agencies. Although the public conception of wire services is that they are harnessed to the printed word, the fact is they transmit

THE AUTHOR

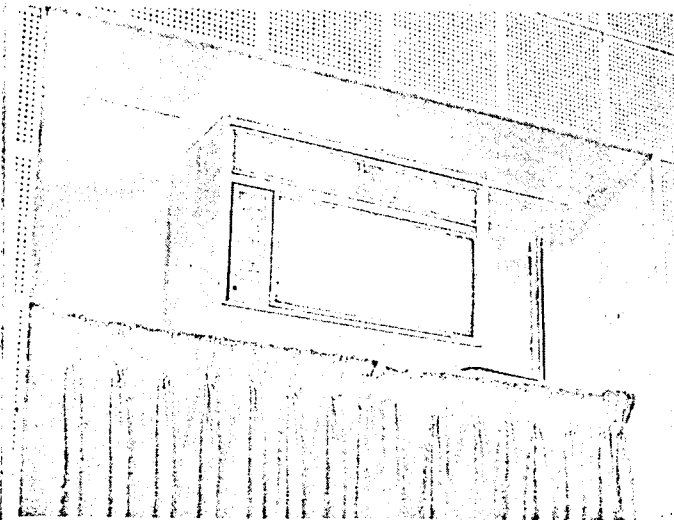
Dick Fogel is assistant managing editor of the Oakland (Calif.) Tribune. A graduate of Stanford University and one time sports editor of Stars and Stripes, Mediterranean edition, he is presently chairman of the California freedom of Information Committee and state chairman of the Associated Press News Executives Council. He is a member of the board of Sigma Delta Chi's Northern California chapter and a member of the Joint Committee of the Press and Bar, serving as SDX representative in California on press-bar matters.



... how TV monitoring of Sirhan trial was accomplished



COURTROOM SCENE AS TRANSMITTED



COURTROOM AIR CONDITIONER IS BASE FOR CLOSED CIRCUIT TV OF THE TRIAL

Accompanying photographs show method of installing a closed circuit monitor system at the Sirhan trial, thus "enlarging" the courtroom to meet requests of foreign and domestic news media for "press seats." A standard Norelco black and white Vidicon about the size of a cigar box is used in transmission. It is completely noiseless, operates in room light and does not require an operator. The camera cannot move, nor can it take closeups. Ordinary coaxial cable carries the picture to the monitor. The lens sees through air conditioner louvers. Sound is carried to another room by plugging into the existing courtroom amplification system.

their news electronically and supply news to many millions through broadcasting media.

Their efforts to achieve accurate reporting are so sophisticated and the impediments sometimes so real that their technique of coverage merits attention . . .

The broadcasters, who once were Johnnies-come-lately to the field of journalism, have in recent years employed many well qualified people who are endeavoring to present objective and balanced news reports. In this state, Sigma Delta

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Chi, the California Broadcasters Association and the Radio and Television News Directors Association strive constantly to improve standards. Since broadcast representatives, operating on all levels, reach the world at large it is appropriate in our eyes that they be accorded all reasonable access to information compatible with the orderly conduct of court business.

Also operating in the national field and gathering significant news wherever it occurs are major metropolitan papers, a number of whom operate their own syndicate and wire services . . . First among these which come to mind are the Washington, D.C., papers, *New York Times*, *Newsday*, the *Christian Science Monitor*.

And then where do you draw the line? There are the Boston papers, Chicago, Dallas, Houston, Miami, etc.

3. California media.

Precedent and logic dictate that the local press be adequately represented in celebrated cases. Agreeing that the major papers and broadcasters will be accommodated doesn't exactly solve things . . .

Categorizing the Press

Up to this point we have concentrated on evaluating various media from the standpoints of size and location. It is well to consider some of them according to function.

The national news magazines are a segment of the press which should be kept well informed because they put heavy stress on evaluation and interpretation.

Media which address themselves to minority groups should not be overlooked . . .

The Catholic press also has a distinct interest in the case.

And then there is the question of whether the press should be screened according to political standards—which is really not a question at all considering our Constitutional guarantees of free expression and the diversity which various dimensions of opinion provide . . .

So far we have been expanding the problem and in some respects may have magnified it. There are several alternative approaches which have been suggested.

1. Television broadcast of the trial.

The Court has already made it clear that this is undesirable because of judicial rules and because of the impact on trial participants.

2. Radio broadcast.

This can be rejected on similar grounds but there is an even greater drawback from the standpoint of accurate reporting. This is that the listener has no sure way of knowing who is talking.

3. Remote amplification of court microphones.

This has the same drawback as radio broadcasting in regard to accuracy.

4. Surveillance by electronic (closed circuit television) monitoring through fixed installations in a second high security courtroom provided—

a. That this be done by the Court as an assumption of judicial responsibility in the interest of fair administration of justice and fair and accurate reporting.

b. That all rules of court apply in the room selected as an annex.

c. That such rules be strictly enforced throughout the trial by bailiffs of appropriate officers of the Court.

d. That this be agreeable to counsel for the defense and prosecutor.

Given the 40 or 50 additional seats (it turned out to be 80) which this fourth approach might afford, a court committee could, with the assistance of press advisers if desired, set about making a realistic allocation.

After much deliberation and through study of a sample monitor system set up by Howard Williams, editorial director of KNXT, for the benefit of the State Judicial Council, the

THEIR EFFORTS LED TO TELEVISION MONITORING OF THE SIRHAN TRIAL:

Participating with Chairman Dick Fogel in the discussions which led to television monitoring of the Sirhan trial were:

Larry Sisk, publishers' representative of Copley newspapers and founding chairman of the California Freedom of Information Committee; Raymond Spangler, publisher of the Redwood City *Tribune* and former national president of Sigma Delta Chi; Ben Martin, general manager of the California Newspaper Publishers Association; and Frank Haven, managing editor of the Los Angeles Times participating as a representative of Sigma Delta Chi.

Technical advice and assistance with installation of equipment were provided by Howard Williams, editorial director of KNXT. He is vice chairman of the state FOI committee and new president of the Los Angeles chapter of SDX.

judges agreed to the fourth point. Couched as it was, it came within the bounds of Judicial Council rule 980 which bans photography, broadcasting or recording in a courtroom.

We pointed out that:

"Electronic monitoring is something else. The court's own voice amplification system emphasizes the point. It is voice carried by cable.

"When we refer to electronic monitoring we are talking about voice and image carried by cable for the simple and single purpose of enlarging the courtroom."

Several points should be emphasized.

The judges were fair and openminded despite the fact they had been antagonized by certain individual demands made by some members of the press.

Installation of the closed circuit system does not, as some suggest, open the gate to publicly televising celebrated trials.

That might or might not come in time. This project serves only the court's and the public's immediate needs and purposes.

Granted the installation is not ideal. The news leads in the early days of the trial dwelled upon the defendant's facial expressions and the color of his clothes which were not observable in the annex through the picture tube.

But, then, half a loaf . . .

Managing Editor Dedicates Bridge Everyone Else Ignored

IRONTON, Ohio — Because of public disfavor with tolls, West Virginia officials recently opened a multi-million dollar Ohio River Bridge between Huntington, W. Va., and Chesapeake, Ohio, without any kind of formal ceremony.

A bridge opening and dedication had been planned, but the new toll bridge also resulted in the reimposition of tolls on an adjacent bridge and this had the populace of both states up in arms.

The ceremony was cancelled by the politicians and the beautiful, expensive, and modern bridge was opened to motorists at 5 p.m. without fanfare and without dedication.

That evening at 10 p.m., Dan Martin, managing editor of the Ironton *Tribune*, took a bottle of champagne and walked out onto the darkened structure and had his own dedication ceremony.

As a cold wind ruffled the surface of the river far below, Martin, standing alone, cracked the bottle of champagne on a girder and dedicated the new span as "Folly Bridge." He said the name was appropriate because it was a prime example of political folly.