

Cameras in court draws mixed reactions

By Joanno Maliszewski
staff writer

Television and photographed court proceedings are drawing varied responses.

District Judge Margaret Schaeffer at Farmington believes cameras in the courtroom could make already nervous witnesses all the more on edge.

Her colleague, Judge Michael Hand, believes cameras would be too disruptive, possibly affecting the outcome of a trial.

Frank Lauhoff, Farmington director of public safety, doesn't believe professional performance would deteriorate before the cameras.

Farmington Hills Police Chief William Dwyer believes cameras might force courtroom participants to behave in a more dignified and professional manner.

The myriad opinions on the possible use of newspaper and television cameras in the courtroom are indicative of the type of comments the Michigan Supreme Court can expect to hear in coming months.

The high court last week announced it wants comments on a proposal to permit cameras and tape recorders in Michigan courtrooms on a test basis for one year. Comments will be accepted for 90 days after the proposed order's publication in the May issue of the Michigan Bar Journal.

"Publication of this proposal does not mean that the court will issue an order on the subject, nor does it imply probable adoption in its present form," the court warned.

coverage of most of the proceedings in the state's 241 trial courts, the Court of Appeals and the Supreme Court.

But Judge Hand of the 47th District Court will be disappointed if the Michigan Supreme Court gives cameras a try.

"I'm not very much in favor of it because frankly it's disruptive," he said. "There are a lot of cons and few pros."

Hand's greatest concern is for witnesses and jurors. Cameras and the knowledge that as witnesses and jurors these every-day people will be on television or in the newspaper could not only be nerve-wracking, but possibly affect a trial's outcome, Hand said.

"Cameras would tend to distract people from the testimony being given," he said. "Most people don't like to be witnesses, let alone face it. It's hard enough to be calm."

Hand's concern is shared.

"It could hinder some testimony and cooperation from some witnesses," Lauhoff said. "Witness cooperation is difficult, at best, in difficult cases, anyway."

Dwyer shares Lauhoff's belief that the use of cameras should depend on the case. Sexual abuse proceedings, for example, should not be televised nor photographed to protect the victim. "The pendulum has got to swing back to the rights of the victim," Dwyer said.

Schaeffer believes the cameras would have "to be very unobtrusive" so witnesses would not be affected by them. "They are nervous enough."

THE PROPOSAL would permit television, radio or photographic performance would be affected only

initially when cameras are new to the courtroom. Others believe cameras could serve as yet another reason for attorneys to stand and.

"Aside from a little additional nervousness — that's usual in front of a camera — I don't think there would be an effect on professional performance," Lauhoff said.

Schaeffer agreed. "Possibly, it could change attorneys' performance. But on the other side of the coin, like anything, once you get used to it..."

Farmington Hills city attorney Paul Bibeau thinks attorneys' performance might change. "It suddenly occurs to you, 'Hey, this is being taped,'" he said. Through professional performance should not be affected, "humanly speaking, it possibly would."

The proposal follows a recommendation by the Citizens' Commission to Improve Michigan Courts, which urged the Supreme Court to develop, with the news media, a joint proposal for a pilot program to permit cameras in the courtroom.

UNDER THE proposed order, consent of the trial judge would be necessary for the news media to bring cameras and tape recorders into the courtroom and the judge could control the coverage during the trial. Coverage of jury selection would be prohibited during the experimental program. Witnesses in both civil and

criminal trials would have the power to block coverage of their testimony, the Supreme Court said.

The proposed order also would establish rules for media equipment, lights, the number of media personnel, types of cameras, position of equipment and movement in the courtroom. Advance written permission to use electronic equipment would be required, the court said.

Limitations, as suggested by the high court, would greatly please local judicial and law enforcement officials.

"I think it (allowing cameras) would depend on how it's done, who's doing it and the type of case," Bibeau said.

Lauhoff and Dwyer would like police — as courtroom participants — to be allowed comment before a judge determines whether cameras are allowed in a particular case. Bibeau thinks all parties involved in a case should be considered before allowing cameras.

HAND, HOWEVER, believes the decision should rest wholly with the presiding judge. "Too many cooks spoil the broth. Some attorneys, as you know, are grandstanders. Others just don't like it. So (with allowing all participants an opinion) even before the trial, the judge is already making a decision against one of them (attorneys)."

As of Jan. 1, 43 states had adopted

either experimental or permanent rules permitting some form of electronic or photographic court coverage, the Supreme Court said.

Michigan, Mississippi, Indiana, Missouri, South Carolina, South Da-

kota and Virginia, along with all federal courts, prohibit electronic coverage of court sessions.

Associated Press contributed to this report.

OCC paper offers protection

Oakland Community College-Oreard Ridge Campus students received more than news with last Thursday's edition of the campus newspaper.

The newspaper carried articles about AIDS (acquired immune deficiency syndrome), and some included a means of protection — a free condom.

The articles and the condom giveaway were part of AIDS Education Day at OCC, said Bert Whitehead, student government vice chairman and business manager for the Recorder newspaper.

The student government donated \$500 to buy the condoms, which were included in 1,500 copies of last Thursday's issue, Whitehead said. Newspaper staff members handed out the copies to ensure the condoms were given only to students 18 and

older, he said.

"Our goal is to emphasize the AIDS Education Day slogan, which is, 'AIDS does not discriminate — it is an equal opportunity virus,'" Whitehead said.

AIDS is a viral affliction that attacks the body's immune system, leaving victims susceptible to a wide range of infections and cancers. It is most often transmitted through sexual contact.

WHITEHEAD SAID he believed the 7,500-student Oreard Ridge campus was the first community college in Michigan to distribute free condoms.

Grand Valley State College, a four-year, 8,400-student institution in Allendale, provided free condoms and AIDS information at a dance a week ago.

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