

October 6, 2005

The Honorable John Roberts
Chief Justice of the United States
Supreme Court of the United States
Washington, DC 20543

Dear Mr. Chief Justice,

As President of the Radio-Television News Directors Association, I listened with particular interest during your confirmation hearings when you responded to questions concerning cameras in the courtroom. RTNDA members were encouraged to hear that you are open to the idea.

Now, in your capacity as Chief Justice of the U.S. Supreme Court, RTNDA respectfully requests that you seriously consider permitting electronic coverage of the Court's proceedings.

Just as the public is given meaningful access to an overwhelming number of state courts through audiovisual coverage, it should be given meaningful access to the arguments made before this Court, many of which involve profound social, political and legal issues. Chief Justice Rehnquist recognized the merits of allowing the citizenry to witness the events taking place inside the Court when, in response to requests from RTNDA and others, he released audiotapes of the oral arguments in *Bush vs. Gore*. The Chief Justice later reported that he was pleased with the reception the broadcast of the Court's audiotapes had gotten, and subsequently made recordings of select cases available. As an initial matter, RTNDA hopes that you will make the public release of audiotapes of Supreme Court oral arguments your standard practice.

In the present day, however, meaningful access necessarily means televised proceedings. As this Court long has recognized, the physical space limitations of a particular courtroom and geographic and other limitations on the public's ability to personally attend judicial proceedings validate the media's claim that it acts as a surrogate for the public in providing access to those proceedings. While both print and electronic media fulfill that important surrogate role, only television has the ability to provide the public with a close visual and aural approximation of actually witnessing judicial proceedings without physical attendance. When electronic coverage is banned, the public is forced to depend on secondhand accounts filtered by the perceptions of reporters, which necessarily limits their understanding of the judicial process.

Numerous studies conducted by state and federal jurisdictions to evaluate the effect of the presence of cameras in courtrooms have demonstrated consistently that televised coverage of court proceedings does not impede the fair administration of justice, does not compromise the dignity of the court and does not impair the orderly conduct of judicial proceedings. In-court audiovisual equipment has become a permanent fixture in most states during the last 25 years. Our members have met with judicial officials in every state and successfully arranged for audiovisual coverage of courtroom proceedings with minimal disruption or intrusion. We would be happy to meet with you, or Kathy Arberg or another Court representative to discuss how electronic journalists could unobtrusively cover the Court's work.

Public exposure of the processes of government is always in the public's best interest. Permitting broadcast of the Supreme Court's proceedings will further the interest of justice, enhance public understanding of the judicial system and maintain a high level of public confidence in the judiciary. RTNDA respectfully urges you to provide unlimited seating in our nation's highest court by permitting audiovisual coverage of its proceedings.

Respectfully,

Barbara S. Cochran
President, RTNDA