

## **Rules regarding the Electronic Coverage of Criminal Court Proceedings by the Media**

In June 2011, the judges of the Superior Court approved significant changes to the rules regarding the electronic coverage of criminal court proceedings and trials by the media. The changes take effect on Jan. 1, 2012.

It is important that the media review and understand these rules, and this web page is designed to provide the media with the information they need.

### **Approval as “media”**

- Pursuant to Connecticut Practice Book, Sec. 1-10A, “media” is defined in this section as “any person or entity that is regularly engaged in the gathering and dissemination of news and that is approved by the office of the chief court administrator.”
- The Office of the Chief Court Administrator maintains the flexibility to approve or disapprove a media organization, subject to the answers to the following questions:
  - Can the applicant demonstrate that he/she regularly disseminates news by providing copies of articles, broadcasts or other materials?
  - If the applicant does not comply with the established rules and protocol concerning electronic coverage, is there any organizational chain of command through which to pursue a complaint with regard to the failure to comply?
  - Does the applicant have the ability to serve as a pool?
  - Does the applicant adhere to the Society of Professional Journalists Code of Ethics or another code of professional ethics?
- If you have not previously been approved to take photos, or to videotape or audiotape a proceeding, then you first must be approved as “media” by the Office of the Chief Court Administrator. To obtain such approval, contact the External Affairs Division at [external.affairs@jud.ct.gov](mailto:external.affairs@jud.ct.gov) or by calling (860) 757-2270.

**What criminal proceedings may be broadcast, televised, recorded or photographed?**

- Any hearing or testimony (including arraignments) or any portion thereof, in open court and on the record.

**What criminal proceedings may not be broadcast, televised, recorded or photographed?**

- Proceedings which must be closed to the public to comply with the provisions of state law;
- Any proceeding that is not held in open court on the record;
- Proceedings involving sexual assault or sexual offense charges;
- Recesses in the trial;
- Conferences involving counsel and the trial judge at the bench or involving counsel and their clients;
- The process of jury selection and any juror;
- Other coverage if the judge articulates a compelling reason to limit or preclude such coverage.

**Can a designated member of the media broadcast, photograph, videotape or record any proceedings outside the presence of the jury?**

- As of Jan. 1, 2012, the rules allow the photographing, videotaping or recording of these proceedings if “the trial court determines that such coverage does not create a risk to any party’s rights or other fair trial risks under the circumstances.”

**What is the process for an approved member of the media to request permission to broadcast, photograph, videotape or record a criminal proceeding other than an arraignment? *(There are different procedures in place to electronically cover arraignments. See below.)***

- Unless good cause is shown, an approved member of the media must submit a written notice (e-mail is sufficient) at least three days prior to the commencement of the proceeding to the administrative judge of the

judicial district where the proceeding will take place. Please cc: [Alison.Zawadski@jud.ct.gov](mailto:Alison.Zawadski@jud.ct.gov), and [Rhonda.Hebert@jud.ct.gov](mailto:Rhonda.Hebert@jud.ct.gov) on the request.

- [Click here for a list of the administrative judges](#)
- The request that comes in first from a media organization for a particular proceeding is the request that is forwarded to the Court for consideration.

**What are the limitations regarding electronic coverage of criminal proceedings and trial, other than arraignments?** (There are specific limitations that apply to arraignments, which are listed below.)

- Only one still camera, one TV camera and one audio recording device which does not produce a distracting sound or light shall be employed to cover a criminal proceeding or trial, unless otherwise ordered by the judge.
- No artificial lighting may be used, without the approval of the judge.
- The cameras shall be positioned in a location in the courtroom designated by the trial judge.
- Microphones, related wiring and equipment shall be unobtrusive and located in places designated by the trial judge.
- Once the location is designated the camera operator must remain in place and not move about until the proceeding is completed.
- A judge may require the use of a muffler for a still camera.
- If a pooling arrangement is required, the media outlets are responsible for the arrangements, including establishment of necessary procedures and selection of pool representatives, without calling upon the judicial authority to mediate any dispute as to the appropriate media representative or equipment for a particular proceeding.

**What is the process to request permission to broadcast, photograph, videotape or record an arraignment?**

- Any media representative desiring to broadcast, televise, record or photograph an arraignment shall send an e-mail request for electronic coverage to [Alison.Zawadski@jud.ct.gov](mailto:Alison.Zawadski@jud.ct.gov), and cc'ed to [Rhonda.Hebert@jud.ct.gov](mailto:Rhonda.Hebert@jud.ct.gov)

**What are the prohibitions and limitations regarding the broadcasting, photographing, videotaping or recording of arraignments?**

- The broadcasting, televising, recording or photographing of the following are prohibited:
  - Any criminal defendant who has not been made subject to an order for electronic coverage
  - To the extent practicable, any person other than court personnel or other participants in the arraignment for which electronic coverage is permitted;
  - Conferences involving the attorneys and judge at the bench or communications between the defendant and his/her attorney or other legal representative;
  - Close-ups of documents of counsel, the clerk or judge;
  - The defendant while exiting or entering the lockup;
  - To the extent practicable, any restraints on the defendant;
  - To the extent practicable, any judicial marshals or Department of Correction employees escorting the defendant while he or she is in the courtroom;
  - Proceedings in cases transferred from juvenile court prior to a determination by the adult court that the matter was properly transferred.
- Only one still camera, one TV camera and one audio recording device which does not produce a distracting sound or light shall be employed to cover an arraignment, unless otherwise ordered by the judge.
- No artificial lighting may be used.
- The cameras shall be situated in an unobtrusive manner, and the judicial authority shall determine their placement. (The location of the cameras, to the extent possible, shall provide access to maximum coverage.)
- Once the location is designated the camera operator must remain in place and not move about until the arraignment is completed.

- If the media submits multiple requests for the same arraignment, they must make pooling arrangements among themselves, unless otherwise determined by the judicial authority.
- On-camera reporting and interviews must be conducted outside of the courthouse.