

OMG: Tweets, Facebook welcome in Mass. courtroom

May 2 2011, By DENISE LAVOIE , AP Legal Affairs Writer

(AP) -- When the camera switches on in one of the busiest courtrooms in Massachusetts, murder arraignments, traffic and drug cases heard there will become fodder for a new experiment: how bloggers and other citizen journalists can cover courts using new media and social media.

Starting Monday, most of what happens in a bustling courtroom in Quincy District Court will be streamed live over the Web for anyone to see. The courtroom, which usually does not allow reporters to use even computers, will now welcome laptops, iPads and smartphones, and will encourage live blogging, Tweeting and Facebooking.

It's all part of an experiment court officials around the country hope will help establish suggested guidelines for courts as they grapple with how to use digital technology and how to accommodate citizen journalists and bloggers.

The pilot project in Quincy, just south of Boston, is believed to be one of the broadest experiments in the country for using new media in the courts. While many states allow cameras in the courtroom and some stream supreme court arguments online, the Quincy project is unusual because it will continuously stream live, unedited court proceedings all day. The courtroom will be unusually welcoming to bloggers and citizen journalists with a special seating section and Wi-Fi connection.

"In the past, reporters were the connection to the nation's courts, but with the changes in the media landscape, there are just less and less

journalists who are that bridge to the public," said John Davidow, executive producer of the "OpenCourt" project. "At the same time, there's been the proliferation of reporting tools that are in the hands of all citizens, including iPhones and other smartphones that can record. People can Tweet, blog, report. The idea is to bring the courts and what goes on in the courts closer to the people so they understand how the law and the justice system work in this country," he said.

These new modern tools are not widely embraced by the nation's courts, where judges, jurors and lawyers are restricted in their use of digital technology and social media.

In some publicized cases, jurors using portable electronic devices in other courtrooms have caused mistrials and overturned convictions. A judge in San Francisco dismissed 600 potential jurors after several acknowledged going online to research the criminal case they were called to consider. A federal judge in Florida declared a mistrial after eight jurors admitted Web surfing about a drug case.

And last year, "Twitter instructions" were issued to federal judges to read to jurors, barring them from visiting Internet chat rooms, blogs or social websites and from using electronic devices in connection with their cases.

The Quincy project is funded by a \$250,000 grant through Knight News Challenge, a contest that encourages media innovation, to Boston's National Public Radio affiliate WBUR, where Davidow works as executive editor for new media.

Davidow and others met regularly for months with court staff and lawyers to work out rules for the project. The idea has not been embraced by some defense attorneys and prosecutors in Massachusetts.

The court has had training sessions for lawyers to show them dead zones in the courtroom where they can have conversations that won't be picked up by microphones, but some are still concerned that their private talks with clients could be recorded and come back to haunt them.

"I'm not overly fond of the idea," said Richard Sweeney, a Quincy defense attorney who regularly defends criminal clients in the courtroom, now newly wired.

"I think there are a lot of pitfalls. I understand and respect the concept - they want an open court. In this era of everyone having cellphones and videos, I can understand that, but it's fraught with perils for attorneys with conversations that can be picked up."

Norfolk District Attorney Michael Morrissey said he is concerned that the cameras could discourage victims of domestic violence or stalking from going to court to seek protections and that information about gang investigations, including witness identifications, could become public.

"In certain delicate cases, the court is going to have to exercise the appropriate discretion and balance that with the public's right to know," Morrissey said.

Judge Mark Coven, Quincy District Court's presiding judge, said he has ultimate control over the camera and could decide to shut it off at certain times, such as when sexual assault or domestic violence cases are being heard, or could move those hearings to another courtroom.

"We wanted to shape the project in a way that balances the public's right to know with the right to privacy and the right to a fair hearing for anyone who comes before the court," Coven said.

Court officials from around the country are watching the Quincy

experiment as they try to come up with policies on dealing with live streaming, citizen journalists and bloggers.

"There's no firm national standard on how to do this," said Gregory Hurley, an analyst for the National Center for State Courts in Williamsburg, Va.

"I do think this is the wave of the future. More courts are going to want to experiment with this and see if they want to make this available to the public."

John Bracken, director of digital media for the Knight Foundation, which awarded the grant for the project, said that with the news industry struggling and many news organizations laying off staff reporters, there are fewer mainstream journalists available to cover the courts. He said giving citizen journalists greater access to courts and allowing them to use communications devices in court could help fill that void.

"In every courtroom, every day, there are everyday citizens walking in with little miniature communications devices in their pockets. If those people were unleashed and exercised responsibility, they provide a great opportunity to pick up the storytelling and the important information that we may lose otherwise," Bracken said.

Davidow and other supporters say they hope making the everyday workings of the court available online will promote a better understanding of the judicial system.

"Historically, courtrooms were built in the center of town, where people could come and go, but as life has become more complicated people have become more and more removed from the courts," Davidow said.

"The goal is really to come up with the best practices of how to use

[digital technology](#) to bring the courts closer to the public."

More information: <http://www.opencourt.us>

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