

2001 Report on Activities

Bench-Bar-Press Liaison Committee (Fire Brigade)

The total number of Fire Brigade cases handled was slightly down during calendar year 2001. Why? Because sometimes things work out and it happens that I was quite busy with the trial in Rufer v. Abbott Labs from March through July. I do not count as Fire Brigade work my failed attempt to get ABC to hold a Primetime story on that case for a week rather than run it on the eve of jury selection. The producer and their New York lawyers haughtily waved the Constitution at me until it sank in that I was simply asking and not threatening restraints. Then, in a softer, more solicitous tone, they confided "Look, it's running opposite *Survivor* and nobody's gonna watch it anyway." It turned out they were right.

Referrals

Fire Brigade calls came in from (or on behalf of) Allied Daily Newspapers, WNPA, KING-TV, KIRO-TV, KPTV, the South County Journal, A.P., the Omak Chronicle, the Seattle P-I and several judges. The courts involved were well spread out across the state: Spokane, Okanogan, Kittitas, Benton, Clark, Thurston and King Counties. Issues addressed were primarily the usual ones of cameras in court and access to documents and proceedings.

Trends

No new trends were discernible. In the view of the undersigned, access issues typically reflect confusion or inertia which are invariably correctable. Camera issues are typically the result of cramped courtrooms or intractable judges, neither of which is so easy to solve.

Some Examples

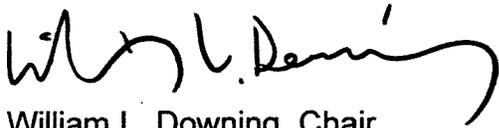
A couple entries in my log may be worth mentioning. The attorney for a TV station sought assistance in getting quick access to tapes from a video courtroom in which a pro se defendant had gotten on his knees and proposed to his victim while cross-examining her. Several conversations with the judge and his staff followed. When the judge's concerns were narrowed to a focus on the impact on the emotionally fragile victim, the station offered to obscure her face if it was shown at all. This led to agreement and the tape was quickly produced with this understanding.

The King County Journal (South County and Eastside Journals) has gotten very good about giving advance notice of an intent to photograph in court. Upon request, I spoke with one judge in advance of a high profile sentencing. Things went smoothly in court, not because of my call but because it was a good judge who assured me she'd paid close attention at the last BBP seminar. The next day I was pleased to see the Journal's writeup: "Over the objection of Amodt's attorney, Judge Linde ruled that the media could take pictures of Amodt during the court proceedings. ... 'This is a public proceeding,' Linde said. 'The press is here with important rights, too.'"

Proactive Measures

In our ongoing effort to get the word out, Judge Kip Stilz, Rowland Thompson and the undersigned wrote the attached articles that ran this summer in the BENCH PRESS, the newsletter of the District and Municipal Court Judges Association. (Kip gets credit for the accompanying artwork. You will have to ask him why one page shows the heroic Fire Brigade member spraying water from a fire hose and the next page seems to show someone drowning.)

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William L. Downing". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

William L. Downing, Chair