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The Sirhan trial proved conclusively, in my opinion, that television can cover trials of public significance without disturbing in any way the course of justice.

This has been known a long time in Colorado, where trials have been broadcast. It was not at all disproven in Texas by the Estes case. What we did was re-establish the fact -- in the face of the bitter and prejudiced conslusions of the Estes decision.

A television camera covered every minute of the Sirhan trial for more than three months, sending a picture on a closed circuit to the overflow press in another courtroom. The camera was ignored by everyone, and the experience, I believe, disproved the speculation that television need disrupt a court.

It is true that the proceedings were not broadcast and were not taped for broadcast. Therefore, my opinion of the effect of television on trials is based on speculation. But so was the Estes decision, which, in effect, now prohibits broadcasts of trials.

Now, after Sirhan, we have certain facts on hand and I hope the judiciary will pay them some heed.

In Sirhan's trial, we showed that a television camera, inconspicuous but visible, will be ignored as much as any other article of furniture in the room.

We showed that lawyers and witnesses will pay no attention to the television camera. Defense Attorney Grant Cooper, for instance, told me that he never paid the least bit of attention to the camera. But he does oppose broadcast of trials, I must add.

We showed that reporters covering every aspect of an important trial will virtually ignore a television camera in the court -- even when it is a notable first.

We showed that reporters who see the trial on monitors in another courtroom will disregard the medium and concentrate on the message.

Finally, we showed that television can be used to enlarge a courtroom to almost any size, and the judge can still keep full control.

That, of course, was the sole purpose of the system -- to enlarge the courtroom. It was a service to the court, and to the smaller papers and stations whose reporters otherwise might not have been able to cover the trial.

I was surprised, to say the least, by the almost total lack of publicity about the television system. The system was ignored in grand style, even though on the first day I put out a detailed fact sheet telling all about it. Almost the only press comments came on the first day of the trial, when some of the reporters looked at history in the making and said -- the picture is bad.

The trial was held on the eighth floor of the 50-year-old Hall of Justice. The courtroom seated about 75 persons. Along one side of the courtroom are four windows, each with an air conditioning unit above.

We removed one air conditioner, put the camera in the empty shell, and replaced the cover. A rectangular opening was cut in the cover for the camera to see through. The opening was about two inches high and eight inches long. The hole was visible to everyone, and the camera lens was visible inside the opening.

There was nothing secret about the installation. It was approved in advance by the trial judge, Herbert V. Walker; by the presiding judges in the County; by the defendant, and by all counsel on both sides. And of course it was plainly visible.

The camera used was a Norelco vidicon industrial camera about the size of a cigar box. It required no operator. The bailiff, Bill Polhemus, turned it on and off each day.

The normal courtroom sound system was augmented for the trial. Five additional microphones were placed along the counsel table. When prospective jurors were being questioned, and could not be heard in the Auxiliary Courtroom, they began wearing a lavalier microphone, on a cord around the neck, as they responded to questions from counsel. The witness microphone was changed to a lavalier, and the judge himself switched from a table mike on the bench to a lavalier -- and he says he intends to use that type of mike from now on.

Four floors down in a former jury assembly room we set up the Auxiliary Courtroom. It contained about 80 seats, and could have been expanded much more, but that was never necessary.

Three 27-inch black and white monitors were mounted on shelves along one wall. Reporters in that room could see a view of the courtroom upstairs that extended from the front row of seats to the far wall where the judge sat, and from the far left side of the counsel table where Sirhan sat to the far right, where the witness sat near the judge.

The camera was above the jury and did not show them. We had been told not to show the jurors, for reasons never explained, and they were out of camera range anyway.

We were allowed to use only one camera, giving one overall view of the courtroom. That's a large area to show on a small television screen, and the picture was far from ideal. The defendant was usually blocked from view by one of his lawyers, and it would have been difficult to identify him or anyone else. But that was the best we could do under the rules established before we obtained permission to install the system.

Everyone entering the Auxiliary Courtroom was searched, to be sure no one took in a camera or a tape recorder.

The public was not allowed into the Auxiliary Courtroom. That would have made it a broadcast, perhaps. A few from the public were seated in the courtroom itself each day.

On the first day or so there were 35 or 40 reporters in the Auxiliary Courtroom, but they were not satisfied. They could not see well, though the sound system installed by County employees was perfect.

I think the greatest drawback, however, was the fact that because of the security restrictions, and the distance between the two courtrooms, the reporters were cut off from that informal contact in the corridor at recess with witnesses and lawyers, which is an important part of covering a trial. I think adjoining courtrooms would have solved this problem and made the Auxiliary Courtroom much more satisfactory.

As jury selection dragged on, dull and repetitive, use of the Auxiliary Courtroom fell off drastically, but throughout the trial an average of a dozen persons, sometimes 20 or more, who could not get in the courtroom upstairs, came into the downstairs room. Some covered the early part of a day's proceedings until a seat upstairs was declared vacant because someone did not show up to occupy it.

As you might expect, the room did prove most helpful on the days when the two verdicts were returned. Wire service and network people were able to run for telephones without disrupting the court.

Numerous lawyers and others whom the court wanted to accommodate, but could not seat in the courtroom itself, visited the downstairs room. It had many such uses, but best of all, every reporter who wanted to cover the trial could do so. It took the pressure off Judge Walker, and in his estimation the project was

well worth the effort.

I'd like to give a little background on how we did it. The situation in Los Angeles in June, 1968, was much like that in Memphis after the capture of James Earl Ray. We knew a trial would be held and we know a lot of reporters from all over the world would want to cover it. Just as you did here, we talked about a closed circuit system to another courtroom to handle the overflow press.

You, like some of us in L.A., looked at the Estes case, which the late Judge Battle considered a prohibition against a closed circuit television system. I viewed Estes only as a classic case of judicial intemperance, but more importantly, Judge Walker did not feel that Estes prohibited closed circuit TV.

Judge Walker saw the Sirhan trial as a window through which the world would examine American justice, and he felt strongly that every legitimate reporter who wanted to cover the trial should be permitted to do so. Security problems prevented using a larger courtroom in another building, so he wanted closed circuit television.

Harold Fredieni, the Court Coordinator who handled arrangements for reporters, suggested closed circuit TV to the presiding judges, and they rejected it.

A few weeks later a committee representing a radio-TV news organization in L.A. met with the judges and proposed the same thing. I heard later that the meeting was highlighted by a judge's remark that television should not be in the court because, he said, "you are nothing but a bunch of toothpaste salesmen." You might say that the outlook for closed circuit TV at that point was less than promising.

But the problem of news coverage remained, and Frediani called upon the California Freedom of Information Committee for suggestions on how to handle the anticipated crowd of reporters.

I should explain briefly that the Committee was founded in 1966 and embraces all media. It is sponsored by all of the California Sigma Delta Chi chapters, by various press clubs, the California Press Women, Theta Sigma Phi, the California Broadcasters Association and the California Publishers Association. I think every state needs something like it to speak on matters of mutual concern regarding freedom of the press.

Our State Chairman, Dick Fogel, Assistant Managing Editor of the Oakland Tribune, described the Committee's part in obtaining the closed circuit system in a recent issue of Quill.

In that article he said, "members of our executive committee, scattered throughout the State, flew to Los Angeles and met with the judges on September 17th. We agreed to make a study and report back in two weeks."

The same people flew back to Los Angeles on October 1st and presented the report, which contained suggestions of newsmen gathered from all over the country. Six of us attended that meeting, including our former SDX National President Ray Spangler. I was there only because I am Vice Chairman of the State Committee.

Our conclusion was that closed circuit television was the only practical answer to handling all of the news media at the trial. Judge Walker then and there invited us to demonstrate how we could do it. We agreed, and the meeting broke up. Five people went to the airport, headed for San Diego and Northern California. I was the only one left in town, and that's how an editorial writer wound up in charge of the project. I had been in court however -- and as a cub for United Press, worked in Judge Walker's court 20 years ago.

We said we'd do it, but it wasn't easy. Fortunately, KNXT's Vice President and General Manager, Ray Beindorf, started it rolling before I was back at the office. And he gave me carte blanche to call on anybody in the station for help.

I went to the courthouse the following day with three engineers, a carpenter and a painter to survey the room. Our Technical Services Director, Ed Miller, and his chief assistant, Norm Cobb, get the credit for the idea which I think convinced the judges. They suggested the air conditioner as a camera location. We would remodel the cover, with a louvered grill, and place the camera behind the grill. The grill would not show, because it would be close to the lens and out of focus. It was beautiful. I could hardly believe it when I saw it work the next day in Eddie's office.

We installed the camera over the next two days and finally demonstrated it to the judges. There was no cable in the room, no camera operator, and no camera was visible anywhere. But the judges could see the courtroom on a monitor, and they were impressed.

So far, so good, but we still had to face Rule 980, which was imposed by the State Judicial Council in 1965 and prohibited photography or broadcasting in courtrooms. A month later we were invited to put on another demonstration, this time for a group of judges, mainly from Northern California, representing the Judicial Council. It was again a complete success.

Later in November Judge Walker obtained their agreement that closed circuit TV would not constitute a broadcast. On December 5th, in the special jail courtroom used before the trial, Judge Walker asked the defendant and each attorney in turn if they had any objection to such a system. They all approved, and the judge told me to put it in.

On December 11th we began to put the system in, and a couple of weeks before the trial began January 7th it was completed and working. We had borrowed cameras from Norelco in the name of the California Freedom of Information Committee. We borrowed cable from KNXT, which County employees ran down a utility shaft, and above a false ceiling in the courtroom. We borrowed the monitors from ABC. NBC helped. CBS Network had made the air conditioner grill. Everybody was eager to help, but we still had problems, and one important change had to be made after the original demonstrations.

Because the counsel table was lengthened to seat additional lawyers, we were forced to use an extremely wide angle lens, and that brought the grill into focus, interfering with the picture. Judge Walker said to cut a hole in the grill. I'm glad now that we did so, because that made the camera visible during the trial. I think it is a key point in judging reaction, or lack of it, by those participating in and covering the trial. They all could see the camera lens.

I've condensed here to relatively few words the weeks and months of work and experimentation behind the project. But once the trial started, the system ran by itself, and I had little reason to go to the courtroom.

Now that it's over, Judge Walker is most pleased with the results. In fact, he told me last week that in another such case he would prefer to have only those persons directly involved in the trial seated in the courtroom. He would place all others in the Auxiliary Courtroom, where they could see the trial on a large screen.

We proved in Sirhan that closed circuit television can be a help to a judge facing the problems Judge Walker had. I see no reason why other newsmen in other cities cannot help install and use such a system in other trials of national and international significance. It is not easy, but on behalf of the California Freedom of Information Committee I can promise that we will be glad to help anyone who wants to do the same thing.

Of course the principal ingredient in our success was Herb Walker, a great judge who appreciates our problems and isn't afraid to innovate, whether it be closed circuit TV or conjugal visits for juror[illegible] weekends. The two, are not connected, of course.

Where all of this will lead, I don't know. Probably nowhere very soon. In Sirhan we simply established a point, that TV can be inconspicuous in a courtroom and still provide good coverage. We also have the word of Judge Walker that the camera was ignored and made no impression whatsoever on any lawyer or witness or juror as far as he could tell.

I think the public interest dictates that some trials be seen as well as read about and talked about. One good reason for letting the public at large see trials is that the ritual of adversary justice may be less than perfect, and I am not sure that change will come soon unless we are allowed to show the public how the courts work, and the public can then encourage change. The public can do so only if it can see for itself.

We in the news media are not perfect, either. We have the capacity to commit grievous error, and we do. We will have to serve the public in the courts with dignity and good judgment. The prospects of being allowed to do so are dim now, but I hope our work in the Sirhan trial has helped smooth the way.