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## Book Review: Cameras in the Courtroom: Television and the Pursuit of Justice

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**GERALD F. UELMEN**

**BOOK REVIEW: CAMERAS IN  
THE COURTROOM: TELEVISION  
AND THE PURSUIT OF JUSTICE**

**By Marjorie Cohn and David Dow, McFarland & Co., 1998,  
193 pp., \$32.50.**

As this book amply demonstrates, there's no consensus within the criminal defense bar about television cameras in court. But there ought to be a consensus that this book belongs on the shelf of every criminal defense lawyer. It's the most balanced, comprehensive treatment available of every contentious issue surrounding this debate. When lawyers confront these issues in an actual case (and such confrontations will become increasingly common, O.J. notwithstanding), they will need to assess their position from the perspective of potential tactical advantages or disadvantages for their client. This book provides an excellent analytical framework to approach that task. At the same time, broader concerns of public policy are explored in some depth.

The co-authors bring a unique blend of historical insight, practical experience, and academic rigor to their perspective. Marjorie Cohn is an experienced defense lawyer as well as a stellar classroom performer, who teaches Criminal Law and Evidence at Thomas Jefferson School of Law in San Diego. David Dow is an award-winning television journalist who has covered numerous high-profile trials. The book's greatest strength is its balance. The authors approach every issue with an open mind. Nearly every argument cuts both ways, and the book is not a polemic written to justify a pre-ordained conclusion. The source notes and the index also make the book a very accessible resource for follow-up research.

My only complaint is that the type size is too small. It was like reading footnotes for three hours. But the text is interspersed with lots of photos and illustrations. I especially enjoyed the terrific selection of editorial cartoons.

Separate chapters address the concern for fair trials, the public right of access, the impact upon public opinion, and the influence of Court TV. The experience of several states, notably Texas, Florida and California, as well as the federal approach are chronicled. The chapter I found most interesting was the one addressing the impact of television cameras upon trial partici-

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pants—whether the lawyers, the witnesses, the judges and the jurors behave differently. As the authors note, there's a dearth of credible empirical research on this, but they do a good job of marshalling the anecdotal evidence available.

The authors conclude that there's a broad middle ground between the absolutists who assert a right for television cameras to follow wherever print journalists are allowed, and the prohibitionists like Justice David Souter, who vows that television cameras will roll into the U.S. Supreme Court over his "dead body." The complex balancing that must take place on this middle ground will be greatly advanced by the clarity and common sense this book brings to the table.

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