

COMMUNICATION FROM STAFF MEMBER OF THE HONORABLE JOHN T. DOOLITTLE, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Martha L. Franco, Senior Executive Assistant, Office of the Honorable JOHN T. DOOLITTLE, Member of Congress:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, September 25, 2007.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena for documents issued by the U.S. District Court for the District of Columbia.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

MARTHA L. FRANCO,  
Senior Executive Assistant.

#### SPECIAL ORDERS

The SPEAKER pro tempore (Mr. MCINTYRE). Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### CAMERAS, COURTS, AND JUSTICE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, Americans have a right to a public trial. This right dates back to the founding of this Nation, and it is based on our values of fairness and impartiality. The more open and public a trial is, the more likely that justice will occur. That's why in this country we don't have the secret STAR Chamber. This is a right reserved for defendants, but the public also sees it as their right to be informed. Cameras enhance the concept of fairness and openness.

Any American could walk into a courtroom and observe that proceeding. But if a person does not physically sit inside that courtroom, that person is denied the ability to see and observe the proceedings. This doesn't make any sense.

Placing a camera in a courtroom would allow the trial to be more public, more just, just like a trial is supposed to be. While Federal court hearings are open to the public, not everyone can actually attend Federal hearings. This is certainly true of appellate and Supreme Court hearings. And because of the impact that the United States Supreme Court and its rulings have on all Americans, those proceedings especially should be filmed. It is time to allow cameras in our Federal courts, at the discretion of the Federal judge.

I personally know how important it is to make courtroom proceedings in

trials accessible by camera to the public because I did it. For 22 years I served as a State felony court judge in Houston, Texas. I heard over 25,000 cases and presided over 1,000 jury trials. I was one of the first judges in the United States to allow cameras in the courtroom. I tried violent cases, corruption cases, murder cases, undercover drug cases, and numerous gang cases.

I had certain rules in place when a camera filmed in my courtroom. The media also always followed the rules that were ordered. Court TV even successfully aired an entire capital murder trial that was conducted in my courtroom. My rules were simple: No filming of sexual assault victims or children or the jury or certain witnesses such as informants. The unobtrusive camera filmed what the jury saw and what the jury heard. Nothing else.

After the trial juries even commented and liked the camera inside the courtroom because they, too, wanted the public to know what they heard instead of waiting to hear a 30-second sound bite from a newscaster, who may or may not have gotten the facts straight.

Those who oppose cameras in the courtroom argue that lawyers will play to the camera. No, Mr. Speaker, trial lawyers don't play to the camera. Lawyers play to the jury. They always have done so and always will whether a camera is present or not. I know. I played to the jury in my 8 years as a trial prosecutor.

Those who oppose cameras in the courtroom argue that it would infringe on a defendant's rights, but based on my experience, the opposite is actually true. Cameras in the courtroom actually benefit a defendant because a public trial ensures fairness. It ensures professionalism by the attorneys and the judge. A camera in the courtroom protects a defendant's right to that public trial.

And some members of the bar and judges may not want the public to see what is going on inside the courtroom because, frankly, they don't want the public to know what they are actually doing in the courtroom. Maybe these people shouldn't be doing what they are doing if they don't want the public to know by seeing their actions through a camera. A camera reveals the action of all participants in a trial.

If a judge fears that any trial participant's safety is in jeopardy or that the identity of an undercover agent or security personnel will be revealed by filming, the judge can refuse to have that camera in the courtroom and film that trial. I know how it is when you have certain undercover agents such as the DEA and informants testify. I had them testify in my courtroom, and we took the precautions to secure their identity.

Mr. Speaker, I am no law school academic, but I have 30 years experience as a trial prosecutor and a trial judge.

And based on those real experiences, cameras should be allowed in our courts.

The public has a right to watch courtroom proceedings and trials in person. America should not be deprived of this right to know just because they cannot physically sit inside the courtroom during those trials.

We have the best justice system in the world. We should not hide it. Many times citizens wonder why certain things happen in courts and why the results turned out the way they did. Openness, transparency, and cameras will help educate and inform a public that still continues to be enthralled with the greatest court system in the world.

And that's just the way it is.

#### WHY A SHORT-TERM WITNESS PROTECTION PROGRAM IS NECESSARY: THE CASE OF CARL LACKL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Speaker, I was motivated to address the issue of witness intimidation after the death of Angela and Cornell Dawson and their five children, ages 9 to 14. The entire family was killed, or should I say incinerated, in October 2002 when their home was firebombed in retaliation for Mrs. Dawson's repeated complaints to the police about recurring drug trafficking in her east Baltimore neighborhood.

Since this time, witness intimidation has become a plague on our justice system. According to the National Institute of Justice, 51 percent of prosecutors in large jurisdictions find witness intimidation to be a major problem. Additionally, prosecutors in large jurisdictions suspect that witness intimidation occurs in up to 75 to 100 percent of the violent crimes committed in gang-dominated neighborhoods. In my hometown of Baltimore, it is estimated that witness intimidation occurs in 90 percent of the cases that are prosecuted.

To make matters worse, the murder rate in the city is also at a record-breaking high. Today's Baltimore Sun reported that since January 1, there have been 229 homicides in Baltimore. At this pace, it is conceivable that the city will regretfully reach 300 homicides by the end of the year. While this figure is significantly lower than the record high of 353 homicides in 1993, the current situation is simply unacceptable. We need for our citizens to come forward by reporting crimes to law enforcement and testifying in court when appropriate. However, these simple acts have become a serious threat to one's life.

It is time to combat what is commonly referred to as a "conspiracy of silence," and this is why I am asking