



May 19, 2017.

Hon. Judge Laura Taylor Swain
United States District Court

Honorable Judge Swain:

I write on behalf of the Center for Investigative Journalism in Puerto Rico (periodismoinvestigativo.com). We are a nonprofit investigative journalism organization that for almost a decade has published investigative stories, provided training for journalists in Puerto Rico and the Caribbean, and done civic education and litigation on access to information area. Our work has been recognized in Puerto Rico and abroad, and we have been the subject of continuous funding from individual donors as well as from stateside and local foundations for the impact of our endeavors.

As was the case with a group of other local journalists, we've been covering for years the fiscal crisis in Puerto Rico as it has evolved from just a Puerto Rico politics matter, to Congress with PROMESA and now to the courts with the Title III proceedings. We all were in court last Wednesday and we feel we should reach out to you because we confronted several obstacles in doing our job.

First is the matter of language, which is in itself probably the most important barrier for us to fully understand all the details and nuances, specially the technical ones, in this kind of proceeding. We know that this issue is not completely within your scope, as you have recognized when ordering for translation of the case documents, but we need to emphasize it because of its glaring unfairness and because it's at the root of other problems that fall under your purview and that we want to bring to your attention.

Second, the acoustics on the courtroom are terrible. Specially for journalists sitting on the last line, as they were instructed. This has to do not only with the speakers and the lawyers that speak away from the mic, but also to the fact that lawyers speak in front of you giving their back to us. It's pretty much impossible to see them and try to decipher what they are articulating. One possible solution could be to have reporters sit in the jury section, the place in the courtroom that's probably better suited to catch all the interaction between Your Honor and counsel.

The third, and probably easiest problem to address, is the prohibition to record the proceedings. We understand that this case is so crucial for the people and history of Puerto Rico, a people whose first language is not English, that discretion should be procured from the proper authorities in the federal courts system so any of the following be allowed: simultaneous broadcasting, use of reporter's phones to record, or publication of audio recording immediately following the proceeding, as is the case in some district and appellate courts. At least this way we can have a permanent record to make reference to so we're not beholden to whatever it is that we can catch between the acoustics of the room and the press' seating area.



Centro de
Periodismo
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Por el libre acceso a la información

We understand that for the next hearings there will be online video of the proceedings. Even if that video recording is published, which would be great, we respectfully ask that you consider our requests.

It is our understanding that Honorable Chief Judge Aida Delgado has authorized media to use of cellphones or computers in silence mode in our district's courtrooms so they're able to file stories and tweet from the courtroom. Last Wednesday, a few journalists tried to get their phones in the courtroom and were instructed not to. Delgado explained to a colleague that now what has been decided is that each judge dictates the rules on the use of electronic devices for journalists. You can give journalists permission to use computers and phones, the same way it was permitted to lawyers and like other judges in our district have permitted in the past without disruption to proceedings.

Because of the stated historic and social implications of these Title III proceedings for the people of Puerto Rico, we urge you to reconsider your guidelines and work together with us so that we can better inform the public and do so in the timeliest of manners which, during that crucial first hearing became an impossible feat.

We are completely available for a meeting with you to further explain our concerns and go over possible solutions, and we thank you for considering these requests from local press as a matter of fundamental fairness.

Respectfully,

Carla Minet
Executive Director
Center for Investigative Journalism

CC:
Honorable Aida Delgado
Chief Judge, District of Puerto Rico
United States District Court