

Camera Allowed In Court During Murder Trial

by Sanford Schmidt
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EDWARDSVILLE - A judge Wednesday ruled that a camera will be allowed in court during the trial of Timothy Banowetz, the accused killer of prominent attorney Randy Gori.

Michael L. Nepple, an attorney for KMOV TV, argued that the process for allowing cameras is outlined in detail in Illinois Supreme Court rules.

Public Defender Mary Copeland argued that the recording would affect the witnesses and diminish her client's right to a fair trial. She said the cameras could make Banowetz appear more guilty, thus denying him due process.

Nepple argued that the recording available to the public would allow members of the public to determine bias. "This is due process," he argued.

Circuit Judge Kyle Napp said she understands the need to balance the rights of the defendant with the right of freedom of the press.

She said she would allow one camera in the courtroom, but there will be added restrictions because of the need for social distancing for COVID-19 safety.

Since KMOV was the only television outlet with representatives at the hearing, that station will be allowed to have a camera in a stationary position in the room. Others who wish to broadcast video must coordinate with the KMOV media coordinator.

There will be only one still photo allowed, but the various outlets must coordinate among themselves on how to accomplish that.

The judge listed several rules that the media must follow. The camera must be in place before the trial begins; no recording of a conference among participants, such as the judge, attorneys or defendant will be allowed.

Jurors may not be recorded. No interviews will be allowed except in designated places. Communications with jurors are to be considered a criminal offense. There will be no recording of any minor witnesses, nor of any evidence or photo depicting the victims. The defendant must not be recorded.

Napp said there will be sanctions imposed for any violation of the rules. "There are no warnings," she said.

Before Wednesday's hearing, the judge set up a system for a video feed from the courtroom in the Criminal Justice Center to a screen in a courtroom in the Main Madison County Courthouse for anyone who wants to view the proceeding if there is no space available in the trial. Family members will have priority as to seating in the courtroom.