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A Television Station of  
National Broadcasting  
Company, Inc.



March 10, 2006

Testimony of  
**SHEILA TRAUERNICHT**  
Before the  
Judiciary Committee  
in support of  
**H.B. 5212, AN ACT CONCERNING FREEDOM OF THE PRESS**

Chairman McDonald, Chairman Lawlor, members of the Committee, thank you for the opportunity to testify before your committee this afternoon. My name is Sheila Trauernicht, and I am the Vice President of News for the television station NBC 30, WVIT, based here in Hartford, and owned and operated by NBC Universal, Inc.

I am here to speak in support of H.B. 5212, AN ACT CONCERNING FREEDOM OF THE PRESS.

I can't emphasize enough how important a reporter's privilege, such as the one you are considering, can be for the people of the state of Connecticut. Yes, the journalists are the ones who would hold this privilege, but we would do so on behalf of the people we serve. It's not about us – it's about them. It's about their right to receive vital information that will come their way only if sources know that journalists truly can, when necessary, promise them confidentiality.

In an ideal world, we would not have to promise sources confidentiality. We strive to tell viewers as much as we can, and that includes telling them where our information comes from. But this is not an ideal world. People who learn of wrongdoing, and who want the world to know, often fear retaliation. Whistleblowers often fear – justifiably – that they will be the first casualties when the truth is revealed.

Watergate is only the most prominent example of stories that the public needed to know, and that could be told only because sources trusted the press to keep their identities secret. But if the law does not respect those promises – if journalists can be fined and jailed until they are broken – many sources will decide it's not worth the personal risk. And corporate or public corruption will continue, and the people – the employees, the shareholders, and the constituents – will suffer.

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I find instructive the recent reaction of the SEC Chairman, Christopher Cox, when he learned that staff members had been subpoenaing journalists. He halted the subpoenas, and here's how he explained his decision, according to the Associated Press:

*Cox offered a defense of financial journalists' right to operate without government intrusion into the possible sources of their information.*

*"The SEC and financial journalism are highly complementary; there's a symbiosis," Cox said in a telephone interview with the Associated Press after the decision was announced.*

*Without the media bringing financial information to light, "our capital markets can't function," he said. "We are going to be strongly supportive of journalists who are working to publish" information about the financial world.*

A word, too, about non-confidential materials. Obviously these are not quite as sensitive, and the proposed legislation recognizes that, and provides that in limited circumstances, they can legitimately be sought from journalists. But those cases should be few and far between. The chilling effect is real. Much of our reporting concerns events that are, or become, the subject of litigation. Without the privilege, our independence is threatened, for we become agents of the litigants. When every note, every recording, every bit of information we collect becomes instantly discoverable – when every interview subject knows that every word he or she says is headed straight for the lawyers – we lose our standing as a trusted, independent voice. When our reporters are required to surrender their notes, or to testify, our editorial process is invaded. And when our journalists are required to testify, they are diverted from their jobs, and prevented from reporting the news.

Needless to say, however, I am very pleased to take this opportunity to testify before you today. Joining most of the rest of the nation, and enacting a strong shield law, will help us tell the people of Connecticut what they need to know.

Thank you.

*Allen Gramerich*