

Good Morning:

My name is Jonathan Kellogg. I'm the executive editor of the Republican-American and Sunday Republican in Waterbury, the fourth largest newspaper in Connecticut.

I am also here representing the New England Society of News Editors. NESNE is the largest newspaper editors' association in the six New England states. I am a past president and a member of the board of governors.

On behalf of my newspaper and my colleagues across New England, I wish to express our sincerest condolences to the families of all of the Sandy Hook victims. This has been a story we wish we never had to publish.

For your guidance, I'm in my 44th year as a journalist. In addition to Connecticut, I have worked in Maine, New Hampshire and Massachusetts, 10 of those years as a bureau chief for The Associated Press in Northern New England.

I have taught ethics in journalism for more than three decades. I am no stranger to the dilemmas newspapers face balancing the need for readers to understand the complicated world around them with our responsibilities to those caught up in the news through no fault of their own.

We are here this morning to discuss a law that most in the news business believe is overly broad and that could have serious unintended consequences. Censoring the free flow of information in a democratic society is, from a historical perspective and a news perspective, almost never the answer.

The former director of the First Amendment Center at Vanderbilt University, Ken Paulson, reminded a group of editors recently of something you are unlikely to find in most American history books: the first effort by Federalists to pass a national constitution was turned down by the people. Yes, turned down. America had been conceived as a coalition of independent states, a confederation. But after the Revolutionary War, it became clear that the states would need some over arching governing body to keep the states together. The people were skeptical. After all, we had just fought a bloody revolution to gain independence and people were deeply mistrustful of giving power to a central government.

We might be willing to give government this power over our lives, the colonists said, but we would have to have some strict and clear rules about things the government cannot do. It cannot quarter troops in our houses. It must guarantee us the right to a fair trial and to face any accuser. We must be able to peaceably assemble, practice whatever religion we choose. And, we want to be certain there is a free and unfettered press to hold the government accountable.

The First Amendment to the Bill of Rights is only 45 words, but its freedoms are unambiguous, among them: "Congress shall make no law to abridge the freedom of the press."

Even with such a clear declaration, why should we object to a law that seeks to spare some grief to the families of those killed last Dec. 14? Because this law goes well beyond that. This statute outlaws all crime scene photographs and its sunset provision is -- based on legislative history -- questionable.

Consider the case of Dylan McDermott, the well-known actor who grew up in Waterbury. He lost his mother at an early age and her death, by gunshot, was ruled accidental. He never believed it and finally pressed authorities to re-examine the facts of the case. What they found, including the use of crime scene photos, was a corrupt police officer who had aided a criminal in covering up a murder. I'm not suggesting this is even remotely the case in Newtown, but it is not beyond the pale for cases in the future. Government, our forefathers taught us, is susceptible to all sorts of unscrupulous pressure.

After the mass killings at Columbine High School in 1999, the Jefferson County Sheriff's Department knowingly withheld vital information from the public -- and more importantly -- from the families of the victims themselves for five years. Why? To avoid the possibility of embarrassment and lawsuits.

Again, I am not suggesting that is the case here, but we cannot guarantee a future where there is no need for the public to have access to sensitive facts in a criminal case, including crime scene photos.

Keeping information from the public can actually have the effect of enflaming opinion. At Columbine and at Newtown, conspiracy theorists were at work almost immediately. Facts -- clear-eyed information -- are the best, and possibly the only, antidote to such unbridled speculation.

My position is that the public would best be served with open access to all the information surrounding this case and other crimes.

Connecticut has a responsible and ethical media. It is not going to violate that trust by over or inappropriately covering the story. Simply denying public access to information gathered in its name is not the answer.

I would be happy to answer your questions.