

**HIDDEN
CAMERAS****HIDDEN
MICROPHONES**

At the Crossroads
of Journalism,
Ethics and the Law

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Hidden Cameras Answer Noble Call**D U A N E P O H L M A N**

CBS reporters used to call it "a magic moment." A picture that stayed with you long after the newscast. It made you think. It made you feel. It was memorable.

Television strives for great video that can truly tell a story. Investigative stories are no different. Although all investigative reporters strive to uncover the truth, investigative reporters on television strive to **SHOW** it to their audience. In many cases, that means using a hidden camera.

A hidden camera is not necessarily one that is cleverly camouflaged in a clock, strung through fabric or embedded in a pair of eyeglasses. Although many of the great investigative reports have relied on some of these sophisticated methods, others have simply involved placing a regular standard news camera close enough to see--and far enough away not to be seen. We often call this surveillance, but these cameras are hidden, too. In either case, you don't want the person or persons to know you are pointing a camera at them.

Some might object to this. But hidden cameras are defensible on both legal and ethical grounds. And they are quite simply the most effective way to demonstrate a truth that might otherwise go unreported under the glare of a regular television news crew. Our primary duty as journalists is to tell the truth; hidden cameras can provide visual proof.

Take two of the most notable television investigative reports from this past year. Patrick Weiland produced a stunning piece for "Dateline NBC" using no fewer than five hidden cameras in a primary and chase car to show police officers in Louisiana making illegal stops along a busy highway. The

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hidden cameras provided powerful proof that the police were not stopping cars for "just cause," lending credence to the cases of those who claimed their cars and possessions had been seized illegally.

Brian Ross aired a shocking story for ABC that showed how organs from executed prisoners in China were being sold in the United States. Hidden cameras in New York showed a man agreeing to sell an organ, marking the first time such dealings had been exposed. Both the NBC and ABC pieces contained other elements of great investigative reporting, including solid work on the paper trail. But neither report would have been as conclusive without the use of hidden cameras.

Some of my best work as an investigative reporter has involved the use of a hidden camera. While I was at WTMJ-TV in Milwaukee, I spent endless hours in a library basement looking at dusty microfiche files from the Nuclear Regulatory Commission. Eventually, I found what I was looking for: A litany of complaints from guards at the Zion nuclear power plant about cuts in security.

To show how lax the security had become, I hid a camera on the strap of a bag and walked into the plant. This vivid demonstration forced a congressional committee to launch an investigation, with a team of NRC experts flying to Milwaukee.

This past year at KING-TV, in Seattle, I aired a story about the State of Washington knowingly granting driver's licenses to the legally blind. The paper trail proved it. I had to show it.

A photographer and I spent endless hours watching from a van as people who were legally blind or impaired took the driving test. The video of a driver backing over a curb several times (almost rear-ending our van) and swerving in traffic was memorable, but not as disturbing as seeing the state hand this woman a driver's license!

This story met every traditional journalistic criterion for credibility, but would

not have been an effective *television* story without the camera hidden in a van. There is no question about it: Hidden cameras deliver compelling visual proof.

But there is a question of *when* to use them. The use of hidden cameras should be discussed--and any objections raised before, during and after the taping--among members of the investigative unit, news managers and station attorneys. Because serious legal issues, including privacy and trespass, are involved, everyone should be clear on the limitations or restrictions for each situation.

Some projects also involve serious ethical questions that should be discussed throughout. Case in point: After lengthy discussion, I instructed the video editor to distort the faces and the license plates of the people we followed in the "Blind Drivers" piece. Since my story was about the system, it was not necessary to identify private citizens who were simply doing what the system allowed them to do.

Finally, hidden cameras should not be used for effect. The hidden camera is not for style; it is for substance. If you have another way of getting the video, use that instead.

When properly used, hidden cameras fulfill journalism's highest mission: Showing the truth.

Duane Pohlman is Chief Investigative Reporter for KING-TV in Seattle. He has won more than a dozen national, regional and state awards for his work at KING-TV and during previous stints at WTMJ-TV in Milwaukee, WRAL-TV in Raleigh, N.C., and WSLN-TV in Roanoke, VA. He was named North Carolina's Television Journalist of the Year (1994) and Virginia's Television Reporter of the Year (1990).