

## Sun-Times Media fights for open Drew hearing

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The lawyers for accused wife killer Drew Peterson tried to throttle public access to a landmark evidentiary hearing less than two weeks away, but Sun-Times Media won't give in without a fight.

Sun-Times Media attorney Damon Dunn crafted an emergency motion objecting to a bid by Peterson's legal team to ban the public from a Jan. 19 pretrial hearing. Seth Stern, another Sun-Times Media attorney, plans to file the motion in Joliet this morning, Dunn said.

Sun-Times Media is The Herald-News' parent company.

The Associated Press and the Tribune Co. have joined in the effort as well.

Peterson's attorneys asked Judge Stephen White to shut the public out of the potentially explosive hearing to determine what -- if any -- hearsay evidence will be allowed at Peterson's upcoming murder trial. Peterson was arrested in May and charged with drowning his third wife, Kathleen Savio, in March 2004.

Peterson is also the sole suspect in the state police investigation of the disappearance of his fourth wife, Stacy Peterson. State police believe Stacy Peterson, who vanished in October 2007, may be the victim of foul play, but have failed to find her body or to bring criminal charges in connection with their "potential homicide" investigation.

The request to kill media access is an abrupt switch in strategy for Peterson and his legal team. Both Peterson and the longest serving of his four lawyers, Joel Brodsky have pandered to the press, and two sources who had been privy to Peterson's financial arrangements said Brodsky's compensation for taking the case came exclusively from funds generated through publicity. Brodsky failed to return calls for comment on this allegation.

### Seeking spotlight

Dunn's motion points out Peterson's apparent love of the limelight, saying Peterson "has been subject to widespread publicity for many years."

"Indeed, (Peterson) has so actively sought the media spotlight that the Court has found it necessary on occasion to restrain him," the emergency motion says.

White has taken steps to restrain Peterson. After the disgraced former Bolingbrook cop called from jail to a Chicago radio station to tell jokes, the judge forbade him from telephoning anyone not on an approved list.

White also put Peterson's lawyers in check by issuing a gag order prohibiting them from discussing discovery evidence.

Charles B. Pelkie, the spokesman for the state's attorney's office, declined to comment on the Sun-Times Media motion. Prosecutors also have yet to respond to the request by Peterson's lawyers.

White is scheduled to address the motion by Peterson's lawyers today. Stern was set to attend on behalf of Sun-Times Media.

# Judge refuses to bar public from Peterson hearing

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The public will have access to a first-of-its-kind hearing later this month at which prosecutors are expected to lay out much of their case against Drew Peterson, the former [Bolingbrook](#) police officer charged with drowning his third wife in 2004.

Peterson's attorneys took the rare step of asking a judge to seal the courtroom for a Jan. 19 hearing required under a new state law on hearsay evidence.

Will County State's Attorney James Glasgow and an attorney representing the [Chicago](#) Sun-Times, [Chicago](#) Tribune and the Associated Press argued this morning that the hearing -- which could last more than two weeks and feature testimony from 60 people -- should be open to the public.

"In the United States of America, we don't do that," Glasgow said of barring the public from court proceedings. "We do it out in the open."

Prosecutors want Judge Stephen White to allow hearsay statements from 15 people to be heard by a jury. But they must first convince White at the upcoming hearing that a "preponderance of the evidence" shows Peterson killed ex-wife Kathleen Savio.

Hearsay includes any evidence based on what witnesses hear others say, as opposed to what they themselves have experienced themselves.

In the end, White said in issuing his ruling that he could find no reason to keep the hearing closed.

Peterson attorney Joel Brodsky had argued that publicly airing "sensational" statements that may never be heard at trial would undoubtedly prejudice jurors. He gave the judge five possible options -- ranging from closing the hearing to all but certain Savio family members to sealing his findings on whether Peterson likely killed her.

"Transparency in legal proceedings is essential," Brodsky said in court this morning, before White's ruling. "But there is a right of the defendant...and right of the state to have an impartial jury hear the case."

Glasgow told White that there must be a "substantial probability" that the jury pool would be tainted and that there was no other way -- such as through the normal juror selection process -- to address it.

Seth Stern, a lawyer for the newspapers, said sealing a court proceeding like the one planned for Jan. 19 should only be a "last resort" that is typically only used in cases involving national security.

-- *Steve Schmadeke*