



OMC's Public Transcript Process

- The Regulation for Trial by Military Commissions, 19-4e states: “[e]xcept under exceptional circumstances, including equipment failure, the Convening Authority shall ensure the custodian of the OMC website posts a draft, unofficial, unauthenticated transcript of the public portions of the military commission proceedings to the OMC website as soon as practicable after the conclusion of a hearing each day the military commission is in session (whether the hearing is recessed, adjourned, or closed). This draft, unofficial, unauthenticated transcript shall be prepared by a court reporter seated in a room that receives an audio feed of the proceedings that is identical to the audio feed broadcast in the public gallery. This procedure will avoid inclusion in the draft, unofficial, unauthenticated transcript of any inadvertent utterances of classified or protected information inside the courtroom.”
- The public transcript is prepared and released to facilitate the public’s access to military commissions proceedings. The draft transcript, however, is an unofficial, unauthenticated transcript that may be further reviewed and revised to prevent the inadvertent disclosure of protected or classified information prior to public release. Review of the draft transcript is a coordinated, interagency process, which may involve research into motions or filings discussed during the proceedings, and which may further delay the release of the public transcript on the military commissions’ public website. Unless a review is required, the public transcript is generally released and posted on the website within 24 to 72 hours after the hearing concludes for the day.
- The public transcript is a separate process from the “official” record or transcript. The “official” transcript is authenticated by the military judge and is used by appellate authorities to determine issues raised on appeal in the case. Authentication indicates or essentially certifies that the transcript accurately reflects what occurred during the proceedings. The public transcript is not authenticated. The Office of Court Administration (OCA) is responsible for preparing both the public and official transcripts.



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Step 1. The Writer. The writer “writes” the proceedings using a stenography machine. He/she takes down what he/she hears from a 40-second delayed audio/video feed. The steno team is in a room located outside of the courtroom.



Step 2. Fast-Editor. A laptop is attached to the writer's steno machine; the fast-editor is editing as writer is writing or creating the draft transcript.



Step 3. Scopists. Two scopists review/edit ten minute increments of the transcripts at a time. They look for missing or confusing language in transcript, places where the parties talked over each other, etc. During the proceedings, the scopists also research words, names, and case cites to ensure proper spellings are used in the transcript.



Step 4. The Proofreader. The proofreader merges the scopists' edited portions of the transcript into one document and prints a hard copy for proofing. He/she reviews the transcript for proper content, context, and punctuation. He/she makes corrections and finalizes the transcript.



Step 5. OCA Personnel Reviews. The final draft of the unofficial, unauthenticated transcript is reviewed by OCA personnel. The OCA reviewer corrects the format and unique terms and reviews for issues with substantive information. Once the review is complete and issues resolved, OCA forwards the transcript to the webmaster for public release on the Military Commissions' website.