

Justin Bieber's privates will remain private for now as Miami-Dade judge weighs police urination footage

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Justin Bieber Appears in Court via Video Feed, Thursday, Jan. 23, 2014, in Miami.
Walter Michot / Miami Herald Staff

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Justin Bieber's privates will, for now, remain private as a Miami-Dade judge weighs whether to release video clips of him urinating inside a Miami Beach police station.

The judge announced at a hearing Thursday that he will decide early next month whether to release the footage of the pop singer at the police station after his arrest for driving under the influence last month.

His high-powered legal team on Thursday insisted that the public had no right to see urination footage that is evidence in the criminal case against him.

"No reason why the media should make a spectacle of that event, even if it happens to be someone who is high profile," said one of his attorneys, Howard Srebnick.

Srebnick said there are only four clips in 10 hours of various footage that show Bieber urinating, with a small wall partially covering the view.

Lawyers for the media, including the Miami Herald, insist that reporters aren't out to air Bieber's genitalia, but simply to protect the public's right to evidence under Florida law.

Much of the sometimes surreal court hearing centered on whether Bieber urinating — or just images of his penis — should be exempt from public consumption. Under Florida law, the videos became public record once they were turned over to his defense team.

Miami Herald lawyer Scott Ponce pointed out that Bieber himself has posted online a photo of his own bare butt. If Bieber's penis is indeed visible, he said, prosecutors should black out his genitalia and release the video.

“The issue is: Do we see his penis or not see his penis,” Ponce said.

“I find the argument insulting and demeaning,” Srebnick replied.

Judge William Altfeld will view the videos in his chambers and review more court filings before making a decision on March 4. The rest of the videos, for now, will remain secret until the issue is hashed out.

Miami Beach police arrested the Canadian singer on Jan. 23 on charges of driving under the influence. They accuse Bieber, 19, of drag racing in a high-powered Lamborghini on a street closed off by his security team.

According to police, Bieber admitted to smoking marijuana and taking prescription medication, and a urine analysis showed he tested positive for marijuana and Xanax.

The footage shows Bieber's interaction with police, including him urinating for the drug test. Defense lawyers believe the footage shows him “in various states of undress, which show intimate personal parts of the defendant's body,” according to the motion.

Earlier this month, Miami Beach police — after consulting with prosecutors — released a portion of a video that shows Bieber being patted down by officers.