

CASE NO. CR 29-22-2805
2024 January 5 5:00
CLERK OF DISTRICT COURT
LATAH COUNTY
BY [Signature] DEPUTY
P.M.

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

STATE OF IDAHO,

Plaintiff,

vs.

BRYAN C. KOHBERGER,

Defendant.

Case No. CR29-22-2805

AMENDED ORDER GOVERNING
COURTHOUSE AND
COURTROOM CONDUCT

This order governs courthouse and courtroom conduct and media activities in this case. This order shall supersede any prior Order Governing Courthouse and Courtroom Conduct.

The court is mindful of the need to balance: (1) the constitutional right of the Defendant to a fair hearing; (2) the public's right to information in conjunction with the constitutional and statutory rights of the media to attend the proceedings; (3) the court's interest in maintaining order and an environment that permits all participants to focus on their responsibilities without undue distractions; and (4) the court's interest in the safety of the public and court personnel, and the need to follow all Idaho Supreme Court Orders, as may be changed or amended from time to time. With these factors in mind, pursuant to Idaho Court Administrative Rules (I.C.A.R.) 45 and 49,

IT IS HEREBY ORDERED:

I. COURTROOM SEATING AND ATTENDANCE

A) Seating for Victims' Families, Counsel, Defendant's Family, and Court Personnel

Certain seating may be reserved for counsel, authorized court personnel, the Defendant's family, and the victims' families.

B) General Public and Media Seating

The public and members of the media may be permitted in the courtroom as space permits on a first come basis. No person may reserve seats. No standing in the courtroom will be allowed.

C) Seating in Front of the Bar

No person other than court personnel designated by the Court, the Defendant, and counsel and their assistants shall be permitted to sit in front of the bar of the courtroom without specific

authorization of the court.

D) Entry and Exit During Court Proceedings

Spectators, including members of the media and the public, shall be seated before court is in session during any portion of a hearing. No entry or re-entry to the courtroom shall be permitted while court is in session. No movement around the courtroom will be allowed during court proceedings.

II. GENERAL RESTRICTIONS AND REQUIREMENTS

A) Security Screening

All persons entering the courtroom are subject to security screening. No food, beverage, firearms, or other weapons are permitted in the courthouse. All handbags, backpacks, or purses are prohibited in the courtroom. Any personal property items are subject to inspection.

B) Cell Phones

Cell phones are permitted inside the courthouse but, **MUST BE TURNED OFF** and stowed **OUT OF VIEW** during the proceedings and any court recess¹ while inside the courtroom. Cell phones **SHALL NOT** be used for texting, emailing, recording, or transmitting audio, images, or written accounts of the proceedings to platforms such as Facebook, X (formerly Twitter), Instagram, YouTube, blogs, or other similar platforms or websites while inside of the courtroom. Cell phones may only be used outside of the courtroom. Violation of this rule may result in confiscation of the phone by the Court, a bailiff, or other court personnel.

C) Other Electronic Devices

Computers, laptops, and other similar devices are permitted in the courtroom **FOR NOTE TAKING ONLY** and may only be used in a manner that does not interfere with the court proceedings. Cameras and microphones on electronic devices must be disabled while inside the courtroom. Electronic devices **SHALL NOT** be used to email, chat, record, or transmit audio, images, or written accounts of the proceedings to platforms such as Facebook, X (formerly Twitter), Instagram, YouTube, blogs, or other similar platforms or websites while inside of the courtroom. Violation of this rule may result in confiscation of the device by the Court, a bailiff, or other court personnel.

D) Disruptive Behavior

Any activity or behavior which is considered disruptive by the Court will result in removal from the courtroom. Any spectator who creates a visual or auditory disturbance of the court proceedings may be removed from the courtroom and/or the building at any time at the

¹ "Recess" means any time the judge is not at the bench or is not on the record.

discretion of court security personnel.

III. COVERAGE

A) Video Recording/Still Photography/Audio Recording Prohibited

No video recording, still photography, or audio recording is permitted by members of the media or the public as ordered by the Court in the November 17, 2023, *Order Denying Second Motion to Intervene and Granting Defendant's Motion to Remove Media Cameras from the Courtroom*.

A livestream of the proceedings will be provided by the Court and will be available in real time on the Court's YouTube page found at:

<https://www.youtube.com/channel/UCAOFrQpvtre9HRSzhY-zhCA>.

The media and the public may capture and use the livestream video and audio footage, but are strictly prohibited from altering the footage in any way, including zooming in on the Defendant. Live broadcasting, transmitting, or streaming by the media and the public from inside the courtroom is prohibited. These prohibitions include during recesses in the court proceedings.

B) Portion of Proceedings that will NOT be Livestreamed

The Court operated livestream coverage of the proceedings will not include audio or video of closed hearings, private bench conferences ("side bars") between the court and counsel, conferences between an attorney and client, or conferences among counsel. The video and audio recording may be stopped or paused at any time by order of the Court to protect sensitive witnesses, exhibits, members of a trial jury, or for any other reason the Court deems necessary pursuant to I.C.A.R. 45.

C) Interviews, Reporting, and Vehicle Parking

News conferences, interviews, or reporting is prohibited inside the courtroom or courthouse common areas. News conferences, interviews, or reporting in the courthouse parking lot or on courthouse grounds is allowed as set forth in the Latah County Parking and Media Access Map ("Map") attached to this order. Any news conferences, interviews, or reporting from the courthouse grounds shall be done in a manner to not impede foot traffic, obstruct access to the courthouse, or interfere with the daily operations of Latah County. Media vehicle parking is allowed as set forth in the Map. In addition, any interviews, media reporting, or media parking shall be subject to any additional orders by the Court.

D) Media Inquiries

Media inquiries and communications regarding these matters shall be directed to Nate Poppino, Court Communications Manager for the Idaho Supreme Court at npoppino@idcourts.net or by phone at (208) 296-9055, or Latah County District Court at courtclerk@latahcountyid.gov or

by phone at (208) 883-2255.

E) I.C.A.R. 45 and 49

All other provisions of Idaho Court Administrative Rules (I.C.A.R.) 45 and 49 apply, and any authorization under this Order may be revoked at any time, without prior notice.

IV. SECURITY

A) Courthouse Area Security

Security officers may quiet or disperse members of the public or the media so as to not hinder other members of the public, Latah County employees, and court staff from accessing the building, the District Court clerk's office, and any other courtrooms or offices in the building.

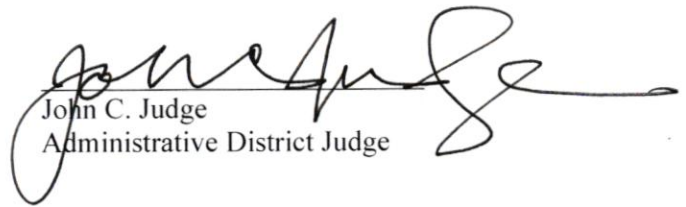
B) Disruptive Behavior

Any activity or behavior which is considered disruptive by the Court will result in removal. Any spectator who creates a visual or auditory disturbance of the court proceedings may be removed from the courtroom and/or the building at any time at the discretion of court security personnel.

Violations of this Order may subject the violator to a charge of contempt. The Clerk of the Court shall post this Order at conspicuous locations within the courthouse and provide copies to all interested parties.

IT IS SO ORDERED.

Dated: January 5, 2024


John C. Judge
Administrative District Judge

LATAH COUNTY PARKING & MEDIA ACCESS

- No Media
(Including Sidewalk)
- Designated
Media Parking
- Designated
Media Cameras
- No Employee
or Media
- Reserved
- Employee and
Public Parking

