

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT

STATE OF IDAHO,)	
)	CASE NO. CR 22-20-755
Plaintiff,)	
)	
vs.)	
)	
CHAD GUY DAYBELL)	
)	
Defendant.)	
STATE OF IDAHO,)	
)	CASE NO. CR 22-20-838
Plaintiff,)	
)	
vs.)	
)	
LORI NORENE VALLOW)	
)	
Defendant.)	

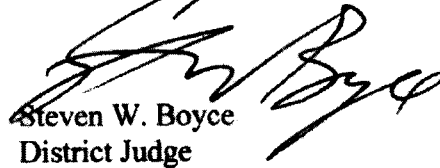
ORDER DENYING MOTIONS TO CLOSE HEARING

At a hearing on December 18, 2020, the State and Defendant Daybell made Motions to Close the Hearings on Defendants' joint Motions to Disqualify Prosecuting Attorney, scheduled for January 6, 2021. Defendant Vallow objected to the closure of the hearing. The Court took the matter under advisement and allowed additional time for the parties to submit argument and/or authority on the issue of closing the hearing. The parties submitted no further authority to the Court.

There is right to public access to criminal proceedings in Idaho, following the precedent established by the United States Supreme Court in *Press-Enter. Co. v. Superior Court of California*, 478 U.S. 1, 106 S.Ct. 2735, 92 L.Ed.2d 1 (1986), which case is often cited in Idaho as it relates to public access to criminal hearings and records (*see, i.e., Cowles Pub. Co. v. Magistrate Court of the First Judicial Dist. of State, Cty. of Kootenai*, 118 Idaho 753, 756, 800 P.2d 640, 643 (1990)). Upon consideration of that precedent, and after due consideration of the factors set forth in I.C.A.R. 32, the Court determines that the moving parties have not provided a basis sufficient to outweigh the right to access the January 6 hearing, and therefore, the Motions to Close the Hearing are DENIED.

IT IS SO ORDERED

Dated this 4 day of January, 2021.


Steven W. Boyce
District Judge



CLERK'S CERTIFICATE OF MAILING

I HEREBY CERTIFY that on January 4, 2021, I e-mailed a true and correct copy of the foregoing to the parties named below:

State's Attorney
Rob Wood
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Defense Attorney
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Defense Attorney
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By: 
Deputy Clerk