DISTRICT COURT, CITY AND COUNTY OF DENVER COLORADO

Address: City and County Building

1437 Bannock Street Denver, CO 80202

Plaintiff: THE PEOPLE OF THE STATE OF

COLORADO

v.

Defendant: WILLIE D. CLARK

COURT USE ONLY

Case No. 08CR10425

Courtroom 11

AMENDED EXPANDED MEDIA COVERAGE ORDER

THIS MATTER comes before this Court on Denver TV/Radio Station Group's ("The Group") Request for Expanded Media Coverage for Sentencing Hearing ("EMC"), filed March 29, 2010 and Motion to Modify this Court's previous Order, filed April 14, 2010. The Court has reviewed the Request and Motion, applicable authority and has heard argument from all interested parties. The Court is fully advised in the premises. To the extent this Court's Order was previously silent on certain issues, or at least ambiguous, the Court issues this Amended Order:

The Court GRANTS the EMC, with the following express conditions:

- 1. Up to two television cameras and up to two still cameras shall be stationed inside of the courtroom, to remain in their respective single locations throughout the entirety of the proceeding. The audio feed used during the trial of this matter shall also be allowed. The Court will identify those locations at the time of setup. One still and one television camera may be placed directly outside of Courtroom 11, inside the secondary security screening area, and only directed at the outside of the Courtroom doors. Those cameras shall not be used to take photographic or video images of any person or thing inside Courtroom 11, but only for the use of the Group to take photographic or video images of persons leaving the Courtroom. With these cameras (one still and one video), the Group may capture images only of Mr. Clark exiting Courtroom 11 being escorted by security personnel and Mr. Clark's lawyers. These cameras are not to be used to take photographic or video images of any other person except those in the immediate vicinity of those individuals.
- 2. No photographic or video images of the Court or any Court Staff shall occur at any time. Further, no photographic or video images of security personnel (Sheriff's Office, U.S. Marshall, etc.) in the courtroom shall occur, nor will any

photographic or video images be taken of the secondary security screening area outside of the Courtroom. Photographic or video images of members of the audience are allowed, if the images can be captured without violating the other specific terms of this paragraph.

- 3. The Group shall operate these cameras and act as pool feed source for all media outlets—requesting coverage of the proceeding. The Group shall also provide any necessary video, photography or audio equipment, using unobtrusive wiring and microphones, so as not to interfere with any movement in the courtroom. As was the case during the trial, the microphone wired on the bench must be equipped with a "kill switch" to be controlled only by the Court. It is the Court's understanding that the cabling (both audio and video) used during the trial to provide audio to the City Council Chambers is still in place and will be used for the Sentencing Hearing. As such, the Court requires that the distribution point for audio and video feeds from the pool feed in the courtroom will occur in the City Council Chambers. No additional cabling is to be run from the courtroom through the corridors/hallways of the City & County Building. Wiring must be completed no later than 8:00 a.m. on April 30, 2010, and not before 4:00 p.m. on April 29, 2010.
- 4. No lighting changes in the courtroom shall be allowed. There shall be no flash photography of any kind, flash attachments, or sudden lighting changes in the courtroom during the proceeding.
- 5. No equipment shall have any visible or audible signal or logo.
- 6. The Court shall reserve the entirety of the jury box for members of the Group on a first-come, first-served basis. No member of the media who sits in the jury box will be allowed to leave the proceedings except during an announced break. Computers will be allowed in the jury box, and members of the Group wishing to use computers shall determine no later than 8:00 a.m. on April 30, 2010 whether they require the use of an electrical outlet. Members of the Group are strongly encouraged to use battery power, since there are very few electrical outlets available in the courtroom. The court does not take issue with the use of power strips to provide additional electrical outlets to the jury box, but the power strips must be furnished by the Group and must be in place no later than 8:00 a.m. on April 30, 2010. No other computers, mobile phones, Blackberries or other electronic devices shall be allowed inside of the Courtroom without the express permission of the Court.
- 7. The Group shall be allowed to broadcast audio and video of proceedings live, so long as there is no visible signal to show when the broadcast is being made live. Members of the media shall also be allowed to send email, text or other communications from the courtroom during the hearing, so long as there is no audible signal and provided they are seated in the jury box. The Court will also allow either or both video or audio broadcast during the sentencing to occur in the

satellite area of the City Council Chambers, which will be used for overflow seating. Again, the Court also expects this location to be the point at which the live pool courtroom feed is distributed to other members of the Group.

- 8. The Group shall designate one media representative as a liaison to the Court, in the event any further clarification of this Order is required. All members of the media who are present shall conduct him/herself in accordance with the Request and this Order. All members of the Group present on the fourth floor of the City and County Building must wear and display the media credential previously furnished to them by the Office of the State Court Administrator. SCAO will not be providing duplicate copies of previously issued credentials.
- 9. As an express condition of this EMC, no other video or still camera shall be used on the fourth floor of the Denver City and County Building, except as noted in this Order. Specifically, there shall be no photography or video taken of the hallways of the Fourth Floor of the City and County Building through the glass windows of the City Council Chambers, or through any open door of the Courtroom, or City Council Chambers, Further, while contact may be made in the hallway for the sole purpose of inquiring as to whether any individual wishes to participate in an interview, no employee or representative of any member of the Group shall conduct or attempt to conduct interviews of any lawyer or person participating in the proceeding, or the defendant, on the fourth floor of the City and County Building, except within the confines of the City Council Chambers or as expressly directed by the Court. Photographs and/or video images may be made within the confines of those Chambers, but not through the glass doors or open doors of those Chambers. This condition is necessary in order to ensure that the dignity and decorum of the judicial process be maintained, and to minimize distractions to this and other Courts as their remaining docket items are conducted.
- 10. In all other respects, this Court's previous and standing Decorum Order shall remain in effect as to conduct and use of mobile phones, cameras and other electronic devices in the South end of the fourth floor of the Denver City and County Building from 8:00 a.m. until conclusion of business on April 30, 2010.

DATED: Friday, April 16, 2010

cc:

BY THE COURT:

Christina M. Habas District Court Judge

Steve Zansberg, Esq./Christopher P. Beall, Esq. Darren Cantor, Esq./Abraham Hutt, Esq. Timothy Twining, Esq./Bruce Levin, Esq. Capt. Jaime Kafati, Denver Sheriffs' Department