

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

2008 FEB 21 PM 4:28

IN AND FOR THE COUNTY OF MOHAVE

HONORABLE STEVEN F. CONN  
DIVISION 3  
DATE: FEB. 21, 2008

SC\*  
VIRLYNN TINNELL, CLERK

COURT NOTICE/ORDER/RULING

STATE OF ARIZONA,  
Plaintiff,  
  
vs.  
  
WARREN STEED JEFFS,  
Defendant.

No. CR-2005-0718, CR-2005-0842,  
CR-2005-0847, CR-2007-0473  
& CR-2007-0953 743

Counsel for the Defendant has filed an Objection to Electronic and photographic Coverage of Proceedings. The Court has determined through informal discussions with both counsel that the State takes no position as to the pleading. The Court addressed a similar issue when raised in the case of the co-Defendant in one of these cases, although that issue was raised when Court TV made a written request to be allowed to televise the trial proceedings in that case. The Court believes that the observations made in its Order addressing that prior request remain valid.

IT IS ORDERED granting the Defendant's Objection to Electronic and Photographic Coverage of Proceedings for the reasons contained in the Minute Order dated June 30, 2006, which was entered in State v Randolph J Barlow, CR-2005-0719, a copy of which will be attached to this Order and all copies thereof.

IT IS ORDERED clarifying that the following activity will or will not be covered by this Order:

1. No video or photographic coverage will be allowed inside the courtroom at any time, regardless of whether court is or is not in session.

2. No video or photographic coverage of proceedings inside the courtroom but created by a person or equipment outside of the courtroom in the lobby will be allowed at any time, regardless of whether court is or is not in session.

3. No video or photographic coverage of any juror, whether prospective or selected and whether inside or outside of the courthouse, will be allowed at any time.

4. Audio recording of the proceedings while court is in session will be permitted.

5. Audio recording of any events occurring in the courtroom while court is not in session shall not be allowed.

6. Any audio recording of the proceedings while court is in session which the Court perceives as an attempt to record privileged communications between the Defendant and his counsel will result in the immediate revocation of the right of any media representative to make an audio recording of any part of the proceedings, regardless of who the Court finds responsible for such attempt.

7. No communications in any manner with jurors, whether prospective or selected, shall be permitted under any circumstances and any conduct which the Court perceives as an attempt to violate this preclusion will result in the immediate revocation of the right of any offending media representative to be present either in the courtroom or the courthouse for the remainder of any further proceedings in these cases.

8. Except as it relates to other conduct specifically described above, this Order does not preclude any other video or audio coverage in the lobby of the courthouse, on the outside grounds of the courthouse or in the general vicinity of the courthouse.



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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA JUL 5 2006

IN AND FOR THE COUNTY OF MOHAVE

VIRLYNN TINNELL  
CLERK SUPERIOR COURT  
BY: [Signature] DEPUTY

HONORABLE STEVEN F. CONN, JUDGE  
DIVISION III  
DATE: JUNE 30, 2006

VIRLYNN TINNELL, CLERK  
SC\*

MINUTE ORDER

STATE OF ARIZONA,  
Plaintiff,

vs.

RANDOLPH J. BARLOW,  
Defendant.

No. CR-2005-0719

The Court has received from Court TV a letter requesting permission to televise the trial scheduled to begin on July 11, 2006.

IT IS ORDERED directing the Clerk to file the letter and provide copies to counsel for the Defendant and the State. [Signature]

The request correctly cites Rule 122, Rules of the Supreme Court of Arizona, as the authority for the request. Rule 122 provides that electronic and still photographic coverage of public judicial proceedings in the courtroom may be permitted. Rule 122(b) provides that such coverage may be permitted in the sole discretion of the judge of the particular proceeding giving due consideration to certain enumerated factors. Rule 122(d) provides that a judge need not state grounds or make findings in support of a determination to permit, limit or preclude coverage and that the exercise of a judge's discretion in limiting or precluding such coverage shall not be subject to judicial review.

Although the rule allows the Court to make a decision without explanation, the Court makes

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the following observations. This case is one of 8 cases which are presently pending involving Defendants from Colorado City charged with crimes of a similar nature. Those cases presently have trial dates scheduled between July and September, 2006. If those trials proceed in the order presently scheduled, this would be the second of the 8 trials. These cases have already received fairly extensive publicity in Mohave County. Peripheral investigations into various aspects of the Colorado City community seem to have been reported on at least a weekly basis for several months. The Court is already concerned with the difficulty in selecting a jury based on the publicity which has been generated as of today. The Court knows that this case will receive extensive local media coverage regardless of whether it is televised, but it is also concerned that televising this trial or those which come after it would make it exceedingly difficult to select fair and impartial jurors to serve on later trials.

The Court is also concerned to a lesser extent that this case involves allegations of sexual crimes committed against a person who, at least at the time in question, was a minor and who was probably raised in a somewhat sheltered environment with limited exposure to a lifestyle more familiar to the vast majority of the populace. The Court is concerned with the effect that televising this trial, or others, could have upon the ability to elicit from the witnesses all the facts necessary for a just resolution of this case.

IT IS ORDERED denying the request by Court TV to be allowed to televise the trial in this matter.