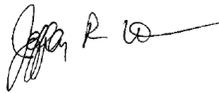


DISTRICT COURT, LA PLATA COUNTY, COLORADO Court Address: 1060 East 2nd Avenue, Room 106, Durango, CO, 81301-5157	DATE FILED: August 15, 2017  <p style="text-align: center;"><b>⚠ COURT USE ONLY ⚠</b></p>
The People of the State of Colorado v. MARK ALLEN REDWINE	
Case Number: 2017CR343 Division: 1                      Courtroom:	
<p style="text-align: center;"><b>Order: PEOPLES MOTION TO LIMIT PRETRIAL STATEMENTS BY ATTORNEYS, STAFF, AND LAW ENFORCEMENTS PURSUANT TO RULES OF PROFESSIONAL CONDUCT 3.6 AND 3.8 (P-1)</b></p>	

The motion/proposed order attached hereto: GRANTED.

Issue Date: 8/15/2017



JEFFREY RAYMOND WILSON  
 District Court Judge

<b>DISTRICT COURT, LA PLATA COUNTY, COLORADO</b> Court Address: 1060 E. Second Ave., Durango, CO 81301 Phone Number: (970) 247-2304	
<b>Plaintiff: PEOPLE OF THE STATE OF COLORADO</b>  <b>v.</b>  <b>Defendant: MARK ALLEN REDWINE</b>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
	Case Number: <b>17 CR 343</b>
<b>ORDER: PEOPLE’S MOTION TO LIMIT PRETRIAL STATEMENTS BY ATTORNEYS, STAFF, AND LAW ENFORCEMENTS PURSUANT TO RULES OF PROFESSIONAL CONDUCT 3.6 AND 3.8 (P-1)</b>	

THIS MATTER having come on to be heard and the Court being advised:

IT IS ORDERED that:

- I. Extrajudicial Statements by Attorneys:
  - A. Any lawyer or legal representative associated with this case shall not make or authorize the making of an extrajudicial statement if the lawyer knows or reasonably should know that it will have a substantial likelihood of prejudicing this criminal case.
  - B. Any lawyer or legal representative associated with this case shall make no extrajudicial statements concerning the following matters:
    1. the prior criminal record (including arrests, indictments, or other charges of crime) of a suspect or defendant;
    2. the character or reputation of a suspect or defendant;
    3. the opinion of the lawyer on the guilt of the defendant, the merits of the case or the merits of the evidence in the case;
    4. the existence or contents of any confession, admission, or statement given by the accused, or the refusal or failure of the accused to make a statement;

5. the performance of any examinations or tests, or the accused's refusal or failure to submit to an examination or test, or the identity or nature of physical evidence expected to be presented;
  6. the identity, expected testimony, criminal record or credibility of prospective witnesses;
  7. the possibility of a plea of guilty to the offense charged, or other disposition; and
  8. information which the lawyer knows or has reason to know would be inadmissible as evidence in a trial.
- C. It shall be appropriate for the lawyer or legal representative, in the discharge of official or professional obligations, to announce:
1. the general nature of the charges against the accused, provide that there is included therein a statement explaining that the charge is merely an accusation and that the defendant is presumed innocent until and unless proven guilty;
  2. the general nature of the defense to the charges or to other public, accusations against the accused, including that the accused has no prior criminal record;
  3. the name, age, residence, occupation and family status of the accused;
  4. information necessary to aid in the apprehension of the accused or to warn the public of any dangers that may exist;
  5. a request for assistance in obtaining evidence;
  6. the existence of an investigation in progress, including the time and place, and the identity of the arresting officer or agency;
  7. the facts and circumstances of an arrest, including the time and place, and the identity of the arresting officer or agency;
  8. the identity of the victim, where the release of that information is not otherwise prohibited by law or would not be harmful to the victim;
  9. information contained within a public record, without further comment;
  10. the scheduling or result of any stage in the judicial process.
- D. During the selection of a jury or trial of this criminal matter, any lawyer or law firm associated with the prosecution or defense of this criminal matter shall not make or participate in making an extrajudicial statement that a reasonable person would expect to be disseminated by means of public communication and that relates to the trial, parties or issues in the trial, or other matters that are reasonably

likely to interfere with a fair trial, except that he or she may quote from or refer to without comment to the public records of the Court in the case.

- E. Any lawyer or law firm associated with the prosecution or defense of this criminal matter shall exercise reasonable care to prevent his or her employees and associates from making an extrajudicial statement that he or she would be prohibited from making under this order.

## II. Release of Information by Law Enforcement Agencies:

- A. From the date of this order until the completion of the trial or disposition without trial, law enforcement officers shall not release or authorize the release of any extrajudicial statements for dissemination by means of public communication, if such statement presents a clear and present danger to the fairness of the trial. In no event, shall a law enforcement officer make an extrajudicial statement concerning the following matters:

1. The existence of contents of any confession, admission, or statement given by the accused or refusal or failure of the accused to make any statement.
2. The possibility of a plea of guilty to the offense charged or a lesser offense or other disposition.
3. The prior criminal records (including arrests, indictments, or other charges or crime), the character or reputation of the accused, or any opinion as to the guilt or innocence, or as to the merits of the case or evidence in the case.
4. The performance of, or the results of, any examinations or tests, or the refusal of, or failure of the accused to submit to examinations or tests.
5. The identity, testimony, or credibility of any prospective witness.
6. For guidance, any law enforcement officer who attends and chooses to speak publicly at a funeral or other service honoring Officer Ken Jordan should, in recognition of the need to maintain the integrity of the judicial process, refrain from making other than very general comments about the facts of case or details about the Defendant's history.

- B. A Law Enforcement officer may make factual statements as follows:

1. The name, age, residence, occupation and family status of the accused.
2. If the accused has not been apprehended, any information necessary to aid in his apprehension, or to warn the public of any dangers he may present.
3. A request for assistance in obtaining evidence.

4. The identity of the victim of the crime, if permitted by law.
5. The fact, time and place of arrest, resistance, pursuit and use of weapons.
6. The identity of the investigating and arresting officers or agencies, and the length of the investigation.
7. At the time of the seizure, a description of the physical evidence seized, other than a confession, admission or statement.
8. The nature, substance or text of the charge.
9. Quotations from and references to public records of the Court in the case.
10. The scheduling or result of any step in the judicial proceedings.
11. That the accused denies the charges made against him.

III. Disclosure by Court Personnel:

- A. Court Personnel shall not disclose, to any unauthorized person, information relating to this pending criminal case, that is not a matter of public records of the Court, and that may be prejudicial to the rights of the People or the Defendant to a fair trial.

DONE this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

BY THE COURT:

\_\_\_\_\_  
Judge