

EIGHTEENTH JUDICIAL DISTRICT:  
ARAPAHOE, DOUGLAS, ELBERT and  
LINCOLN COUNTIES, COLORADO

Arapahoe County Justice Center  
7325 South Potomac Street  
Centennial, Colorado 80112

Arapahoe County Court Courthouse – Littleton  
1790 West Littleton Boulevard  
Littleton, Colorado 80120

Douglas County Justice Center  
4000 Justice Way, #2009  
Castle Rock, Colorado 80109

Elbert County Courthouse  
PO Box 232, 751 Ute Street,  
Kiowa, Colorado 80117

Lincoln County Courthouse  
PO Box 128, 103 Third Avenue,  
Hugo, Colorado 80821

▲ COURT USE ONLY ▲

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**CJO 14-21  
Supplemented 1/14/15**

**SUPPLEMENTAL CHIEF JUDGE ORDER CONCERNING  
ELECTRONIC DEVICES IN JUDICIAL BUILDINGS**

The following Order is entered pursuant to the authority granted to chief judges of the judicial districts of the State of Colorado by Chief Justice Directive 95-01, “Authority and Responsibility of Chief Judges.” This order amends CJO 14-21, as revised on August 25, 2014, and shall apply on days that *People v. James Eagan Holmes*, 12CR1522, is set for trial. Further, this Order shall only apply to the Arapahoe County Justice Center.

**Courtroom 201 and Other Courtrooms or Rooms Used for Purposes of Proceedings in Case Number 12CR1522:** The Court in case number 12CR1522 has entered a Standing Decorum Order, Order C-177. That Order governs the possession and use of electronic devices in Courtroom 201 and other courtrooms or rooms used for purposes of proceedings in case number 12CR1522.

**All other courtrooms:** All electronic devices shall be turned off or set to vibrate and silent ring settings. Laptop computers may be used for note-taking so long as such use is not disruptive of court proceedings and the computer is muted. Laptop computers may be used for other purposes only by court personnel, sheriff deputies, and attorneys and their staff. Additionally, only court personnel, law enforcement officers, and attorneys and their staff may use an electronic device to transmit information from the courtroom. However, no person, except court personnel, may make a sound or photographic recording (still or video, including by laptop computer, phone, or any other electronic device) of any proceeding or person, except as otherwise authorized by an order granting expanded media coverage. Official transcripts of proceedings may be ordered through the office of the Clerk of the Court. A judicial officer retains the discretion to further restrict use and possession of electronic devices in a courtroom.

**In all hallways and public areas of the courthouse buildings (other than in courtrooms):** Electronic devices may be used so long as such use is not disruptive of court proceedings. Cell phones must be set to vibrate and silent ring settings and may not be used to capture images (except of court documents), videos, or sound recordings. Use of any type of audio- or video-recording device, including, but not limited to, cell phones, in the clerk's office, clerk's window, or jury assembly room, is strictly prohibited without the express consent of the Court.

Additionally, video recording and still photography are strictly prohibited in the following areas in the courthouse buildings: (1) the first two floors of Courthouse I, unless authorized inside a courtroom by a judicial officer; (2) the "Link" between Courthouse I and Courthouse II, including the entire security screening area; and (3) the first floor of Courthouse II, unless authorized inside a courtroom by a judicial officer.<sup>1</sup> The Chief Judge retains the discretion to further restrict use and possession of electronic devices in the hallways and public areas of the courthouse buildings.

**Media:** Members of the media desiring access to the courthouse buildings with cameras or other recording devices for matters other than 12CR1522 shall contact the District Administrator or designee at least 48 hours in advance, and shall provide the name of the photographer or videographer as soon as possible so that proper arrangements for access can be made. Once at the courthouse, members of the media shall be required to present a valid media credential or other

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<sup>1</sup> This provision does not prohibit attorneys of record or parties to a case from capturing images of documents or court filings related to that case at the Clerk's Office window.

valid photo identification and business card at the security checkpoint. For those with a valid media credential, or government-issued photo identification and a business card from a news media organization, cameras shall be permitted and may be used in the hallways and public areas of the courthouse buildings, with the exception of: (1) the first two floors of Courthouse I, unless authorized inside a courtroom by a judicial officer; (2) the “Link” between Courthouse I and Courthouse II, including the entire security screening area; and (3) the first floor of Courthouse II, unless authorized inside a courtroom by a judicial officer. Public Access to Records and Information Court Rule 2, Chapter 38, governing Expanded Media Coverage applies; therefore, cameras and other video and audio recording devices are not allowed in courtrooms without the express consent of the presiding judicial officer.

The Court in case number 12CR1522 has entered Order C-137 granting expanded media coverage. The media must comply with all of the provisions in that Order. In the event the media wishes to obtain expanded media coverage of an unrelated matter, the media must submit a written request to the judge presiding over that matter at least 48 hours before the expanded media coverage requested is to begin with a copy to the District Administrator.

**Exceptions:** Exceptions to these rules may be granted by a judicial officer only with prior approval of the Chief Judge.

**Violations:** Anyone found to be in violation of this Order may be subject to contempt proceedings. Sanctions for contempt of Court may be remedial, punitive, or both, including a fine and/or a jail sentence. All judicial officers and law enforcement officers are authorized to prohibit any electronic device when they have probable cause to believe that such device is being used in violation of this order. If a law enforcement officer has probable cause to believe that any phone, camera, or other electronic device was used or is being used in a courtroom, a hallway, or a public area of a courthouse building in violation of this Order, he or she may immediately confiscate such device. Law enforcement officers shall have the discretion to temporarily secure any device confiscated for purposes of conducting an investigation of a violation of this Order.

The device confiscated may be searched with the consent of the owner of the device. In the alternative, if consent is refused or cannot be obtained, a law enforcement officer may apply for a search warrant. A law enforcement officer may conduct a warrantless search of the device without the owner’s consent and without a search warrant only when an exception to the warrant rule applies or when otherwise authorized by law. Any application for a search warrant must be

prepared and submitted to the on-duty judicial officer as soon as practicable and without undue or unnecessary delay. An application for a search warrant shall be reviewed by the on-duty judicial officer as soon as practicable and without undue or unnecessary delay. If the search of an electronic device reveals that it contains potential evidence that may be material to an allegation of indirect contempt, a law enforcement officer may request that the judicial officer presiding in the courtroom involved (or, in the case of a violation occurring outside a courtroom, the Chief Judge) issue a citation for contempt. In the event of alleged direct contempt, the judicial officer presiding in the courtroom involved shall decide whether to commence contempt proceedings. If a citation for contempt issues or if a judicial officer initiates direct contempt proceedings, the electronic device in question may be impounded by law enforcement pending resolution of the citation for contempt. The judicial officer assigned to the courtroom (or, in the case of a violation occurring outside a courtroom, the Chief Judge) may hold a contempt hearing and determine what sanctions, if any, to impose.

Entered this 14th day of January of 2015.

BY THE COURT:



Carlos A. Samour, Jr.

Chief Judge

Eighteenth Judicial District