

<p><b>DISTRICT COURT, WELD COUNTY, COLORADO</b>  Court Address: 915 10<sup>th</sup> Street, Greeley, CO 80631  Mail Address: P.O. Box 2038, Greeley, CO 80632  (970) 475-2400</p> <hr/> <p><b>The People of the State of Colorado</b>, Plaintiff,</p> <p>v.</p> <p><b>CHRISTOPHER LEE WATTS</b>, Defendant.</p> <p>And Concerning Longmont Times-Call, The Associated Press,  The Denver Post, The Coloradoan, KUSA, and KMGH,</p> <p>Petitioners</p>	<p>DATE FILED: August 20, 2018</p> <p>Case Number: 18CR2003</p> <p>Div.: 5</p>
<p><b>ORDER CONCERNING REQUEST FOR EXPANDED MEDIA COVERAGE</b></p>	

THIS MATTER comes before the Court for consideration of the request of Longmont Times-Call, The Associated Press, The Denver Post, The Coloradoan, KUSA, and KMGH (“Petitioners”) for expanded media coverage of the advisement hearing of the defendant, which is scheduled for August 21, 2018 at 10:00 a.m. The Court has considered the objections filed by the Defendant. The objections are overruled.

*Standards for Authorizing Coverage*

Colorado Supreme Court Rules, Chapter 38, Rule 2, Media Coverage of Court Proceedings, effective July 1, 2010 provides the standard for authorizing extended media coverage. In determining whether expanded media coverage should be permitted, a judge shall consider the following factors:

1. A written request for expanded media coverage must be submitted to the judge at least one day before expanded media coverage is requested to begin, unless a longer or shorter time is required or permitted by the judge.
2. Copies of the request shall be given to counsel for each party participating in the proceeding.
3. The request must include a description of the pooling arrangements, including the identity of the designated representatives.
4. Any party or witness may lodge with the judge a written objection to expanded coverage of all or a portion of a proceeding.

Substantively, the Judicial Code sets forth three factors to consider when authorizing expanded media coverage:

- (1) Whether there is a reasonable likelihood that expanded media coverage would interfere with the rights of the parties to a fair trial;
- (2) Whether there is a reasonable likelihood that expanded media coverage would unduly detract from the solemnity, decorum and dignity of the court, and
- (3) Whether expanded media coverage would create adverse effects that would be greater than those caused by traditional media coverage.

The Court finds and concludes the defendant has not satisfied the applicable tests. As a result the court authorizes expanded media coverage for the advisement hearing on August 21, 2018 @ 10:00 a.m.

***Limitations on Expanded Media Coverage.*** *There shall be no:*

- (A) *Audio recording or “zoom” close-up photography of bench conferences;*
- (B) *Audio recording or close-up photography of communications between counsel and client or between co-counsel,*

***Authority to Impose Restrictions on Expanded Media Coverage.*** *A judge may restrict or limit expanded media coverage as may be necessary to preserve the dignity of the court or to protect the parties, witnesses, or jurors. A judge may terminate or suspend expanded media coverage at any time upon making findings of fact that: (1) rules established under this Rule or additional rules imposed by the judge have been violated; or (2) substantial rights of individual participants or rights to a fair trial will be prejudiced by such coverage if it is allowed to continue. The expanded media coverage for the advisement hearing on August 21, 2018, is subject to revocation by this Court.*

**This Court’s Conditions for Coverage.** Expanded media coverage shall be conducted only under the following conditions. The judge maintains final approval of all arrangements:

Equipment Limitations.

1. **Video.** The media shall be given access to the courtroom, in a location as designated by the judge, and the petitioners shall be responsible for pooling pursuant to the arrangements outlined below. There shall be only one such camera in the Courtroom from which the proceedings may be viewed. Only one person shall be permitted to operate the one videotape, television, or motion picture camera. The camera operator may use a tripod, but shall not change location while Court is in session.

2. Audio. The court's audio system shall be used if technically suitable and, in that event, there must be no interference with the court's use of its system. If the court's system is not technically suitable, then the person conducting expanded media coverage may install an audio recording system at his or her own expense upon first obtaining approval of the judge. All microphones and related wiring shall be unobtrusive and shall not interfere with the movement of those in the courtroom.
3. Still Cameras. Only one person at a time shall be permitted to operate still cameras, which shall make as little noise as possible. The still photographer may use a tripod, but shall not change location while court is in session.
4. Lighting. No movie lights, flash attachments, or sudden lighting changes shall be permitted during a proceeding. No modification or addition of lighting equipment shall be permitted without the permission of the judge.
5. Operating Signals. No visible or audible light or signal (tally light) shall be used on any equipment.

***Pooling Arrangements***. The media shall be solely responsible for designating one media representative to conduct each of the categories of expanded media coverage listed above, and for arranging an open and impartial distribution scheme with a distribution point located outside of the Courthouse. If no agreement can be reached on either of these matters, there shall be no expanded media coverage of that type. Neither judges nor other Court personnel shall be called upon to resolve any disputes concerning pooling arrangements.

### **Conduct of Media Representatives.**

Persons conducting expanded media coverage shall conduct themselves in a manner consistent with the decorum and dignity of the courtroom. The following practices shall apply:

1. Equipment employed to provide expanded media coverage shall be positioned and operated so as to minimize any distraction;
2. Identifying marks, call letters, logos, symbols, and legends shall be concealed on all equipment. Persons operating such equipment shall not wear clothing bearing any such identifying information; and
3. Equipment used to provide expanded media coverage shall not be placed in, or removed from, the courtroom while court is in session. No film, videotape, or lens shall be changed within a courtroom while court is in session.

DATE: AUGUST 20, 2018

BY THE COURT:

A handwritten signature in black ink, appearing to read "Marcelo A. Kopcow". The signature is written in a cursive style with a large, sweeping flourish at the end.

Marcelo A. Kopcow  
District Court Judge