

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT

STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

* * *

ORDER RE: ADA COUNTY
COURTHOUSE - PROCEEDINGS IN
CR22-21-1623

ADMINISTRATIVE ORDER

NO 24-03-07

This administrative order governs during the trial in *State v. Daybell*, CR22-21-1623 and related proceedings in that case ("*Daybell* trial"). The provisions of this Order control over the provisions of Administrative Order No. 21-05-21-1 where there is a conflict in their terms.¹

Access: Court security personnel may restrict access to any floor of the Courthouse being used for the *Daybell* trial to: (1) persons authorized to have access to the courtroom or other rooms being used for the *Daybell* trial; (2) persons attending other court proceedings being held on that floor; and (3) persons having business with a court or county entity on that floor. Court security personnel may erect temporary barriers, including in the Courthouse stairwells, to aid in the enforcement of this provision, so long as the barriers do not prevent or substantially impede egress in the event of a fire or other emergency. Court security personnel may organize (or disperse) members of the public and media seeking access to the *Daybell* trial as necessary to enable other persons having court business or business with an entity in the Courthouse to have access to the Courthouse.

¹ Administrative Order No. 21-05-21-1 addresses the use or possession of video, audio, and photographic equipment to cover, broadcast, or record court proceedings in various locations throughout the Courthouse. The presiding judge is responsible for decisions concerning the use or possession of video, audio, and photographic equipment in the courtroom or other rooms where court proceedings are being held. See Order Governing Courtroom Conduct (issued by the presiding judge in *State v. Daybell*, the Honorable Steven W. Boyce. A copy of Judge Boyce's order is attached to this administrative order).

Seating: Public and media seating in the *Daybell* trial will be on a "first come basis" in a method as determined by the Trial Court Administrator("TCA"). No member of the public or media will be allowed access to the location where the *Daybell* trial is being held absent proof of a reserved seat as provided by the TCA. No member of the public or media will be admitted into the courtroom while court is in session.²

Electronic Devices and Recordings: All cellphones and other electronic devices³ must be turned off or be in "silent mode" on any floor of the Courthouse where the *Daybell* trial is being held. No audio or video recording or photography of any kind will be permitted outside of courtrooms or in any other portion of the courthouse regardless of whether the courtrooms are being used for court proceedings.⁴ This prohibition does not apply to spaces in the Courthouse occupied by non-court entities, but it does apply to Courthouse common areas, including on the first floor of the Courthouse. It also does not apply inside of courtrooms or other rooms in the courthouse where court proceedings are being held, where audio or video recording or photography in those rooms is at the discretion of the presiding judge in the case.⁵ No audio or video recording or photograph may be taken of any prospective juror, juror, or

²See also Administrative Order No. 20-09-11-04 (Prohibition on Entering Courtroom While in Session).

³See also Idaho Court Administrative Rule 49 ("Electronic Devices in Court Facilities.").

⁴Whether audio or video recording or photography is permitted at a wedding ceremony being conducted by a judge in or on the grounds of the Courthouse is at the discretion of the judge performing the ceremony. If the judge presiding over the wedding ceremony grants this permission, the Trial Court Administration Office must be informed, in advance of the ceremony, and such photography must not take place in any area where witnesses, parties or jurors in the *Daybell* case are present.

⁵ See Administrative Order No. 21-05-21-1.

alternate juror in the *Daybell* trial within or on the grounds of the Courthouse, including in any parking areas of the courthouse.⁶

Interviews and Recorded Media Appearances: No Media interviews or recorded or live on air sessions or appearances may take place within the Courthouse.


Misconduct: Any unruly or disruptive behavior, as determined by the court or court security personnel, in the Courthouse or at or near the Courthouse entrance areas may result in removal from the Courthouse and may also result in prohibition on further entry into the Courthouse and/or the courtroom where the *Daybell* trial is taking place.

Any person violating the terms of this Order may be removed and any recordings or images taken in violation of this Order may be seized and/or deleted and/or the person may be charged with contempt pursuant to Idaho Code § 18-1801, and/or trespass pursuant to Idaho Code § 18-7008, and/or such other charges as may be appropriate, the consequences of which may include imprisonment and/or a fine.⁷

The terms of this Order expire at the commencement of the next business day after the *Daybell* trial has concluded.

IT IS SO ORDERED.

Dated this 6th of March, 2024.



Steven J. Hippler
Administrative District Judge
Fourth Judicial District

⁶ Exempt from the prohibitions contained in this order are cameras and other equipment utilized for courthouse security and personnel assigned to court security and law enforcement officers responding to an emergency in the Court house.

⁷ See also Title 7, Chapter 6, Idaho Code; I.R.C.P. 75; I.C.R. 42.

cc: Honorable Steven W. Boyce
All Ada County Judges
Ada County Sheriff
Sandra Barrios, Trial Court Administrator, Fourth Judicial District
Trent Tripple, Ada County Clerk of Court
Robert Reisig, Administrative Staff Attorney
Idaho Supreme Court

**IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT**

STATE OF IDAHO,

 Plaintiff,

vs.

CHAD GUY DAYBELL

 Defendant.

Case No. CR22-21-1623

**ORDER GOVERNING
COURTROOM CONDUCT**

In order to provide for the orderly disposition of this case, this Order shall govern the conduct of the public and media in the Ada County Courthouse for the entirety of the jury trial.

The court is mindful of the need to balance (1) the constitutional rights of the defendant; (2) the public's interest and right to information in conjunction with certain constitutional and statutory rights for the public to attend the proceedings; (3) the court's interest in maintaining order and an environment which permits all participants to focus on their responsibilities without undue distractions; and (4) the court's interest in the safety of the public and court and security personnel.

With these factors in mind, pursuant to Idaho Court Administrative Rules (I.C.A.R.) 45 and 49, the court orders as follows:

1) SEATING AND ATTENDANCE IN ADA COUNTY COURTROOM

A) Seating for Victim(s), Families of Defendant, Counsel, Other Court Personnel.

Certain seating will be reserved by the Court for designated individuals, including but not limited to individuals or family members of authorized court personnel, security personnel, defendant's family, victims' families, and others.

B) Public Seating. Subject to the need for reserved seating referenced in 1(A), seating for the public will be permitted in the courtroom, as space permits, on a first-come basis. There will be no priority or designated seating for the media. No person may reserve seats, except as indicated in 1(A) above. **No standing in the courtroom will be allowed.**

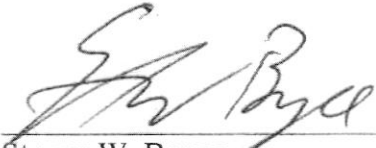
C) Entry and Exit During Court Proceedings. All spectators, including members of the media and the public, shall be seated before court is in session during any portion of a hearing. No entry or re-entry to the courtroom shall be permitted while court is in session.

2) OTHER RESTRICTIONS AND REQUIREMENTS WITHIN ADA COUNTY COURTROOM

- A) **Security Screening.** All persons entering the courtroom may be subject to additional security screening. Handbags, backpacks, and other carry-ins are subject to inspection.
- B) **Cell Phones & Other Electronic Devices in Courtroom.** Cell phones, pagers, laptops or any other electronic device shall be turned off or be in “silent mode” and shall not make any sound or create any distraction. Devices SHALL NOT be used to record, photograph or transmit any sounds, images or video from the Ada County Courtroom. No one may talk on a cell phone inside either the courtroom.
- C) **Interviews and Reporting.** No media interviews or reporting shall be conducted inside the courtroom. The public is also still subject to Administrative Order 24-03-07 issued by Administrative District Judge Steven Hippler regarding conduct inside the Ada County Courthouse.
- D) **Disruptive Behavior.** Any activity or behavior which is considered disruptive may result in removal from the courtroom.
- 3) Any person violating the terms of any portion of this order may be removed (temporarily and/or permanently excluded) and any recordings or images violating the order may be seized and/or deleted. In addition, the person in violation may be charged with contempt pursuant to Idaho Code Section 18-1801, and/or trespass pursuant to Idaho Code Section 18-7008, and/or other such charge(s) as may be appropriate, and also may be imprisoned and/or fined.

IT IS SO ORDERED.

Dated this 7 day of March, 2024.


Steven W. Boyce
District Judge