

IN THE DISTRICT COURT OF THE 4th JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

STATE of IDAHO)
PLAINTIFF(S))
)
)
V.)
)
MATTHEW HOWARD)
DEFENDANT(S) Townsend)

REQUEST TO OBTAIN
APPROVAL TO VIDEO
RECORD, BROADCAST OR
PHOTOGRAPH A COURT
PROCEEDING

I hereby request approval to:

video record [] broadcast photograph the following court proceeding:

Case No.: CR - FE - 2015 - 0004043
Date: 4/15/2015
Time: 8:30 AM
Location: ADA COUNTY Courthouse
Presiding Judge: Theresa GARDUNIA

I have read Rule 45 of the Idaho Court Administrative Rules permitting cameras in the courtroom, and will comply in all respects with the provisions of that rule, and will also make certain that all other persons from my organization participating in video or audio recording or broadcasting or photographing of the court proceedings have read Rule 45 of the Idaho Court Administrative Rules and will comply in all respects with the provisions of that rule.

Peter Rimkus
Print Name

Peter Rimkus
Signature

CopBlock.org
News Organization Represented


Phone Number

4/14/2015
Date

APR 15 2015

CHRISTOPHER D. RICH, Clerk
By CINDY HO
DEPUTY

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

STATE OF IDAHO,
Plaintiff,
vs.
MATTHEW H. TOWNSEND,
Defendant.

Case No. CR FE 2015 - 004043

ORDER DENYING REQUEST
TO VIDEO RECORD,
BROADCAST OR
PHOTOGRAPH A COURT
PROCEEDING

The court, having considered a second request by Peter Rimkus to video record and/or photograph a court proceeding on behalf of copblock.org., and pursuant to IAR 45 which provides that the presiding judge maintains the right to limit audio/visual coverage of any public hearing when the interest of justice requires, exercises its discretion under IAR 45 to deny said request based on the following:

1. IAR 45(d) requires the court to exercise particular sensitivity to the victims of crime. The court finds that such an exercise of discretion is warranted based on its position that granting the request for video/photographic coverage does not advance transparency of the proceedings.
2. The requester is not a traditional media outlet in that they do not produce news for the purpose of educating and informing the general public, but concentrate on efforts that are activist in nature. Although IAR 45 does not specifically exclude non-media entities, the context of the rule is to support an orderly, organized, and cooperative dissemination of court related news to inform and educate the public while preserving the dignity, decorum, and solemnity of the court and while protecting the participants of the proceedings and the court's personnel.

3. Upon denial of copblock's initial request, the court staff received the following response:

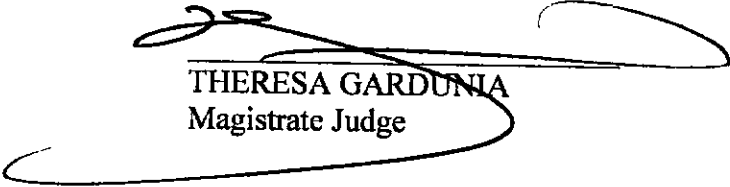
Who The fuck are you to tell someone they are not part of the media COPblock is indeed a media resource for thousands dare u say millions of people how dare you try to deny them the right to be at the trial you just stepped in it big time bitch you bette4r get your shit straight we surround you!

Review of copblock.org confirms that one technique of the organization is the public intimidation of those who disagree with their position and they seem to encourage the private harassment of those they feel are at odds with them.

The court is a legal sanctuary where disputes are resolved in a civilized, respectful, and dignified manner while governed by the rule of law. Preservation of this process is too important to jeopardize the outcome of any proceeding in an effort to satisfy one group, entity, or individual's appetite for internet fodder.

While it is true that one benefit of increased internet coverage would be increased citizen awareness of what actually occurs in our courtrooms, this request does not promote that objective. The court finds that there is a high level of public awareness of the reality of the operation of our judicial system by Idaho citizens. Moreover, as most court proceedings are open to the public, this order in no way abridges the right of access to any citizen who wishes to personally attend a particular court hearing and, while a non-disruptive member of the public is welcome to observe any court hearing, the court will not be complicit in allowing an organization to video/photograph a proceeding that they will likely utilize to harass others.

IT IS SO ORDERED this 15th day of April, 2015.



THERESA GARDUNIA
Magistrate Judge