

CAUSE NO. 1008763

THE STATE OF TEXAS	§	IN THE DISTRICT COURT OF
v.	§	HARRIS COUNTY, TEXAS
DAVID MARK TEMPLE	§	178th JUDICIAL DISTRICT

SECOND AMENDED ORDER IMPOSING RULES FOR MEDIA COVERAGE

To ensure the fair, orderly administration of justice in this case and in other cases currently before our sister courts, and to ensure the constitutional rights of the parties, counsel for the parties, and the media, the Court finds it necessary to issue the following Order in *The State of Texas v. David Mark Temple*, trial court Cause Number 1008763. This Order takes effect immediately and will remain in effect until the conclusion of all proceedings.

Accordingly, the Court issues the following rules that will be in effect for the duration of all proceedings in Cause No. 1008763:

1. The Court will allow one entity to serve as the pool videographer in trial court Cause Number 1008763; *The State of Texas v. David Mark Temple*. No other video may be recorded in the courtroom by any means, including cell phone and tablet recordings.

2. The Court designates ABC News as the pool camera operator under the condition that ABC News is capable of providing to all requesting media organizations complete copies and/or live feeds of the video and audio recordings ABC News captures while in the courtroom;

3. Live broadcast of the video and audio portions of the live video pool feed of the proceedings is prohibited by any media organization, except during opening statements, closing arguments and verdict proceedings.

4. Live broadcasting of any audio during the entire proceeding is strictly prohibited other than live streaming of the opening statements, closing arguments and verdict proceedings via the pool videographer. All other audio is strictly prohibited from being broadcast by live or by tape delay until the final verdict in Cause Number 1008763.

5. All media coverage is prohibited for any proceedings held in chambers and / or proceedings closed to the public;

6. Conferences between an attorney and client, witness, investigator or aid shall not be recorded or received by sound equipment. Bench conferences between counsel and the Court at the bench shall not be recorded or received by sound equipment;

7. Prior to issuance of final judgment, no person shall make, distribute, publish or broadcast in any fashion, in any medium, any picture, photograph, or visual representation of any prospective juror or member of the jury in the case of *The State of Texas v. David Mark Temple*;

8. Prior to issuance of final judgment, no person shall distribute, publish or broadcast in any fashion the names, home or work telephone numbers, home or work addresses of any prospective juror or member of the jury in the case of *The State of Texas v. David Mark Temple*;

9. Media personnel shall not use equipment that produces distracting sound or light. The equipment shall not display visible signal lights or devices that indicate when equipment is in operation;

10. Media personnel shall not use moving lights, flash attachments, or cause sudden lighting changes when recording events in the courtroom;

11. Existing courtroom sound and lighting systems shall be used without modification;

12. Media personnel shall not move equipment or cause distractions when Court is in session;

13. Media personnel outside the courtroom shall not create distractions and shall avoid restricting movement of persons passing through the halls and/or the doors to the courtroom;

14. The Court may require media personnel to demonstrate that proposed equipment complies with these Rules;

15. The Court may specify the placement of media personnel and equipment to permit reasonable coverage without disruption to the proceedings;

16. Media logos or proprietary trademarks shall not be displayed on the cameras, microphones, or any other equipment used in the courtroom or on clothing or nametags of media personnel in the courtroom;

17. No proceeding or session of Court will be delayed or continued for the sole purpose of allowing media coverage. Upon request, the Court will inform media agencies of settings and will attempt to make the courtroom available in advance for the purpose of installing equipment;

18. Film, video tapes, photographs or audio reproductions made in court proceedings by media personnel shall not be considered part of the official Court record.

19. The Court may exclude from the courtroom any media personnel who fails to comply with these Rules; further, a violation of these Rules by the media may be sanctioned by appropriate measures.

This Court shall entertain reasonable requests, including requests by the media, to modify this Order as the need arises.

All persons employed by a media organization, company or entity shall be presumed to have notice of all provisions of this Order. The Court orders that a copy of this Order shall be delivered to members of the media attending proceedings, and that each media organization shall be responsible for ensuring that its employees have notice of the provisions of this Order

Date Signed: 7.3.2019



Kelli Johnson
Presiding Judge, 178th District Court
Harris County