

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

JUL 5 2006

IN AND FOR THE COUNTY OF MOHAVE

VIRLYNN TINNELL
CLERK SUPERIOR COURT
BY: STUM DEPUTY

HONORABLE STEVEN F. CONN, JUDGE
DIVISION III

VIRLYNN TINNELL, CLERK
SC*

DATE: JUNE 30, 2006

MINUTE ORDER

STATE OF ARIZONA,
Plaintiff,

vs.

RANDOLPH J. BARLOW,
Defendant.

No. CR-2005-0719

The Court has received from Court TV a letter requesting permission to televise the trial scheduled to begin on July 11, 2006.

IT IS ORDERED directing the Clerk to file the letter and provide copies to counsel for the Defendant and the State. STUM

The request correctly cites Rule 122, Rules of the Supreme Court of Arizona, as the authority for the request. Rule 122 provides that electronic and still photographic coverage of public judicial proceedings in the courtroom may be permitted. Rule 122(b) provides that such coverage may be permitted in the sole discretion of the judge of the particular proceeding giving due consideration to certain enumerated factors. Rule 122(d) provides that a judge need not state grounds or make findings in support of a determination to permit, limit or preclude coverage and that the exercise of a judge's discretion in limiting or precluding such coverage shall not be subject to judicial review.

Although the rule allows the Court to make a decision without explanation, the Court makes

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the following observations. This case is one of 8 cases which are presently pending involving Defendants from Colorado City charged with crimes of a similar nature. Those cases presently have trial dates scheduled between July and September, 2006. If those trials proceed in the order presently scheduled, this would be the second of the 8 trials. These cases have already received fairly extensive publicity in Mohave County. Peripheral investigations into various aspects of the Colorado City community seem to have been reported on at least a weekly basis for several months. The Court is already concerned with the difficulty in selecting a jury based on the publicity which has been generated as of today. The Court knows that this case will receive extensive local media coverage regardless of whether it is televised, but it is also concerned that televising this trial or those which come after it would make it exceedingly difficult to select fair and impartial jurors to serve on later trials.

The Court is also concerned to a lesser extent that this case involves allegations of sexual crimes committed against a person who, at least at the time in question, was a minor and who was probably raised in a somewhat sheltered environment with limited exposure to a lifestyle more familiar to the vast majority of the populace. The Court is concerned with the effect that televising this trial, or others, could have upon the ability to elicit from the witnesses all the facts necessary for a just resolution of this case.

IT IS ORDERED denying the request by Court TV to be allowed to televise the trial in this matter.

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