



MEDIA ADVISORY

Judicial Branch, State of New Hampshire

For Immediate Release:
August 17, 2015

Judge issues media rules for trial and jury view in *State v. Owen Labrie*

CONCORD, NH - Presiding Justice Larry M. Smukler issued the following rules today for all media planning to participate in the upcoming trial of *State v. Owen Labrie*. The indictments in the case are also attached.

TRIAL

Court: Merrimack County Superior Court, 163 N. Main Street,
Concord

Opening Statements: Tuesday, August 18 at 10:00am

Media Notes: The trial is pooled. TV: WMUR-TV at 603-641-9000
Still: Associated Press at 603-224-3327
WMUR will provided real time video at its truck for the pool

NO PORTION OF THE TRIAL MAY BE STREAMED OR BROADCAST LIVE

JURY VIEW

Date: Tuesday, August 18 (rain or shine)

Start Time: 11:00am (time may be adjusted to accommodate motion hearings)

Location: St. Paul's School, 325 Pleasant Street, Concord
Media have reserved parking in the lot behind a red barn.
Security will direct media to location.
Lindsay Center for Mathematics and Science

One Stop: Two areas will be reserved for media (1) across the street from Lindsay and (2) near the front door.

Media Notes:

New Hampshire Judicial Branch News Release

- The jury view is an extension of the court room and trial. As such, Judge Smukler is in charge of the proceeding. The media are reminded that the St. Paul's campus is private property.
- The view is open to all media - there is no pool.
- Media must remain in the area designated for the view.
- Photographs and video of the jury are prohibited.
- Members of the media may not speak to the judge or jurors.
- Merrimack County Deputies and St. Paul's security personnel will accompany the judge and jury. Media are asked to respect any directions given to them by either group.
- The court's Public Information Officer, Carole Alfano, will be in attendance to handle all media inquiries.

Contact:

Carole Alfano
Public Information Officer
calfano@courts.state.nh.us
603-271-2646 ext 0243

###



MEDIA ADVISORY

Judicial Branch, State of New Hampshire

For Immediate Release:
October 26, 2015

Sentencing Hearing Information for Media

State v. Owen Labrie

Case# 217-2014-CR-0617

CONCORD, NH - The Public Information Office of the Judicial Branch issued the following information today regarding the above-captioned case:

What: Sentencing Hearing

When: Thursday, October 29, 2015 at 1:30p.m.

Where: Merrimack County Superior Court, 163 N. Main Street, Concord, NH
Courtroom #2 (Note: the trial was held in Courtroom #1)

Media Notes

Identifying Minors

Presiding Justice Larry M. Smukler's order issued in this case on August 9, 2015 regarding minors remains in effect. It states, "When any minor child under the age of 18 years old testifies in this case, there shall be no live broadcast, live streaming, or video recording of the minor child from any type of digital platform." (See attached, Media Order #1) This order also applies to any minor giving a Victim Impact Statement as allowed under RSA 21-M:8-k.

Recording Devices in the Courtroom:

Judge Smukler's order issued on August 20, 2015 regarding recording devices in the courtroom also remains in effect. (See attached, Media Order #2). Any members of the media needing clarification regarding this order should contact their outlet's legal counsel prior to Oct. 29.

Pooling Coverage:

WMUR-TV has been designated TV pool. Contact Dave Sakowich at dsakowich@hearst.com. AP/Concord Bureau has been given Still pool duties. Contact Jim Cole at jcole@ap.org.

MORE

Parking for Live Trucks:

A row will be reserved for live/transmission trucks in the courthouse parking lot. Regular news cars may not park in this area.

Staging for Live Shots:

Three parking spaces have been reserved in front of the courthouse parking lot for media to stage live shots. This area is for the use of all outlets. Media may also utilize the closed section of the road in front of the spaces. (Note: the large compressor near this area that previously created noise issues will not be operating on Oct. 29.)

Seating in the Courtroom:

16 seats have been reserved for working media who are on deadline on Oct. 29. The four seats in the front row are for local media. All other seats are on a first come, first serve basis. One seat per outlet. No members of the media may stand inside the courtroom. An overflow room with a live feed will be located on the first floor in Courtroom # 4.

Accessing Wi-Fi:

Wi-Fi at the Merrimack County Superior Courthouse was not designed for high capacity use. Members of the media concerned about connecting to the Internet should arrange for their own cell signal or hot spot.

Accessing the Case File:

The file in this case will not be available on Oct. 29 due to the fact it will be with the judge. Click here to access the documents in the file that are currently posted on-line.

Accessing Exhibits:

Under Superior Court Rule 78, exhibits must be made available to the media in a "reasonable amount of time". While the exhibits in this case will not be available for the media to inspect on Oct. 29; the court is will designate another day for such an event. The court's Public Information Office, Carole Alfano, will inform the media of the date.

Requesting Transcripts:

The court contracts with AVTranz to fulfill all transcript requests. The link to the company on our Judicial Branch web site is: <http://www.courts.state.nh.us/forms/Transcript-Instructions.pdf>. Include (1) Case name - State of New Hampshire v. Owen Labrie; (2) Docket # 217-2014-CR-0617 (3) Court name - Merrimack County Superior Court, Concord, NH and (4) Date of Sentencing Hearing - Oct. 29.

###



MEDIA ADVISORY

Judicial Branch, State of New Hampshire

For Immediate Release:

March 16, 2016

Bail Hearing Information for Media

State v. Owen Labrie

Case# 217-2014-CR-0617

CONCORD, N.H. - The Public Information Office of the Judicial Branch issued the following information today regarding the above-captioned case:

What: Hearing on the Motion to Revoke Bail

When: Friday, March 18 at 1:30p.m.

Where: Merrimack County Superior Court, 163 N. Main Street, Concord, NH
Courtroom # 1 (Note: this the courtroom where the trial was held)

Media Notes

Pooling Coverage:

WMUR-TV has been designated TV pool. Contact Dave Sakowich at dsakowich@hearst.com. The Concord Monitor has been awarded Still pool duties. Contact Geoff Forester at gforester@cmonitor.com

Live Streaming:

WMUR-TV will live stream the hearing.

***** Videotaping, Live Shot and Still Photo Restrictions ***:**

Media may not shoot video, still photos or "go live" showing the front of the Merrimack County Superior Courthouse, or any individuals coming or going from the front entrance of the courthouse between 8:00am-9:30am on March 18, as they may be jurors in an unrelated matter. This black out is also in effect for the rear door of the courthouse until media are notified.

Videotaping, still photos and live shots are not allowed in the courthouse lobby on the first floor or outside the courtroom at any time.

Parking for Live Trucks:

Five spaces will be reserved for live/transmission trucks in the courthouse parking lot. Regular news cars may not park in this area.

Staging for Live Shots:

Due to other proceedings at the courthouse on March 18, parking spaces cannot be reserved for live hits in the morning. However, it is anticipated that the parking lot will clear out considerably by 4:00pm.

Seating in the Courtroom:

16 seats have been reserved for working media who are on deadline March 18. The four seats in the front row are for local media. All other seats are on a first come, first serve basis. One seat per outlet. No members of the media may stand inside the courtroom. *Note: there will be no overflow room.*

Accessing Wi-Fi:

Wi-Fi at the Merrimack County Superior Courthouse was not designed for high capacity use. Members of the media concerned about connecting to the Internet should arrange for their own cell signal or hot spot.

Accessing the Case File:

The file in this case will not be available on March 18 due to the fact it will be with the judge. [Click here](#) to access the documents in the file that are currently posted on-line.

Requesting Transcripts:

The court contracts with AVTranz to fulfill all transcript requests. The link to the company on our Judicial Branch web site is: <http://www.courts.state.nh.us/forms/Transcript-Instructions.pdf>. Include (1) Case name - State of New Hampshire v. Owen Labrie; (2) Docket # 217-2014-CR-0617 (3) Court name - Merrimack County Superior Court, Concord, NH and (4) Date of Motion Hearing – March 18.

Contact:

Carole Alfano
Public Information Officer
calfano@courts.state.nh.us
603-271-2646 ext 0243

###

State v. Labrie Checklist:

(ONE DAY)

Courtroom

- Cabled on 10/28 at 11am
- Power strip and extension cord for reporter lap tops
- Confirm spots for TV tripod and still photog
- Post Reserve Signs – Media/State/Labrie
- Post Media Information Sign in Media Area
- Victim Impact Statements – Names? Hard copies?

Courthouse

Overflow room

- Cabled on 10/28 at 11am
- TV in place
- Post sign on both sides of door

Lobby

- Reserved sign on conference rooms for State and Labrie Family
- Sign on clerk's window – case file in State v. Labrie not available on 10/29

Second Floor

- Sign on conference room for Labrie Family – paper window?

Parking Lot

- Cone Live Truck Row
- Cone Live Shot Area
- Cone Spaces for attorneys
- Press Conference Area
- Noisy compressor to be turned off – confirmed
- Keep handicapped spaces clear
- No media on courthouse sidewalk
- Organize media shooting sheriff's prisoner van
- Check with sheriff's re: drone policy

State v. Normil

Media Checklist

(PRE-TRIAL)

Pre-Trial:

- Discuss issuing an Order re: rules for media covering trial (See sample)
- Discuss Media Advisory re: trial (See sample)
- Discuss media rules for the Jury View (See sample)
- Decide on a pool (or not) for TV and still cameras
- Confirm TV tripod placement in courtroom + where still photog may stand
- Confirm wireless microphone placement in courtroom
- Set designated area for live truck parking
- Set designated/best area for reporters to do their live shots outside
- Confirm best route for TV cable run out of courtroom to live truck
- Judge to decide if TV may live stream – WMUR indicates this is unlikely
- Decide if media can access Wi-Fi at courthouse

Courtroom:

- Designate a reserved seating in the courtroom for the media and post a sign
- Post case name/court/judge/Wi-Fi info for reporters (See sample)
- Electric outlets available? Power strip needed? (Carole has both)

Courthouse:

- Reserve room behind courtroom for media
- Designate an official “interview area” either inside or outside
- Electric outlets in lobby/public area?
- Does the copy machine in the lobby work?

Clerk's Office:

- Review posting for clerk's window re file availability on trial days (See sample)
- Is the file in the case currently accessible for reporters?
- Consider creating a three-ring notebook for the counter with copies of important filings in the case for the media to use. Example: complaint and indictments or post filings on line. Putting all docs on a thumb drive is also helpful.

State v. Seth Mazzaglia

Jury View: Information and Locations

Date: Tuesday, May 22nd (Rain or Shine)

Start Time: @ 1:00pm (estimated run time is 4 hours)

Locations:

Sawyer Mill Apartments 1 Mill Street, Dover (PRIVATE PROPERTY)
(Note: Restrictions on media at this location due to tight areas in apartment complex)

Peirce Island Peirce Island Road, Downtown Portsmouth
(Near Prescott Park and off Marcy Street)
(Note: This location has ample parking for media)

Residence Inn Marriott /dumpster 1 International Drive, Portsmouth
(Pease International Tradeport)
(Note: Jurors are not expected to exit bus)

Univ. of NH Horse barn/dumpster 278 Mast Road Extension, Durham
(Off Route 155A)
(Note: Jurors are not expected to exit bus)

Rules for Media:

The view is an extension of the court room and trial, as such:

- The judge is in charge of the proceedings.
- No photographs or video of the jury are allowed.
- The press may not speak to judge, jurors, the defendant or the attorneys.
- The press must obey all traffic rules when following the jury bus.

THE STATE OF NEW HAMPSHIRE

CARROLL COUNTY, SS.

SUPERIOR COURT

The State of New Hampshire

v.

Case name: _____

Docket # : _____

**ORDER ON MEDIA RULES FOR
JURY SELECTION, VIEW AND TRIAL**

The court hereby issues the following order regarding the rules for media coverage of the above captioned trial:

1. Contact Information:

Judicial Branch Public Information Officer (PIO) Carole Alfano is the official media contact for the court. She may be reached at calfano@courts.state.nh.us.

2. Court Rules:

The complete rules governing photographing, recording and broadcasting of judicial proceedings in superior courts in New Hampshire are found at **Superior Court Rule 204**. See <http://www.courts.state.nh.us/rules/sror/sror-h3-204.htm>. Media are responsible for reviewing, understanding, and complying with the rule in its entirety.

3. Definition of Media:

"Media" are defined as members of the working press and other representatives of a news outlet, that regularly gather, report, edit, broadcast and publish news or matters of public interest, either in print or electronically.

The definition of media includes Internet-based "new media" that regularly update content. This definition does not include personal websites. It is the responsibility of online organizations to demonstrate that they meet the definition of "new media."

If a question arises, the determination of whether an organization or individual meets the definition of media shall be made by the presiding judge.

4. Notice of Intent and Registration:

Under Rule 204(a) and (c), members of the media covering the above captioned case and desiring to photograph, record or broadcast the courtroom proceedings, are required to provide advance notice to the president justice of their intent to do so.

Media may register in advance using the form found at: <http://www.courts.state.nh.us/forms/nhjb-2791-sup.pdf> and submit it to the court's PIO, or on the day of the proceeding with the following form: <http://www.courts.state.nh.us/forms/nhjb-2772-dfpssup.pdf>. For those media registering the day of the proceeding, the clerk of the court will deliver their form to the presiding judge before the court proceeding begins, or at an appropriate time during the proceeding.

Credentials will not be issued.

5. Restrictions on Coverage:

A. Overall

The court may impose reasonable restrictions on the time, place or manner of media coverage. Any restrictions must be stated on the record and must be reasonably related and narrowly drawn by the least restrictive means to (i) control the conduct of proceedings before the court, (ii) ensure decorum and prevent distractions; (iii) protect the reasonable privacy interests of a minor or any other person, including victims, or (iv) ensure the fair administration of justice in pending or future cases.

B. Jurors

Media shall not videotape or photograph any jurors during selection/voir dire, the view or during the trial.

Media shall not speak to, or otherwise communicate via a third party, phone, text, email or other forms of social media, with any jurors during selection/voir dire, the view or during the trial.

Media shall not identify jurors by name. The names of jurors will be disclosed only after a verdict has been rendered.

C. Pool Coverage

Pool coverage for television, internet streaming, radio and still photographs is in effect for jury selection/voir dire and the trial. Pool coverage shall be arranged by media representatives themselves consistent with Rule 204(h). Pool coverage is not in effect for the view. (Note: Pool Coverage continues on next page).

Rotating pool coverage by media outlets is allowed and shall be organized by media representatives.

Any media outlet intending to be a member of the pool shall have broadcast-quality television or radio equipment or an SLR still camera present with them at the court.

D. Television, Still and Personal Cameras

Both television and still cameras will be positioned in the courtroom as designated by the presiding judge.

All such equipment, including robotic cameras, shall operate with minimal noise so as not to disrupt proceedings.

Television cameras and radio recordings shall be turned off when the court is not in session.

Still cameras shall not use a flash.

Media are allowed to take photos with their personal camera or cell phone whenever the court is not in session, subject to any restrictions found in "A" above. When court is in session, only pool photographers may record/shoot the proceedings.

E. Personal Electronic Devices

Cell phones, laptops and iPads/tablets are welcome in the courtroom as long as they are set in silent mode. Keyboards must be used with minimal noise. Tweeting is allowed in the courtroom but cell phone conversations are not.

F. Attorney-Client and Bench Conversations

To protect the attorney-client privilege and to affect the right to counsel, there may be no broadcast or video taping of conferences which occur in the courtroom between attorneys and their clients, between co-counsel of a client, or between counsel and the judge held at the bench.

G. Interview Locations

No cameras, audio equipment or other recording devices may be used in the lobby or other public, non-courtroom, area of the courthouse to conduct interviews, except when the presiding judge, after consultation with the Clerk of the Court and the Sheriff's Office in charge of providing security at the courthouse, determines that a designated staging area is appropriate under the circumstances of the above-captioned case.

The Clerk will confer with the Sheriff's Office to set up a designated staging area or areas within the public areas of the courthouse where cameras, audio equipment and other recording devices may be used for interviews. No cameras, audio equipment or other recording devices may be used outside of a designated staging area within public areas of the courthouse, other than in the courtrooms as discussed in sections "A" and "D" above.

6. Challenges to Restriction or Denial of Coverage:

Any media organization, for which coverage has been restricted or denied, may request in writing that the trial court reconsider its ruling. The request should be filed with the clerk of the court at the earliest opportunity. Requests must be made in the form of a motion, stating the reasons why media coverage should be allowed or why a ruling concerning that coverage should be modified.

7. Access to Documents and Exhibits:

Under **Superior Court Rule 204 (i)**, media are allowed access to documents and exhibits filed with the court, and not sealed, in a "reasonably timely fashion". The rule also states that the court's need to make use of the documents and exhibits for official purposes takes precedence over their availability for the media's inspection. A clerk of the court, or his or her designee, must be present whenever the media inspect documents or exhibits in order to protect the integrity of the material, including its chain of custody.

8. General Instructions:

Media will be seated in the area designated for them in the courtroom.

Media may enter and exit the courtroom at will, when it is open to the public, except as directed otherwise by the presiding judge, the PIO, court security or court administrative personnel.

Members of the media are expected to present a professional appearance in keeping with the dignity of the proceedings and be sufficiently familiar with court proceedings to conduct themselves so as not to interfere with the dignity of the proceedings, or to distract counsel or the court.

Date: _____

(Judge Name Here)
Presiding Justice

**Information regarding
the case file in
State v. Owen Labrie:**

**The file will not be available
to the public on March 18th
due to the fact it will be with the
judge for the entire day.**

To view many of the documents on line, go to:
<http://www.courts.state.nh.us/caseinfo/pdf/labrie/index.htm>

MEDIA INFORMATION

Case:

State of New Hampshire v. Owen Labrie
Case #217-2014-CR-00617

Court:

Merrimack County Superior Court, Concord, NH

Judge:

The Hon. Larry M. Smukler

(Please note, the judge's last name does not include a "C")

State:

Catherine J. Ruffe, Deputy Merrimack County Attorney
Joseph Cherniske, Assistant Merrimack County Attorney
4 Court Street, Concord
603.228.0529

Defense:

J.W. Carney, Jr.
Samir Zaganhori
(Jaye Rancourt – NH Counsel)
The Law Offices of J. W. Carney Jr. & Associates
20 Park Plaza, Suite 1405, Boston
617.933.0350

Wi-Fi:

Connect to **NHJBGUESTMERRIMACKSU**
(No Password Needed)