

**IN THE DISTRICT COURT OF SALINE COUNTY, NEBRASKA**

<b>STATE OF NEBRASKA,</b>	)	<b>Case No. CR 18-37</b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>ORDER RESTRICTING EXPANDED</b>
	)	<b>MEDIA COVERAGE</b>
<b>AUBREY C. TRAIL,</b>	)	
	)	
<b>Defendant.</b>	)	

This matter is before the Court on its own motion. Counsel for both parties have been consulted.

During this trial today, the Court has learned the following:

On the 1011 Live newsblog, a commenter, purporting to be the mother of a juror, has commented on jury sequestration.

Another commenter revealed a possible location that sequestered jurors may be held.

On the 1011 Live newsblog, a commenter stated that he had driven by the Saline County Courthouse, that the wheelchair transport van does not appear and that the Defendant is apparently not there. He later commented that NE Correction Officials were transporting the Defendant.

That a credentialed newsreporter tweeted that the Defendant was “taken from D & E in Lincoln, where he was being held, on a 911 emergency today.” There are only three emergency rooms in Lincoln where he could be transported. Counsel for the defense advised that he was contacted by the press in the parking lot of the hospital where the defendant was being treated in the emergency room. Broadcast of this information constituted a security threat to the Defendant, counsel and law enforcement.

That the various blog, twitter and other social media comments about this case which have been provided to the Court have referred to court personnel in derogatory terms.

There are other events which have occurred which contribute to the Court’s concern about security, maintaining the jurors’ impartiality, and the rights of both parties to a fair trial.

Further, the trial of Bailey Boswell, co-defendant, is set for October, and an impartial jury panel must be impaneled.

Live tweets, by their very nature, provide almost instantaneous information to various unknown individuals. Such dissemination poses a threat to jurors, court personnel, attorneys, and perhaps even the Court. The Court further finds that live tweeting has created an atmosphere which has fomented disrespect to the Court system. Such problems go to the heart of the parties' rights to a fair trial.


Pursuant to Neb. Ct. R. Sec. 6-2003(J), the use of live tweeting, blogging or any other instantaneous information sharing from the Courtroom or its environs will be terminated effective the date and time of the entry of this order and continuing throughout the balance of the trial.

Observers, including credentialed media, will not be permitted to bring electronic devices such as cell phones or tablets into the Courtroom. The parties' lawyers, legal assistants, paralegals, investigators and victim advocates who are working on this case are exempt from the ban. Mr. Todd Lancaster is exempt from the ban.

The Court is not terminating the use of cameras and recording devices for purposes of recording or reporting the trial. Equipment necessary for camera coverage is permitted, but only for recording purposes. Credentialed media may utilize any other non-electronic means for reporting.

**IT IS SO ORDERED.**

**BY THE COURT:**

  
Vicky L. Johnson  
District Judge