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ORDER RE: MEDIA ACCESS TO AND LIVESTREAMING OF INQUEST PROCEEDINGS Effective January 30, 2024

The following Order governs the use of Cameras and other Recording Devices during the Inquest Proceedings. The purpose of this Order is to provide the parties a fair hearing, to preserve the dignity of the proceedings, protect juror privacy, and to allow the media and the public reasonable access to Inquest Proceedings. This Order is guided by open courts principles and General Rule 16 of the Washington State Courts.

1. Livestreaming and Recording

All Pre-Hearing Conferences and Inquest Hearings are livestreamed and video and audio recorded. All recordings will be made available for public viewing on the Inquest Program Website as soon as practicable and will remain available for at least ninety days after the Jury's answers to Interrogatories are sent to the Executive following an Inquest Hearing. The recordings shall be archived, maintained, and made available according to the King County Department of Executive Services rules governing the retention, destruction and disclosure of public records.

2. <u>Reproduction of Inquest Livestreams and Recordings</u>

No video or audio record, photograph, screenshot or any portion of an Inquest Proceeding shall be reproduced or livestreamed without authorization of the Inquest Administrator. Notice of this restriction shall be provided at the start of each virtual Inquest Proceeding and any recording thereof.

3. <u>Recording of and Media Access to In-Person Inquest Proceedings</u>

a. **Definitions**. For purposes of this Order:

- i. "Camera" includes all devices capable of capturing Images, including but not limited to still cameras, television cameras, video cameras, mobile phones and any device capable of livestreaming;
- ii. "Image" or "Images" applies to still photographs, television broadcasts, and video recordings, and
- iii. "Hearing Room" means any physical location being used for Inquest Proceedings.
- iv. "Recording Device" includes any device capable of recording and/or livestreaming video and/or audio input;
- b. Mobile phones are permitted in the Hearing Room, provided that they do not interrupt the proceedings and are not used to record or transmit Images or audio of the Inquest Proceedings. All other Cameras or Recording Devices shall be permitted in the Hearing Room only with authorization of the Inquest Administrator.
- c. Only media representatives shall be permitted to operate a Camera or Recording Device within the Hearing Room for the purpose of recording or transmitting video or audio of the Inquest Proceedings. Permission to operate a Camera or Recording Device in the Hearing Room only shall be granted to media representatives who have signed a Media Log verifying that they have received and read a copy of this Order and agree to abide by this Order. Media representatives and any person operating a Camera or Recording Device shall be familiar with the <u>Bench-Bar-Press</u> <u>Statement of Principles</u> and <u>General Rule 16</u> of the Washington State Courts. Where the Statement of Principles or GR16 conflict with this Order, this Order shall take precedence.
- d. One still photography Camera is allowed in the Hearing Room. The Hearing Room still photography Camera will be a "pool" Camera. The pool Camera operator shall share Images when requested by other media outlets. The still Camera shall, at a minimum, be a high-quality DSLR or similar Camera operated by a media representative with professional photography experience. The still photographer will be required to remain in a fixed location in the Hearing Room as approved by the Inquest Administrator.
- e. One television Camera will be allowed in the Hearing Room. The Hearing Room television Camera will be a "pool" Camera and shall share the video feed with other media representatives upon request. Only high-definition professional grade Cameras are allowed for this purpose. The television Camera shall be on a tripod in a fixed location approved by the Inquest Administrator. Any necessary cables shall run in a manner that does not interfere with the safe operation of the Hearing Room or the building.
- f. "Pooling" arrangements for Cameras and other equipment are the sole responsibility of the media representatives. In the absence of agreement regarding equipment or

personnel issues, the Inquest Administrator may exclude media representatives from the Hearing Room.

- g. The operators of both the television and the still pool Cameras must arrive at least fifteen (15) minutes before the scheduled start of the proceedings and shall identify themselves to an Inquest Program staff member.
- h. Any Camera or Recording Device permitted in the Hearing Room shall only be operated while the proceedings are in session and on the record.
- i. No person shall use a Camera or other device in any way to record the Image of any member or potential member of the Jury. If such Images are inadvertently captured or must be captured in order to record a witness or other aspect of the proceedings, the face(s) of the juror(s) or potential juror(s) shall be edited out or blurred before any publication or release of such Images.
- j. Unless otherwise directed by the Inquest Administrator, approved Camera and Recording Device operators are allowed to photograph, video, livestream or record any participant in the proceeding who is not a member or potential member of the Jury. Witnesses or other participants may request that their Image not appear in any photograph, video, livestream, or record of proceedings. Such requests will be reviewed and approved or denied by the Inquest Administrator. Approved Camera and Recording Device operators shall abide by the Inquest Administrator's direction to not photograph, video, livestream or record a witness or other participant in the proceeding.
- k. Unless presented as evidence in open proceedings for viewing by the Jury, no document, photograph, or other exhibit may be recorded or livestreamed. The papers, exhibits, documents, or electronic devices at or on counsel table or in the possession or control of counsel shall not be recorded by the media representatives. Sidebar conferences with counsel and the Inquest Administrator shall not be recorded.
- 1. Any Camera or Recording Device put in place by the media shall not be moved while the proceedings are in session. No supplemental artificial lighting for recording purposes shall be used anywhere in the Hearing Room. This includes television lighting, flashbulbs, or strobe lights.
- m. No interviews of any type, whether by media representatives or members of the public, shall take place inside the Hearing Room. Interviews shall take place outside the presence or hearing of any member or potential member of the Jury.
- n. Livestreaming or other live coverage from the building is permitted so long as it does not disrupt the proceedings and is done outside the presence or hearing of members or potential members of the Jury.
- o. A mult box with at least four XLR-type audio outputs will be provided for media representatives to capture and record sound from the audio system in the Hearing

Room. If the number of requests for audio outputs exceeds the capacity of the mult box, the media representatives in attendance shall agree on one media representative to serve as a "pool" feed. A single output from the Hearing Room audio system will be provided to this pool feed. The selected media representative shall share their recordings with all other media outlets when requested. Any necessary cables shall run through the Hearing Room and building hallways in a manner that does not interfere with the safe operation of the Hearing Room or the building.

- p. Seating in the Hearing Room is limited. When necessary, the Inquest Program may elect to implement a media credentialing system. Such credentials will be limited to one per media organization, with the exception of those operating "pool" Cameras or audio feeds. Media personnel without credentials may be seated in an overflow area, when available.
- 4. All media representatives who operate Cameras or Recording Devices are subject to this Order and the continuing supervision of the Inquest Administrator. Any violation of this Order or other interference with or disruption of the proceedings may be a basis for sanctions including termination of further operation of a Camera or Recording Device and/or being barred from attending the proceeding.

DONE this 30th day of January, 2024.

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Marcine Anderson Inquest Administrator

Julia Garratt Inquest Administrator

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Robert McBeth Inquest Administrator Emeritus