



# Media Guidance Document

**State of Minnesota v. Kimberly Potter**

27-CR-21-7460

**Trial start date: Tuesday, November 30, 2021**

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## Purpose of the Media Guidance Document

The purpose of this guide is to provide key information to media members regarding the State of Minnesota v. Kimberly Potter case.

## Court Staff Contact Information

All media inquiries concerning this case should be directed to Matt Lehman, Hennepin County District Court Communications Specialist, at [matt.lehman@courts.state.mn.us](mailto:matt.lehman@courts.state.mn.us) or 612-348-5022. The preferred initial method of contact is email.

Any questions about items outlined in the Media Vehicle Parking and Media Staging Area sections should be directed to Carolyn Marinan, Public Relations Officer at Hennepin County, at 612-910-9111 or [carolyn.marinan@hennepin.us](mailto:carolyn.marinan@hennepin.us).

Media should not contact Judge Regina Chu or her judicial staff with any questions or concerns.

## Relevant Policies

Media members will need to adhere to the following orders and policies when covering this case:

- A [\*\*Trial Management Order\*\*](#) has been issued for this trial.
- Rule 4 of the [\*\*Minnesota General Rules of Practice for the District Courts\*\*](#) governs visual and audio recordings of court proceedings.
- The [\*\*Memorandum of Understanding Governing the Usage of Cameras and Recording Devices in Fourth District Court Facilities\*\*](#) details where cameras and recording equipment are prohibited in the Hennepin County Government Center.
- Hennepin County has adopted rules related to use of the Government Center building and plazas to ensure the safety and well-being of all visitors and staff. See [\*\*Government Center Building and Plaza Rules\*\*](#).

## COVID-19 Protocols

Hennepin County has implemented additional requirements for entry to all county buildings, which include all Hennepin County District Court courthouses. All visitors are required to wear face coverings and adhere to the posted capacity limits in all spaces. Visitors who have tested positive for COVID-19 symptoms or who are experiencing COVID-19 symptoms should not enter any county building. A summary of Hennepin County District Court operational changes due to COVID-19 is available at the [\*\*Hennepin County District Court COVID-19 Information page\*\*](#).

## Case Description

Kimberly Potter has been charged with two felony counts resulting from events that allegedly took place April 11, 2021, in the City of Brooklyn Center:

- **Count 1:** Manslaughter – First Degree – Predicated on Reckless Use/Handling of a Firearm
- **Count 2:** Manslaughter – Second Degree

## Court Documents

Public documents filed in this case are available on the following case webpage:

- [27-CR-21-7460: State vs. Kimberly Potter](#)

Media and the public can sign up to receive email and/or text updates when new information or documents are posted to the case webpage. A link to sign up for these updates is located at the top of the page.

## Juror Information

Prospective and selected jurors' names, addresses, and other identifying information will not be divulged, [per judicial order](#). At the conclusion of deliberations, selected and alternate jurors' names and some contact information shall be made public only by the Court and on a date designated by the Court in a written order.

A [blank template of the supplemental juror questionnaire](#) being used in this case was filed electronically in the case record and is available on the [case webpage](#).

## Trial Timeline

The trial is scheduled to begin on Tuesday, November 30, 2021, at 9 a.m. (CST) in Courtroom 1856 (C-1856) at the Hennepin County Government Center.

Jury selection (also known as *voir dire*) starts on November 30 and is anticipated to take up to one week.

Opening statements in the trial will begin on Wednesday, December 8, 2021. During each day of the trial, there will be a morning and afternoon break, and a break for lunch. Judge Chu may or may not clarify each day's schedule in advance.

Jurors will be partially sequestered during deliberation, per [Judge Chu's August 10 Order for Juror Anonymity and Sequestration](#). Per the order, "Two alternate jurors will be selected and seated throughout the trial. Alternate jurors shall be selected and serve as set forth in Minnesota Rules of Criminal Procedure 26.02(9)."

During deliberation, the only updates the Court will provide to the media are the following and will be shared via the [trial case webpage](#):

- When the jury begins deliberating for the day
- When the jury has a question to be read in court, on the record
- When the jury adjourns deliberations for the day
- When a verdict has been reached

## Location

The trial will be located in Courtroom 1856 (C-1856) at the Hennepin County Government Center:

300 South Sixth Street  
Minneapolis, MN 55487

The Hennepin County Government Center is currently open to the public and will stay open during the trial, subject to the Court's discretion. The entrance to the building will be through the North Plaza doors (5<sup>th</sup> Street/fountain side of the building). The Court (C) Tower weapons screening will be open. The Administration (A) Tower weapon screening will be closed. The parking ramp at the Hennepin County Government Center will be closed to the public beginning Monday, November 29, 2021. The skyway to and from the Government Center and the tunnel to Minneapolis City Hall will also be closed beginning November 29.

Access to the 18<sup>th</sup> floor of the Hennepin County Government Center will be limited to credentialed trial participants, Court personnel, and Hennepin County-approved staff. Except for media who are selected by the Court's lottery system for courtroom seating, members of the media will not have access to the 18<sup>th</sup> floor during the trial. An overflow room for media and the public (capacity: 28 seats) will be available on a first-come, first-served basis in Courtroom 1659 in the Hennepin County Government Center. Please see more in the sections about Courtroom Seating for Media and Overflow Seating in this guide for additional information.

## Media Vehicle Parking

Limited media parking on the South Plaza along 4th Avenue remains available on a first-come, first-served basis. Media are required to display credentials on their vehicle and/or on the dashboard at all times.

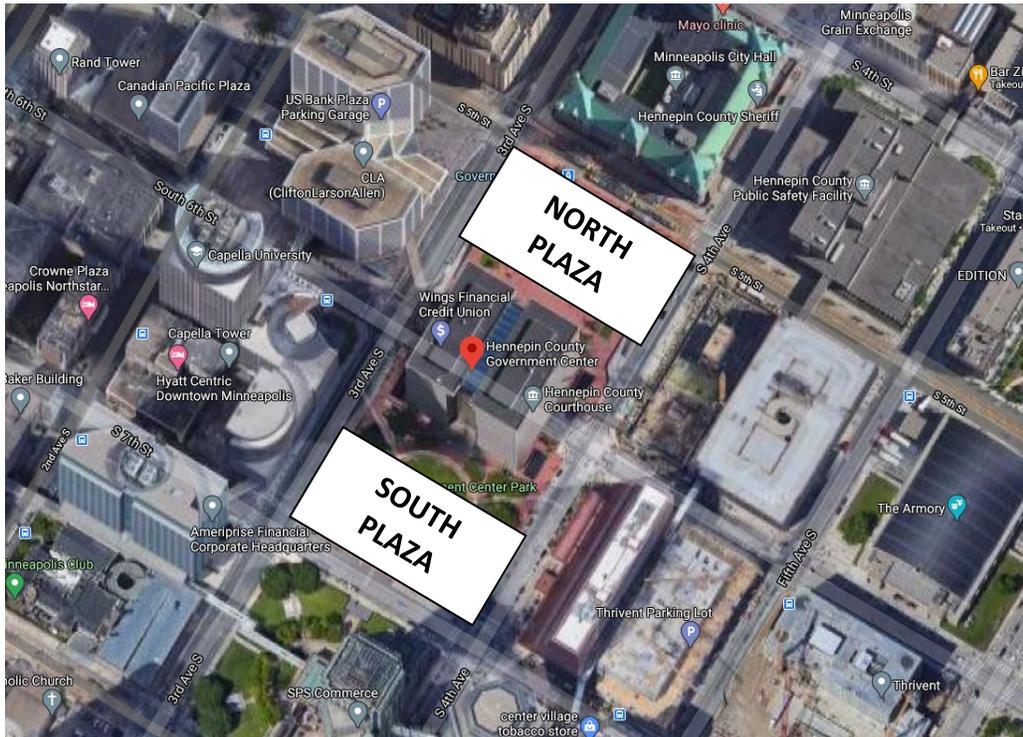
Media may find information about city-owned parking ramps and [parking meters](#) near the courthouse on the [City of Minneapolis website](#). There is also a [privately owned ramp](#) behind the 625 Building at 425 6<sup>th</sup> Street South.

Parking meters have varying time restrictions and rates. Time restrictions and rates are posted at each metered space. There are city-owned and privately owned parking ramps located in downtown Minneapolis, with varying rates.

## Media Staging Area

There are spots in the North and South Plazas for potential exterior standup locations. Portable tents and generators are not allowed on the [South and North Plazas](#). There is no credentialing or reservation system in place for these areas, and space is available on a first-come, first-served basis. At no time will camera set-ups be allowed to impede the flow of pedestrian traffic inside or outside the building. There will be a small indoor media staging area on the Skyway Level of the Hennepin County Government Center. Space will be limited and available on a first-come, first-served basis. The Hennepin County District Court will play no role in arranging or coordinating any news conferences associated with the trial.

## Hennepin County Government Center Aerial (300 South Sixth Street)



### Cables

All cables placed in common spaces, including sidewalks and streets inside or outside of the Hennepin County Government Center, shall be covered in such a manner as to avoid interference with pedestrian or vehicular traffic and must conform to City of Minneapolis and Hennepin County ordinances.

### Courthouse Security

All persons entering the towers of the Hennepin County Government Center must pass through metal detectors (like those at airports and other government buildings). Under Minnesota law, it is a crime for a person in a courthouse complex to possess a dangerous weapon, ammunition, or explosives.

According to [Rule 4 of the MN Rules of General Practice for the District Courts](#), no pictures or voice recordings, except the making of the official court record, shall be made in any courtroom or any area of the courthouse where courtrooms are located.

### Livestream of Trial

The Court will be allowing audio and video recording, broadcasting, and livestreaming of the trial, but only from Courtroom 1856 and only during trial sessions. For more information, please refer to the [Order Regarding Audio-Visual Coverage](#). The pool producer selected for livestreaming the trial is Court TV.

Still photos or video footage of the empty trial courtroom may be posted in an updated version of this media guide at a later time at the Court's option and discretion.

## Courtroom Seating for Media

[Judge Chu's Trial Management Order](#) specifies that there will be two seats available for the media in the trial courtroom (C-1856) each day of the trial. The two media seats will be allocated based on a lottery held by the Court. Interested media members may submit their lottery entry by Friday, November 19, 2021 via the online survey that will be posted to the [Attending Hearings tab](#) of the case webpage on Wednesday, November 17. Access to the trial courtroom and the 18<sup>th</sup> floor are limited to credentialed media who receive seats through the lottery. No uncredentialed persons will be allowed access to the 18<sup>th</sup> floor.

If one of the media representatives is a sketch artist, no drawings of the jurors will be allowed other than to depict the jurors as ovals without features, per judicial order. The sketch artist may use a tablet for sketching but will not be allowed to transmit drawings, post on social media, or transmit any other data from the 18<sup>th</sup> floor.

Media members who occupy courtroom and/or overflow room seats are not obligated to share updates, notes, etc. with other media outlets, but are permitted to do so with a broader media pool if they wish to self-organize such a system. Members of the media must follow all rules set forth in Judge Chu's [Trial Management Order](#) as well as Hennepin County building use guidelines.

## Overflow Seating

There will be a shared overflow room for members of the media and the public, located in Courtroom 1659 (C-1659) in the Hennepin County Government Center. There are no reservations for the overflow room and its 28 seats are available on a first-come, first-served basis. The overflow room opens 30 minutes before the trial begins for the day and closes 15 minutes after the trial concludes for the day. The trial livestream will be displayed on monitors inside the overflow room for the public and media to observe the trial. The livestream feed will be the exact same feed that will be livestreamed and accessible from any other location.

All occupants of the overflow room must avoid use or visible possession of all mobile devices, including smartphones, cell phones, and tablets. Media may use laptops in order to take notes and may transmit data and posts to social media from the overflow room. However, media may not take photos, record video or audio from the overflow room, including taking photos or video of the camera feeds. Please note that the public WiFi signal in C-1659 may be limited in bandwidth.

Non-alcoholic beverages will be allowed in the overflow room, but no food will be permitted.

Live shots or standups are not allowed in the overflow room nor on the 18th floor of the Hennepin County Government Center. Live shots or standups are allowed on the skyway level of the Hennepin County Government Center and outside of the Hennepin County Government Center. The skyway level will be modified to accommodate both media interest in the trial as well as public and court user access, so space will be limited.

## Electronic Equipment

The two media representatives selected by Court lottery may use electronic devices such as laptops or iPads to take notes, but will not be allowed to transmit those notes, post on social media, or transmit any other data from the 18<sup>th</sup> floor. Smartphones and smartwatches will be checked into a secured locker and will not be allowed in the courtroom.

Media members seated in the overflow room will be able to use their electronic devices, including smartphones and laptops (as noted in the Overflow Seating section above). They will be allowed to post social media updates, but they will not be allowed to take photos, record video or audio from the overflow room, including taking photos or video of the camera feeds. Individual members of the media are not allowed to store equipment in the overflow room overnight, nor over the weekends. The Court and Hennepin County will not be liable for lost, damaged, or stolen equipment left in the space.

## News Conferences

News conferences involving the trial parties must be arranged and conducted by the parties and the media. News conferences must take place in designated public spaces of the Hennepin County Government Center or outside the Hennepin County Government Center.

Absolutely no photography (video or still) or audio recording will be allowed outside of any courtroom or any court floor inside the Hennepin County Government Center. See [Order regarding cameras in the Fourth Judicial District](#) for further details.

## Overview of Hennepin County District Court

The Fourth Judicial District includes only [Hennepin County](#), which is made up of [45 cities](#) (population: 1.2 million). It is the State of Minnesota's latest trial court with 63 judges, 12 referees, and over 500 staff who process approximately 40% of all cases filed in the state. Courtrooms and administration offices are in six buildings, including four in downtown Minneapolis and two in the suburbs.

In 2019, more than 460,000 cases were filed in Fourth Judicial District courts.

The District Courts are in courthouses in each of the state's 87 counties, where 295 judges serve. The district courts are organized into 10 judicial districts.

## Attachments

- a. [Trial Management Order](#)
- b. [Kimberly Potter Complaint](#)
- c. Trial Participants
  - i. Counsel for Potter – [Earl Gray](#)
  - ii. Prosecution – [Matthew Frank, Minnesota Attorney General's Office](#)
- d. [Biography, Judge Regina Chu \(Trial Judge\)](#)
  - i. Judge Chu will not be available for media interviews prior to, during, or after the trial.
- e. [Order granting audiovisual coverage of the trial](#)
- f. [Order regarding cameras in the Fourth Judicial District](#)