

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

State of Minnesota,

Plaintiff,

**ORDER FOR
CONFIDENTIAL JURY**

vs.

Mohamed Mohamed Noor,

Court File No. 27-CR-18-6859

Defendant.

The above-referenced case came on for hearing before the undersigned Judge of District Court on March 29, 2019, in Courtroom 1953 of the Hennepin County Government Center, 300 South 6th Street, Minneapolis, MN 55487, on the Court's own motion pursuant to Minnesota Rule of Criminal Procedure 26.02, subdivision 2. At the hearing, the parties did not object to the Court's proposal for a confidential jury in this case. The Court issued a ruling in open court; this written Order follows as a memorandum and elaboration upon the Court's oral ruling.

Amy Sweasy, Esq., and Patrick Lofton, Esq., appeared on behalf of the State of Minnesota.

Thomas Plunkett, Esq., and Peter Wold, Esq., appeared with and on behalf of Defendant Mohamed Noor.

Minnesota Rule of Criminal Procedure 26.02, subdivision 2 allows the Court to restrict access to prospective and selected jurors' names, addresses, and other identifying information if a strong reason exists to believe that the jury needs protection from external threats to its members' impartiality.

The Court finds that the level of media and public interest in this case is very high. There is regular and extensive local, national, and international media coverage of this case. The Court

recently received an email from an editor of the *Star Tribune* estimating hundreds of thousands of readers for its trial coverage. The Court's chambers has received threatening phone calls concerning the Court's evidentiary rulings in the case. Community groups have organized and demonstrated on behalf of the decedent and on behalf of the defendant in this case.

The Court finds that restrictions on public access to juror identity are necessary to protect the jurors in this case from unwanted publicity or harassment that may endanger their impartiality.

The prospective and seated jurors in this case shall be identified by number in open court to protect their identity. Prospective and seated jurors' names, addresses, and other identifying information will be sealed in the court record until the conclusion of the trial or longer as the Court finds necessary.

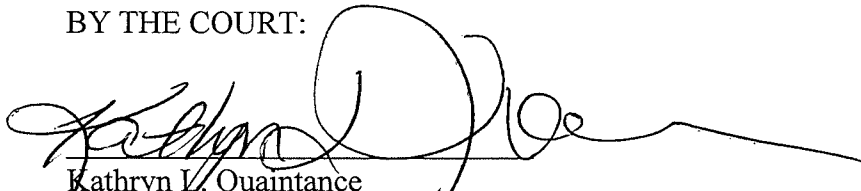
Because the Court is not concerned that the parties constitute a threat to juror safety or impartiality, the Court does not restrict their access to juror information in order to minimize prejudice to them in the important process of jury selection. Furthermore, the Court will permit extensive *voir dire* of the prospective jurors in this case, with the use of a 66-question jury questionnaire and individual questioning with respect to potential jurors' exposure to prejudicial publicity. *See* Minn. R. Crim. P. 26.02 subdivs. 2(3), 4(2)(b). The Court will also give the jurors an appropriate instruction with respect to the confidentiality of their information and the reasons therefor.

IT IS SO ORDERED.

BY THE COURT:

Date:

4/1/19


Kathryn L. Quaintance
Judge, Fourth Judicial District