

**IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT**

STATE OF IDAHO

Plaintiff,

v.

CHAD GUY DAYBELL,

Defendant.

Case No. CR22-21-1623

ORDER

NOTICE OF PERMANENT SEALING
OF CERTAIN TRIAL EXHIBITS

On May 30, 2024, following the presentation of evidence by the State of Idaho and Defense, a jury returned a VERDICT finding Defendant Chad Guy Daybell guilty of all charges in the AMENDED INDICTMENT. On June 1, 2024, a jury returned a SPECIAL VERDICT to impose the Death Penalty on Defendant Daybell. On June 3, 2024, Daybell filed a NOTICE OF APPEAL to the district court.

The Court has carefully considered the salient facts of this case, the high profile nature of the trial, and the contents of the exhibits admitted and published therein. Today, the Court considers the overarching policy considered in Idaho Code §19-5306: that “victims of crimes be treated with fairness, respect, dignity and privacy throughout the criminal justice process.”

In cases involving homicide, where the actual victim is unable to exercise those rights themselves, the courts in Idaho are to apply equal consideration to “the immediate families of homicide victims or immediate families of victims of such youthful age or incapacity as precludes them from exercising these rights personally.” I.C. §19-5306(3).

Here, there are three victims of homicide: (1) Tylee Ryan, (2) Joshua Jaxon (“JJ”) Vallow, and (3) Tamara Douglas Daybell. The Court, in considering the future unsealing of certain portions of the record in this case upon “final disposition,” considers the continuing policy of allowing

victims and their immediate families to be afforded the rights of fairness, respect, dignity and privacy. Following the conclusion of the jury trial, this Court has received multiple requests from various individuals, including media members and authors intending to publish information about this case in their respective business ventures. Certain requests seek to obtain all of the exhibits in this case, with some expressly requesting the autopsy photos published to the jury in this case. The Court notes that at trial those photos were published to the jurors, the parties, the Court, and in some instances privately to the victims, upon their request. They were not however publicly disseminated in consideration of the above-stated policies.

The Court here balances out the rights of victims and the general public's right to case information, including those who have a vested interest in monetizing the tragedy surrounding this case. The right of the public to information in a criminal case is clear.¹ That right to information must be balanced against the policies stated herein. Notably, the Court was particularly moved by several victim impact statements at sentencing expressly criticizing individuals proclaiming to be "media"² who, in the course of this case, have disrupted the lives of the families of these victims in the past and now continue their efforts to sensationalize and capitalize on this case. Some of those family members described in detail the psychological trauma they have unfairly been subjected to by the "media," simply because they had some familial relationship to the victims in this case.

¹ From a recent Idaho Supreme Court Opinion: "This Court has long respected the media's role in our constitutional republic, and honored the promises in both the Idaho Constitution and the First Amendment to the U.S. Constitution: "The underlying rationale of the First Amendment protection of freedom of the press is clear ... the public must know the truth in order to make value judgments, ... The only reliable source of that truth is a 'press' ... which is free to publish that truth without government censorship. We cannot accept the premise that the public's right to know the truth is somehow enhanced by prohibiting the disclosure of truth in the courts of the public." *Caldero v. Tribune Pub. Co.*, 98 Idaho 288, 298, 562 P.2d 791, 801 (1977).

The Associated Press v. Second Jud. Dist., 172 Idaho 113, 529 P.3d 1259, 1270 (2023)

² The Court is not here referring to established and historically recognized reporting agencies, such as the Associated Press, etc. Rather, the reference "media" pertains to "true crime" bloggers, YouTubers, Crimecon participants, etc.

It is the intention of this Court to mandate the fair, respectful, dignified consideration of these victims and their immediate family members by finding the content of these exhibits is fairly classified as material “the publication of which would be highly objectionable to a reasonable person” under Idaho Court Administrative Rule 32(i)(2)(A). Accordingly, this Court will, upon “final disposition” of this case permanently seal the following trial exhibits:

- | | |
|---------------------------|---------------------------|
| 1. State’s Exhibit 10K | 37. State’s Exhibit 176M |
| 2. State’s Exhibit 10L | 38. State’s Exhibit 176N |
| 3. State’s Exhibit 11B | 39. State’s Exhibit 176O |
| 4. State’s Exhibit 11C | 40. State’s Exhibit 176P |
| 5. State’s Exhibit 11D | 41. State’s Exhibit 176Q |
| 6. State’s Exhibit 11E | 42. State’s Exhibit 176R |
| 7. State’s Exhibit 11F | 43. State’s Exhibit 176S |
| 8. State’s Exhibit 11G | 44. State’s Exhibit 176T |
| 9. State’s Exhibit 12 | 45. State’s Exhibit 176U |
| 10. State’s Exhibit 37H | 46. State’s Exhibit 176V |
| 11. State’s Exhibit 170L | 47. State’s Exhibit 176X |
| 12. State’s Exhibit 170M | 48. State’s Exhibit 176Y |
| 13. State’s Exhibit 170N | 49. State’s Exhibit 176AA |
| 14. State’s Exhibit 170O | 50. State’s Exhibit 176BB |
| 15. State’s Exhibit 170P | 51. State’s Exhibit 176CC |
| 16. State’s Exhibit 170Q | 52. State’s Exhibit 176DD |
| 17. State’s Exhibit 170R | 53. State’s Exhibit 176EE |
| 18. State’s Exhibit 170W | 54. State’s Exhibit 176FF |
| 19. State’s Exhibit 170AA | 55. State’s Exhibit 176GG |
| 20. State’s Exhibit 170BB | 56. State’s Exhibit 176HH |
| 21. State’s Exhibit 170DD | 57. State’s Exhibit 176II |
| 22. State’s Exhibit 170II | 58. State’s Exhibit 176JJ |
| 23. State’s Exhibit 170JJ | 59. State’s Exhibit 176LL |
| 24. State’s Exhibit 170KK | 60. State’s Exhibit 176MM |
| 25. State’s Exhibit 170LL | 61. State’s Exhibit 177C |
| 26. State’s Exhibit 170MM | 62. State’s Exhibit 177D |
| 27. State’s Exhibit 170NN | 63. State’s Exhibit 177E |
| 28. State’s Exhibit 176D | 64. State’s Exhibit 177F |
| 29. State’s Exhibit 176E | 65. State’s Exhibit 177G |
| 30. State’s Exhibit 176F | 66. State’s Exhibit 177H |
| 31. State’s Exhibit 176G | 67. State’s Exhibit 177I |
| 32. State’s Exhibit 176H | 68. State’s Exhibit 177J |
| 33. State’s Exhibit 176I | 69. State’s Exhibit 177K |
| 34. State’s Exhibit 176J | 70. State’s Exhibit 177L |
| 35. State’s Exhibit 176K | 71. State’s Exhibit 177M |
| 36. State’s Exhibit 176L | 72. State’s Exhibit 177N |

73. State's Exhibit 177O
74. State's Exhibit 177P
75. State's Exhibit 177Q
76. State's Exhibit 177R
77. State's Exhibit 177S
78. State's Exhibit 177T
79. State's Exhibit 177U
80. State's Exhibit 177V
81. State's Exhibit 177W
82. State's Exhibit 177X
83. State's Exhibit 177Y
84. State's Exhibit 180
85. State's Exhibit 181
86. State's Exhibit 295D
87. State's Exhibit 295E
88. State's Exhibit 295F
89. State's Exhibit 295G

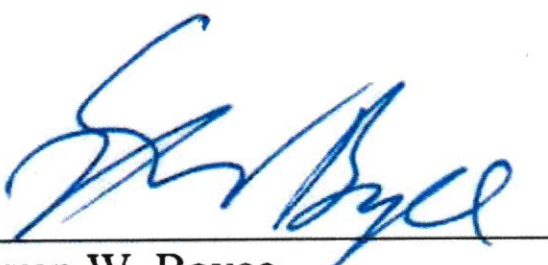
90. State's Exhibit 295H
91. State's Exhibit 295I
92. State's Exhibit 295J
93. State's Exhibit 295K
94. State's Exhibit 295L
95. State's Exhibit 423:
Pages 1-13 of the middle of
the report contain graphic
photos, all of which are to
remain permanently sealed
for the reasons stated herein;
however, the first 4 pages of
the report are permitted to
eventually be inspected.
96. Defense Exhibit 103
97. Defense Exhibit 136

The above-referenced exhibits, upon balance, are to remain sealed as the interests of the victims and their family members to be spared the ongoing trauma of such sensitive or gruesome material being disseminated is not outweighed by the right of public disclosure of this evidence. Victims Tylee Ryan, JJ Vallow, Tamara Douglas Daybell and their family members' respect, dignity and privacy are best protected by the continued sealing of these exhibits.

The legal custodian of the above-referenced exhibits are expressly prohibited from disseminating them without express authorization from this Court to do so.

IT IS SO ORDERED.

Dated this 17 day of June, 2024.


Steven W. Boyce
District Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of June, 2024, the foregoing Order was entered and a true and correct copy was served upon the parties listed below by mailing, with the correct postage thereon, or by causing the same to be delivered to their courthouse boxes; by causing the same to be hand-delivered, by facsimile, or by e-mail.

Parties Served:

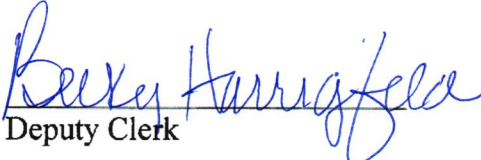
Lindsey Blake
Robert H. Wood
Attorneys for State of Idaho

Raul Labrador
Attorney General for the State of Idaho

John Prior
State Appellate Public Defender
Former Attorney/ Attorneys for Defendant

Clerk of the District Court
Fremont County, Idaho

by


Deputy Clerk