

ALBUQUERQUE–Quickly after the Second Judicial District Court announced restrictions to journalists covering cases, journalists denounced and mocked the restrictions. The court admitted it was “overbroad” and said that the restrictions were being rewritten.

A memo to members of the press titled “Media Access to the Courthouse” laid out the new restrictions and is dated June 2, though journalists received it on Wednesday morning, June 3.

The memo acknowledges that “cameras and recording devices are allowed in the courtroom” as long as they abide by a rule set forth by the New Mexico Supreme Court.

More from the memo, with quotes from the Supreme Court:

In addition, the media coverage must not “detract from the dignity of the court proceedings or otherwise interfere with the achievement of a fair and impartial hearing…” and the “…decorum and dignity of the court…must be maintained at all times.”

Using this justification, the court imposed a new rule saying that “broadcasters, photographers, film crews and reporters are required to notify the Clerk of the court at least twenty-four (24) hours in advance of their desire to cover a court proceeding.”

It also seeks to ban reporters from “filming, photographing, interviewing, or related activity, in the Court’s hallways, lobbies and elevator foyers.”

The Rio Grande Chapter of the Society of Professional Journalists (see note below) said in a statement
that the restrictions “mock the principles of open courts.”

“The public has a right to see its justice system at work,” the statement from the group that represents journalists in the state said. “Impeding the work of journalists who report from the courts will only erode that right and, we fear, limit the community’s access to this institution.”

The New Mexico Foundation for Open Government also opposes the new restrictions.

“The Foundation for Open Government believes the Media Access Policy issued today by the Second Judicial District Court places unfair and unconstitutional restrictions on the First Amendment right of our local media to report on matters of public importance,” executive director Susan Boe told *New Mexico Political Report* in a statement. “FOG is not aware of any other court which has attempted to place these type of restrictions on the press. If the Second Judicial District Court attempts to enforce these new restrictions, it is the public who will suffer.”

“FOG calls on the Second District Judicial District Court to immediately withdraw its new policy,” Boe continued.

In speaking to the *Albuquerque Journal*, Chief Judge Nan Nash said on Wednesday that the policy was being rewritten.

“This is overbroad,” she admitted. “It was never intended to address reporters. It’s intended to clarify the rule about when and how film crews could be present in the courthouse.”

The policy was sent to the media before lunch Wednesday by public information officer Tim Korte asking that it be distributed to photographers, reporters and anyone who “interfaces” with the court.

According to the paper, the rule was put in place because a camera crew sought to interview a judge involved in a controversial plea deal, dubbed a “sweetheart deal” by local TV stations, for Andrew Romero. Romero is allegedly the man who shot and killed a Rio Rancho Police Department officer.