

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF FREEBORN

THIRD JUDICIAL DISTRICT

State of Minnesota,

Plaintiff,

**STATE'S OBJECTION TO VISUAL
AND AUDIO RECORDINGS PURSUANT TO
MINN. GEN. R. 4.02(d) and 4.03(b)**

vs.

Melissa Lynn Hanson (07/14/1964),

District Court File No. 24-CR-21-137

Defendant.

TO: The District Court of the Third Judicial District, and Melissa Lynn Hanson, Defendant:

PLEASE TAKE NOTICE that pursuant to Minn. Gen. R. 4.02(d) and 4.03(b) the State does not consent and objects to ABC 6 News KAAL Notice of Visual or Audio Coverage pursuant to Minn. Gen. R. 4.03(a).

On November 24, 2021, the State was served ABC 6 News KAAL Notice of Visual or Audio Coverage pursuant to Minn. Gen. R. 4.03(a). In criminal proceedings occurring before a guilty plea has been accepted or a guilty verdict has been returned, a judge may authorize, *with the consent of all parties* in writing or made on the record prior to the commencement of the trial the visual or audio recording and reproduction of appropriate court proceedings. Minn. Gen. R. 4.02(d) (emphasis added). State does not consent to the visual or audio recording of the criminal jury trial scheduled to commence on December 6, 2021, at 08:30 a.m. at Freeborn County District Court located in Albert Lea, Minnesota.

Pursuant to Minn. Gen. R. 4.03(b) the State objects to visual or audio coverage. The Defendant's Sixth Amendment right to a public trial and the public and media's access to criminal trials under the First Amendment are not unlimited. *Globe Newspaper*, 457 U.S. at 606; *State v. Fageroos*, 531 N.W.2d 199, 201 (Minn. 1995). Courts have noted that failure to restrict public and media access inside the courtrooms of high-profile cases resulted in media action that was so intrusive and disruptive that Defendants' right to a fair trial were violated. See *Estes v. Texas*, 381 U.S. 532 (1965); see also *Nebraska Press Ass'n v. Stuart*, 427 U.S. 539, 548-549 (1980).

There have been multiple in-person hearings in this matter. Despite Defendant's use of social media platforms to encourage the public to attend in person, these hearings were attended by a relative few or by up to approximately 20 people. The court easily accommodated those who appeared. In light of the historically small number of those attending in person at hearings in this matter and the large size of the Freeborn County courtrooms, the court can accommodate those wishing to attend the trial in person.

More importantly, some of Defendant's supporters attending these hearings engaged in disruptive conduct in an attempt to use the courtroom as a public forum for expressing their opposition to Governor Walz's Executive Orders and imposed COVID-19 protective measures. Such conduct included creating a scene by refusing to comply with the Court's mask mandates in hopes of instigating adverse reactions and removal from the courtroom by court staff and/or deputies included Facebook livestreaming said response and making loud comments regarding the proceeding during the proceedings. This distracting conduct has not been limited to just the courtroom. Defendant and her supporters have disrupted other public proceedings, such as school board meetings, to express their opposition knowing said events are livestreamed and/or visual and audio recorded for the public.

Granting the request for visual and audio recordings, provides Defendant and her supporters with the motive and opportunity to engage in highly disruptive/distractive behaviors for improper purposes and/or to delay the proceedings.

Additionally, visual and audio recordings for public dissemination would likely have chilling consequences on lay witness testimony. Lay witnesses may be less forthcoming in their testimony knowing their identity and image is being widely disseminated because of the heightened risk to their security, safety, and privacy. Defendant and her supporters could and are likely to disseminate this information on numerous social media platforms to threaten the security, safety, and privacy of these individuals. See the attached threatening social media post informing those opposed to Defendant's conduct are not safe in public. Such threatening conduct and rhetoric continue to occur via Defendant's and her supporter's numerous social media platforms.

Under the circumstances of this case and *the likelihood of such conduct occurring* if visual and audio recording is permitted, Defendant's right to a fair trial would be violated and the conduct would be prejudicial to the State's case.

Finally, the State's witnesses informed the State of their objection to visual and audio recordings. Their written objections pursuant to Minn. Gen. R. 4.03(c) will be forthcoming.

For the above stated reasons, the State does not consent and objects to visual and audio recordings of the trial in this matter. As such, the State respectfully requests the Court deny ABC News KAAL's notice to visually and audio record these proceedings.

Dated: December 2, 2021

Respectfully submitted,

/s/ Kelly Martinez

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**Minnesota Black Robe Regiment**

918 subscribers

*****Be warned, I sound a little mocking and hostile in my tone, it is intentional, these people need to be mocked and they need verbal hostility. Minnesota Nice is killing us and it is not getting us anywhere. I believe that we should utilize the tools of Alinsky against his disciples and make them play by their own rules. Also note there is a section where I say "All Lives Matter" when I mean to be asking her "If Black Lives Matter why...?"*****

I was assisting with door security and crowd control at an event in Albert Lea Minnesota on Friday January 29th, 2021...

As I was letting people in and out at a little past the midway point of the evening the angry guy you first encounter here was only interested in arguing nonsense (he may have been a bit drunk)...

But the truly interesting thing was the clearly Marxist lady who was taking pictures and videos of patrons of the business as she entered and exited...

This is the tactic of groups like Antifa, Blac Block and Black Lives Matter...

They use videos and pictures to try and shame and even disrupt the lives of those they disagree with, going so far as to try and get them fired if they can...

I will no longer play nice!

If you want to be a sneaky underhanded Leftist 'Useful Idiot' as Lenin referred to those who went with the Communist programs, I will start call you out and put your image all over social media just like you do to others...

Lady in the little red car, I do not know who you are, but I hope that your neighbors know that you cannot be trusted...

If you are the type of person that is likely to spy on your neighbors or others because they do not toe your particular political line, you are dangerous to our nation and should be treated as if you have mental health needs, because you do and it isn't safe for you to be in public...

Sic Semper Tyrannis!

-Todd

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