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4 UNITED STATES DISTRICT COURT
5 EASTERN DISTRICT OF WASHINGTON

6 UNITED STATES OF AMERICA,

7 Plaintiff,

8 -vs-

9 ZACHARY WAYNE JONES,

10 Defendant.

No. 2:16-CR-0091-WFN-1

PROTECTIVE ORDER

11
12 Pending before the Court is the Government's Motion for a Protective Order. ECF
13 No. 20. The Government asks that the Court issue a protective order pursuant to 18 U.S.C.
14 § 3509 (d)(3)(B)(ii) in order to protect a minor victim. The Court has reviewed the file
15 and Motions and is fully informed. Accordingly,

16 **IT IS ORDERED** that:

17 1. The Government's Motion to Expedite, filed August 3, 2016, **ECF No. 21**, is
18 **GRANTED**. The underlying Motion was considered on an expedited basis.

19 2. The Government's Motion for a Protective Order, filed August 3, 2016,
20 **ECF No. 20**, is **GRANTED**. The privacy protection measures mandated by 18 U.S.C.
21 § 3509(d), when a case involves a person under the age of eighteen years who is alleged to
22 be a victim of a crime of sexual exploitation, or a witness to a crime committed against
23 another person, apply to this case, thus; all persons acting in this case in a capacity
24 described in 18 U.S.C. § 3509(d)(1)(B), shall follow and abide by the privacy protections
25 of 18 U.S.C. § 3509(d)(1) and (2) as follows:

26 (a) A person acting in a capacity described below in connection with a
27 criminal proceeding shall-- (i) keep all documents that disclose the name or any other
28 information concerning a child in a secure place to which no person who does not have

1 reason to know their contents has access; and (ii) disclose documents described in clause
2 (i) or the information in them that concerns a child only to persons who, by reason of their
3 participation in the proceeding, have reason to know such information.

4 (b) The protections described above apply to--(i) all employees of the
5 Government connected with the case, including employees of the Department of Justice,
6 any law enforcement agency involved in the case, and any person hired by the
7 Government to provide assistance in the proceeding; (ii) employees of the court; (iii) the
8 defendant and employees of the defendant, including the attorney for the defendant and
9 persons hired by the defendant or the attorney for the defendant to provide assistance in
10 the proceeding; and (iv) members of the jury.

11 (c) Filing under seal.--All papers to be filed in court that disclose the name of
12 or any other information concerning a child shall be filed under seal without necessity of
13 obtaining a court order. The person who makes the filing shall submit to the clerk of the
14 court-- (A) the complete paper to be kept under seal; and (B) the paper with the portions of
15 it that disclose the name of or other information concerning a child redacted, to be placed
16 in the public record.

17 (d) Counsel shall remind all persons providing assistance on this case of these
18 obligations.

19 (e) Any alleged minor victim will be referred to either by initials or a
20 pseudonym, whichever is agreed upon by counsel for the United States and the Defendant.
21 Counsel shall be consistent in their use of the identifier selected. The parties shall prepare
22 their witnesses and instruct them to refer to the alleged minor victims only by using the
23 agreed pseudonyms (e.g., "Jane Doe 1", "Jane Doe 2" etc.), rather than their names, in
24 opening statements and in closing arguments.

25 (f) All personal information relating to any minor victim shall be precluded
26 from public disclosure.

27 The District Court Executive is directed to file this Order and provide copies to
28 counsel.

DATED this 8th day of August, 2016.

s/ Wm. Fremming Nielsen

WM. FREMMING NIELSEN
SENIOR UNITED STATES DISTRICT JUDGE

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