

**IN THE CIRCUIT COURT OF COOK COUNTY  
COUNTY DEPARTMENT, CRIMINAL DIVISION**

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 17 CR 0428601
	)	
JASON VAN DYKE,	)	Hon. Vincent M. Gaughan
	)	
Defendant.	)	

**ORDER**

This cause coming to be heard on the Intervenors'<sup>1</sup> Motion for Intervention and Access to Court Documents (the "Motion"), filed on March 6, 2018, requesting relief as set forth specifically in Intervenors' Third Request for Access to Court File Documents and Other Access-Related Relief, filed on April 13, 2018 ("Third Request"), the Court having reviewed all filings concerning the Motion, listened to the arguments of counsel, and being fully advised in the premises, IT IS HEREBY ORDERED:

1. For the reasons stated on the record, Intervenors' request for public release of the documents listed on Exhibit A attached hereto is GRANTED as to Document Nos. 6, 8, 38, 39, 40, 43, 59, 61, 65, 74, 78, 80, and 81, with the following redactions:
  - a. From Document No. 39, the police reports attached as exhibits.
  - b. From Document No. 61, the three grand jury transcripts attached as exhibits.
  - c. From Document No. 65, the entire document and exhibits, except for Exhibit A and any case law attached to the document.
  - d. From Document No. 80, Exhibit No. 9.
2. For the reasons stated on the record, Intervenors' request for public release of the documents listed on Exhibit A attached hereto is DENIED as to Document Nos. 17, 19, 22, 26, 28, 29, 35, 36, 37, 44, 47, 58, 66, 76, 77, 79, 83-87, 89-97, 106, and 108-111.
3. For the reasons stated on the record, Intervenors' request for public release of Document No. 107 (from Exhibit A) is ENTERED AND CONTINUED.

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<sup>1</sup> The Intervenors are the Chicago Tribune Company, LLC; Sun-Times Media, LLC; the Associated Press; WLS Television, Inc.; WGN Continental Broadcasting Company, LLC; WFLD Fox 32 Chicago; Chicago Public Media, Inc.; and the Reporters Committee for Freedom of the Press. This Court granted the request for intervention on March 8.

4. Intervenor's request for public release of the following additional documents, not listed on Exhibit A, is GRANTED:

- a. State's Response to Intervenor's Motion for Access to Court Documents, filed on April 6, 2018;
- b. Defendant Jason Van Dyke's Response in Opposition to Media Intervenor's Motion for Access, filed on April 6, 2018, with the redaction of Paragraph 98 on page 18 of this document;
- c. Intervenor's Third Request for Access to Court File Documents and Other Access-Related Relief ("Third Request"), filed on April 13, 2018; and
- d. Intervenor's Consolidated Response to Parties' Objections to Public Disclosure of Court File Documents, filed on April 13, 2018.

5. By agreement of the Parties and Intervenor, the State's Supplemental Response to Intervenor's Motion for Access (filed April 26, 2018) and the State's Motion to Close [] the Public Hearings Scheduled to be Litigated on May 4, 2018 ("State's Motion to Close Hearing," filed April 28, 2018) are released to the public.

6. Intervenor's request to modify or vacate the Court's February 3, 2017 Decorum Order to require the public filing of all documents in this matter in the clerk's office is DENIED for the reasons stated on the record.

7. Intervenor's request to file publicly in the clerk's office their response to the State's Motion to Close Hearing is DENIED. Intervenor shall file their response to this motion before noon on May 2, 2018, and Intervenor's requests concerning other closed proceedings in this matter (subparagraphs (f) and (g) of Intervenor's Third Request) are ENTERED AND CONTINUED to May 4, 2018. This matter is set for further hearing on May 4, 2018, at 9 a.m. concerning the matters discussed in this paragraph.

DATED: May 4, 2018

ENTERED:

*Vincent M. Gaughan*  
The Hon. Vincent M. Gaughan

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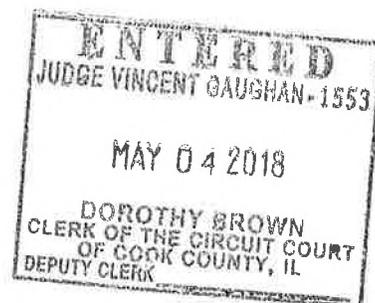


Exhibit A: Filings to which the State objects to their release in part because the presumption of access does not apply

6	Defendant's Motion to Waive Appearance	3/23/2016	No presumption
8	Defendant's Reply to Motion to Waive Appearance	4/27/2016	No presumption
17	People's Initial Garrity Team Disclosure to Defendant	9/29/2016	No presumption
19	People's 1st Supplemental Garrity Team Disclosure	11/2/2016	No presumption
22	People's 2nd Supplemental Garrity Team Disclosure	1/10/2017	No presumption
26	Memo in Support MTS (Exposure to Compelled Statement)	1/18/2017	No presumption
28	MTD Misconduct at GJ	2/3/2017	No presumption
29	Memo of Law in Support MTD GJ	2/3/2017	No presumption
35	Memo of Law MTD Misconduct GJ	4/20/2017	No presumption
36	MTD Indictment & Other Relief GJ	4/20/2017	No presumption
37	MTD Misconduct at GJ	4/20/2017	No presumption
38	2nd Motion for Bill of Particulars	4/20/2017	No presumption
39	Defendant's Supplemental Motion to Waive Appear.	4/20/2017	No presumption
40	MIL Limit Scope of Kastigar Hearing	4/20/2017	No presumption
43	Def. Resp. to MIL Bar Claim of Prejudice PB	5/11/2017	No presumption
44	Response to Motion to Limit Scope of Kastigar	5/11/2017	No presumption
47	Combined Response to MTD & MTD & other relief	5/11/2017	No presumption
58	Brief in Support of People's Garrity/Kastigar Hearing Position	9/7/2017	No presumption
59	Response to Motion to Determine Actual Conflict	9/27/2017	No presumption
61	Motion to Determine Actual Conflict	9/28/2017	No presumption
65	**Reply Motion to Determine Actual Conflict	9/28/2017	No presumption

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66	Defendant's Offer of Proof Kastigar Witnesses	10/4/2017	No presumption
74	Jamie Kalven MTQ Subpoena	11/3/2017	No presumption
76	MTD (Prosecutorial Misconduct)	11/6/2017	No presumption
77	MIL to Admit Lynch Material	11/6/2017	No presumption
78	People's MTQ Subpoena to Jamie Kalven	11/6/2017	No presumption
79	Answer to Discovery	11/6/2017	No presumption
80	Defendant Response in Opp. To MTQ Subpoena of Kalven	11/20/2017	No presumption
81	J. Kalven Reply in Support of his MTQ	12/4/2017	No presumption
83	People's Supplemental Discovery Response 6	12/6/2017	No presumption
84	Reply MTD (Prosecutorial Misconduct)	12/6/2017	No presumption
85	Defense Offer of Proof Lynch	12/6/2017	No presumption
86	Reply MIL Lynch	12/6/2017	No presumption
87	Response MIL to Admit Lynch Material	12/6/2017	No presumption
89	Amended Offer of Proof Lynch	12/13/2017	No presumption
90	Supplemental MTD Prosecutorial Misconduct	12/15/2017	No presumption
91	People's Supplemental Discovery Response 7	12/20/2017	No presumption
92	2nd Amended Offer of Proof Lynch	12/20/2017	No presumption.
93	Response to MTD (Prosecutorial Misconduct)	12/20/2017?	No presumption ?
94	3rd Amended Offer of Proof Lynch	1/5/2018	No presumption
95	Defendant's Initial Expert Witness Disclosure	1/5/2018	No presumption
96	Reply to 3rd Amended Offer of Proof in Support of Lynch	1/12/2018	No presumption
97	*Memorandum in Support of Motion to Suppress Evidence (Def. Compelled Statement )	1/17/2018	No presumption

Exhibit A: Filings to which the State objects to their release in part because the presumption of access does not apply

106	Defendant's Reply to the People's Response to Defendant's Motion to Dismiss the Indictment	12/6/2017	no presumption
107	Defendant's Motion to Change Place of Trial	3/28/2018	No presumption
108	Intervenor's Status Report	3/28/2018	no presumption
109	Defendant's Supplemental list of Expert Witnesses	1/5/2018	No presumption
110	Report of a Defense Expert	2/1/2018	No presumption
111	Report of a Second Defense Expert	2/1/2018	No presumption