

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

State of Minnesota,

Plaintiff,

**ORDER OF PROTECTION FOR
NOT PUBLIC DATA**

vs.

J. Alexander Kueng,

Defendant

Court File No. 27-CR-20-12953

Thomas Kiernan Lane,

Defendant

Court File No. 27-CR-20-12951

Tou Thao,

Defendant

Court File No. 27-CR-20-12949

IT IS HEREBY ORDERED, that the City of Minneapolis shall produce the following data to Defendant Kueng, Defendant Lane, Defendant Thao, and the State of Minnesota:

1. The production of incident detail reports for the following police reports:

Date	Officers	Report #
12/18/19	Ketchmark & Kueng	2019-370663
1/9/20	Woods & Kueng	2020-7908
1/10/20	Woods & Kueng	2020-8133
1/14/20	Woods & Kueng	2020-11416
1/15/20	Woods & Kueng	2020-12210
2/4/20	Nerling & Kueng	2020-31596
2/4/20	Nerling & Kueng	2020-31784
2/15/20	Cape & Kueng	2020-41488
2/24/20	Cape & Keung	2020-49510
2/24/20	Cape & Kueng	2020-50219
3/1/20	Cape & Keung	2020-55010
3/7/20	Chauvin & Kueng	2020-61871
3/8/20	Chauvin & Kueng	2020-62907
3/10/20	Jensen (Allen) & Kueng	2020-64759
3/10/20	Jensen (Allen) & Kueng	2020-65093
3/11/20	Chauvin & Kueng	2020-65958
3/13/20	Chauvin & Kueng	2020-68012
3/13/20	Chauvin & Kueng	2020-68063
3/17/20	Chauvin & Kueng	2020-71901
3/17/20	Chauvin & Kueng	2020-71838
3/20/20	Chauvin & Kueng	2020-74589
3/24/20	Chauvin & Kueng	2020-78199
3/28/20	Chauvin & Kueng	2020-81866
3/29/20	Chauvin & Kueng	2020-82525
3/29/20	Chauvin & Kueng	2020-82674
3/30/20	Chauvin & Kueng	2020-83402
4/5/20	Chauvin & Kueng	2020-89319
4/6/20	Chauvin & Kueng	2020-90422
4/15/20	Chauvin & Kueng	2020-98907
4/16/20	Chauvin & Kueng	2020-99254
4/27/20	Chauvin & Kueng	2020-110815
4/27/20	Chauvin & Kueng	2020-111043
4/28/20	Chauvin & Kueng	2020-112199
4/27/20	Chauvin & Kueng	2020-110269

5/5/20	Chauvin & Kueng	2020-119490
5/8/20	Chauvin & Kueng	2020-122697
5/16/20	Blair & Kueng	2020-131219
5/17/20	Chauvin & Kueng	2020-131607
5/18/20	Chauvin & Kueng	2020-131874
5/22/20	Chauvin & Kueng	2020-137240
5/22/20	Chauvin & Kueng	2020-137496

2. All the Minneapolis Police Department field training records including ROPES (Recruit Officer Performance Evaluations) for Inspector Katie Blackwell (whether data is under her current name or any former name).

This data shall be subject to the following terms and conditions:

1. The data shall be considered not public data under the terms of this Order, and this Order shall govern the examination and use of such documents.
2. The data and information derived from the data shall be disclosed to only “Qualified Persons,” as defined by paragraph 6 below. The data shall not be disclosed to any other person unless and until otherwise agreed by the City of Minneapolis or by the Court.
3. It is expressly understood that the attorneys for Defendants and the State may not use the data for any purpose outside the scope of the issues directly addressed by this criminal action against Defendants.
4. It is expressly understood that attorneys for Defendants and the State may not disseminate this data to any newspaper or any other media organization or individual.
5. If counsel for the parties wish to inquire about the interpretation of this Protective Order, such inquires shall be directed to this Court.
6. “Qualified Persons” are:
 - i. The Court and its staff.
 - ii. Counsel to the parties to the action;

- iii. Paralegal, clerical, secretarial or investigative staff employed by such counsel;
 - iv. Witnesses.
7. This data or information derived from the data shall not be disclosed by any Qualified Person to any other person or persons, except as provided in subparagraph 6.
8. If the data or information derived from that data are to be included in any papers to be filed in the Court, such papers shall be labeled “Confidential,” filed under seal, and kept under seal until further order of the Court.
9. In the event that the data or information derived from the data are used in court proceedings, such documents or information shall not lose their not public status through such use unless otherwise determined by the Court.
10. Nothing herein shall be construed to affect in any way any party’s rights to object to the admissibility of any document, testimony, or other evidence at trial.
11. If any of the Defendants or the State receives a subpoena or other court process that arguably calls for the production of the data or any information derived from the data, the Defendant or State, as applicable, shall give the City of Minneapolis at least ten (10) days notice before producing any such data.
12. Upon termination of this prosecution, Defendants and the State shall return *all* data provided under this Protective Order and copies thereof to the City of Minneapolis, subject to further order of the Court.

13. The designation of any document as not public under this order is for purposes of this protective order only, and shall not be used for the purpose of interpretation of other legal or substantive issues raised in the criminal case against Defendants apart from the application of this order.

Dated:

The Honorable Peter A. Cahill
Judge, Hennepin County District Court