



Media Guidance Document

State of Minnesota v. Tou Thao

27-CR-20-12949

State of Minnesota v. J. Alexander Kueng

27-CR-20-12953

Trial start date: Monday, October 24, 2022

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Purpose of the Media Guidance Document

The purpose of this guide is to provide key information to media members regarding the cases in State of Minnesota v. Tou Thao and State Minnesota v. J. Alexander Kueng.

Court Staff Contact Information

All media inquiries concerning this case should be directed to Matt Lehman, Hennepin County District Court Communications Specialist, at matt.lehman@courts.state.mn.us or 612-348-5022. The preferred initial method of contact is email.

Any questions about items outlined in the Media Vehicle Parking and Media Staging Area sections should be directed to Carolyn Marinan, Public Relations Officer at Hennepin County, at 612-910-9111 or carolyn.marinan@hennepin.us.

Media should not contact Judge Peter Cahill or his judicial staff with any questions or concerns.

Relevant Policies

Media members will need to adhere to the following orders and policies when covering this case:

- Several trial management orders are in place for this trial, including those issued on [October 13, 2022](#) and [April 25, 2022](#).
- Rule 4 of the [Minnesota General Rules of Practice for the District Courts](#) governs visual and audio recordings of court proceedings.
- The [Memorandum of Understanding Governing the Usage of Cameras and Recording Devices in Fourth District Court Facilities](#) details where cameras and recording equipment are prohibited in the Hennepin County Government Center.
- Hennepin County has adopted rules related to use of the Government Center building and plazas to ensure the safety and well-being of all visitors and staff. See [Government Center Building and Plaza Rules](#).

COVID-19 Protocols

Face coverings are not required. Visitors who have tested positive for COVID-19 symptoms or who are experiencing COVID-19 symptoms should not enter any county building.

Case Description

Tou Thao and J. Alexander Kueng are each charged with two felony counts resulting from events that allegedly took place May 25, 2020, in the City of Minneapolis:

- **Count 1:** Aiding and Abetting Second-Degree Murder – Unintentional – While Committing a Felony
- **Count 2:** Aiding and Abetting Second-Degree Manslaughter – Culpable Negligence Creating Unreasonable Risk

Court Documents

Public documents filed in this case are available on the following case webpage:

- [27-CR-20-12949: State v. Tou Thao](#)
- [27-CR-20-12953: State v. J. Alexander Kueng](#)

Media and the public can sign up to receive email and/or text updates when new information or documents are posted to the case webpage. A link to sign up for these updates is located at the top of the page.

Juror Information

Prospective and selected jurors' names, addresses, and other identifying information will not be divulged, [per judicial order](#). At the conclusion of deliberations, selected and alternate jurors' names and some contact information shall be made public only by the Court and on a date designated by the Court in a written order.

A [blank template of the juror questionnaire](#) being used in this case, as well as a [supplemental questionnaire](#), were filed electronically in the case record and is available on the [case webpage](#).

Trial Timeline

The trial is scheduled to begin on Monday, October 24, 2022, at 9:00 a.m. (CDT) at the Hennepin County Government Center.

Jury selection (also known as *voir dire*) starts on October 24 and is scheduled for three weeks. In the event a jury is seated early, the Court will stand in recess until opening statements.

Opening statements in the trial will begin on Monday, November 7, 2022 at 9:00 a.m. (CDT). The trial, including jury selection, will be conducted in Courtroom 1856. During each day of the trial, there will be a morning and afternoon break, and a break for lunch. Judge Cahill may or may not clarify each day's schedule in advance.

Jurors will be partially sequestered during deliberation, per [Judge Cahill's Trial Management Order](#). Per the order, "Up to four alternate jurors will be selected and seated throughout the trial. Alternate jurors shall be selected and serve as set forth in Minnesota Rules of Criminal Procedure 26.02(9)."

During deliberation, the only updates the Court will provide to the media are the following and will be shared via the trial case webpage:

- When the jury begins deliberating for the day
- When the jury has a question to be read in court, on the record
- When the jury adjourns deliberations for the day
- When a verdict has been reached

Location

The trial will be located at the Hennepin County Government Center:

300 South Sixth Street
Minneapolis, MN 55487

The Hennepin County Government Center is open to the public and will stay open during the trial, subject to the Court's discretion.

Access to the 18th floor of the Hennepin County Government Center will be limited to media and victims' family who are on an access list, members of the public seeking one of seven gallery seats, Court personnel, and Hennepin County-approved staff. Except for media who are selected by the media coalition for courtroom seating, members of the media will not have access to the 18th floor during the trial. Overflow rooms for media and the public will be available on a first-come, first-served basis in the Hennepin County Government Center. Please see more in the sections about Courtroom Seating for Media and Overflow Seating in this guide for additional information.

Media Vehicle Parking

Limited media parking on the South Plaza along 4th Avenue remains available on a first-come, first-served basis. Media are required to display credentials on their vehicle and/or on the dashboard at all times.

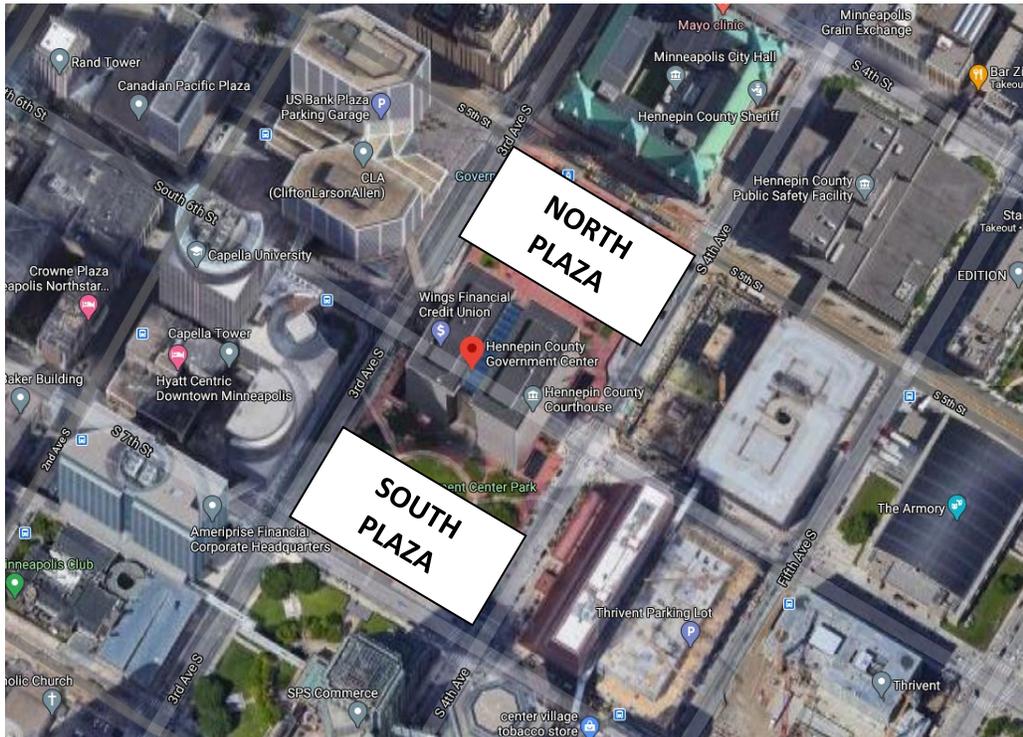
Media may find information about city-owned parking ramps and [parking meters](#) near the courthouse on the [City of Minneapolis website](#). There is also a [privately owned ramp](#) behind the 625 Building at 425 6th Street South.

Parking meters have varying time restrictions and rates. Time restrictions and rates are posted at each metered space. There are city-owned and privately owned parking ramps located in downtown Minneapolis, with varying rates.

Media Staging Area

There are spots in the North and South Plazas for potential exterior standup locations. Portable tents and generators are not allowed on the [South and North Plazas](#). There is no credentialing or reservation system in place for these areas, and space is available on a first-come, first-served basis. At no time will camera set-ups be allowed to impede the flow of pedestrian traffic inside or outside the building. Space will be limited and available on a first-come, first-served basis. The Hennepin County District Court will play no role in arranging or coordinating any news conferences associated with the trial.

Hennepin County Government Center Aerial (300 South Sixth Street)



Cables

All cables placed in common spaces, including sidewalks and streets inside or outside of the Hennepin County Government Center, shall be covered in such a manner as to avoid interference with pedestrian or vehicular traffic and must conform to City of Minneapolis and Hennepin County ordinances.

Courthouse Security

All persons entering the towers of the Hennepin County Government Center must pass through metal detectors (like those at airports and other government buildings). Under Minnesota law, it is a crime for a person in a courthouse complex to possess a dangerous weapon, ammunition, or explosives.

According to [Rule 4 of the MN Rules of General Practice for the District Courts](#), no pictures or voice recordings, except the making of the official court record, shall be made in any courtroom or any area of the courthouse where courtrooms are located.

No Public Livestream of Trial

Per judicial order, the Court will not allow audio and video recording, broadcasting, and public livestreaming of the trial.

Courtroom Seating for Media

Judge Cahill's [Trial Management Order](#) specifies that there will be four seats available for the media in the trial courtroom (C-1856) each day of the trial. The media coalition will allocate the seats and may be contacted via email at twincitiesmediapool@gmail.com. Access to the trial courtroom and the 18th floor will be limited to those media and family members of the parties who are on an approved list and to members of the general public who are queuing for an available seat.

One of the four media seats may be occupied by a courtroom sketch artist. No drawings of the jurors will be allowed other than to depict the jurors as ovals without features. The sketch artist may use a tablet for sketching but will not be allowed to transmit drawings, post on social media, or transmit any other data from the 18th floor.

Media members who occupy courtroom and/or overflow room seats are not obligated by the court to share updates, notes, etc. with other media outlets, but are permitted to do so with a broader media pool if they wish to self-organize such a system. Members of the media must follow all rules set forth in Judge Cahill's Trial Management Order as well as Hennepin County building use guidelines.

Overflow Seating

Overflow seating will be available in separate spaces of the Hennepin County Government Center for the media and the public on a first-come, first-served basis. Media overflow will be available in C-2350. Public overflow will be available in C-1659. Each overflow room opens 30 minutes before the trial begins for the day and closes 15 minutes after the trial concludes for the day. A closed-circuit livestream of the trial will be displayed on monitors inside each overflow room for the public and media to observe the trial.

All occupants of the overflow room must avoid use or visible possession of all mobile devices, including smartphones, cell phones, and tablets. Media may use laptops in order to take notes and may transmit data and posts to social media from the overflow room. However, media may not take photos, record video or audio from the overflow room, including taking photos or video of the camera feeds. Please note that the public WiFi signal may be limited in bandwidth.

Non-alcoholic beverages will be allowed in the overflow room, but no food will be permitted.

Live shots or standups are not allowed in the overflow room nor on the 18th floor of the Hennepin County Government Center. Live shots or standups are allowed on the skyway level and outside of the Hennepin County Government Center.

Electronic Equipment

The four media representatives selected by the media coalition may use electronic devices such as laptops or iPads to take notes, but will not be allowed to transmit those notes, post on social media, or transmit any other data from the 18th floor. All cell phones must be turned off in courtroom 1856.

Media members seated in the overflow room will be able to use their electronic devices, including smartphones and laptops (as noted in the Overflow Seating section above). They will be allowed to post social media updates, but they will not be allowed to take photos, record video or audio from the

overflow room, including taking photos or video of the camera feeds. Individual members of the media are not allowed to store equipment in the overflow room overnight, nor over the weekends. The Court and Hennepin County will not be liable for lost, damaged, or stolen equipment left in the space.

News Conferences

News conferences involving the trial parties must be arranged and conducted by the parties and the media. News conferences must take place in designated public spaces of the Hennepin County Government Center or outside the Hennepin County Government Center.

Absolutely no photography (video or still) or audio recording will be allowed outside of any courtroom or any court floor inside the Hennepin County Government Center. See [Order regarding cameras in the Fourth Judicial District](#) for further details.

Overview of Hennepin County District Court

The Fourth Judicial District includes only [Hennepin County](#), which is made up of [45 cities](#) (population: 1.2 million). It is the State of Minnesota's latest trial court with 63 judges, 12 referees, and over 500 staff who process approximately 40% of all cases filed in the state. Courtrooms and administration offices are in six buildings, including four in downtown Minneapolis and two in the suburbs.

The District Courts are in courthouses in each of the state's 87 counties, where 295 judges serve. The district courts are organized into 10 judicial districts.

Attachments

- a. [Trial Management Order](#) and [Amended Trial Management Order](#)
- b. [Tou Thao Complaint](#)
- c. [J. Alexander Kueng Complaint](#)
- d. Trial Participants
 - i. Counsel for Thao – Robert Paule
 - ii. Counsel for Kueng – Thomas Plunkett
 - iii. Prosecution – Matthew Frank, Minnesota Attorney General's Office
- e. Biography, [Judge Peter Cahill](#) (Trial Judge)
 - i. Judge Cahill will not be available for media interviews prior to, during, or after the trial.
- f. [Order regarding cameras in the Fourth Judicial District](#)