

STATE OF INDIANA)	IN THE MIAMI CIRCUIT COURT
)	SS:
COUNTY OF MIAMI)	CAUSE NO. 52C01-2008-F4-000254
STATE OF INDIANA)	
)	
VS.)	
)	
KEGAN A. KLINE)	

ORDER DENYING MEDIA REQUESTS FOR CAMERAS IN THE COURTROOM

This Court has received two requests seeking authorization to use cameras in the courtroom during the sentencing hearing that is scheduled to take place on May 18, 2023, at 9:00 a.m. The first such request was made by WTHR (Channel 13) on April 25, 2023, and proposed that there be a pool arrangement between WTHR (Channel 13), CBS4, Fox59, WRTV (Channel 6), WISH-TV, and the Indianapolis Star. The second such request was made by Court TV on May 2, 2023.

Counsel for the State and counsel for the Defendant are aware of both of said requests, and the Court has conferred informally with counsel for both parties about said requests. With that having taken place, the Court observes the following:

1. Rule 2.17 of the Indiana Code of Judicial Conduct has traditionally prohibited judges from permitting broadcasting, televising, recording, or taking photographs in the courtroom and areas immediately adjacent thereto. One week ago, an amendment to said rule took effect that gives a judge discretion to permit such previously prohibited activities to take place.

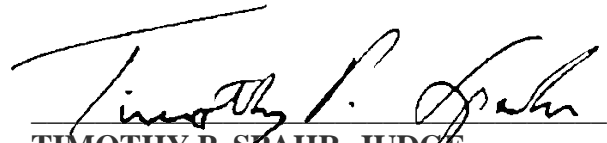
2. The requests that members of the media have submitted with respect to this case are the first ones of that type submitted to any of Miami County’s Circuit and Superior Courts.

3. The May 18, 2023 hearing in this case is being held for the sentencing of the Defendant as to 25 separate offenses to which he has pleaded guilty. Among those offenses are one count of Child Solicitation, a Level 5 Felony; eight counts of Child Exploitation, a Level 5 Felony; and 11 counts of Possession of Child Pornography, four as a Level 5 Felony and seven as a Level 6 Felony. Given the nature of the offenses involved, there is the possibility that references will be made during said hearing to sexually explicit materials and/or sexually explicit conduct. Thus, the Court considers this to be a less-than-ideal set of circumstances for the breaking of new ground in Miami County in the realm of the recording and broadcasting of court proceedings by members of the news media.

In light of the above-stated considerations, the Court **DENIES** both of the above-described requests seeking authorization to use cameras in the courtroom during the sentencing hearing in this case. With that being said, though, reporting on said hearing still is permitted and members of the media and of the public in general are welcome to attend the May 18, 2023 hearing, provided

that they comply with the provisions of the Pretrial Courtroom Management and Decorum Order entered in this case on October 17, 2022.

SO ORDERED this 9th day of May, 2023.


TIMOTHY P. SPAHR, JUDGE
MIAMI CIRCUIT COURT

DISTRIBUTION BY THE CLERK:

**Courtney B. Alwine, Deputy Prosecuting Attorney
Andrew A. Achey, Attorney for the Defendant
Miami County Sheriff's Department**