

DISTRICT COURT, WELD COUNTY, COLORADO Court Address: 915 10 th Street, Greeley, CO 80631 Mail Address: P.O. Box 2038, Greeley, CO 80632 (970) 475-2400	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
PEOPLE OF THE STATE OF COLORADO, Plaintiff v. CHRISTOPHER LEE WATTS, Defendant	
ORDER C-15 REGARDING DEFENDANT’S MOTION FOR PROTECTIVE ORDER PROHIBITING WELD COUNTY SHERIFF’S OFFICE FROM DISCLOSING INFORMATION ABOUT CONFIDENTIAL JAIL VISITS	

THIS MATTER comes before the court on Defendant’s *Motion for Protective Order Prohibiting Weld County Sheriff’s Office from Disclosing Information About Confidential Jail Visits(D-A)*. In his motion Defendant requests that the Court enter a protective order prohibiting the Weld County Sheriff’s Office from disclosing any information about visits defendant receives at the Weld County Jail. For the reasons contained herein, the specific request is **DENIED**; however other procedures are hereby established regarding the visitor logs in order to protect defendant’s right to effective and confidential assistance of counsel.

ANALYSIS

Frequently, in criminal cases, it is vital that a defense attorney consults experts for guidance. *Hutchinson v. People*, 742 P.2d 875, 881 (Colo. 1987). “[C]onfidentiality and loyalty of expert consultants traditionally enjoyed by defendants and defense counsel is a crucial element in the effective legal representation of [a] defendant.” *Id.* at 882. Without such confidentiality, “the assistance of the expert, and thus defense counsel, is likely to be ineffective.” *Id.*

CONCLUSION

While the specific request to enter a protection order is denied, the Weld County Sheriff's Office is hereby ORDERED to prevent the release of information contained within Defendant's visitor logs to anyone affiliated with the prosecution team. The Weld County Sheriff's Office is also ORDERED to provide a sealed copy of such logs on a monthly basis to the Court by the 10th day of the following month, with August's and September's visitor logs submitted to the Court by October 10th, October's visitor log submitted to the Court by November 10th, and so forth.

If the prosecution moves to inspect the visitor logs, defense counsel will be required to argue in writing for redactions of items that might disclose work product. Redacted copies of the visitor logs will then be entered in the Court's register and will be accessible to the prosecution. The prosecution is ordered to convey this *Order* to the Weld County Sheriff's Office immediately.

Dated: September 24, 2018

BY THE COURT:

A handwritten signature in black ink, appearing to read "Marcelo A. Kopcow". The signature is written in a cursive style with a large, sweeping flourish at the end.

Marcelo A. Kopcow
District Court Judge