

Lindsey A. Blake, ISB #7920
Rob Wood, ISB #8229
OFFICE OF THE FREMONT COUNTY
PROSECUTING ATTORNEY
22 W. 1st N.
St. Anthony, ID 83445
Tel: 208-624-4418
Email: prosecutor@co.fremont.id.us

Attorneys for the State

**IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT**

STATE OF IDAHO,

Plaintiff,

v.

CHAD GUY DAYBELL,

Defendant.

Case No.: CR22-21-1623

**STATE'S RESPONSE AND BRIEF IN
SUPPORT OF RESPONSE TO
DEFENDANTS' MOTIONS TO
CHANGE VENUE**

The State of Idaho, by and through the Fremont County Prosecutor's Office, hereby provides the following Response and Brief in Support of Response to Chad Daybell and Lori Daybell's ("Defendants' hereinafter) Requests for Change of Venue:

I. INTRODUCTION

To limit issues on appeal, and in an abundance of caution, the State would not object to a partial change of venue under Idaho Criminal Rule 21 and requests pursuant to Idaho Code §19-1816 to allow for jury selection to occur in another county within the State of Idaho.

II. LEGAL STANDARD

A defendant's constitutional right to a fair trial and to an impartial jury are granted by the Sixth Amendment of the Constitution of United States of America and Article 1 §13 of the Idaho Constitution. Idaho Criminal Rule 21 provides the trial court must transfer criminal proceedings to another county when the court is satisfied that a fair and impartial trial cannot be held in the county where a case is pending. The standard for making such a determination has been discussed in numerous cases including *State v. Yager*, 139 Idaho 680, 85 P.3d 656 (2004); *State*

v. *Hadden*, 152 Idaho 371, 271 P.3d 1227 (2012); *State v. Hall*, 111 Idaho 827, 727 P.2d 1255 (1986); *State v. Needs*, 99 Idaho 883, 591 P.2d 130 (1979); *State v. Jones*, 125 Idaho 477, 873 P.2d 122 (1994) (overruled on other grounds by *State v. Montgomery*, 163 Idaho 40, 408 P.3d 38 (2017)). In *Jones*, the Court said the following:

“A motion to change the venue of a criminal trial is addressed to the sound discretion of the trial court. *State v. Bainbridge*, 108 Idaho 273, 276-77, 698 P.2d 335, 338-396 (1985); *State v. Needs*, 99 Idaho 883, 890, 591 P.2d 130, 137 (1979). Well-settled case law holds that “where it appears that the defendant actually received a fair trial and that there was no difficulty experienced in selecting a jury, refusal to grant a change of venue is not a ground for reversal.” *State v. Thomas*, 94 Idaho 430, 432, 489 P.2d 1310, 1312 (1991). See also *Bainbridge*, 108 Idaho at 277, 698 P.2d at 339; *Needs*, 99 Idaho at 890, 591 P.2d at 137. Factors to consider in determining whether the defendant has received a fair trial, and thus whether an abuse of discretion has occurred, are the existence of affidavits indicating prejudice in the community; testimony at voir dire as to whether any juror has formed an opinion of the defendant’s guilt or innocence based on pretrial publicity; whether the defendant challenged for cause any of the jurors finally selected; the nature and content of the pretrial publicity; the length of time elapsed between the pretrial publicity and the trial; and any assurances given by jurors themselves concerning their impartiality.” *Needs*, 99 Idaho at 890-91, 591 P.2d at 137-38.

Additionally, the Idaho Supreme Court has reiterated, “[p]ublicity by itself does not require change of venue, *State v. Bitz*, 93 Idaho 239, 460 P.2d 374 (1969) and error cannot be predicated on the mere existence of pretrial publicity concerning a criminal case. *State v. Hyde*, 127 Idaho 140, 145, 898 P.2d 71, 76 (Ct.App. 1995).” When reviewing pretrial publicity, a court is concerned with the accuracy of the pretrial publicity, the extent to which the articles are inflammatory, inaccurate, or beyond the scope of admissible evidence, the number of articles, and whether the jurors were so incessantly exposed to such articles that they had subtly become conditioned to accept a particular version of the facts at trial. *State v. Hadden*, 152 Idaho 371, 377, 271 P.3d 1227, 1233 (Ct.App. 2012).

As the Court is aware, pretrial publicity is only one of the factors the Court must take into consideration when determining whether a change of venue is appropriate. Most cases determine whether venue was proper in light of pretrial publicity based on information learned during *voir dire*, jury pool polling, or affidavits from community members. The record in this case includes no such information. The Sixth Amendment right to a fair trial does not require that jurors be completely ignorant and unaware of the facts and circumstances involved in a criminal case. In fact, the Idaho Supreme Court has recognized:

In these days of swift, widespread and diverse methods of communication, an important case can be expected to arouse the interest of the public in the vicinity, and scarcely any of those best qualified to serve as jurors will not have formed some impression or opinion as to the merits of the case. This is particularly true in criminal cases. To hold that the mere existence of any preconceived notion as to the guilty or innocence.

State v. Beason, 95 Idaho 267, 274, 506 P.2d 1340, 1348 (1973), citing *Irvin v. Dowd*, 366 U.S. 717, 726 (1961); see also *State v. Yager*, 139 Idaho 680, 688, 85 P.3d 656, 664 (“It is not incumbent upon the trial judge to find jurors who are totally ignorant of the facts and issues involved in this case”). However, indicia of impartiality may be disregarded “where the general atmosphere in the community or courtroom is sufficiently inflammatory” and where most members of the venire admit to a “disqualifying prejudice, the reliability of others’ protestations may be drawn into question...” *Murphy v. Florida*, 421 U.S. 794, 802-803 (1975). As such, the knowledge, beliefs and attitudes of the prospective jurors are key to a determination whether a fair and unbiased jury can be selected and venue is proper where the crime occurred. The State believes the best way to assist the Court in making these determinations is by utilizing a juror questionnaire, the voir dire process, transporting jurors and sequestration.

Looking at the case law as a whole, in its review of a request for change of venue and where to select a jury, the Court must consider several factors, including:

- the existence of affidavits or indicia of prejudice in the community;
- the accuracy of the pretrial publicity,
- the extent to which the articles are inflammatory, inaccurate, or beyond the scope of admissible evidence;
- the number of articles;
- whether the potential jurors were so incessantly exposed to such articles that they had subtly become conditioned to accept a particular version of the facts at trial
- the length of time elapsed between the pretrial publicity and the trial; and any assurances given by potential jurors themselves concerning their impartiality;
- whether justice would be served by a change of venue or transfer; and
- whether it would be more economical to transport the empaneled jury than to transport the pending action. (See *State v. Hadden* at 377 and I.C. §19-1918).

In *Hayes v. Ayers*, the Ninth Circuit found, “...we have identified two different types of

prejudice in support of a motion to transfer venue: presumed or actual. *United States v. Sherwood*, 98 F.3d 401 (9th Cir. 1996). Interference with a defendant's fair-trial right is presumed when the record demonstrates that the community where the trial was held was saturated with prejudicial and inflammatory media publicity about the crime. *Harris*, 885 F.2d at 1361. Actual prejudice, on the other hand, exists when voir dire reveals that the jury pool harbors actual partiality or hostility [against the defendant] that [cannot] be laid aside." 632 F.3d 500, 508 (9th Cir. 2011).

A defendant's ability to show detailed and conclusive prejudice due to pretrial publicity can be difficult because prejudice can seldom be established or disproved with certainty. It is sufficient for the accused to show there was a reasonable likelihood prejudicial news coverage prevents a fair trial. *State v. Hadden*, 152 Idaho 371, 376, 271 P.3d 1227, 1232 (Ct.App.2012). However, no due process violation occurs where a criminal defendant actually receives a fair trial and the parties experienced no difficulty in selecting a jury. *Id.* at 376-377. The Court in *Hadden* provided, "...most cases of consequence garner at least some pretrial publicity. However, 'a presumption of prejudice,' requiring a change of venue, 'attends only to the extreme case.' The test for the 'extreme case' remains where the trial atmosphere has been 'utterly corrupted by press coverage.'" *Id.* at 379. In addition, the Court noted that "'pretrial publicity – even pervasive, adverse publicity – does not inevitably lead to an unfair trial.'" *Id.* at 380. This Court can assess the news coverage and determine through the means listed above (questionnaires, voir dire) whether the news coverage prevents a fair trial.

FACTUAL FRAMEWORK

- 1) The Grand Jury returned an indictment against both Defendants on May 24, 2021 which was filed on May 25, 2021 charging both Defendants with multiple crimes that included three charges of Murder in the First Degree and three charges of Conspiracy to Commit Murder in the First Degree.
- 2) Both Defendants have filed requests for change of venue: Chad Daybell's motion was filed on July 21, 2021. Lori Vallow Daybell's motion was filed on June 28, 2021.
- 3) The crimes, as charged in the indictment, resulted from a common scheme or plan where actions occurred in both Madison County, Idaho hereinafter "Madison," and Fremont County, Idaho hereinafter "Fremont," and culminated in Fremont where Tammy Daybell died and Tylee Ryan and J.J. Vallow were buried.

- 4) Venue is proper in Fremont as the crimes of the Defendants occurred, and evidence of those crimes was located, in both Madison and Fremont.
- 5) The Defendants have provided no evidence that the citizens of Fremont are so overwhelmingly biased against them personally that no jury can be impaneled in the County.
- 6) The State asserts that the citizens of Fremont can provide fair and impartial jurors capable of following instructions from the Court.
- 7) There is no dispute that the above-referenced action against the Defendants has garnered extensive pretrial publicity.
- 8) Indeed, during several proceedings on these matters' various media outlets, citizen journalists and social media personalities traveled to Idaho from outside the State and were present in or around the Courthouse and found to be photographing and publicizing witnesses and law enforcement entering and exiting the Fremont County Courthouse. Given the attention to this matter from outside parties, it is highly likely such groups will travel to wherever the case is tried.
- 9) Pretrial publicity and press coverage on the deaths of Tylee Ryan, J.J. Vallow and Tammy Daybell, with the resulting charges against the Defendants, means that citizens in the entire State of Idaho have had access to stories on the case and evidence. Every county in the State has had coverage of the story by their local media.
- 10) Pretrial publicity alone does not necessitate removal of either jury selection alone or the entire trial itself.
- 11) However, extensive pretrial publicity requires the parties and the Court to take steps to ensure that both parties receive a fair trial by individuals who have been fair and impartial yet unfettered by outside undue influence.
- 12) Idaho Code provides the Court tools to protect the parties' rights to fair trial, including sequestration of the jury (I.C. §19-2126), change of venue entirely (I.C. §1809 and I.C.R. 21) and impaneling a jury outside the jurisdiction and transporting them to the location where venue is proper (I.C. §19-1816).

STATE'S REQUEST

- 13) The appellate review of whether an individual defendant received a fair trial focuses on whether the juror selection process was fair and resulted in jurors who could follow the Court's instructions and remain impartial. One part of that inquiry is about evidence of pervasive community bias. The location of the trial itself, independent of jury selection, is not part of appellate scrutiny on transfer.
- 14) Thus, while the citizens of Fremont remain fair, impartial and able to sit on this matter, efforts to limit the need for extensive appellate review on the question of venue and jury selection, can be addressed if the Court uses its authority under I.C. §19-2126 (sequestration), I.C. §19-1809 and I.C.R. 21, (transfer of case) and I.C. §19-1816 (transfer for jury selection only) in combination.
- 15) Therefore, to avoid an appearance of impropriety and lessen issues for appellate review, this Court should look to select a jury from a jurisdiction with lesser amounts of pretrial publicity and limited personal contacts with the subject matter of the case and/or the witnesses in the matter.
- 16) This Court using its authority as outlined under I.C. §19-1809 and I.C.R. 21 (transfer of case) and I.C. §19-1816 (transfer for jury selection only) can address the concerns of both Defendants and the State by requiring jury selection from and in a county with lesser access to witnesses and pretrial publicity but allowing the matter to be tried in Fremont.
- 17) Should this Court rule to change in order to limit appellate issues, the State requests this Court use the options outlined in Idaho Code §19-1816 and permit the jury to be impaneled from another county and for the trial to be conducted in Fremont. The State would recommend the Parties travel to the county where venue is transferred to select the jurors, and then the selected jurors be transported to Fremont and sequestered in or around Fremont for the duration of the trial and penalty phase.
- 18) The cost to Fremont and Madison to fund a full trial in another part of the State of Idaho would be extensive and economically imprudent.
- 19) For Fremont and Madison (which are sharing some costs of this prosecution given the connection of the crimes to both locations), it would be more economical to transport the jury than to transfer the entire pending action

- 20) The State has many witnesses, a large number of whom live in or around Fremont and Madison.
- 21) In previous change of venue cases, the court has found that the sheriff of the original jurisdiction is responsible for the transportation of the defendants and staff to and from the courthouse where the trial is held.
- 22) Jail costs to Fremont would be increased as Fremont would be billed jail costs from the host county and for the travel to and from the jail.
- 23) Costs for the Prosecutor's office, in addition to creating a manpower shortage, would be greatly increased should the trial be outside Fremont.
- 24) There has been no showing, and no evidence supports the conclusion, that the entire Seventh Judicial District has received more access to publicity or coverage than any other part of the State.
- 25) Several Counties in the Seventh Judicial District have no personal connections to the underlying actions and have not have the levels of pretrial publicity see in other parts of the State.
- 26) There is evidence and data showing that the counties in the Boise Media Market (Ada and Canyon Counties,) and therefore their citizens, have received extensive media coverage. Thus, potential jurors in this area have had access more information and present a larger challenge for the selection of an impartial panel.
- 27) Furthermore, should the Court sequester a jury from the time they are sworn in as jurors to the conclusion of the case, the jurors would not be allowed to separate or go home, thus, they will be in a hotel or the courthouse. Such would help protect them from undue outside influence.

ARGUMENT

A. The Pretrial Publicity in this Case is Not of the Nature that Would Require a Change of Venue from the Seventh Judicial District.

The State does not dispute that this case has garnered widespread media attention in Fremont, the Seventh Judicial District, across the State of Idaho and the entire Country. However, the State disagrees that the materials provided by the Defendants show pretrial publicity that is so inflammatory or contains such inadmissible evidence that a change of venue from the entire Seventh Judicial District is warranted. News articles and other media coverage

have included information about the Defendants themselves, the above-entitled cases, Defendant Vallow/Daybell's activities in the State of Arizona, and the death of Defendant Daybell's wife Tammy Daybell. However, the media coverage has not been limited to Fremont or the Seventh Judicial District.

The entire State of Idaho has been exposed to intense media coverage given the subject and incontrovertible facts of these cases. Namely, the Defendant Lori Daybell's children were reported missing by family members; during the period they were missing Lori Daybell married Chad Daybell and went to Hawaii and never reported her children were missing; and the children's bodies were later discovered deceased (and in Tylee Ryan's case, burnt and dismembered) on Chad Daybell's property. While these facts are highly disturbing, they are factually accurate and cannot be denied. As such, any reporting of these facts cannot be viewed as inflammatory, inaccurate, or beyond the scope of admissible evidence. Furthermore, coverage of the death of Tammy Daybell has likewise been accurate – sad, disturbing, but accurate. Defendants have not supplied articles that they can prove are inaccurate. The Defendants have not provided a single affidavit or direct evidence as to why each county in the Seventh Judicial District should be disqualified.

In the past, Defendant Daybell argued that the coverage of this case by East Idaho News has made picking an impartial jury in Eastern Idaho impossible. Further, he asserts the readership of East Idaho News encompasses all of Eastern Idaho. These generalizations fail to consider that East Idaho News is not distributed door to door or in print form and is only accessible electronically. In fact, East Idaho News supplied documentation showing its reach is statewide – and nationwide. Documentation supplied shows that coverage from East Idaho News reaches the entire State. The largest number of users or views for East Idaho News is actually in and around Boise Idaho. See Exhibits 1-2. Further please see State's Exhibits 3-6 regarding media markets and exposure throughout the State of Idaho.

Defendant Daybell further also has argued "the largest population in the State is in Boise, Nampa, Caldwell area in western Idaho," and therefore he has a better chance of finding an impartial jury. A larger county with more prospective jurors does not necessarily mean more prospective jurors who can be fair and impartial when the media coverage has been even more or just as saturated in their county. In fact, the opposite could just as well be true due to larger media markets, existence of more media outlets and the fact that several State's witnesses live and work in the Boise area. Further, the Defendant has to date produced no evidence whatsoever

that the jury pool in the Boise area would be less “tainted” or be more fair or impartial.

B. Idaho Code §19-1816 Allows the Court to Transport a Jury Into Fremont County Rather than to Transfer the Case in Its Entirety.

If the Court determines a change of venue is necessary, Idaho Code §19-1816 provides an alternative to transferring a case in its entirety as a means of reducing costs to the local communities:

... As an alternative to entering the order of removal provided in the preceding sections of this chapter, the court may instead enter an order directing that jurors be impaneled from the county to which venue would otherwise have been transferred, if it finds:

1. That a fair and impartial jury cannot be impaneled in the county where the criminal complaint, information or indictment is filed;
2. That it would be more economical to transport the jury than to transport the pending action; and
3. That justice will be served thereby.

I.C. §19-1816.

Should the Court, determine in the interest of limiting appellate issues, to change venue, the State requests in the alternative to the removal of the matter in its entirety, the Court permit a jury to be impaneled from another county and the matter be tried in Fremont. For Fremont and Madison, it would be more economical to transport the jury than to transfer entire pending action. The cost to Fremont and Madison to fund a full trial in another part of the State of Idaho would be extensive: witness costs increase, personnel costs increase for the Court and Counties. Court personnel including the Judge, potentially the court reporter, potentially a clerk for the Court, and any necessary personnel that live in or near the Seventh Judicial District may have increased burdens in traveling and remaining in another county for the duration of trial. Many law enforcement and personnel necessary as witnesses live and work in Fremont or Madison. Requiring them to travel will require increased expenses for both Fremont and Madison.

There is no evidence to suggest that Fremont cannot effectively accommodate a jury trial of this nature. It would be inherently unfair to the State and many of its witnesses, and potentially dangerous to deny the request of the State and would create an unnecessary and undue burden.

There is precedent in Idaho for impaneling and then transporting a jury for trial. Four examples include: (a) In *State v. Martin Ish*, Bannock County case number CR-2015-9532, the jury was impaneled and transported from Twin Falls and sequestered in Pocatello for the duration of the trial; (b) In *State v. Torey Adamcik*, Bannock County Case number CR-2006-

- 4) Any juror impaneled after voir dire may be subjected to public scrutiny and will be at risk of improper outside influence by third parties occasioned by publicity during trial.
- 5) Indeed, at previous hearings and proceedings in these matters' various media outlets, social media personalities, citizen journalists and other individuals were present, in or around the Courthouse, and found to be photographing and publicizing witnesses and law enforcement entering and exiting the Fremont County Courthouse. (See attached images in Motion Exhibit A – of journalist, social media individuals and citizen journalist who came to Idaho to observe Courthouse while the Grand Jury was in session).
- 6) The Defendants face multiple counts including charges for Murder in the First-Degree and Conspiracy to Commit Murder in the First-Degree, for which the death penalty may be sought.
- 7) Idaho Code §19-2126 provides the Court broad discretion in establishing the conditions of a jury's service. The Court may allow them to separate or require them kept together for either some, part or the duration of the trial:

The jury sworn to try any felony may, at any time during the trial, and after the submission of the cause, in the discretion of the court, be permitted to separate, or they may be kept together, in the charge of a proper officer. Provided however, that in causes where the defendant has been charged with first-degree murder, and the prosecuting attorney has filed a notice of intent to seek the death penalty pursuant to section 18-4004A, Idaho Code, and such notice has not been withdrawn, the jury may not be permitted to separate after submission of the cause and completion of the special sentencing proceeding held pursuant to §19-2515 or §19-2515A, Idaho Code. Before permitting the jury to separate after the cause has been submitted, the court shall permit counsel to place objections, if any, on the record outside the presence of the jury. IC §19-2126.

- 8) In the trial against the Defendants, the jury must be sequestered at a minimum after the case is submitted to them through the completion of the penalty phase of the trial.
Id.
- 9) The State asserts that in order to protect the rights of both the State and the Defendants to fair trial, the Court should sequester the jury after they are sworn in, post voir dire but just prior to opening statement by the State and keep them sequestered through the completion of the trial and penalty phase.
- 10) The process of sequestration under IC §19-2126 requires that the jury be kept together and housed in a hotel or location near the trial. Should the Court sequester

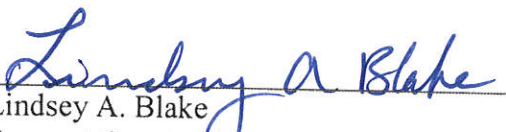
17984-D2, the jury was impaneled and transported from Twin Falls and sequestered in Pocatello for the duration of trial; (c) In *State v. Kenneth Arrasmith*, Nez Pierce County Case number CR-1995-1258, the jury was impaneled and transported from Twin Falls to Nez Pierce County; (d) In *State v. David Hawkins*, Nez Pierce County Case number CR-1993-2570, the jurors were selected in Couer d'Alene and bused in for the trial but allowed to return home on the weekends.

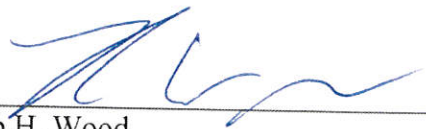
Based on Idaho Code §19-1816, the arguments contained herein, prior precedence, judicial economy and economic considerations, it would be prudent to impanel a juror where the venue is transferred and then transport the impaneled jurors to Fremont for the trial.

III. CONCLUSION

Therefore, for the reasons outlined herein, the State requests, to limit issues on appeal, that this Court order the jury selection be conducted in the county where venue is transferred, but, that the trial be held in Fremont.

DATED this 29th day of September, 2021.


Lindsey A. Blake
Fremont County Prosecutor


Rob H. Wood
Madison County Prosecutor

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of September, 2021, that a copy of the foregoing STATE'S RESPONSE AND BRIEF IN SUPPORT OF RESPONSE TO DEFENDANTS' MOTIONS TO CHANGE VENUE was served as follows:

John Prior
john@jpriorlaw.com

Overnight Mail
Hand Delivered
Courthouse Box
Facsimile:
File & Serve
Email

Jim Archibald
Jimarchibald21@gmail.com

Overnight Mail
Hand Delivered
Courthouse Box
Facsimile:
File & Serve
Email

Mark L. Means
mlm@means-law.com

Overnight Mail
Hand Delivered
Courthouse Box
Facsimile:
File & Serve
Email

By: 

Primary Dimension Country City Contents Sub Contents
Secondary dimension

City	Acquisition		New Users	Sessions	Behavior		Conversions			
	Users	↓			Bounce Rate	Pages / Session	Avg. Session Duration	Goal Conversion Rate	Goal Completions	Goal Value
1. Salt Lake City	25,336,978	1,427,633 (+4.49%)	25,077,354 (+1.14%)	85,965,463 (+4.44%)	57.66%	2.20	00:02:13	0.00%	0	\$0.00
2. Boise	1,349,057 (+4.43%)	958,791 (+4.44%)	984,699 (+4.15%)	7,007,137 (+7.71%)	48.50%	2.38	00:02:24	0.00%	0	\$0.00
3. (not set)	1,335,198 (+3.38%)	1,142,205 (+3.75%)	4,081,332 (+3.75%)	58,98%	51.86%	2.43	00:02:30	0.00%	0	\$0.00
4. Idaho Falls	1,085,763 (+2.57%)	848,136 (+3.46%)	11,197,579 (+3.17%)	41.91%	58.98%	2.16	00:02:16	0.00%	0	\$0.00
5. Chicago	1,079,837 (+3.55%)	1,050,172 (+4.14%)	1,209,691 (+4.14%)	91.64%	41.91%	2.69	00:03:11	0.00%	0	\$0.00
6. Meridian	761,531 (+2.50%)	494,342 (+2.47%)	3,696,700 (+3.07%)	51.23%	91.64%	1.14	00:00:34	0.00%	0	\$0.00
7. Los Angeles	611,421 (+2.01%)	497,837 (+2.49%)	1,676,857 (+2.59%)	72.54%	51.23%	2.48	00:02:34	0.00%	0	\$0.00
8. Seattle	532,786 (+1.75%)	419,895 (+1.75%)	1,465,285 (+1.67%)	62.90%	72.54%	1.56	00:01:45	0.00%	0	\$0.00
9. Denver	472,984 (+1.55%)	341,888 (+1.28%)	1,504,984 (+1.17%)	57.61%	62.90%	1.92	00:01:50	0.00%	0	\$0.00
10. Reeburg	452,448 (+1.49%)	339,663 (+1.28%)	3,586,307 (+2.14%)	45.49%	57.61%	2.16	00:02:12	0.00%	0	\$0.00
11. Nampa	346,229 (+1.14%)	200,964 (+0.46%)	1,391,132 (+0.76%)	52.42%	45.49%	2.71	00:03:01	0.00%	0	\$0.00
12. Pocatello	310,468 (+1.02%)	244,460 (+0.47%)	1,782,210 (+2.75%)	56.91%	52.42%	2.44	00:02:29	0.00%	0	\$0.00
13. Phoenix	310,302 (+1.02%)	259,036 (+1.25%)	771,841 (+0.64%)	66.09%	56.91%	2.22	00:02:17	0.00%	0	\$0.00
14. Dallas	303,705 (+1.00%)	266,383 (+1.56%)	453,214 (+1.35%)	72.76%	66.09%	1.85	00:01:55	0.00%	0	\$0.00
15. New York	301,206 (+0.99%)	276,010 (+1.09%)	490,978 (+1.17%)	61.17%	72.76%	1.61	00:01:23	0.00%	0	\$0.00
16. Murray	294,336 (+0.97%)	129,757 (+0.52%)	985,769 (+0.76%)	48.66%	61.17%	2.01	00:01:36	0.00%	0	\$0.00
17. Las Vegas	241,969 (+0.79%)	200,647 (+0.67%)	515,220 (+0.77%)	67.16%	48.66%	2.46	00:02:39	0.00%	0	\$0.00
18. Leni	235,826 (+0.72%)	99,238 (+1.56%)	680,639 (+1.64%)	48.60%	67.16%	1.82	00:01:44	0.00%	0	\$0.00
19. Sandy	203,984 (+0.67%)	88,955 (+0.29%)	593,213 (+0.74%)	47.88%	48.60%	2.46	00:02:30	0.00%	0	\$0.00
20. Draper	186,044 (+0.61%)	69,878 (+0.39%)	524,187 (+0.76%)	47.49%	47.88%	2.51	00:02:35	0.00%	0	\$0.00
21. Atlanta	183,509 (+0.60%)	167,030 (+1.14%)	231,549 (+0.77%)	79.49%	47.49%	2.54	00:02:34	0.00%	0	\$0.00
22. Houston	173,056 (+0.57%)	157,534 (+0.67%)	229,641 (+2.14%)	76.00%	79.49%	1.35	00:01:01	0.00%	0	\$0.00
23. San Francisco	169,382 (+0.46%)	134,098 (+0.47%)	278,406 (+1.17%)	68.97%	76.00%	1.49	00:01:13	0.00%	0	\$0.00
24. Portland	158,653 (+0.52%)	133,662 (+0.55%)	243,767 (+0.74%)	75.74%	68.97%	1.73	00:01:31	0.00%	0	\$0.00
25. (not set)	151,942 (+0.30%)	95,730 (+0.36%)	1,182,169 (+0.50%)	46.49%	75.74%	1.52	00:01:13	0.00%	0	\$0.00
					46.49%	2.74	00:02:54	0.00%	0	\$0.00

26	West Jordan	142,108	(0.47%)	76,050	(0.30%)	327,390	(0.38%)	53.80%	2.25	00.02.24	0	0.00%	\$0.00
27	South Jordan	120,702	(0.40%)	66,125	(0.25%)	258,146	(0.30%)	55.37%	2.19	00.02.19	0	0.00%	\$0.00
28	Minneapolis	118,336	(0.39%)	106,289	(0.42%)	173,551	(0.20%)	77.48%	1.45	00.01.11	0	0.00%	\$0.00
29	West Valley City	114,079	(0.37%)	56,669	(0.21%)	256,617	(0.30%)	52.86%	2.29	00.02.36	0	0.00%	\$0.00
30	Calderwell	108,813	(0.36%)	66,521	(0.27%)	343,099	(0.40%)	56.33%	2.31	00.02.20	0	0.00%	\$0.00
31	Washington	106,974	(0.35%)	97,285	(0.36%)	138,983	(0.16%)	78.87%	1.38	00.01.07	0	0.00%	\$0.00
32	San Diego	106,434	(0.35%)	92,571	(0.37%)	153,244	(0.19%)	74.67%	1.53	00.01.19	0	0.00%	\$0.00
33	Sacramento	106,019	(0.35%)	83,700	(0.34%)	168,678	(0.26%)	71.44%	1.65	00.01.27	0	0.00%	\$0.00
34	Twin Falls	102,626	(0.34%)	73,065	(0.30%)	386,832	(0.45%)	55.24%	2.46	00.02.27	0	0.00%	\$0.00
35	Rigby	96,562	(0.32%)	58,775	(0.23%)	1,442,853	(1.53%)	25.48%	3.80	00.03.15	0	0.00%	\$0.00
36	Charlotte	96,338	(0.32%)	88,958	(0.36%)	123,063	(0.14%)	79.25%	1.39	00.01.07	0	0.00%	\$0.00
37	Austin	95,149	(0.31%)	83,545	(0.33%)	144,877	(0.17%)	71.47%	1.67	00.01.22	0	0.00%	\$0.00
38	Orlando	88,876	(0.29%)	77,174	(0.31%)	122,507	(0.14%)	73.14%	1.64	00.01.17	0	0.00%	\$0.00
39	Philadelphia	88,760	(0.29%)	82,769	(0.33%)	106,742	(0.12%)	81.64%	1.29	00.00.56	0	0.00%	\$0.00
40	Kansas City	87,649	(0.29%)	74,908	(0.30%)	130,492	(0.15%)	73.58%	1.55	00.01.21	0	0.00%	\$0.00
41	Blackfoot	85,486	(0.28%)	50,722	(0.20%)	648,475	(0.78%)	45.27%	2.73	00.02.55	0	0.00%	\$0.00
42	St George	83,684	(0.27%)	54,935	(0.22%)	210,551	(0.24%)	53.03%	2.37	00.02.28	0	0.00%	\$0.00
43	Provo	82,082	(0.27%)	51,066	(0.20%)	187,576	(0.22%)	54.85%	2.18	00.02.30	0	0.00%	\$0.00
44	Coeur d'Alene	81,878	(0.27%)	73,009	(0.29%)	149,494	(0.17%)	81.76%	1.37	00.01.02	0	0.00%	\$0.00
45	San Antonio	81,432	(0.27%)	76,454	(0.30%)	130,900	(0.15%)	67.08%	1.91	00.02.08	0	0.00%	\$0.00
46	Orem	81,080	(0.27%)	52,007	(0.19%)	174,542	(0.20%)	59.24%	2.06	00.02.19	0	0.00%	\$0.00
47	Nashville	80,487	(0.26%)	71,415	(0.28%)	106,781	(0.13%)	77.18%	1.44	00.01.16	0	0.00%	\$0.00
48	Boston	79,323	(0.26%)	70,405	(0.28%)	152,245	(0.18%)	49.58%	2.61	00.01.51	0	0.00%	\$0.00
49	Columbus	76,390	(0.25%)	70,822	(0.27%)	92,620	(0.11%)	81.12%	1.32	00.01.01	0	0.00%	\$0.00
50	Layton	75,859	(0.25%)	51,794	(0.21%)	177,843	(0.21%)	56.86%	2.11	00.02.24	0	0.00%	\$0.00

Bonneville, Madison, Bingham, Bonner, Jefferson Counties – Eastern Idaho

Bonneville County – Population 123,964;
86,205 over 18 years old

Madison County – Population 52,913;
42,141 over 18 years old

Bingham County – Population 47,992;
33,315 over 18 years old

Bonner County – Population 47,110;
37,908 over 18 years old

Jefferson County – Population 30,891;
20,370 over 18 years old

- Idaho Falls/Pocatello Media Market (162) 101,030
- 24 Idaho Media Outlets

Top Media Outlets

- Television KPVI, KIFI, KIDK,
- Print/Online Idaho Falls Post Register, Idaho State Journal, Rexburg Standard Journal, East Idaho News

- KIFI – 214 Daybell stories

- Largest pageview was 109,038 on day children were located; Daybell stories are 3.1% of 9.5 million pageviews; Top 4 cities by users – Boise, Idaho Falls, Meridian, Pocatello, Meridian had most pageviews of Daybell stories.

- KPVI – 123 stories

- KIDK/KIFI – 148 stories

- Idaho Falls Post Register, Idaho State Journal, Rexburg Standard Journal - 198 Daybell stories

- East Idaho News – Over 255 stories

- 10th highest user estimate – Rexburg with 452,488

- 12th highest user estimate for Pocatello with 310,302

- Facebook Followers/Likes

- KPVI NBC Channel 6 - 26,000

- KIFI Local News 8 ABC - 127,000

- KIDK Eyewitness News 3 CBS - 14,300

Twin Falls County - Southern Idaho

- **Twin Falls** – Population 90,046;
65,472 over 18 years old
- Twin Falls Media Market 191
- 11 Media Outlets
- Top Media Outlets
 - KMVT, KTVB
 - Idaho Mountain Express
 - Times-News Idaho

- KMVT CBS – 75 stories
- KTVB – Boise Station
- Times-News/MagicValley.Com –
67 stories
- Idaho Mountain Express - 2 stories
sourced through the Associated Press
- East Idaho News – Over 255 stories
 - 34th highest user estimate – 102,626
- Facebook Followers/Likes
 - KMVT – CBS Channel 11 - 60,685
 - KTVB – NBC Channel 7 - 227,800

Ada and Canyon County – Western Idaho

Ada County – Population 494,967;
378,479 over 18 years old

Canyon County – Population 231,105;
166,440 over 18 years old

- Boise media market - (102) Largest in state

- 26 Media Outlets in Boise Market

- Top Media Outlets

- Top Television Stations - KTVB, KIVI, KBOI, KNIN
- Top Print and Online: Idaho Statesman, Idaho Press Tribune, East Idaho News

Available Media Results

- KBOI – 39 stories
- KIVI – 126 stories
- KTVB – 91 stories
- KNIN – Unavailable
- Idaho Statesman – 108 stories
- Idaho Press Tribune - 93
- East Idaho News – Over 255 stories
 - 2nd highest online access with 1,349,057 user estimate
- Idaho Statesman and Idaho Press Tribune are among top 10 online and print newspapers in the state
- Facebook Followers
 - KBOI – CBS Channel 2 - 192,700
 - KIVI – ABC News 6 - 140,8008
 - KTVB – NBC Channel 7 - 227,800
 - KNIN Fox 9 Idaho - 4,100

Kootenai, Bonner, Nez Pierce and Latah Counties – Northern Idaho

Kootenai County – Population 171,362;
132,205 over 18 years old

Bonner County – Population 47,110;
37,908 over 18 years old

Nez Pierce County – Population 42,090;
33,042 over 18 years old

Latah County – Population 39,517;
31,752 over 18 years old

- Spokane Media Market (70)
- 21 Idaho Media Outlets
- Top Media Outlets
 - KREM, KXLY, KHQ, KAYU, KLEW
 - Coeur d'Alene, Lewiston Tribune, Bonner County

- KREM CBS – 92 stories
- KXLY ABC – 27 stories
- KHQ NBC – 65 stories
- KAYU FOX – 65 stories
- KLEW CBS – 50 stories
- Coeur d'Alene - 16 stories
- Lewiston Tribune - 32 stories
- Bonner County Dailey Bee – 3 stories
- East Idaho News – Over 255 stories
 - 2nd highest online access with 1,349,057 users
- Facebook Followers
 - KREM, Channel 2, CBS – 293,000
 - KXLY, Channel 4, ABC – 207,000
 - KHQ, Channel 6, NBC – 345,000
 - KSPS, Channel 7, PBS – 16,000
 - KAYU, Channel 28, FOX – 15,000