

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

United States of America,)	Criminal No. 2:16-378 DCN
)	
vs.)	
)	DECORUM ORDER
Michael Slager)	
)	
)	

To ensure that the trial and related proceedings in this matter are conducted in an orderly manner conducive to a fair adjudication, it is ORDERED that:

Jury Selection Procedures for May 9, 2017

1. On May 9, 2017 at 9:30 A.M., prospective jurors shall report to the Matthew J. Perry Courthouse in Columbia, South Carolina for jury selection. Jurors will be sworn, introduced to the parties and the Court, and receive preliminary instructions from the Court. The Court will determine whether to excuse jurors for specified reasons related to undue hardship or extreme inconvenience.
2. Because the number of jurors is equal to the courtroom’s seating capacity, no public seating will be available, except for two reserved media seats, one for a print pool reporter and one for a pool sketch artist.

However, overflow seating will be available for the general public and the media. A live audio and video feed from the proceedings will be provided. Unless otherwise ordered, seating in the overflow courtroom is on a first-come, first-serve basis. There will not be a designated media room for these

proceedings. Media credentials are not required, and there will be no special media accommodations.

3. The Matthew J. Perry Courthouse will open at its regular time of 8:30 A.M. The overflow courtroom will also open at 8:30 A.M.

4. No cameras or video or audio recording devices of any kind, including cell phones or multi-media enabled smart phones, cameras, laptop computers, tablets, video cameras, or any devices with similar functionality are permitted in the courthouse during these proceedings except as provided in the Court's Standing Order regarding the use of electronic devices in courtroom facilities, available at <http://www.scd.uscourts.gov/Court/OrderReElecDevices.pdf>¹.

Trial

5. Trial of this matter will be held in Courtroom 6 of the Charleston Federal Courthouse located at 85 Broad Street, Charleston, South Carolina at 9:30 A.M. May 15, 2017. During trial, there will generally be a short mid-morning break, a one-hour lunch break and a short mid-afternoon break. The schedule is subject to change as conditions warrant; any significant scheduling updates will be posted on the Court's website.

6. The courthouse will open 1.5 hours prior to the start of scheduled proceedings each day. In order to enter the courthouse, all individuals must present valid government-issued photo identification, such as a driver's license or passport.

¹ Under the Court's Standing Order regarding the use of electronic devices, court staff (including contract court reporters), attorneys on court business, and support staff members accompanying authorized attorneys are exempt from this requirement.

7. Members of the media must register and receive court-issued credentials in order to bring electronic equipment into the courthouse, to gain admission to the media overflow room, or to conduct interviews in a court-approved interview area outside the courthouse. Credentialed media representatives must wear a court-issued photo ID badge at all times while inside the courthouse, immediately outside any courthouse entrance, or in the designated interview area. Information on how to register for media credentials, and where to pick up a media badge, will be available on the District of South Carolina website (<http://www.scd.uscourts.gov/cases/2-16-378>). Reporters are strongly encouraged to register online by May 8, if they wish to obtain their badges before the scheduled start of the trial (May 15).

8. No cameras or video or audio recording devices of any kind, including cell phones or multi-media enabled smart phones, cameras, laptop computers, tablets, video cameras, or any devices with similar functionality are permitted in the courthouse at any time except as provided in this Order, or in the Court's Standing Order regarding the use of electronic devices in courtroom facilities, available at <http://www.scd.uscourts.gov/Court/OrderReElecDevices.pdf>. Credentialed members of the media may bring such electronics into the courthouse, but members of the media may only use such devices in the Media Room in accordance with this Order.² Members of the media may not bring such devices into the trial courtroom and may not use such devices outside the Media Room.

² Additional details on how members of the media may obtain a courthouse credential are available on the Court's website at <http://www.scd.uscourts.gov/cases/2-16-378>.

9. No person shall take any photograph, make any recording, or make any broadcast by any means, at any time within the Charleston Federal Courthouse, J. Waties Waring Judicial Center, or Matthew J. Perry Courthouse in Columbia.

10. Trial Courtroom

a. Attendees in the trial courtroom may not converse or make gestures or sounds that are disruptive to the proceedings or that distract jurors or witnesses. Attendees in the trial courtroom should remain seated until the Court recesses.

b. No one observing the trial proceedings in the trial courtroom or any overflow location may wear or carry any clothing, buttons, or other items that carry any message or symbol addressing the issues related to this case that may be or become visible to the jury.

c. No food or beverage is permitted in the courtroom, except that counsel, jurors, court staff, and witnesses on the witness stand may have water.

d. There are approximately eighty (80) seats available for the general public in Courtroom 6. Approximately 20 of the seats will be allocated for the victim's family. Additional seats will be allocated for Defendant's family, and for media and sketch artists.³ The remaining seats will be available to the general public on a first-come, first-serve basis.

e. The trial courtroom will open one (1) hour prior to the commencement of proceedings for the day. To retain their allocated seat,

³ The Clerk's Office will provide additional details about how these seats will be allocated.

members of the media and other attendees with allocated seating must be seated fifteen (15) minutes prior to the commencement of proceedings for the day. Starting fifteen (15) minutes prior to the commencement of proceedings each day, the general public will be allowed to take any open seat on a first-come, first-serve basis.

f. Those seated in the primary courtroom at the beginning of the day will be given a courtroom admission pass, good for that day. This pass must be presented to a Court Security Officer to gain reentry to the courtroom.

11. Overflow Location for the Public

a. If seating in Courtroom 6 is at full capacity, overflow seating will be available for the general public in Courtroom 4. A live audio and video feed from the trial will be provided. A court-controlled closed-circuit video camera will be fixed on the witnesses, counsel, and the Court, and will not focus on the jury. Unless otherwise ordered, seating in the overflow courtroom is on a first-come, first-serve basis.

b. A Court Security Officer or other Court staff shall be present in the overflow courtroom at all times when the Court is in session to enforce decorum and ensure compliance with this Court's orders.

c. No food or beverage, except water for on-duty court staff, is permitted in the overflow courtroom.

d. The overflow courtroom will open one (1) hour prior to the commencement of proceedings for the day.

12. Media Room

a. Overflow seating will be available for the media in Courtroom 5 (“Media Room”). A live audio and video feed from the trial will be provided while court is in session. A court-controlled closed-circuit video camera will be fixed on the witnesses, counsel, and the Court, and will not focus on the jury. Only credentialed members of the media are permitted to enter the Media Room. Unless otherwise directed by the Clerk’s Office, seating in the Media Room is on a first-come, first-serve basis.

b. A Court Security Officer and/or other Court staff shall be present in the Media Room at all times when the Court is in session to enforce decorum and ensure compliance with this Court’s orders.

c. Credentialed members of the media may bring certain types of food into the Courthouse and the Media Room under the following conditions:

i. Credentialed members of the media may bring “brown bag” type lunches and similar food into the Courthouse, but no “hot” food (e.g., recently cooked take-out) will be allowed;

ii. All food must be sealed in a clear container or transparent plastic bag (e.g., Ziploc bag) to assist in visual security inspection upon entrance to the Courthouse;

iii. Court Security Officers will be the final arbitrators over whether a particular type of food will be allowed in the Courthouse, and individuals must follow their instructions.

- iv. Food may only be consumed in the Media Room or outside the Courthouse; food is not allowed in the Trial Courtroom, the Public Overflow Courtroom, or the Courthouse hallways;
- v. All food leftovers must be promptly disposed of and members of the media must clean up after themselves;
- vi. No liquids may be brought into the Courthouse; and
- vii. Any violation of these rules by any person may result in revocation of food privileges in the Media Room or other sanctions as deemed appropriate by the Court.

d. Credentialed members of the media may bring electronic devices into the Media Room and use such devices in the Media Room, to write and transmit written content and to make telephone calls. However, no member of the media shall take any photograph, make any recording, or make any broadcast by any means, at any time in the Media Room or anywhere else within the Charleston Federal Courthouse, J. Waties Waring Judicial Center, or Matthew J. Perry Courthouse in Columbia.⁴ Any violation of this prohibition may result in the banning of all laptops or recording devices or the closing of the Media Room for the duration of trial. The Court may enter contempt sanctions against any violator and, if attending in the capacity of an employee or agent, against the employer or principal.

⁴ See Paragraph 17 below for details on a designated outdoor area for such activities.

e. The Court will not provide internet access in the Media Room. However, members of the media may bring their own internet access devices, such as Wi-Fi cards and hotspot devices.

f. Unless otherwise ordered, the Media Room will open one (1) hour prior to the commencement of proceedings for the day and close one hour after the end of court proceedings or at 6:00 P.M., whichever is later.

Jurors

13. The names of jurors or prospective jurors shall not be revealed to the public or media in any fashion or form during the course of these proceedings. Any public references to the jurors or prospective jurors, including references in the courtroom, shall be by juror number only.

14. The Court will not permit any depictions or identification of individual jurors or prospective jurors at any time during the course of the proceedings in any manner including, but not limited to, photographs, videos, or identifying artistic renderings by sketch artists or any other individuals.

15. Any attempt to contact jurors or prospective jurors or any attempt to interact with jurors or prospective jurors in any way is strictly prohibited during the jury selection process and trial of this matter. Conversations, interviews, written communications, and any other communication or attempted communication with prospective jurors or selected jurors, including alternates, before they have been discharged by the Court are strictly prohibited.

16. When the jury has been discharged after its final verdict, any juror may consent to be interviewed by the media or other persons. Jurors are not obligated

to discuss this case with anyone at the trial's conclusion, and once a juror indicates his or her desire not to discuss the trial, there should be no further attempts to contact that juror.

Other Provisions

17. To assist with overall security and general public access to the courthouse, the Court has designated the Federal Courthouse Garden on Meeting Street for media use throughout the trial. This is the only area where press conferences, interviews, still pictures, and film coverage can be activated and conducted on courthouse grounds. During trial in this matter, the Federal Courthouse Garden will open when the courthouse opens and will be closed at 7:30 P.M. Court security will lock all gates to the Federal Courthouse Garden promptly at 7:30 P.M. Therefore, all persons must exit and all equipment must be removed from the Federal Courthouse Garden *prior* to 7:30 P.M. Any violation of this rule by any person may result in exclusion from the Federal Courthouse Garden, revocation of media credentials and media coverage privileges, or other sanctions as deemed appropriate by the Court.

18. For safety reasons, no individual may block and no activity may take place at any point of ingress or egress to the courthouse itself.

19. As needed, updates to the media and public will be made on the District website. Any media inquiries should be directed to media@scd.uscourts.gov or 843-579-2679.

20. The United States Marshal, his Deputies, and Court Security Officers shall be responsible for maintaining order and decorum in the courthouse. All orders

given by the Marshal, his Deputies, and Court Security Officers shall be deemed orders of this Court and must be complied with promptly. Failure by any person to do so may subject such person to sanctions by the Court, including, but not limited to, exclusion from the trial courtroom or the courthouse.

21. This Order may be modified or amended at any time by the Court without notice.

22. Any violation of any portion of this Order by any person may result in exclusion from the trial courtroom or the courthouse, revocation of media credentials and media coverage privileges, or other sanctions as deemed appropriate by the Court.

AND IT IS SO ORDERED.



David C. Norton
United States District Judge

March 17, 2017
Charleston, South Carolina