

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA)
)
 v.) 1:01cr455 (LMB)
)
 ZACARIAS MOUSSAOUI)
 a/k/a "Shaqil,")
 a/k/a "Abu Khalid)
 al Sahrawi,")
)
 Defendant.)

TRIAL CONDUCT ORDER # 2 (CCTV Locations)

To minimize any confusion about the CCTV proceedings, and maximize the security of attendees and the integrity of the proceedings, it is hereby

ORDERED that all CCTV sites will be deemed extensions of courtroom 700, in the Albert V. Bryan United States Courthouse in Alexandria, Virginia. The proceedings in courtroom 700 will dictate the schedule of all CCTV sites,¹ and the rules of conduct that apply to courtroom 700 will apply to all CCTV courtrooms. In particular, no talking, eating, drinking, chewing gum, or other distracting behavior will be permitted,² and it is further

ORDERED that under no circumstances may anyone in the CCTV courtrooms, including any attendees, technical specialists, or

¹ If CCTV sites are closed due to weather or other conditions, the trial proceedings in courtroom 700 will nevertheless be held. Similarly, the trial will not be delayed if technical problems interfere with the signals to CCTV sites.

² The presiding judicial official may adjust these rules concerning eating and drinking to accommodate any medical needs of attendees.

medical personnel bring into the courtroom any weapons or electronic devices of any kind, including but not limited to, cellular telephones, Palm Pilots, Blackberry or other e-mail devices, pagers, cameras, tape recorders, and laptop computers, nor may anyone record or transmit, or attempt to record or transmit, the CCTV proceedings in any manner.³ Violation of this Order will result in the prohibited item being seized and not returned until the end of the day. A repeat violation will result in revocation of the attendee's credentials.

Only those persons who have been found eligible to attend the CCTV proceedings under the provisions of Section 203 of Public Law 107-206 and who present authorized credentials may enter the CCTV courtrooms. If an authorized attendee loses his or her credentials, replacement must be obtained before that person may be admitted into the CCTV courtroom.⁴ The only exceptions to this requirement for credentials are for a

³ Excepted from this Order are any weapons or communication devices needed by the United States Marshals Service personnel to maintain order and security or communication devices needed by technical experts. However, any use of communication devices by security personnel or technical experts must be limited solely to sending or receiving information needed to perform their authorized duties and may not be used to record or broadcast the CCTV proceedings. Moreover, to the extent any of the CCTV courtrooms are equipped with video or audio surveillance systems, those systems must be disabled before the CCTV proceedings begin.

⁴ Replacement credentials can be obtained using the procedures established by the Victim/Witness Unit of the United States Attorney's Office for the Eastern District of Virginia. Credentials are not transferable. Anyone who attempts to copy, alter, or otherwise misuse a credential is subject to sanctions.

technical specialist, who upon a request from the presiding judicial official, needs to enter the courtroom to address any technical problems with the equipment or the transmission, or for any emergency medical personnel summoned by either the presiding judicial official or court security personnel to assist an attendee who is unable to leave the courtroom, and it is further

ORDERED that at least two deputy United States Marshals or court security officers be stationed in each CCTV courtroom while those courtrooms are open, and it is further

ORDERED that all persons attending the proceedings must pass through security each time they enter the courtroom.

To minimize congestion at the courtroom doors, and ensure the comfort of attendees, it is hereby

ORDERED that members of the media must comply with the local court's rules concerning interviewing witnesses in or around the courthouse. However, to avoid interfering with ingress or egress from the CCTV courtrooms, no member of the media or general public may interview, or attempt to interview, attendees in the immediate area surrounding the CCTV courtrooms. Moreover, the media must respect the request of any attendee to not be interviewed. Any attendee may obtain assistance from the security personnel if his or her wishes to be left alone are not respected.

Although final jury selection is scheduled to begin at 10:00 a.m. on Monday, March 6, 2006, the CCTV transmission will not begin until opening statements, which are scheduled to start at

2:00 p.m. Seating in the CCTV courtrooms should begin at least one hour before opening statements begin. Opening statements are expected to last until approximately 3:30 p.m. After the afternoon break, the government will call its first witness. Exhibits shown to the jury during opening statements, as well as during the trial, will not usually be seen in the CCTV courtrooms.⁵

The trial is scheduled to be held on Mondays through Thursdays from 9:30 a.m. to 5:30 p.m., with a mid-morning break of twenty minutes at approximately 11:00 a.m., a mid-afternoon break of twenty minutes at approximately 3:30 p.m. and a one hour lunch recess from 12:30 to 1:30 p.m. Every effort will be made to keep to this schedule. As much as possible, advance notice of changes to the schedule will be announced in open court, posted on the court's website, (www.vaed.uscourts.gov/notablecases/moussaoui/index.html) and will also be available by calling the toll-free information line (866-556-8421), which is dedicated exclusively to information about this case.

Seating in the CCTV courtrooms will begin at least one hour before the beginning of each day's trial proceedings. The CCTV sites will remain open while the jury deliberates. Jury

⁵ The camera in courtroom 700 is in a fixed position, that provides a clear view of the lectern from which attorneys speak, counsel, the defendant, the witness, and the court. The jury is not visible. The technology in place does not provide for close-ups.

deliberation will be held Monday through Friday, with the time period subject to change depending on the jury's wishes. Because questions by the jury must be answered immediately, no advance notice will be provided for court proceedings addressing those questions. However, to ensure that those following the trial have a reasonable opportunity to view the verdict being returned in open court, the Court will provide notice on its website and toll-free information line that a verdict has been reached approximately one hour before the verdict is returned in open court.

The Clerk is directed to forward copies of this Order to counsel of record and the United States Marshals Service.

Entered this 1st day of March, 2006.

/s/

Leonie M. Brinkema
United States District Judge

Alexandria, Virginia