

UNITED STATES OF AMERICA
DEPARTMENT OF HOMELAND SECURITY
TRANSPORTATION SECURITY ADMINISTRATION

In the Matter of:

John Brennan,

Respondent.

Docket No.

12-TSA-0092

**ORDER REGARDING COURTROOM SECURITY AND PHOTOGRAPHY,
RECORDING DEVICES, BROADCASTING AND WIRELESS
COMMUNICATION DEVICES IN ADMINISTRATIVE HEARING**

By Order of the Administrative Law Judge and pursuant to 49 C.F.R. § 1503.607(a)(7) and 5 U.S.C. § 556(c)(5), the local court rules regarding courtroom security and photography, recording devices, broadcasting, & wireless communication devices for the Oregon Bankruptcy Court, the venue in which the hearing in the above-captioned case is being held, are adopted for this proceeding. These rules are as follows:

Rule 5072-2. Court Security—Prohibition against Possession of Firearms, Weapons, or Other Disruptive or Disabling Devices.

No individual may possess any firearm, weapon, or other disruptive or disabling device in the clerk's office, any judge's chambers, or courtroom area unless specifically authorized by court order. "Courtroom area" includes courtrooms, hallways, elevators, stairwells, and all other areas available for any use by the public or court personnel.

Rule 5073-1. Photography, Recording Devices, Broadcasting, & Wireless Communication Devices.

(a) Photography/Recording/Broadcasting. The taking of photographs, audio or video taping in, or live broadcasting from, the clerk's office, any judge's chambers, or a courtroom area as defined in LBR 5072-2 is prohibited. Unless specifically authorized by a judge, photographic, recording, taping, or broadcasting equipment not constituting "wireless communication devices" as defined in (b) must not be brought into the clerk's office, any judge's chambers, or a courtroom area as defined in LBR 5072-2.

(b) "Wireless Communication Devices" Defined. "Wireless communication devices" include, but are not limited to, mobile or "smart" phones, laptop computers, tablet computing devices, mp3 players, and personal digital assistants (or similar devices).

(c) Use of Wireless Communication Devices in a Courtroom or Courtroom Area. The following rules apply to the use of wireless communication devices:

(1) A cellular wireless communication device (e.g., 3G/4G) must either be turned off in a courtroom or have its capacities that may interfere with the courtroom sound system, including cellular capacities, deactivated.

(2) A wireless communication device (e.g., wi-fi) turned on in a courtroom must be sent to "silent", unless audio capabilities are needed as part of a court proceeding.

(3) No wireless communication device may record or transmit audio, video images, pictures, or movies of a courtroom area as defined in LBR 5072-2 at any time.

(d) Sanction. Violation of this LBR may result in the offending device being confiscated by United States Marshal's Office personnel, and the violator referred to the court for contempt or other sanction proceedings.

The purpose of adopting the local rules is to ensure that the proceeding is conducted expeditiously, with decorum, and with a minimum of disruptions. Additionally, it is intended to prevent any inadvertent disclosure of Sensitive Security Information (SSI) under 49 C.F.R. § 1503.415 and 49 C.F.R. Part 20.

All persons who wish to attend the hearing are welcome to do so, provided they comply with the above rules.

IT IS SO ORDERED.

Dated: May 9, 2013.



George J. Jordan
Administrative Law Judge