

COMMONWEALTH OF PENNSYLVANIA : IN THE COURT OF COMMON PLEAS
V. : CHESTER COUNTY, PENNSYLVANIA
DANILO SOUZA CAVALCANTE : CR-345-2023 (OTN R 537452-6)
 : CR-427-2023 (OTN R 544156-4)

DECORUM ORDER

AND NOW, this 21st day of January 2024, in the exercise of its inherent power to provide for the orderly disposition of all trial and court related proceedings, and upon consultation with the Chester County Court Administrator's Office, the following Order is entered:

The terms of this Order apply to the preliminary hearing scheduled to begin at **9:30 a.m. on February 2, 2024, at Magisterial District Court 15-4-04 located at 914 West Cypress Street, Kennett Square, Pennsylvania 19348.**

The provisions noted as "Mandatory" shall be applied by the Court and enforced accordingly by court security personnel. The provisions noted as "Informational" are intended to provide meaningful structure and guidance to the press and members of the public who will be attending the proceedings.

Additional information will be made available on the Administrative Office of Pennsylvania Courts website at: <https://www.pacourts.us/news-and-statistics/cases-of-public-interest/commonwealth-v-danelo-cavalcante>

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MANDATORY

1. Court Access: All members of the public and members of the media must enter the court facility through the front entrance located on West Cypress Street, unless modified by the Court. Access from other courthouse entrances will not be permitted.

2. Policies regarding the working press:
 - a. There will a formal credentialing process. The press must have a form of organization credentials to be recognized as “working press”. Self-credential persons shall be considered members of the public.

 - b. Working press will be admitted to the Courtroom beginning at 9:00 a.m. on a first come basis and will sit in an area designated by court security personnel.

 - c. Court security personnel will assume that any reporter with current credentials issued by a news organization is, for the purposes of this proceeding, working press.

 - d. Working press may possess computers or other electronic note taking devices, including cell phones in the Courtroom. However, cell phones cannot be used for conversations while in a courtroom.

 - e. There shall be no video or audio recording of any kind while in the Court Facility

 - f. A sketch artist(s) will be permitted, if requested, subject to appropriate security clearances.

3. Policies regarding the public:

a. The public will be admitted to the Courtroom beginning at 9:15 a.m. and will be seated where designated by court security personnel.

b. No member of the public is permitted to display in any Courtroom cell phones, computers, electronic recording devices or similar equipment. If such equipment is displayed, it shall be subject to confiscation and the individual will be removed from the courtroom. All such equipment shall be turned off (not just placed into “vibrate” mode) prior to entering the Courtroom.

5. Allocation of Courtroom Seats:

a. During the preliminary hearing:

1. Family of defendant, if requested, to be assigned by court security personnel.

2. Working Press – to be assigned by court security personnel.

b. A reallocation in assigned seating categories at the sole discretion of the Court and security personnel.

c. Subject to the above provisions, seating shall be on a first come basis.

6. Public Admittance: Members of the public will be admitted to the Courtroom and overflow room on a first come basis. There will be no pre-selection for the public.

a. Members of the public attending court proceedings shall abide by all rules and regulations governing individuals using the court facility as previously established by the Court and as established in this Order.

b. The Court reserves the right to establish and implement additional rules and regulations or modify same as, in its sole discretion, are necessary for the proper order and process of all court proceedings.

7. Courtroom Attire and Accessories:

a. Persons in the courtroom must be dressed in appropriate courtroom attire. This means the best business attire at your disposal. No shorts or sleeveless "tank tops" shall be permitted in the courtroom.

b. No signs, banners, company or media logos, messages, clothing with messages, or other distracting, disruptive, or potentially prejudicial material may be brought into, worn, or displayed in the courtrooms or security areas.

8. Courtroom Demeanor:

a. At the end of the court session, all shall remain seated until the judge and defendant have left the courtroom, and the security personnel has given permission to leave.

b. Persons in the courtroom must remain silent during all proceedings. There will be no talking or other gesturing/signaling of approval or disapproval of any statements, actions, testimony or rulings during court proceedings.

c. There will be no reading of newspapers, magazine, books, electronic devices or other materials in the courtroom during court proceedings.

d. There will be no drinks, food, chewing gum, smoking, or chewing tobacco in the courtroom, except for water provided by court personnel to the witnesses, or counsel, except with the permission of the Court.

e. As in all cases, the atmosphere in the courtroom must be quiet, calm, and deliberative. All persons attending the proceeding must commit to a serious attitude while attending any court proceeding.

9. Leaving the Courtrooms: Those seated in a courtroom during proceedings are expected to remain in their seats until the Court either calls a recess or the session has ended. If a person is required to leave a courtroom during any proceeding, that person shall do so in a prompt, quiet manner so as not to disrupt the proceedings. Any person leaving may be asked to delay re-entry into the courtroom at the sole discretion of court security or court personnel so as not to disrupt court proceedings. Those who leave an area deemed secure by security personnel may be required to undergo a security screening before being readmitted.

10. Electronic Devices:

a. All members of the working press and the public shall abide by the existing Chester County Court of Common Pleas' policy regarding the possession and/or use of any cell phone, laptop computer, smart phone, or similar electronic device while in court facilities, except as may be modified by this Order. All members of the working press and the public intending to attend any proceedings must familiarize themselves with the policy on electronic devices in a courtroom facility prior to the date of attendance at any court proceeding.

b. All cell phones and electronic devices must be turned off (not just put in "vibrate" mode) prior to entering any courtroom and such devices shall not be utilized or displayed (must be out of sight) under all circumstances while in a courtroom. Any individual who violates this policy shall be removed from the courtroom and required to surrender the cell phone and/or electronic device to the custody of court security personnel. Such device may also be subject to examination or confiscation if circumstances require.

c. The only exception to the above requirement is that members of the working press may use electronic devices for the sole purpose of note-taking. Transmission from these devices or internet use is strictly prohibited while in the court facility.

d. There shall be no video or audio recording of any kind while in the court facility.

e. There shall be no transmission of any electronic information or any internet use at any time while in the court facility except as set forth in paragraph 10(c) above regarding the working press.

f. This Court reserves the right to implement additional rules and regulations or modify all those in existence regarding the possession and/or use of electronic devices in the court facility.

11. Sanction for Improper Use of Electronic Device: Any working press or member of the public who violates any provision of this Order or the Chester County Court of Common Pleas policy regarding the use of electronic devices in the court facility, in addition to other sanctions noted in this Order, may be subject to the penalties of contempt (including fines or summary incarceration) under any applicable statute, order or rule of Court. In addition, any working press or news organization that violates this Order, or that broadcasts or publishes any information or image in violation of this Order, in the discretion of the Court, may also lose the privilege to attend any further court proceedings.

12. Interviews:

a. No news media interviews whatsoever shall be conducted in the court facility, including corridors, hallways, and lobby. Interviews may be conducted in the front area outside of the court facility or other approved area as designated by the court security personnel.

13. Photography:

a. There shall be no photographs taken in the court facility.

15. Sanctions:

There will be no prior warnings. Any violation of this Order or other Court Orders, written or verbal, and any conduct the Court finds disruptive of any proceedings may result in:

a. A written or verbal Court Order of temporary or permanent exclusion from the courtroom or court facility;

b. A Contempt of Court finding and sanction which can result in confinement in jail for up to six (6) months and/or a fine for each offense.

c. Such other sanctions as deemed necessary by the Court to ensure the proper administration of justice.

16. Notice of this Order and Court Policies:

This Order and Court policies shall be posted on the Administrative Office of Pennsylvania Courts website at <https://www.pacourts.us/news-and-statistics/cases-of-public-interest/commonwealth-v-danelo-cavalcante> and shall be posted outside the courtroom. This information shall also be distributed to counsel for the defense, commonwealth as well as others, as required by the the Court. A copy of this Order may also be obtained at the Office of the Chester County Court Administrator.

17. All other questions related to these proceedings can be directed to Patricia Norwood-Foden, Chester County Court Administrator, at 610-344-6170.

BY THE COURT:



JOHN L. HALL, P.J.

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Certified From The Record

29th day of Jan 20 24

Deputy Clerk of Common Pleas Court