



March 2, 2022

**Testimony on SB 775
Courts – Payment for Jury Service
Judicial Proceedings****Position: Favorable**

Common Cause Maryland and partners support SB 775, which would increase the per diem rate to \$30 for the first 5 days of jury service in one trial and \$50 for each day of service in one trial in excess of 5 days. This would be the first pay increase since 2006, bringing the per diem rate in Maryland in line with those in neighboring states like Virginia and the District of Columbia.

Low juror pay is a significant financial burden that prevents too many low-income people from serving on a jury. Most people cannot afford to miss one or even several days of work as they need to support themselves and their families. And because income inequality is strongly correlated with race, juries have become less racially diverse and tend to be composed only of those people who can afford to serve unpaid or who have employers that will pay them while they are serving.

Economic hardship should never be a barrier to someone serving on a jury. The current law places the rate jurors are paid at \$15 per day, which barely covers their transportation and meal expenses, let alone the opportunity cost of a lost day's wages.

Jury-diversity advocates have been calling for higher pay for jurors for almost three decades. Research shows that juries lacking in racial diversity exacerbate the harm the criminal legal system inflicts on people and communities of color – all-white juries deliberate less, are less likely to consider all of the evidence presented, make decisions predicated on racial bias more and convict Black defendants at higher rates than white defendants.

Suggested amendment: While employers are required to provide time off to Marylanders who are reporting to jury selection and jury duty, they are not required to pay for days served like in DC where jurors are paid the \$30 per diem rate in addition to their regular pay at their place of employment if full-time staff. While an increase to \$30 would be an improvement, we are concerned SB 775 falls short in covering the lost wage for the day. We understand that a higher per diem rate may not be possible and instead recommend requiring the General Assembly review jury compensation every 5 years to ensure it is in line with inflation and market needs.

Higher compensation for jury duty will help ensure that our jury pools are more reflective of the communities they are serving. SB 775 will help put Maryland on a path to more diverse and inclusive juries and for that reason, we request a favorable report.

