



Testimony for the Senate Judicial Proceedings Committee

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SB 469 - Courts - Remote Public Access

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The American Civil Liberties Union of Maryland urges a favorable report on SB 469, which would require each court in the state to provide remote audio-visual access to all public court proceedings, except under certain circumstances.

Throughout the Coronavirus pandemic, Maryland has expanded the use of remote options for court proceedings. As a result, public access to these proceedings has been expanded and individuals have been able to watch proceedings safely and conveniently. Maryland Courts have adopted a five-phase reopening plan, of which we are in Phase 3. In Phase 3, courts are still encouraged to conduct proceedings remotely. However, per the reopening plan, court proceedings will eventually return to normal operations and remote proceedings will likely be reduced. Options for remote public access must remain after the return to in-person proceedings.

The right of public access to court proceedings is enshrined in both the 1st Amendment and 6th Amendment of the Constitution. Public access to court proceedings allows the general public to ensure the justice system is functioning fairly and effectively, providing a check on potential abuses of power. Transparency in our courts encourages best practices on the part of the government, bolstering public trust. Additionally, public access to proceedings allows people to gain a better understanding of how the justice system operates.

The switch to remote proceedings has eliminated certain barriers to witnessing court proceedings, allowing individuals to fully enjoy the benefits of the 1st and 6th amendment. SB 469 would ensure that the return to in-person proceedings would not be accompanied by a de facto reinstatement of such barriers. Additionally, the bill would encourage individuals to stay home as we continue to navigate the ever-changing public health landscape.

For the foregoing reasons, the ACLU of Maryland urges a favorable report on SB 469.