

Baltimore Courtwatch SB0775 Testimony.pdf

Uploaded by: Christopher Comeau

Position: FAV



*SHINING A LIGHT IN THE DARK CORNERS
OF BALTIMORE CITY'S COURTS*

March 1, 2023

The Honorable Will Smith
Chairman, Senate Judicial Proceedings Committee
2 East Miller Senate Office Building
Annapolis, MD 21401

Senate Bill 775 (Courts – Payment for Jury Service) FAVORABLE

Dear Chair Smith and Senate Judicial Proceedings Committee members,

Baltimore Courtwatch (BCW) is a transparency organization that observes public court hearings and educates the public on how our judicial system impacts our fellow Baltimoreans. During the pandemic, we have observed and reported on over 5,000 hearings in the Baltimore City Circuit Court. The judicial system we have witnessed is one that consistently fails to live up to the promise of being impartial and fair. SB775 is an essential step moving towards that promise.

The jury system is alleged to be a process that ensures a jury of peers. Yet, all over this country, jury pools have historically been skewed to exclude marginalized people, particularly Black people, in a shocking number of ways. Maryland is no exception and at BCW we have directly witnessed the harm that occurs in trials where a Black person's life is in the hands of an overwhelming majority white jury. Often this is achieved through indirect, yet still insidious, means. This includes asking low-income Marylanders to choose attending jury duty over their own financial well-being.

Our neighbors living in poverty are dealing with a myriad of problems including housing insecurity, food insecurity, and rising health care costs. A single day missed could be the straw that breaks a family's stability. Even a day's worth of work removed from a paycheck could put a family at risk of eviction. And evictions can throw a family into disarray for months, if not years. Many Marylanders are struggling to literally put food on the table and a day without pay would mean them and their family skipping meals or vital medications. **We cannot continue to ask people to risk their health, their children's meals, or eviction from their home to attend jury duty.** Right now our low-income neighbors, who are disproportionately Black, are faced with that choice.



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In effect, leaving jury pay at \$15 per day eliminates the possibility of truly fair and representative jury pools. All Marylanders deserve a fair hearing before their peers. **We ask that the Judicial Proceedings Committee give SB775 a favorable report.**

For more information about Baltimore Courtwatch or our position, please contact Co-Founder Christopher Comeau at chris@baltimorecourtwatch.org

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Uploaded by: Jill Carter

Position: FAV



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

**Testimony of Senator Jill P. Carter
In Favor of SB775
- Courts - Payment for Jury Service -
Before the Senate Judicial Proceedings Committee
On March 2, 2022**

Chair Smith, Vice-Chair Waldstreicher, and Members of the Committee:

Senate Bill 775 modestly raises the daily compensation that individuals receive for the first five (5) days of jury duty from \$15.00 to \$30.00.

Currently, employers are not required to compensate employees for jury duty, which means that individuals who earn a daily wage are at greater risk of losing much-needed income. Unfortunately, many wage earners are not in a financial position to lose a whole day's wage - let alone five or more. For example, a full-time employee that is paid the state's minimum wage, which is \$12.50 per hour, loses \$85.00 per day for every day served on a jury. Over a five-day period, that adds up to a loss of \$425.00, which is a significant amount of money for anyone.

Currently, our closest neighbors, Virginia and the District of Columbia, pay their jurors more than Maryland. Virginia pays its jurors \$30 per day while the District of Columbia pays many of its jurors \$40 per day. This bill simply places Maryland on par with our neighbors in the region.

Some may believe that increasing what jurors are paid is unnecessary, particularly since serving on a jury is a civic duty and jurors earn \$50.00 per day after five days of service. However, this line

of thinking harms the purpose of our jury system, particularly the role that jurors play, which is to listen to evidence during trial, decide what facts the evidence has established, and draw inferences from those facts to form the basis for their decision. I think it goes without saying that a person who is worried about the adverse financial effects of sitting on a jury is less likely to focus on carrying out their duties than those who are unburdened financially. The result is a less effective jury service and less reliable outcomes for plaintiffs and defendants.

However, higher pay would lead to fewer jurors seeking excuses from service and aid in the empaneling of more representative juries. While it is understood that juror compensation was never meant to serve as a substitute for a salary, raising the daily rate of juror compensation to \$30.00 per day would provide some small relief for the sacrifices made by jurors.

Overall, Senate Bill 775 aims to alleviate financial burdens placed on individuals by modestly increasing the compensation they receive for performing their civic duty of jury service.

This bill has received the endorsement of activists across the state including the Prince George's County Court Watch, Baltimore City Court Watch, Common Cause Maryland, the League of Women Voters, and the Maryland Justice Project.

As such, I urge this committee to give a favorable report on Senate Bill 775. Thank you

Respectfully,



Jill P. Carter

Testimony SB775 Payment for Jury Service.pdf

Uploaded by: Monica Cooper

Position: FAV



TESTIMONY IN SUPPORT OF SB775
Courts – Payment for Jury Service

To: Chairman William C. Smith, Jr., Vice Chairman Jeff Waldstreicher and Members of the House Ways and Means Committee

From: Monica Cooper Maryland Justice Project, Founder

Date: 3/03/2022

Dear Chairman and members of the committee

The Maryland Justice Project would like to ask for your support on **SB775 Payment for Jury Service**. While our organization work with Women and Girls Incarcerated and Formerly Incarcerated we often find ourselves dealing with families who are going through court proceedings. One thing we have found is the extreme inequity in the selection of jurors as it relates to retuning citizens and citizens of color. Many folks have been excluded from this act of citizenship. Besides those things I have mentioned our court system needs a complete overhaul, which includes providing Maryland citizens a stipend that reflects Maryland's changing economy. Unfortunately, goods, merchandise, and services have all seen drastic price increases. As Maryland citizens show up to perform their civic duty they should at least be able to afford to have lunch with the funds provided them. By rendering a favorable vote on this bill you will be sending a positive message to all Marylanders, and that message is **"we see you"**,

“we know you are struggling financially” and “we want to acknowledge that by increasing payment for jury service”

Thank you,

*Monica Cooper, Founder and Executive Director
Maryland Justice Project*

SB 775 - Courts - Payment for Jury Service.pdf

Uploaded by: Morgan Drayton

Position: FAV



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.



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