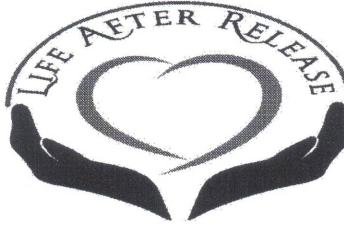


## **7 written testimonies for SB043.pdf**

Uploaded by: Afeni Evans

Position: FAV



## TESTIMONY IN SUPPORT OF HB133/SB043

1-23-2023

Delegate David Moon  
Senator Jim Rosapepe

Dear Senator Rosapepe and Delegate Moon

My name is Qiana Johnson, and I am the Executive Director of Life After Release. Life After Release (LAR) is a women-based, formerly incarcerated-led organization. LAR provides support for formerly incarcerated women reentering their communities. We empower our Black community by teaching them to manage life after release from incarceration. We also teach our community grassroots organizing and advocacy skills to shape legislation and policy that affects the quality of their lives. Our work is key to reducing recidivism, finding restorative options, and challenging judicial officials to find and adopt meaningful ways of ending the systemic incarceration of Black and brown people through equitable and transformative means of justice.

I strongly support remote access to courts as it is provided for in your proposed legislation. I appreciate the effort you both made by sponsoring similar legislation last session.

As you know, since then the Courts in my county, Prince George's, have removed zoom access and have substituted inadequate audio-only access. I regularly log in to bail hearings that used to be held via zoom. The new audio "access" is spotty at best. I have heard situations, where the people whose release from detention is being determined, cannot hear the proceedings from the jail. This bill H.B 133/ S.B043 is very important because allowing more people to observe court is the first step to fixing problems like these, and the fact that these issues predominantly affect Black and Brown people is unjust. Injustice happens in empty courtrooms. Thank you for taking the time listen to me I hope the Judiciary Committee votes favorably

Ms. Qiana Johnson  
qjohnson@lifeafterrelease.org  
Founder and Executive Director  
4710 Auth Place  
Camp Springs, MD 20744  
240-845-4007

To:

Senator Jim Rosapepe and

Delegate David Moon

Re: Virtual Access to Courts

I strongly support virtual access to courts as is provided for in your proposed legislation. I appreciate the effort you both made by sponsoring similar legislation last session.

Since the nationally recognized work of LAR (Life After Release) Court watch, Prince George's County courts have removed zoom access to substitute inadequate audio-only access. This change in access appears to be retaliation against court watchers from the courts. Which is a clear indication of seismic harm in our judicial system.

Thank you for your work to keep our courtrooms truly public. Injustice happens in empty courtrooms.

Sincerely,

From:

Alexiss Kurtz-Hoggard

4500 Donatello Sq.

Owings Mills, MD 21117

609 Littlestown Pike, #1  
Westminster, MD 21147

Testimony of Raina Newsome

In favor of: S.B. 43/H.B. 133  
An Act Concerning Courts – Remote Public Access

My name is Raina Newsome, and I am a lifelong Maryland resident, currently living in Carroll County. As a community member engaged with issues around incarceration and connected to organizations including Courtwatch PG and the Justice Arts Coalition, I write to you in support of S.B. 43 and H.B. 133.

I, along with so many others, began to seriously reckon with the depths of racism and violence embedded in our policing, prison, and court systems in 2020, when the murders of Breonna Taylor and George Floyd sparked worldwide uprisings for Black lives. Still in school during the time, I brought criminal justice to the forefront of my studies, researching the intersections between environmental racism and jails, the role of surveillance in normalizing mass incarceration, and the impact of advocacy organizations like Courtwatch PG and Civil Rights Corps. Jails and prisons are widely viewed as means of keeping those on the outside safe, but by locking people up and hiding them away from society, we create the perfect conditions for neglect and abuse to fester inside. The visibility and accessibility afforded by remote court access is a fundamental right, as well as a crucial means of countering the injustices that happen when we collectively turn a blind eye.

The First and Sixth Amendments to the Constitution guarantee open public access to court proceedings, and in 2020, when the pandemic first arose, the Supreme Court of Maryland responded accordingly to uphold this right by authorizing remote access to courtrooms. The benefits of this decision cannot be understated. It has been a means of keeping people healthy and safe, and has also allowed access to people without the time or means to physically attend their loved ones' hearings. The increased accessibility of remote access encourages attendance from the broader public as well, which is valuable in promoting civic engagement and transparency in the system. Courtwatch PG has been a brilliant example of this, with its volunteers working diligently to take note of what happens in bail hearings and ensure that defendants are treated justly.

These measures were originally put in place to accommodate public health measures, and although the pandemic is not over, efforts to maintain remote access have been significantly cut back, which is undermining efforts by community members to advocate for justice for their loved ones. Even if COVID-19 was no longer a risk, the increased accessibility and transparency that come with virtual access are enough justification to continue its use—that's why I urge you to vote for S.B. and H.B. 133.

Sincerely,  
Raina Newsome



To:

Delegate David Moon  
Senator Jim Rosapepe

From:

Rita Gray  
7708 Hanover Pkwy,  
Greenbelt, MD 20770

Re: Virtual Access to Courts

I strongly support virtual access to courts as is provided for in your proposed legislation. I appreciate the effort you both made by sponsoring similar legislation last session.

The Courts in my county, Prince George's, have removed zoom access and have substituted an inadequate audio-only access. I regularly log in to bail hearings that used to be held via zoom. The new audio "access" is spotty at best. I have heard situations where the people whose release from detention is being determined cannot hear the proceedings from the jail. Last year, my Quaker Meeting voiced its support for similar legislation. I testified before the house Judiciary Committee in favor of the legislation last year and plan to participate in any hearings held this year.

Thank you for your work to keep our courtrooms truly public. Injustice happens in empty courtrooms.

Sincerely

Rita Gray

**Written Testimony for SB43 "Court Remote Public Access Act"**

To:  
Senator Jim Rosapepe

1-23-2023

Testimony of Shawnde' Sousa  
In favor of SB43

My name is Shawnde' Sousa. My son is incarcerated in Jessup,MD and due to the pandemic family and friends were only able to support him via Zoom court, which the judge himself was impressed with the turnout. This not only shows the judge and prosecutors that the people before them aren't forgotten members of society but they have people that care about what happens to them. I have family all over the world that logged in because they couldn't physically travel due to their military duty and the costs. Most importantly it lets those defendants know that they have people that believe in them and haven't given up on them.

Thank you for your time,

*Shawnde Sousa*

202-427-4976

To:  
Delegate David Moon  
Senator Jim Rosapepe

1-23-2023

Dear Senator Rosapepe and Delegate Moon

My name is Lyntroya Bagby, I am a resident of Prince George's County, Maryland I strongly support remote access to courts as it provided for in your proposed legislation. I appreciate the effort you both made by sponsoring similar legislation last session.

As you know, since then the Courts in my county, Prince George's, have removed zoom access and have substituted a inadequate audio-only access. I regularly log in to bail hearings that used to be held via zoom. The new audio "access" is spotty at best. I have heard situations where the people who's release from detention is being determined cannot hear the proceedings from the jail. This bill H.B 133/ S.B043 is very important because allowing more people to observe court is the first step to fixing problems like these, and the fact that these issues predominantly affect Black and Brown people is unjust. Injustice happens in empty courtrooms. Thank you for taking the time listen to me I hope the Judiciary Committee votes favorably

Thank you for your time,  
Lytroya Bagby  
[Troya@lifeafterrelease.org](mailto:Troya@lifeafterrelease.org)  
667-770-9928

To:

1-23-2023

Delegate David Moon

Senator Jim Rosapepe

From:

Afeni Evans

2800 Apple Green Lane

Bowie, Maryland 20716

Re: Virtual Access to Courts SB043 and HB133

I strongly support virtual access to courts as is provided for in your proposed legislation. I appreciate the effort you both made by sponsoring similar legislation last session. As you know, since then the Courts in my county, Prince George's, have removed zoom access and have wrongfully substituted it with inadequate audio-only access. I regularly log in to bail hearings that used to be held via zoom. The new audio "access" is spotty at best. I have heard situations where the people who's release from detention is being determined cannot hear the proceedings from the jail. I have been directly impacted by the Maryland Criminal Legal System and I believe that transparency in these courts is essential to ensuring justice. Thank you for your work to keep our courtrooms truly public. Injustice happens in empty courtrooms.

Afeni Evans  
202-460-4521

**SB 0043 Letter of Support - 2023.pdf**

Uploaded by: Baltimore Courtwatch


Position: FAV







**BALTIMORE  
COURTWATCH**

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

 [admin@baltimorecourtwatch.org](mailto:admin@baltimorecourtwatch.org)

 [www.baltimorecourtwatch.org](http://www.baltimorecourtwatch.org)

 [twitter.com/bmorecourtwatch](https://twitter.com/bmorecourtwatch)

January 23, 2023

**SB 0043 (Courts – Court Remote Access) FAVORABLE**

TO: William C. Smith, Jr., *Chair*  
Jeffrey D. Waldstreicher, *Vice-Chair*  
Jill P. Carter  
William G. Folden  
Mary-Dulaney James  
Michael W. McKay  
C. Anthony Muse  
Charles E. Sydnor III  
Christopher R. West

FROM: Baltimore Courtwatch




Baltimore Courtwatch  
1014 W 36th St, Baltimore, MD 21211  
[www.baltimorecourtwatch.org](http://www.baltimorecourtwatch.org)







**BALTIMORE  
COURTWATCH**

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

 [admin@baltimorecourtwatch.org](mailto:admin@baltimorecourtwatch.org)

 [www.baltimorecourtwatch.org](http://www.baltimorecourtwatch.org)

 [twitter.com/bmorecourtwatch](https://twitter.com/bmorecourtwatch)

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. Since April 2020, we have observed and reported on over 5,600 bail review hearings in the Baltimore City Circuit Court using the publicly available phone number found on the [Circuit Court of Baltimore City's website](#).

Our work relies heavily on remote access to hearings. The passage of SB0043 is an essential step to ensure that broad public accessibility to proceedings remains intact so that the public can continue to be given happenings within the courts. Additionally, with the remote access intact, we have been able to compile a comprehensive dataset spanning 2.5 years, a first-of-its-kind in the United States. Academics and national organizations use this dataset for analysis of judicial processes.

Without this remote access, Baltimore Courtwatch would not have been able to observe 14 hearings in which an Assistant State's Attorney did not show up for a bail hearing at all. We also would not have been able to refute then-State's Attorney Marilyn Mosby when she denied these absences while testifying to Baltimore City Council.

**We ask that the Judiciary Committee give SB0043 a favorable report.**

Thank you,

Chris Comeau and Angela Burneko  
Founders, Baltimore Courtwatch

For more information about Baltimore Courtwatch or our position, please contact Co-Founder Christopher Comeau at [chris@baltimorecourtwatch.org](mailto:chris@baltimorecourtwatch.org)



Baltimore Courtwatch  
1014 W 36th St, Baltimore, MD 21211  
[www.baltimorecourtwatch.org](http://www.baltimorecourtwatch.org)



**B Bianca Mills oral and written testimony.pdf**

Uploaded by: Bianca Mills

Position: FAV

January 23, 2023  
1900 county rd apt 203  
District Height, MD 20747

**Oral and Written Testimony of B. Bianca Mills**  
**In favor of: S.B.43/H.B.133,**

**Dear Senator Rosapepe and Delegate Moon,**

**My name is B. Bianca Mills. I am a resident of Pg County, Maryland, I am a family member first and Community Outreach Director of Life After Release secondly), We are an organization that observes and documents information from bail hearings in order to hold officials accountable for injustices in the court system. I am writing in support of S.B. 43/H.B.133. I support this bill because it is highly important that the court keep this access available. Because it totally made a difference in my son's life 2yrs ago when my family from out of town and suffering from covid couldn't get out to support this young man, so having remote access was the best thing they came up with. If not for the access 67 community members wouldn't have been able to show up on zoom all at once due to the pandemic in person wasn't available cause numbers were so high. community members and court watchers from all over us were able to join I truly know it made a difference in my son's outcome.**

**This bill is very important because allowing more people to observe court is the first step to fixing problems like these, and the fact that these issues predominantly affect Black and Brown people is unjust. Remote access to courts is vital to the community because transportation costs are rising, and many people are busy with jobs and other circumstances, yet everyone still has a right to open and public courts. I believe that legislators should support this bill because it will allow for more equality and transparency in the court system, By continuing to allow remote access to courts, people of all economic backgrounds will be able to attend court hearings. In addition, it makes it easier for family members and friends to attend their loved one's hearing, for the same reasons mentioned above. I support S.B.43/H.B.133, and I hope the Judiciary Committee votes favorably.**

**Thank you for your time, B Bianca Mills**  
**240-801-1527**  
**bicana@lifeafterrelease.org**

# **Dr. Carmen Johnson Oral and written Testimony SB04**

Uploaded by: Carmen Johnson

Position: FAV



**Oral and written Testimony in my individual capacity**

**HB133 & SB43 Court Remote Public Access Act**

**January 23, 2023**

**Chairman Senator Will Smith, Jr. of the Judicial**

**Chairman Delegate Luke Clippinger of the Judiciary**

**Senator Jim Rosapepe**

**Vice-Chairman Delegate David Moon**

**Delegate Nicole Williams**

Hello to all the Distinguished members of the Senate and the House,

I am Dr. Carmen Johnson. Today, I am the Director of Court Watch PG and Judicial Accountability. I am also the Founder of Helping Ourselves to Transform. I am the Chairwoman for Advocacy and Legislation for a re-entry board I helped create with other organizations over a year ago called MSARC under the US Attorneys office for the District of Maryland, Erek Baron. I also sit on countless other boards and committees including the United Nations. This is who I am today.

**Subsequently.....**

My path started out strong and successful for over 25 years full of accolades, awards and various prestige's positions across our Nation. I had a for profit company called Able Estate & Company that offered Financial Services to community members in the state of Maryland. I had a corporate attorney, CPA and a bookkeeper that had been with me for years back then. I was licensed by the State of Maryland to offer these services not understanding that when people left my office, I had no idea what they were doing with their credit, nor did I have control over what they were doing, and it was not my business after they received financial services from my company.

I also was the Founder and Executive Director of a non-profit called the Katie Able Foundation named after my grandmother. We taught our youth financial literacy, how to interact with elected officials from Congresspeople, US Senators to County Council members throughout Maryland, how to be an entrepreneur and not a consumer, life skills and how to be strong leaders. We worked very closely with the Former Comptroller of the State of Maryland Peter Franchot to make financial literacy a requirement in schools in the State of Maryland and we were successful. We also worked closely with Job Corp in life skills and diversion programs. My youth created a documentary called the "Signs of the Times". The narrative was the melt down of Wall Street and the foreclosures sweeping across the country. I produced the film, and my youth directed it. We won awards and it was also show cased on DCTV and PGTV

chopped up in 12 segments for 12 weeks for students to watch when they came home from school. I had an adult board and a youth board of directors for The Katie Able Foundation. This gave the youth a sense of leadership and acceptance. I like to lok

**This is where my life changed and why HB133 and SB043 must pass.**

While trying to create a GREAT future for our youth I became the “Housing Chair for the State Conference NAACP of Maryland”. I advocated for a moratorium to stop the foreclosures in the state of Maryland. I was all over the news and on every channel requesting a commission be set up by the state to investigate the foreclosures and I wanted to sit on this commission to help research each foreclosure case. The purpose was to try and understand why these foreclosures were happening throughout the Black and Brown communities and who was behind it. I had no idea that I was about to be politically hit and dragged through the ringer in this carceral system and accused of being the cause for (ALL) the foreclosures in the state of Maryland. It is one thing to plot to commit a crime, but it is a whole different thing when you are doing the right thing and get caught up in the injustice system web. I remember being placed under stress, duress and coercion to take a plea deal and I repudiated the offer - all the plea offers.

I went to trial in February 2015. It was so much strange things happening in the court room and I could not figure out what was going on. I had 4 different high profile attorneys at different times until I ran out of money. I ended up with a standby attorney picked by the courts who did absolutely nothing for me accept pass notes back in forth to the judge and prosecute. I knew something was wrong, but I could not put my finger on it. I only knew I could not make sense of the appearance of strange activity that was happening right in front of me. It was a nightmare. They had put me in a real mortgage fraud case with 14 people not from this country and I think I was the only one that went to trial. I ultimately lost. A jury that was NOT of my peers find me guilty in less then 2 hours. I was arrested immediately, as I was called ISIS, a terrorist and a danger to the state of Maryland – those words broke my heart, and it broke me. The Judge never asked to see proof that I was a terroist or part of ISIS. I was shipped away immediately, and I never saw my home again which ultimately went into foreclosure as well. I was not given the benevolence to handle my personal or business affairs. I now have large IRS debts, restitution of 2.4 million dollars – in which the 2 head scammers stated on the stand that I knew nothing about their scam and nor did I financially benefit. I still have another year of probation to complete after being home since 2018.

After 3 1/2 year experiencing brutal beatings by guards, torture and mental abuse because I refused to answer to inmate and criminal not to mention I filed a lawsuit on that prison camp with 21 defendants that included the Warden, Staff and Guards because of the abuse. They even put me under a hot T5 fluorescent cancer-causing light that felt like a microwave for 31 days. To this day I go once a month to my dermatologist to attempt to smooth out the burn mark and discoloration that was left on my forehead the size of my palm. I still have the nightmares of the time when about 10 or 20 male white guards jumped me, stomped, kicked and spit on me as I laid on the floor in a fetus position. That day they strangled me until I passed out. I came home

broken mentally, spiritually, and financially. Not to mention I was homeless, and my credit was destroyed. I lost everything from my home, furniture, my clothes, nothing was left but bad debt, IRS issues and restitution of 2.4 million dollars that I did not benefit from. My first set of clothes and coat came from Walmart when I came to that halfway house. The halfway house was moldy, mildew everywhere with rats in the walls. I called a few friends that were happy to hear from me and when I called again, they had blocked me. The mental health abuse I substance going through trial, being transported from jail to jail, the abuse at that federal prison camp, losing my home and all my personal items, all the debt I owed, IRS on my back and that large restitution bill still haunts me to this day. Not to mention my new prestigious title is FELON. Unable to move forward, left or right. Even the bankruptcy attorney denied giving me service. This has been a continued difficult situation to be in when your former name was The Queen of Financial Literacy and the mother who had 900 plus babies (my youth).

As a practicing Buddhist for over 25 years, I had created 20 ways to kill myself after I came home. The embarrassment, lack of resources and mental health suffering I just could not handle. That is why I wrote a book called the "Pretense of Justice". People need to hear what I went through. ***The worse is the strange things that happen in the court room that-words can never express. I only know that if there was remote access in that court room, I know I would not have been found guilty and dragged off to jail.***

Today, the pain still runs deep. There is a silence that sweeps over me every night that reminds me that people and the system call me felon, criminal and defendant. I know the day will come when I will be freed from these titles that man has placed on me. I try to remember every day that I am LOVE, I am PEACE and I am still fighting to be free. Please vote on this bill SB43 and HB133 for Court Remote Public Access. We are not in 1723 we are in 2023. There should be transparency and accountability in the court rooms for our community in the state of Maryland.

Sincerely,

***Dr. Carmen Johnson***

[carmen@helpingourselves.org](mailto:carmen@helpingourselves.org)

Note: There is language in the bill HB133 and SB043 that gives the Judges, Defense Attorney and Prosecutors autonomy to decide if they want a court hearing live streamed or with zoom access. I personally prefer zoom better because then the courts have more control over who gets the link and their IP addresses to help identify whom is doing what that is against the rules of court. Please vote on SB043.

# **Testimony of Charlene Franke SB 43.pdf**

Uploaded by: Charlene Franke

Position: FAV

## Testimony of Charlene Franke

January 17<sup>th</sup>, 2023  
2939 Van Ness St. NW Apt #1208  
Washington, D.C. 20008

In Favor Of: S.B. 43/H.B. 133  
An Act Concerning Courts – Remote Court Access

My name is Charlene Franke. I am a volunteer with Courtwatch P.G. I am writing in support of S.B. 43/H.B. 133. I believe that virtual court access is essential to provide transparency into the criminal justice system and to ensure the courts' accessibility.

My experiences with virtual court access began in late 2021, when I joined Courtwatch P.G. as a volunteer. I am passionate about racial justice and making an impact in the local metropolitan Washington, D.C. area. I was drawn to Courtwatch P.G. because of their mission to observe and challenge the unequal, unfair and inhumane treatment of those facing charges within the criminal justice system, especially Black and Brown community members. When I started courtwatching, my eyes were opened to the injustices that happen frequently within the courts system. In the past year, I have witnessed mothers held without bond in cases of self-defense, teenagers passionate about school being treated like adults, and caretakers being separated from their loved ones. Some cases I've seen were predicated upon dubious police stops likely to be thrown out during the trial, but that still resulted in weeks of incarceration between the bond hearing and preliminary trial date. Some of the community members held without bond were suffering from health issues ranging from severe head trauma to gunshot wounds, or had mental health issues unlikely to be treated while incarcerated. Unhoused or low-income community members were often treated differently because of their socioeconomic status, while we also see racial disparities within bond rulings. And finally, we also witnessed commissioners and judges setting bonds that they knew to be unaffordable, in direct violation of the Maryland laws requiring that secured bonds must be set at an affordable rate. In 2022 alone, we wrote 130 letters to different actors within the Prince George's County criminal justice system calling out these violations of justice and bringing attention to crucial issues within the system (in addition to expressing gratitude for actors who have gone above and beyond).

Virtual court access allows for greater transparency and accountability within the Maryland criminal justice system. Courtwatch P.G. has seen concrete changes within Prince George's County as the result of our letters, as judges, attorneys and other offices realize that the public is paying attention to their actions. We like to say that you cannot have accountability without transparency, and I believe that accountability is the first step towards improvement. S.B. 43/H.B. 133 is the first step in guaranteeing the continuance of virtual access to the courts, which allows Courtwatch P.G. and other concerned citizens transparency into court proceedings.

In addition, virtual court access hugely increases the accessibility of the court system. While courts are open to the public, it is often difficult to participate in-person. Community members may not be able to travel to the courthouse, whether due to a lack of transportation options, not being able to find childcare or take time off from work, or living too far away. This disproportionately impacts low-income community members and those with disabilities. Virtual court access increases accessibility by allowing anyone with an interest in observing the proceedings to view and hear the trial from any location. This can allow a family member to speak on their loved one's behalf from a distance, or allow someone with mobility issues or no access to a car to stay informed about local court proceedings.



Maryland has previously shown that virtual court watch is possible, as Maryland courts first implemented virtual access as a response to Covid-19 and has since set up methods of providing audio-visual access to court proceedings. S.B. 43/H.B. 133 would simply safeguard these methods by cementing into legislation the 2020 Supreme Court of Maryland's ruling to allow virtual court access. I hope that the Maryland state legislature seizes this opportunity to be a leader nation-wide in furthering accessibility, transparency and accountability within their criminal justice system through guaranteeing audio-visual access to Maryland court proceedings.

For the reasons above, I support S.B. 43/H.B. 133. I hope that the Judiciary Committee votes favorably.

Thank you for your time,  
Charlene Franke

**In support of SB 43.pdf**

Uploaded by: Claire Glenn

Position: FAV

In favor of: **S.B. 43**  
**An Act Concerning Courts—Remote Public Access**

My name is Claire Nicole Glenn, and I worked as an Assistant Public Defender in Prince George’s County, Maryland from 2018-2021. I am submitting testimony in support of S.B. 43 in my personal capacity because, as a former public defender, I know that injustices happen in empty courtrooms.

In my years as an Assistant Public Defender, I represented hundreds of people in bond hearings as they sought release while awaiting trial on criminal charges. In these hearings, judges often displayed professionalism and issued thoughtful rulings in line with the law. But not always. All too frequently, I witnessed judges who screamed, berated and mocked defendants and their attorneys, and most importantly, made detention decisions blatantly in violation of federal and state constitutional and statutory law. For example, it was so common for judges to detain my indigent clients on nominal money bonds they could not afford, that I developed a form motion to contest such rulings, which I then filed in dozens upon dozens of cases.

For many, it is uncomfortable (and even terrifying) to confront someone as powerful as a criminal court judge when they lose composure or make a bad ruling. Because public defenders are repeat players who appear before the same judges day after day, we are encouraged to tread lightly. Even in egregious cases, the office forbids public defenders from seeking any higher form of accountability, for fear of subsequent retaliation against our clients. Thus, when I saw something wrong, my advocacy was limited to filing motions and habeas corpus petitions with the court.

But then the pandemic happened and everything changed. The court began holding bond hearings virtually, and suddenly anyone could observe what was happening inside the courtroom. Critically, my clients’ family, friends, employers, and other loved ones and community members no longer needed the time, money, and other resources to travel to Upper Marlboro. Instead, they could simply tune in virtually and share information with the court, their support often being the difference between detention and release for my clients.

And then concerned community members started tuning in too. They organized CourtWatch PG and not only observed court hearings, but documented what they saw and began writing letters to share their concerns and hold everyone accountable—judicial officers, prosecutors, and public defenders alike.

I cannot overstate the positive impact that CourtWatch PG has had on the integrity of the judicial system in Prince George’s County. I personally witnessed the changes, and they were undeniable. CourtWatch PG has ensured that judges treat defendants and their lawyers with respect and issue thoughtful rulings. CourtWatch PG has pushed the State’s Attorney’s Office to better embody its role as a representative of the public as a whole. And

CourtWatch PG has refused to let a single person fall through the cracks of an over-burdened public defense system. CourtWatch PG accomplished with a few letters what I had failed to do after months of litigation. And for myself, I can say that CourtWatch PG has kept me accountable and continues to inspire me to provide the best representation I can to my clients, as a public defender and now as a criminal defense attorney.

Some years ago, Maryland Rule 4-216.1 was passed as comprehensive bail reform, in hopes that the Rule would make the criminal system more just. But just as the ideals of *Brown v. Board of Education* did not become reality until a decade later with the Civil Rights Movement, Maryland Rule 4-216.1 did not become a reality in Prince George's County until CourtWatch PG began holding criminal system actors accountable.

Public participation is the key to a healthy democracy. CourtWatch PG is democracy in action, and virtual access makes it possible.

I unequivocally support S.B. 43, and urge you to do the same in order to safeguard public access to the courts and protect this democratic check from being rolled back.

Thank you,

A handwritten signature in blue ink, consisting of a large, stylized 'C' followed by a smaller 'G' and a flourish.

Claire Nicole Glenn, Esq.

# **DaMarqus Moore Written and Oral Testimony.pdf**

Uploaded by: DaMarqus Moore

Position: FAV



Maryland Resident supporting HB133 and SB043  
"Court Remote Public Access Act"

**Written and Oral Testimony**

1-23-2023

**Maryland Resident**  
Mr. DaMarqus Moore

Good afternoon, Ladies and Gentlemen, of the  
House of Delegates Judiciary Committee and Chairman Clippinger  
The Senate Judicial Committee and Chairman Smith

My name is DaMarqus Moore, and I am a Maryland Resident. I am here today as a board member and representing "Helping Ourselves to Transform" and I am also a returning citizen. I mentor men and woman who have returned home from behind the wall. I also mentor youth with diversion measures to ensure they do not see the inside of a court room.

I am here to not only show support for bill HB133 and SB043 to be passed but to give a brief outlook on why it's so important.

We all have a moral right to be supported by those who we love and to reassure that when our loved one is faced with judicial problems, they have a chance at a fair and unprejudiced trial. I have heard well to many people that I mentor tell me they did not have a fair trial.

A lot takes place in the court room and bill HB133 and SB043 will ensure that the rights of our loved ones are being respected in court. Along with the relief of any hardships one may face getting to court for lack of transportation. Bill HB133 and SB043 will assure fairness, transparency, and accountability in the court room.

Thank you for your time.  
Mr. Damarqus Moore

**SB0043.pdf**

Uploaded by: Detrese Dowridge

Position: FAV

SB 0043 Courts Remote Access

Hello,

My name is Detrese Dowridge, and I would like to vote in favor of this bill. I believe in certain court proceedings such as rent court there should be transparency on what happens in court and in the interest of fairness. As a long time tenant organizer and advocate I have witnessed first hand how rent court cases are handled and tenants aren't always given a fair shake. If these cases were made so that the public can view I believe this will deter judges from going down an unethical road.

Thank You

Detrese Dowridge

Baltimore Renters United

## **5 Orgainzation Letters SB034.pdf**

Uploaded by: Dr. Carmen Johnson

Position: FAV



**To: Members of the Maryland General Assembly**  
**Attn: Delegate David Moon**  
**Re: In Support of legislation HB133/SB043**  
**From: Progressive Maryland**

Dear Members of the Maryland General Assembly,

Progressive Maryland would like to affirm our position in support of HB133/SB043, requiring that every court provide remote audio-visual access to all public court proceedings. The public must have virtual access to tune into court proceedings for criminal cases for two main reasons: transparency and justice. We are asking our elected officials in the Maryland General Assembly to vote in favor of this bill.

The Constitutional right of public access to criminal court proceedings is a common law right that has been recognized by the courts. Despite the recognition of the right of public access, there are still many challenges to ensuring that the public has access to criminal court proceedings. For example, proceedings involving juveniles are typically closed to the public by the court's decision. Another example is when a defendant requests a closed hearing because they believe that the publicity surrounding the case would prevent them from receiving a fair trial. In other cases, proceedings are simply not publicized due to the court's failure in providing adequate notice to the public. Along with public notice, every court in the State should be equipped with the technology necessary to host live audio and video streaming, and required to broadcast in an accessible way, as well as required to report any malfunctions with the remote participation on their end.

The lack of public access to criminal court proceedings can have several negative consequences. First, it can prevent the public from holding the government accountable for its actions. Second, it can prevent the public from observing the administration of justice. Third, it can deny the public the right to see what is happening in their court system.

Allowing for virtual public access to criminal court proceedings would mean that instead of having to physically be in the courtroom, the public could tune into the proceedings from the comfort of their own homes. This would provide a sense of privacy for the

accused when courtrooms filled with people can be daunting, and would also allow for more people to be able to access the proceedings – especially those who live in rural areas or are unable to take time off work, school, child care, etc. to attend in person. This is crucial for the ability of loved ones to be able to attend court cases to support defendants, victims, and witnesses in their proceedings.

The equity and transparency that HB133/SB043 calls for provide the accountability we need to ensure that the court process is fair and that justice is being served. This is especially important for victims of crime, who often feel silenced by the criminal justice system. Allowing virtual public access to court proceedings would ensure that victims have a voice, and would allow them to see the wheels of justice turning. This may also lead to greater civic engagement from the public.

It is because transparency is essential for maintaining trust in our institutions that Progressive Maryland is asking the Maryland legislature to safeguard remote access to criminal court proceedings by passing HB133/SB043 this session.

Sincerely,

*Larry Stafford, Jr.*

Larry Stafford, Jr., Executive Director of Progressive Maryland



701 Lenzen Ave. San José, CA. 95126 • info@siliconvalleydebug.org • 408.971.4965

**To: Maryland General Assembly**

**From: Silicon Valley De-Bug**

**Re: Support of Legislation to Protect Remote Access to the Courts**

**Dear Maryland Legislators,**

Silicon Valley De-Bug is a community based organization headquartered in San Jose, California. We partner with organizations nationally, including Maryland's Life After Release, in supporting families whose loved ones are incarcerated and facing the criminal legal system. Our collaborations are based on a common community organizing model called participatory defense - an approach for families and communities to observe and engage in the court system in order to advocate for freedom of fellow community members. We are part of the National Participatory Defense Network - with partners in over 30 cities across the country.

We submit this letter to compel the legislature to support the bill to protect remote access of the courts. What we learned nationally during the early years of COVID is that court access is critical to the function of justice and its absence will invariably lead to a justified skepticism of the court system and a deprivation of constitutional protections of those facing the system.

This became painfully apparent in Prince George County in particular. Conversely, when the community was able to gain access, they were able to expose the illegal detention of individuals who otherwise were being vanished. Transparency in the courts is the only safeguard the public has to ensure community members can hold court actors accountable.

Of course in no way should remote access replace in person court accessibility. Rather, we want to protect remote *access* to all court proceedings—in-person and otherwise—for members of the public, including dedicated court watchers, advocates and family members. And as the criminal legal system disproportionately targets Black and Brown communities, access rights is absolutely a racial justice issue.

It is clear that COVID has ushered in a new era where in person gatherings may not always be possible. This is all the more reason for the Maryland legislature to concretize the right to remote access of the courts.

**Sincerely,**

A handwritten signature in black ink, appearing to read "Raj Jayadev", with a horizontal line underneath.

**Raj Jayadev**  
Executive Director, Silicon Valley De-Bug



# Fully Restoring Every Sons Hope



Ref: SB043

January 20, 2023

To Senator Rosapepe, Delegate Moon and Members of the Maryland General Assembly.

Good day to you all! We at FRESH write this letter of support for Senate Bill 043. We believe Court Proceedings-Remote Public Access and Participation is a bill that is not only in the public's interest, but also in the interest of the defendant's who are being tried and entitled to a fair and public trial.

We at F.R.E.S.H thank you in advance for your time and favorable consideration in this most important matter to our community and citizens of this great State of Maryland.

Cordially,

  
Anthony J. Wilson, Dir.

F.R.E.S.H

P.O. Box 471073

District Heights, Maryland 20753

240-938-2166

Website: [Fullyrestoringeverysonshope.com](http://Fullyrestoringeverysonshope.com)



Written Organizational Support Testimony

**The Haddington Participatory Defense Hub**

“Court Remote Public Access Act”

HB133 and SB043

January 23, 2023,

Dear Chairman Will Smith of the Judicial Committee and Chairman Luke Clippinger of the Judiciary Committee,

The Haddington Participatory Defense Hub is located in Philadelphia, PA. Our hub is part of the network of Participatory Defense Movement and is a partner with Ardella’s House; a transitional home for women returning from incarceration. Participatory Defense is a community organizing model for people facing charges, their families, and communities to impact the outcomes of cases and transform the landscape of power in the court system.

Though we are located in PA, we have participant families that are being impacted by other states including MD. We are writing to lend our support to S.B43/H.B133. Since our participants may be incarcerated in MD with their families living in PA or vice versa, it is important that families continue with the ability to support their loved ones through virtual means. This is not just important to families, but also to the Hubs that support them as human beings who are facing a system that has a history of not being transparent and equitable. The ability to observe these proceedings help families to help their loved ones to participate in their own defense, it also allows families to continue to understand and observe the process. It helps families to be able to communicate with their defense attorneys on a more informed basis because they are present virtually.

Not only does virtual access allow the increased engagement with families, defendants and attorneys, but it also holds those who are in power in a courtroom the ability to understand and actually see that the community at large cares about the outcome of these proceedings. Legislators should support this bill because many of them have no real experience observing court processes and being able to observe virtually will allow them to speak as informed political representatives of the people they serve. Many of those who are impacted by the court system may not be able to attend in person due to work, transportation, or location. Continuing to allow remote access to the court rooms increase participation with the process on many levels, it also would speak to the transparency that is supposed to exist in this system to ensure that everyone involved is held accountable to the community at large which is who pays the salaries, benefits, etc. through tax dollars.

For the reasons stated, we support S.B43/H.B133. It is our hope that the Judiciary Committee votes favorably on this bill.

Respectfully,

Haddington Participatory Defense Hub



INSTITUTE FOR CONSTITUTIONAL ADVOCACY AND PROTECTION  
GEORGETOWN UNIVERSITY LAW CENTER

**VIA EMAIL**

Senator James Carew Rosapepe  
101 James Senate Office Building  
11 Bladen St.  
Annapolis, MD 21401  
[jim.rosapepe@senate.state.md.us](mailto:jim.rosapepe@senate.state.md.us)

Delegate David Moon  
101 Taylor House Office Building  
6 Bladen Street  
Annapolis, MD 21401  
[david.moon@house.state.md.gov](mailto:david.moon@house.state.md.gov)

January 20, 2023

Dear Senator Rosapepe, Delegate Moon, and Members of the General Assembly,

We are writing to urge you to support legislation that will be introduced this session in the Maryland General Assembly to expand public access to proceedings in state court.

We are attorneys with the Institute for Constitutional Advocacy and Protection (ICAP) at Georgetown University Law Center. ICAP is a non-partisan institute that uses novel litigation tools, strategic policy development, and constitutional scholarship to vindicate individuals' constitutional rights, protect democratic processes, and defend the rule of law.

As part of its work, ICAP has successfully advanced the cause of criminal legal system reform, including by representing individuals who have been subjected to unfair fines and fees, harmed by cash bail systems, caught up in unconstitutional pretrial detention schemes, and victims of excessive force by law enforcement. It is our strong belief that public access to court proceedings is an indispensable component of ensuring that our criminal justice system adheres to our laws and Constitution.

Recently, ICAP represented journalists and community organizations in a successful lawsuit challenging Maryland's "Broadcast Ban," which prohibited members of the public from broadcasting official recordings of criminal proceedings that are made available to the public.<sup>1</sup> Just last month, a federal judge ruled in the plaintiffs' favor in *Soderberg v. Carrion*, and wrote that Maryland cannot punish

---

<sup>1</sup> Mem. Op., *Soderberg v. Carrion*, No. RDB-19-1559, 2022 U.S. Dist. LEXIS 222645 (D. Md. Dec. 9, 2022), available at <https://www.law.georgetown.edu/icap/wp-content/uploads/sites/32/2022/12/Soderberg-SJ-Opinion.pdf>.



the press for broadcasting “lawfully obtained, truthful information” that has already been disclosed to the public.<sup>2</sup>

In response to that ruling, which vindicated foundational First Amendment principles and ensured that criminal justice in Maryland would not be kept out of view of the broader public, the state judiciary attempted to reinstate the “Broadcast Ban” by rushing through a rule that would drastically cut off access to court recordings.<sup>3</sup> Public outcry over this proposal led the judiciary to delay its decision on the rule,<sup>4</sup> but it is clear that this temporary reprieve will not be enough to safeguard transparency in Maryland state courts.

Given this, we strongly urge the General Assembly to pass legislation to ensure widespread access to court proceedings. Public access to court proceedings is a critical bulwark against abusive and unconstitutional practices. Justice Felix Frankfurter wrote that “[o]ne of the demands of a democratic society is that the public should know what goes on in courts by being told by the press what happens there, to the end that the public may judge whether our system of criminal justice is fair and right.”<sup>5</sup> Nearly 75 years later, Justice Frankfurter’s words could not be more salient. Our litigation to reform the criminal legal system relies on the efforts of those who are devoted to vigilant monitoring of what goes on in our nation’s courtrooms – including those in Maryland.

ICAP is currently co-counsel with the Civil Rights Corps in ongoing litigation, *Frazier v. Prince George’s County*, which alleges a harmful and unconstitutional pretrial detention system in Prince George’s County.<sup>6</sup> The facts contained in the complaint would not have been revealed to the public had there not been virtual access to Zoom proceedings during the COVID-19 pandemic.<sup>7</sup> Our work has been invaluable aided by organizations like Courtwatch PG, whose volunteers “observe bail hearings” to “document our county’s policies in action and to hold judicial actors accountable for injustice in the court system.”<sup>8</sup>

The fact that many court proceedings were first made available virtually during the pandemic does not negate the transformative, democratizing importance of allowing the public into the halls of justice. In fact, the pandemic has ushered in a new era of public access to courts. For example, the Judicial Conference of the United States recently agreed to expand its audio streaming project to include 35 federal courts that will post audio records of its proceedings online.<sup>9</sup>

<sup>2</sup> *Id.* at p. 1, citing *Smith v. Daily Mail Publ’g Co.*, 443 U.S. 97, 101 (1979).

<sup>3</sup> *Transparency Advocates Decry Proposed Md. Rule on Court Audio Recordings*, Washington Post (Jan. 5, 2023), available at <https://www.washingtonpost.com/dc-md-va/2023/01/05/court-audio-recordings-maryland/>.

<sup>4</sup> *Maryland Supreme Court Postpones Decision on Proposed Rule to Curtail Public Access to Criminal Case Recordings*, Baltimore Sun (Jan. 6, 2023), available at <https://www.baltimoresun.com/news/crime/bs-md-cr-proposed-court-audio-recording-restriction-meeting-20230106-k3vk6x3tarhhdhfhhecno31264-story.html>.

<sup>5</sup> *Maryland v. Baltimore Radio Show*, 338 U.S. 912, 920 (1950).

<sup>6</sup> Complaint, *Frazier v. Prince George’s County*, No. 22-cv-0178 (D. Md. July 19, 2019), available at [https://www.law.georgetown.edu/icap/wp-content/uploads/sites/32/2022/07/2022.07.19-Complaint\\_Redacted.pdf](https://www.law.georgetown.edu/icap/wp-content/uploads/sites/32/2022/07/2022.07.19-Complaint_Redacted.pdf)

<sup>7</sup> See, e.g. Mae C. Quinn and Asha Burwell, *Justice System “More Accessible, Visible and Accountable” Because of Technology Used During COVID*, Baltimore Sun (May 28, 2021), available at <https://www.baltimoresun.com/opinion/op-ed/bs-ed-op-0530-video-court-20210528-ioofd7bkfdlxmjs2v7xczyc4-story.html>.

<sup>8</sup> *About Us*, Courtwatch PG, available at <https://courtwatchpg.com> (accessed Jan. 18, 2023).

<sup>9</sup> *Judicial Conference Adopts Transparency Measures*, United States Courts, March 15, 2022, available at <https://www.uscourts.gov/news/2022/03/15/judicial-conference-adopts-transparency-measures>.

Marylanders deserve a criminal justice system that is transparent and open to scrutiny from the communities it is meant to serve. For these reasons, we ask the General Assembly to swiftly take up legislation that will allow remote access to proceedings in Maryland's courts.

Thank you for your consideration.

Sincerely,

Mary B. McCord  
Executive Director  
Institute for Constitutional Advocacy &  
Protection  
Georgetown University Law Center  
600 New Jersey Avenue, N.W.  
Washington, D.C. 20001  
[mbm7@georgetown.edu](mailto:mbm7@georgetown.edu)

Seth Wayne  
Senior Counsel  
Institute for Constitutional Advocacy &  
Protection  
Georgetown University Law Center  
600 New Jersey Avenue, N.W.  
Washington, D.C. 20001  
[sw1098@georgetown.edu](mailto:sw1098@georgetown.edu)

# **Court Access Legislation Testimony - Senate.pdf**

Uploaded by: Elizabeth Wheaton

Position: FAV

January 15, 2023

Testimony of Elizabeth P. Wheaton, MD, FACP, Volunteer, Courtwatch PG

9110 Glenridge Road Silver Spring MD 20910

In favor of: S.B. 43

An Act Concerning Courts – Remote Public Access

My name is Elizabeth P. Wheaton, MD, FACP, and I am a resident of Silver Spring, Montgomery County, MD. For the past year, I served as a volunteer for Courtwatch PG, an advocacy group that observes bail hearings in the Prince George’s County District Court to document our country’s policies in action and to hold officials accountable for injustice in the court system. I am an internal medicine physician who has practiced medicine in the District of Columbia since 1993 and retired a year ago. I am also a former Clinical Associate Professor of Medicine of the George Washington School of Medicine and Health Sciences. Lastly, I am a bilingual speaker of English and Spanish.

I am writing in support of S.B. 43. I believe Maryland should protect and expand remote access to court proceedings in our state judicial system because greater transparency only leads to greater accountability. Remote access is important in my state because too many people are spending prolonged times in prison prior to being deemed guilty of a crime.

My medical knowledge and experience as well as my command of Spanish has allowed me to see the injustices that occur in the bail hearings including: holding a hearing when a defendant is mentally disoriented or physically in pain or has not received their usual medication or seeing the judges speak over the interpreter so that the defendant and family members cannot understand the proceedings. I have prepared medical exhibits for an incarcerated individual and a juvenile at risk of incarceration, outlining how the correctional system is adversely impacting their health and arguing for early release or avoidance of imprisonment.

My experience as a volunteer court watcher has opened my eyes to the multitude of injustices that occur every day in our courtrooms, both in Maryland and across the country. Before I joined Courtwatch PG, I had little exposure to the day-to-day operations of the criminal justice system. What I observed as a court watcher shocked me. I have seen countless individuals subjected to routine humiliation and dehumanization by judges and prosecuting attorneys as they go through court proceedings. “If you don’t pay the bond, bad things will happen to you.” I have seen people given high bail amounts despite committing “crimes of poverty.” For example, an individual who committed a theft of \$100 was given a bond amount of \$1000. I have seen judges, time and again, abandon their responsibility by referring the ultimate decision of release to the Pretrial Services Department, a department staffed by non-judicial employees. These types of injustices are seen especially for cases involving Black and brown people, who are disproportionately subject to unequal, unfair, and inhumane treatment by police, prosecutors, and judges alike.

Witnessing the reality of our criminal justice system has convinced me of the importance of ensuring accountability across the state—and I believe that protecting and expanding remote

court access is our best chance to do so. Our constitutional rights to open and public courts are a cornerstone of our democracy. However, modern-day challenges—such as the cost of transportation, taking time off work, and securing childcare—have severely limited our collective ability to exercise these rights. I was only able to start court watching during the pandemic, when Zoom access to proceedings was provided by the Prince George’s County District Court. Without this remote access, I would never have been able to exercise my constitutional rights—or call to attention the critical justice issues I saw as a volunteer.

In recent months, our remote access has been severely curtailed, undermining the tremendous impact that volunteers and community members have had in ensuring equal justice for their loved ones. Without the necessary safeguards for remote access, we risk further undermining the integrity of our criminal justice system—and harming thousands of individuals in the process.

For the reasons above, I wholeheartedly support S.B. 43. I hope the committee votes favorably as well.

Thank you for your time,

Elizabeth P. Wheaton, MD, FACP  
Volunteer, Courtwatch PG

# **SB043 JOTF Testimony FAV - Court Remote Public Acc**

Uploaded by: Ioana Stoica

Position: FAV





*Advocating better skills, jobs, and incomes*

**TESTIMONY IN SUPPORT OF SB043:**

**Court Proceedings - Remote Public Access and Participation**

TO: Hon. Will C. Smith, Chair, and members of the Senate Judicial Proceedings Committee

FROM: Ioana Stoica, Policy Advocate

DATE: January 18, 2023

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that advocates for better jobs, skills training, and wages for low-income workers and job seekers in Maryland. We support **Senate Bill 043** as a means to require each court in the State to provide remote audio-visual access to all public court proceedings, unless a proceeding is deemed closed, confidential, or restricted by federal or State law.

Public access to judicial proceedings is a hallmark of democratic government and serves to promote accountability within the legal system. The pandemic has highlighted the importance—and feasibility—of providing the public with access to court proceedings virtually, including via telephonic and videoconferencing technologies. Even as COVID transmission rates begin to subside, contracting the virus remains a threat, particularly as new variants emerge, and herd immunity remains out of reach. Moreover, in addition to these ongoing public health concerns, the lack of affordable and accessible public transit options for visiting County and State Courthouses makes it **functionally impossible** for many Maryland residents to attend court proceedings in person. People should not have to undertake such a heavy burden to exercise their constitutional right to attend or observe public court proceedings for the following reasons:

- **Foundational Right:** The First Amendment and Sixth Amendments to the U.S. Constitution guarantee open public access to court proceedings. As the world becomes more virtual due to the pandemic, it is imperative that rights keep up with the times to ensure fairness and transparency.
- **Foster civic engagement:** As city hall proceedings and public meetings become more widely accessible virtually, so too should court proceedings. If the everyday happenings of our judiciary are more accessible, the public will be more civically engaged.
- **Accessibility for loved ones and more equitable public participation:** While courts are technically “open” to the public, the challenges of coming to court — the cost of transportation, taking time off from work, and child care — erect barriers of entry that **disproportionately affect low-income communities**. Virtual court access ensures loved ones can be present to support defendants, victims, and witnesses in their proceedings.
- **Greater transparency and accountability:** Virtual court access ensures that the public has safe, affordable, and meaningful opportunities to observe their legal system at work. With greater public access to court comes greater accountability.

Virtual access during the COVID-19 pandemic has improved public understanding of our court system and enabled residents of Maryland to participate with greater ease and less personal and financial cost. Court access creates transparency and accountability; without it there is no public oversight. Public access

# JOTF JOB OPPORTUNITIES TASK FORCE

*Advocating better skills, jobs, and incomes*

ensures that any errors, oversights, and injustices are visible to the public. Two tools that provide public accountability are courtwatch programs and the media. The PG County Courtwatch has been operating with virtual access over the last few years. Courtwatch programs like these are vital because they gather real-time, objective data about the court system and they hold officials accountable who have been shown to misuse their position within the courtroom. Virtual court access also makes attending easier for the press. Local news sources are already struggling and sending a reporter to the courthouse to wait for a trial is a challenge. Virtual access makes local coverage of the courts more attainable. Taking away virtual access to the courts undermines their integrity and undercuts the public's confidence in the judicial process, which is the cornerstone of our judiciary. Enabling public access elevates our justice system to the highest standard of accuracy and integrity.

The pandemic has shown us that virtual access is possible. Increasing access for journalists, courtwatch programs, family and community members will build a more trustworthy, equitable court system. And, as the Supreme Court noted in **Press-Enterprise Co. v. Superior Court of Riverside County, 464, U.S. 502, 508 (1984)**, regarding the public's ability to access court proceedings, "Openness thus enhances both the basic fairness of the criminal trial and the appearance of fairness so essential to public confidence in the system." For these reasons, we urge a favorable vote on **Senate Bill 043**.

**For more information, contact:**

Ioana Stoica / Policy Advocate / [ioana@jotf.org](mailto:ioana@jotf.org) / 240-643-0059

# **ICAP Letter to General Assembly on Court Access -**

Uploaded by: Jacob Glick

Position: FAV



INSTITUTE FOR CONSTITUTIONAL ADVOCACY AND PROTECTION  
GEORGETOWN UNIVERSITY LAW CENTER

**VIA EMAIL**

Senator James Carew Rosapepe  
101 James Senate Office Building  
11 Bladen St.  
Annapolis, MD 21401  
[jim.rosapepe@senate.state.md.us](mailto:jim.rosapepe@senate.state.md.us)

Delegate David Moon  
101 Taylor House Office Building  
6 Bladen Street  
Annapolis, MD 21401  
[david.moon@house.state.md.gov](mailto:david.moon@house.state.md.gov)

January 20, 2023

Dear Senator Rosapepe, Delegate Moon, and Members of the General Assembly,

We are writing to urge you to support legislation that will be introduced this session in the Maryland General Assembly to expand public access to proceedings in state court.

We are attorneys with the Institute for Constitutional Advocacy and Protection (ICAP) at Georgetown University Law Center. ICAP is a non-partisan institute that uses novel litigation tools, strategic policy development, and constitutional scholarship to vindicate individuals' constitutional rights, protect democratic processes, and defend the rule of law.

As part of its work, ICAP has successfully advanced the cause of criminal legal system reform, including by representing individuals who have been subjected to unfair fines and fees, harmed by cash bail systems, caught up in unconstitutional pretrial detention schemes, and victims of excessive force by law enforcement. It is our strong belief that public access to court proceedings is an indispensable component of ensuring that our criminal justice system adheres to our laws and Constitution.

Recently, ICAP represented journalists and community organizations in a successful lawsuit challenging Maryland's "Broadcast Ban," which prohibited members of the public from broadcasting official recordings of criminal proceedings that are made available to the public.<sup>1</sup> Just last month, a federal judge ruled in the plaintiffs' favor in *Soderberg v. Carrion*, and wrote that Maryland cannot punish

---

<sup>1</sup> Mem. Op., *Soderberg v. Carrion*, No. RDB-19-1559, 2022 U.S. Dist. LEXIS 222645 (D. Md. Dec. 9, 2022), available at <https://www.law.georgetown.edu/icap/wp-content/uploads/sites/32/2022/12/Soderberg-SJ-Opinion.pdf>.

the press for broadcasting “lawfully obtained, truthful information” that has already been disclosed to the public.<sup>2</sup>

In response to that ruling, which vindicated foundational First Amendment principles and ensured that criminal justice in Maryland would not be kept out of view of the broader public, the state judiciary attempted to reinstate the “Broadcast Ban” by rushing through a rule that would drastically cut off access to court recordings.<sup>3</sup> Public outcry over this proposal led the judiciary to delay its decision on the rule,<sup>4</sup> but it is clear that this temporary reprieve will not be enough to safeguard transparency in Maryland state courts.

Given this, we strongly urge the General Assembly to pass legislation to ensure widespread access to court proceedings. Public access to court proceedings is a critical bulwark against abusive and unconstitutional practices. Justice Felix Frankfurter wrote that “[o]ne of the demands of a democratic society is that the public should know what goes on in courts by being told by the press what happens there, to the end that the public may judge whether our system of criminal justice is fair and right.”<sup>5</sup> Nearly 75 years later, Justice Frankfurter’s words could not be more salient. Our litigation to reform the criminal legal system relies on the efforts of those who are devoted to vigilant monitoring of what goes on in our nation’s courtrooms – including those in Maryland.

ICAP is currently co-counsel with the Civil Rights Corps in ongoing litigation, *Frazier v. Prince George’s County*, which alleges a harmful and unconstitutional pretrial detention system in Prince George’s County.<sup>6</sup> The facts contained in the complaint would not have been revealed to the public had there not been virtual access to Zoom proceedings during the COVID-19 pandemic.<sup>7</sup> Our work has been invaluable aided by organizations like Courtwatch PG, whose volunteers “observe bail hearings” to “document our county’s policies in action and to hold judicial actors accountable for injustice in the court system.”<sup>8</sup>

The fact that many court proceedings were first made available virtually during the pandemic does not negate the transformative, democratizing importance of allowing the public into the halls of justice. In fact, the pandemic has ushered in a new era of public access to courts. For example, the Judicial Conference of the United States recently agreed to expand its audio streaming project to include 35 federal courts that will post audio records of its proceedings online.<sup>9</sup>

---

<sup>2</sup> *Id.* at p. 1, citing *Smith v. Daily Mail Publ’g Co.*, 443 U.S. 97, 101 (1979).

<sup>3</sup> *Transparency Advocates Decry Proposed Md. Rule on Court Audio Recordings*, Washington Post (Jan. 5, 2023), available at <https://www.washingtonpost.com/dc-md-va/2023/01/05/court-audio-recordings-maryland/>.

<sup>4</sup> *Maryland Supreme Court Postpones Decision on Proposed Rule to Curtail Public Access to Criminal Case Recordings*, Baltimore Sun (Jan. 6, 2023), available at <https://www.baltimoresun.com/news/crime/bs-md-cr-proposed-court-audio-recording-restriction-meeting-20230106-k3vk6x3tarhhdhfhhecno3l264-story.html>.

<sup>5</sup> *Maryland v. Baltimore Radio Show*, 338 U.S. 912, 920 (1950).

<sup>6</sup> Complaint, *Frazier v. Prince George’s County*, No. 22-cv-0178 (D. Md. July 19, 2019), available at [https://www.law.georgetown.edu/icap/wp-content/uploads/sites/32/2022/07/2022.07.19-Complaint\\_Redacted.pdf](https://www.law.georgetown.edu/icap/wp-content/uploads/sites/32/2022/07/2022.07.19-Complaint_Redacted.pdf)

<sup>7</sup> See, e.g. Mae C. Quinn and Asha Burwell, *Justice System “More Accessible, Visible and Accountable” Because of Technology Used During COVID*, Baltimore Sun (May 28, 2021), available at <https://www.baltimoresun.com/opinion/op-ed/bs-ed-op-0530-video-court-20210528-ioofd7bkfdlxmjs2v7xczyc4-story.html>.

<sup>8</sup> *About Us*, Courtwatch PG, available at <https://courtwatchpg.com> (accessed Jan. 18, 2023).

<sup>9</sup> *Judicial Conference Adopts Transparency Measures*, United States Courts, March 15, 2022, available at <https://www.uscourts.gov/news/2022/03/15/judicial-conference-adopts-transparency-measures>.

Marylanders deserve a criminal justice system that is transparent and open to scrutiny from the communities it is meant to serve. For these reasons, we ask the General Assembly to swiftly take up legislation that will allow remote access to proceedings in Maryland's courts.

Thank you for your consideration.

Sincerely,

Mary B. McCord  
Executive Director  
Institute for Constitutional Advocacy &  
Protection  
Georgetown University Law Center  
600 New Jersey Avenue, N.W.  
Washington, D.C. 20001  
[mbm7@georgetown.edu](mailto:mbm7@georgetown.edu)

Seth Wayne  
Senior Counsel  
Institute for Constitutional Advocacy &  
Protection  
Georgetown University Law Center  
600 New Jersey Avenue, N.W.  
Washington, D.C. 20001  
[sw1098@georgetown.edu](mailto:sw1098@georgetown.edu)

# **Eaton 2023 testimony in support of SB 043.pdf**

Uploaded by: Jade Eaton

Position: FAV

## TESTIMONY IN SUPPORT OF SB 043:

### **Courts - Remote Public Access and Participation**

TO: Hon. William C. Smith, Jr. Chairman, Senate Judicial Proceedings Committee

FROM: Jade Eaton, 19 Ridge Road, Unit E, Greenbelt, MD

DATE: JANUARY 24, 2023

I support **Senate Bill 043** as a means to require each court in the State to provide remote audio-visual public access to all public court proceedings, unless a proceeding is deemed closed, confidential, or restricted by federal or State law or a Judge.

Public access to judicial proceedings is a hallmark of democratic government and serves to promote accountability within the legal system. The pandemic proved the feasibility of public remote access to court proceedings, including via telephonic and videoconferencing technologies. While access was implemented due to public health concerns, it also ameliorated non-covid related obstacles to the courts. For example, the lack of affordable and accessible public transit options for visiting County and State Courthouses makes it **functionally impossible** for many Maryland residents to attend court proceedings in person. People should not have to take on such a heavy burden to exercise their constitutional right to attend or observe public court proceedings for the following reasons:

- **Foundational Right:** The First Amendment and Sixth Amendments to the U.S. Constitution guarantee open public access to court proceedings. The world became more virtual due to the pandemic. We learned to work and meet online. It is imperative that rights keep up with the times to ensure fairness and transparency.
- **Foster civic engagement:** As city hall proceedings and public meetings become more widely accessible virtually, so too should court proceedings. If the everyday happenings of our judiciary are more accessible, the public will be more civically engaged.
- **Accessibility for loved ones and more equitable public participation:** While courts are technically “open” to the public, the challenges of coming to court — the cost of transportation, taking time off from work, and childcare — erect barriers of entry that **disproportionately affect low-income communities**. Online court access ensures loved ones can be present to support defendants, victims, and witnesses in their proceedings.
- **Greater transparency and accountability:** Online court access ensures that the public has safe, affordable, and meaningful opportunities to observe their legal system at work. With greater public access to court comes greater accountability. Accountability creates a foundation for greater trust in and support for our institutions.

Remote audio-visual access and participation established during the COVID-19 pandemic improved public understanding of our court system and enabled residents of Maryland to participate with greater ease and less personal and financial cost. Court access creates transparency and accountability; without it there is no public oversight. Public access ensures that any errors, oversights, and injustices are visible to the public. Two tools that provide public accountability are courtwatch programs and the media. The PG County Courtwatch program has used remote access for the past few years. Courtwatch programs like these are vital because they gather real-time, objective data about the court system, and they hold officials accountable who have been shown to misuse their position within the courtroom. Remote audio-visual court access also makes attending easier for the press. Local news sources are already struggling and



sending a reporter to the courthouse to wait for a trial is a challenge. Virtual access makes local coverage of the courts more attainable.

In the last session, I testified in support of legislation to make gains in online access to courts permanent. At the time, I was participating in Courtwatch PG using audio-visual conferencing technology--access that we sought to protect. As we feared, when the COVID danger lessened, the Courts withdrew full online access. After we had remote audio-visual access to bond hearings for over a year, it was suddenly ended and replaced with an audio-only feed that has proved problematic at times and been completely unintelligible at others. There is no legislation in place that guarantees that even this inferior virtual access will be continued. Taking away effective online access to the courts undermines their integrity and undercuts the public's confidence in the judicial process, which is the cornerstone of our judiciary. Enabling public access elevates our justice system to the highest standard of accuracy and integrity.

Past practice in 2021 and 2022 showed us that virtual access to court is possible. Increasing access for journalists, courtwatch programs, family and community members will build a more trustworthy, equitable court system. And, as the Supreme Court noted in [Press-Enterprise Co. v. Superior Court of Riverside County, 464, U.S. 502, 508 \(1984\)](#), regarding the public's ability to access court proceedings, "Openness thus enhances both the basic fairness of the criminal trial and the appearance of fairness so essential to public confidence in the system." For these reasons, we urge a favorable vote on **SENATE BILL O43**.

**Favorable TESTIMONY SB43 2023.pdf**

Uploaded by: Janet Tupper

Position: FAV

## SUPPORT OF SB43:

January 2023

Senator James Carew Rosapepe  
James Senate Office Building, Room 101  
11 Bladen St.  
Annapolis, MD 21401  
[jim.rosapepe@senate.state.md.us](mailto:jim.rosapepe@senate.state.md.us)

Dear Senator Rosapepe and other members of the Maryland General Assembly:

My name is Janet Tupper. I have been a Maryland resident for over 35 years and a Prince George's County resident until recently. I support **SB43** to require each court in the State to provide remote audio-visual access to all public court proceedings (unless a proceeding is deemed closed, confidential, or restricted by federal or State law).

In my volunteer work with CourtwatchPG, I have seen firsthand how important it is for the public to be aware of and provide accountability in the courts, correction facilities, and law enforcement. As a Caucasian resident I have had my eyes opened to the multitude of injustices that occur every day in our courtrooms that I have not experienced due to the protection of my skin color. Before I joined Courtwatch PG, I had little exposure to the day-to-day operations of the criminal justice system and what I have observed as a court watcher has shocked me. I have seen countless individuals subjected to routine humiliation and dehumanization as they go through court proceedings. I have seen community members subjected to racial profiling and illegal searches by police, denied pretrial freedom due to an inability to pay bond, denied medication in jail, and extenuating circumstances ignored. This is especially true for Black and brown people, who are disproportionately subject to unequal, unfair, and inhumane treatment by police, prosecutors, and judges alike.

I was heartened by the passing of the Police Accountability Act in 2021 and feel that allowing virtual court access is another tool for Maryland to be beacon to other states for enabling transparency in the criminal legal system. Public access to judicial proceedings is a hallmark of democratic government and serves to promote accountability within the criminal legal system. The pandemic has highlighted the importance—and feasibility— of providing the public with access to court proceedings virtually, including via telephonic and videoconferencing technologies.

My experience with CourtwatchPG has shown me that virtual access is possible and necessary. As newspaper headlines continue to remind us, mass incarceration, over-policing and over-criminalization of Black and brown communities continues unabated, despite widespread protests, lawsuits, press coverage, and grass roots efforts to bring about change. The public needs to be aware to continue to press for change. Increasing access for journalists, court watch programs, family and community members will build a more trustworthy, equitable court system. For the reasons above, I support SB43. I urge the Judiciary Committee to vote favorably.

Thank you for your consideration of this important matter.

Sincerely,

Janet Tupper,  
Maryland resident, volunteer with CourtWatchPG  
6 West Pennington Street Oakland MD 21550

# **Ruffner Testimony SB43.pdf**

Uploaded by: Jennifer Ruffner

Position: FAV

January 24, 2023

Testimony of Jennifer Ruffner  
Greenbelt, MD 20770

**In Favor Of: S.B. 43 - An Act Concerning Courts – Remote Public Access**

My name is Jen Ruffner, and I am a resident of Greenbelt, MD. Since 2020, I have been a volunteer with Courtwatch PG, an advocacy group that observes bail hearings in the Prince George's County District Court to document our country's policies in action and to hold officials accountable for injustice in the court system. I am writing in support of S.B. 43 / H.B. 133. I believe Maryland should protect and expand remote access to court proceedings in our state judicial system because greater transparency only leads to greater accountability.

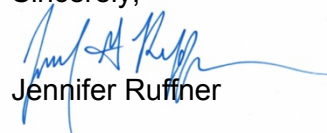
I serve as the lead for the Courtwatch PG accountability committee. Courtwatchers observe bond hearings in the Prince George's County judicial system, and the accountability team then reviews their notes and writes letters to court officials alerting them to injustices that happen every day. We have sent almost 400 letters to date, detailing the routine injustices that are happening as loved ones. We have seen judges deny community members their Constitutional rights. We have seen assistant state's attorneys humiliate and criminalize individuals because they are poor and unhoused. We have heard their callous comments and their denial of bond based on illegal searches and unconstitutional consideration of pending charges, and their disregard that even one night in jail can ruin a person's life. The majority of these injustices are inflicted upon our Black and brown community members.

Witnessing the reality of our criminal justice system has convinced me of the importance of ensuring accountability across the state—and I believe that protecting and expanding remote court access is our best chance to do so. Our constitutional rights to open and public courts are a cornerstone of our democracy. But, modern-day challenges—such as the cost of transportation, taking time off work, and securing child care—have severely limited our collective ability to exercise these rights. I was only able to start court watching during the pandemic, when Zoom access to proceedings was provided by the Prince George's County District Court. Without this remote access, I would never have been able to exercise my constitutional rights—or call to attention the critical justice issues I saw as a volunteer.

In recent months, our remote access has been severely curtailed, undermining the tremendous impact that volunteers and community members have had in ensuring equal justice for their loved ones. Without the necessary safeguards for remote access, we risk further undermining the integrity of our criminal justice system—and harming thousands of individuals in the process.

For the reasons above, I wholeheartedly support S.B. 43. I hope the Senate Judicial Proceedings Committee votes favorably as well.

Sincerely,



Jennifer Ruffner

# **SB 43 - Courts - Remote Public Access.pdf**

Uploaded by: Joanne Antoine

Position: FAV

**January 25, 2023**

**Testimony on SB 43  
Courts – Remote Public Access  
Judicial Proceedings**

**Position: Favorable**

Common Cause Maryland is in support of SB 43 which will ensure the public remote audio-visual access to all court proceedings not deemed closed, confidential, or restricted by either State or federal law.

In 2021, the Court of Appeals authorized virtual access to courtrooms in Maryland to facilitate the performance of core judicial functions during the pandemic. This represented a big win for transparency and accountability advocates, as virtual court access ensures that the public has safe, meaningful, affordable opportunities to observe our legal system at work.

While courts are technically “open” to the public, challenges associated with participation (including the cost and reliability of transportation, taking time off from work, child or elder care) are a barrier to entry that disproportionately affects low-income communities. Virtual access to the courts not only ensures that loved ones can be present to support defendants, victims, and witnesses in their proceedings, but will also likely foster more active civic engagement in the public as a whole.

HB 133 simply ensures that the public retains remote virtual access to all criminal and civil proceedings via live audio and video streaming unless otherwise exempted by law – judges will maintain full discretion to make the rare decision to restrict public access in accordance with State or federal law. The First and Sixth Amendments to the U.S. Constitution guarantee open public access to court proceedings. As meeting in virtual spaces becomes the norm in response to the pandemic, it is imperative that we ensure our right to public access is consistent with that change.

We urge a favorable report.



**HB133 - SB43 support letter John Appiah-Duffell.pdf**

Uploaded by: John Appiah-Duffell

Position: FAV

January 16, 2023

Testimony of John Appiah-Duffell

4N Gardenway  
Greenbelt, MD, 20770

In favor of: Senate Bill 43  
An Act Concerning Courts – Remote Public Access

My name is John Appiah-Duffell, and I am a resident of Greenbelt, MD. I volunteer for Courtwatch PG, where I observe bail hearings to bear witness to the operations of our justice system. I am writing in support of SB 43. Simply: I believe remote access to court proceedings must be protected and expanded not only for the sake of public accountability, but for the sake of fair access and the ability of families and loved ones to be present regardless of extenuating circumstances.

Prior to joining Courtwatch PG, my understanding of the criminal justice system was defined mostly by fictional portrayals in media. My first hour of observation in 2020 was revelatory: one defendant denied a hearing because he did not speak English, another's pleas for prescribed medication ignored, and officials too consumed with moving cases through the system at a steady clip to see the human in front of them.

Defendants are often joined in the courtroom by loved ones who have made the trip to Upper Marlboro to show their love and support. Often, however, we hear that loved ones are unable to make the trip due to lack of transportation, lack of childcare, mobility issues, or other extenuating circumstances. Remote court access ensures that loved ones can be present to support defendants, victims, and witnesses in their proceedings—regardless of barriers which disproportionately impact low-income communities and those with disabilities.

It's often said that sunlight is the best disinfectant. I myself was unable to serve as a court watcher until the start of the pandemic, when the Prince George's County District Court offered Zoom access. However, our remote access has been severely cut back in recent months, and when offered, the feed may be inaudible or sporadic, with questionable recourse. How can sunlight serve to disinfect when the windows are boarded up?

I support SB 43 for the reasons above, and I hope the Judicial Proceedings Committee votes favorably.

Thank You,  
John Appiah-Duffell

January 16, 2023

Testimony of John Appiah-Duffell

4N Gardenway  
Greenbelt, MD, 20770

In favor of: House Bill 133  
An Act Concerning Courts – Remote Public Access

My name is John Appiah-Duffell, and I am a resident of Greenbelt, MD. I volunteer for Courtwatch PG, where I observe bail hearings to bear witness to the operations of our justice system. I am writing in support of HB 133. Simply: I believe remote access to court proceedings must be protected and expanded not only for the sake of public accountability, but for the sake of fair access and the ability of families and loved ones to be present regardless of extenuating circumstances.

Prior to joining Courtwatch PG, my understanding of the criminal justice system was defined mostly by fictional portrayals in media. My first hour of observation in 2020 was revelatory: one defendant denied a hearing because he did not speak English, another's pleas for prescribed medication ignored, and officials too consumed with moving cases through the system at a steady clip to see the human in front of them.

Defendants are often joined in the courtroom by loved ones who have made the trip to Upper Marlboro to show their love and support. Often, however, we hear that loved ones are unable to make the trip due to lack of transportation, lack of childcare, mobility issues, or other extenuating circumstances. Remote court access ensures that loved ones can be present to support defendants, victims, and witnesses in their proceedings—regardless of barriers which disproportionately impact low-income communities and those with disabilities.

It's often said that sunlight is the best disinfectant. I myself was unable to serve as a court watcher until the start of the pandemic, when the Prince George's County District Court offered Zoom access. However, our remote access has been severely cut back in recent months, and when offered, the feed may be inaudible or sporadic, with questionable recourse. How can sunlight serve to disinfect when the windows are boarded up?

I support HB 133 for the reasons above, and I hope the Judiciary Committee votes favorably.

Thank You,  
John Appiah-Duffell

# **Testimony in Support of SB043 (2023).pdf**

Uploaded by: Linda Green

Position: FAV

**TESTIMONY IN SUPPORT OF SENATE BILL 043**

**Court Proceedings- Remote Public Access and Participation**

TO: Hon. Will Smith, Chair, Hon. Jeff Waldstreicher, Vice Chair, and Members of the Senate Judicial Proceedings Committee

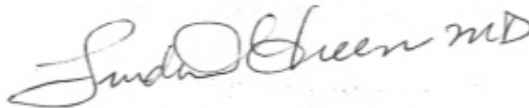
FROM: **Linda D. Green MD**

DATE: January 23, 2023

I am submitting testimony in favor of continuing virtual access to the courts in Maryland. I am a 43 year resident of Mount Rainier where our Mayor and City Council have been, and continue to be, in support of virtual court access. The current proposed legislation would make this permanent. Last year we held two discussions of this in our city council meetings. There was unanimous support for this with two administrations. The legislation proposed by Court Watch PG will give the public remote access to court proceedings via live audio and video streaming. During 2020 the COVID-19 pandemic led to the use of virtual court access and in 2021 the Court of Appeals authorized virtual access to courtrooms in Maryland in order to maintain the courts' performance of core functions during the pandemic.

I understand that this is not a replacement of in-person legal proceedings themselves. Over the past 2 years Court Watch PG has demonstrated that virtual access creates greater transparency and accountability regarding court proceedings. This has increased civic engagement and support for the First and Sixth Amendments to the U.S. Constitution which guarantee open public access to court proceedings. The meetings of our city council have been virtual and easily accessible and we expect that other public meetings as well as court proceedings will continue to be virtual for the foreseeable future. We urge the legislature to pass this bill and keep up with the times.

As we have noted in our previous letters to Judges, Senators and Representatives the benefit to our community has many facets. Personally I have attended several virtual hearings and appreciated the ability to follow the cases much better than when present in person. The ability to hear what is transpiring is much better and improved my understanding of the details and analysis of cases. But more importantly in our neighborhood the challenges of coming to court such as the cost of transportation, time off from work and child care erect barriers of entry that disproportionately affect low income communities. Virtual court access ensures loved ones can be present to support defendants, victims and witnesses in their proceedings. Of course the judges maintain discretion to restrict public access in rare circumstances. Since the courts have already developed the technology for managing remote access there should be no new costs to the system. We urge you to support this legislation and ensure that the public has audio-visual virtual access to all criminal and civil proceedings unless otherwise exempted by law. Thank you for your consideration.



Linda D. Green MD  
3113 Varnum Street  
Mount Rainier, Maryland 20712  
lindadgreen@gmail.com

# **SURJ virtual court letter- senate.pdf**

Uploaded by: Lindsay Keipper

Position: FAV

# SURJ

## BALTIMORE

showing up for racial justice

[www.surjbaltimore.org](http://www.surjbaltimore.org)  
[surjbaltimore@gmail.com](mailto:surjbaltimore@gmail.com)

January 19, 2023

The Honorable Jim Rosapepe  
101 James Senate Office Building  
11 Bladen Street  
Annapolis, MD 21401

Dear Senator Rosapepe:

We are writing as representatives of Showing Up for Racial Justice Baltimore, a group of voters in the Baltimore metro area supporting local groups working for greater racial justice. We are writing today to express our support for **SB 43**, which would require the courts to provide remote access to courtroom proceedings that are not closed to the public.

While most of our court proceedings are open to the public, it can be very hard for folks to jump through the hurdles that attending court requires: clearing their schedule on a work day, navigating public transit or paying for parking, and finding someone to babysit kids who are too young to sit quietly for hours. While the pandemic threw the courts into disarray, it did one positive thing by forcing the courts to adapt their equipment and procedures to hold hearings entirely via videoconference. Suddenly family and friends of accused people, victims and witnesses, and members of the public with an interest in the courts had the ability to be present in court without traveling anywhere. Now trials, and many other hearings, have resumed in person. But there is no reason to abandon the greater accessibility that video hearings provided to the public. SB 43 merely requires that the courts continue to make hearings accessible remotely, as well as in person, so that factors like income or disability will not affect the ability of members of the public to be present in court.

The Supreme Court has said that the right of a criminal defendant to a public trial includes a right of the public to be present, and to report on what they have seen. The court stated that public faith in the integrity of the courts required that the public be allowed to know what is happening in the courtroom. Public access promotes transparency and fairness, which are bedrock principles of democratic government. We hope that the Judicial Proceedings Committee will agree, and vote favorably on SB 43.

Sincerely,

***The SURJ Baltimore Coordinating Committee***



**SB 43 PJC testimony FAV.pdf**

Uploaded by: Matt Hill

Position: FAV



Debra Gardner, Legal Director  
Public Justice Center  
201 North Charles Street, Suite 1200  
Baltimore, Maryland 21201  
410-625-9409, ext. 228  
gardnerd@publicjustice.org

---

## **SB 43 Courts – Remote Public Access**

**Hearing before the Judicial Proceedings Committee, January 25, 2023**

### **Position: FAVORABLE**

SB 43 will modernize Maryland courts by allowing public participation not just in the courtroom gallery but also through digital livestream. Recent years have proven this to be feasible, effective, and affordable, and there is no reason to retreat to practices of the past that limited access to courtrooms to those who could be physically present.

Transparency brings accountability to the administration of government, including the judicial system. But SB 43 also protects privacy of the parties when needed.

The Public Justice Center has observed the need for virtual judicial access first-hand in our representation of tenants facing eviction. Eviction dockets are often fast-paced, high volume events that can deprive someone of their home and financial stability within seconds. Greater judicial transparency and accountability from virtual access would ensure that the public can review and determine whether the eviction dockets provide a fair opportunity for individuals to litigate their rights and ensure that judges are accountable to maintaining the minimal due process safeguards required for these proceedings. Court rules already allow for remote participation, even by parties, in limited circumstances, but more routine access to participation virtually is needed.

Criminal proceedings should also be subject to broader public observation, from pretrial detention hearings (“bail reviews”) to plea bargains to contested trials. Widespread public access can be a tool to shine light on our courts, improve fairness and foster greater confidence in the judiciary.

In the 21st century, the people have the right to 21st century access to the halls of justice.

The Public Justice Center urges a favorable report on HB 133. For further information, please contact Debra Gardner, at 410-625-9409 ext. 228 or [gardnerd@publicjustice.org](mailto:gardnerd@publicjustice.org).

# **SB43 DLS Courts Remote Public Access.pdf**

Uploaded by: Michelle Siri

Position: FAV



DELIVERY OF  
**LEGAL SERVICES COMMITTEE**

POWERED BY MARYLAND ACCESS TO JUSTICE COMMISSION & MARYLAND STATE BAR ASSOCIATION

BILL NO: Senate Bill 43  
TITLE: Courts - Remote Public Access  
COMMITTEE: Judicial Proceedings  
HEARING DATE: January 25, 2023  
POSITION: **Favorable**

---

The Delivery of Legal Services Committee (DLS) of the Maryland Access to Justice Commission was formed to promote the fair administration of justice in the State of Maryland. The Committee supports and encourages free or low-cost legal services for people of limited means through legal services programs for the indigent, public interest legal organizations, *pro bono publico*, reduced fee, and other alternatives to traditional fee-for-service representation to provide access to the courts, and court alternatives for the resolution of disputes. The areas include legal practice and legal reform for the indigent and persons of modest means, for example, civil rights, consumer advocacy, civil and criminal legal services, and lawyer referral services. The Committee is comprised of a mix of practicing attorneys, including those working for civil legal aid organizations, private practitioners, and government attorneys, who all share a common goal: increasing access to justice.

Senate Bill 43 seeks to require each court in the State to provide contemporaneous remote public access to all public court proceedings. DLS supports Senate Bill 43 as it will increase the opportunities for advocates to gain a better insight into the administration of justice, into patterns and practices that can be addressed systematically, and other barriers litigants face when attempting to access justice.

The Delivery of Legal Services Committee recognizes that the Maryland State Bar Association's position is in support of the theory of this legislation but opposed to the collateral consequences as drafted. The DLS does not take a position on the application and procedural application but is concerned only with the policy position of increasing access to the courts for members of the public.

For those reasons, the Delivery of Legal Services Committee urges a favorable report on SB43.

# **Odessa Wilson Testimony and Oral Testimony.pdf**

Uploaded by: Odessa Wilson

Position: FAV

January 22nd, 2023  
108 N Quince Avenue  
Highland Springs, VA, 23075

Testimony of Odessa Wilson  
In favor of: S.B.43/H.B.133

My name is Odessa Wilson. I am a resident of Highland Springs, Virginia. I recently received my Bachelors of Science in Psychology from Colorado Technical University. I am a part of the Life After Release Program based out of Prince George County, Maryland. I am writing in support of S.B.43/H.B.133. I support this bill because it is important that court hearings are as transparent and judges are as accountable for their decisions as possible. Continuing the allowance of remote access to court hearings will ensure that more people will have the ability to observe the way the justice system works. This in turn would lead to an overall more fair and impartial justice system in the future.

I am writing to support this bill due to the things that have been brought to my attention during my time as a court watcher. Many injustices are experienced everyday such as having to remain in jail due to an unpayable bond or being denied medication only to be sent to mental health court to receive more jail time. These injustices also include things such as being incarcerated from missing hearing notices due to homelessness. This bill is essential because allowing people observe a court of law in action will reduce the chances of this happening. The fact of the matter is that these injustices often happen to the Black and Brown people within our communities. In addition to that the cost of transportation is steadily rising which makes remote access to court hearings all the more relevant. The entire process makes it more convenient and allows for the right to open and public court, especially to those who have work and other circumstances within daily life.

I am in strong belief that the legislators overseeing this should support the bill as it would allow impartiality and transparency within the court system. It is something that I believe should be a goal to be reached in the near future. Also, many people can not afford public transportation or can't afford to take time off of work to appear in person. This would cause the population of court to be unfair and jagged. By continuing to allow remote access more individuals, no matter their circumstances, can attend court hearings for themselves or family members.

For the reasons i mentioned above i am in support of S.B.43/H.B.133. I truly hope that the Judicial Commitee votes in favor as well.

Thank your for your time and consideration.

Odessa Wilsonc

# **SB43\_Courts\_Remote\_Public\_Access\_FAV\_ACLU\_SPACCASI**

Uploaded by: Olivia Spaccasi

Position: FAV





## Testimony for the Senate Judicial Proceedings Committee

January 25, 2023

### SB 43 - Courts - Remote Public Access

#### FAVORABLE

OLIVIA SPACCASI  
PUBLIC POLICY PROGRAM  
ASSOCIATE

AMERICAN CIVIL  
LIBERTIES UNION  
OF MARYLAND

3600 CLIPPER MILL ROAD  
SUITE 350  
BALTIMORE, MD 21211  
T/410-889-8555  
or 240-274-5295  
F/410-366-7838

WWW.ACLU-MD.ORG

OFFICERS AND DIRECTORS  
JOHN HENDERSON  
PRESIDENT

DANA VICKERS SHELLEY  
EXECUTIVE DIRECTOR

ANDREW FREEMAN  
GENERAL COUNSEL

The national American Civil Liberties Union and American Civil Liberties Union of Maryland urge a favorable report on SB 43, which would require each court in the state to provide remote audio-visual access to all public court proceedings, except under certain circumstances.

In order to adapt during the pandemic, Maryland courts, like many other entities, went virtual. Though necessitated by unfortunate circumstances, this was a positive step towards transparency and access in the state. Family members, partners, friends, and advocates could now attend hearings and show their support without major disruption to their days. The transition to virtual proceedings made a huge difference in accessibility for those caring for children, working a full-time job, or living in a different state. In April 2022, the courts returned to normal operations. While the courts are technically open to the public, there are many barriers to in person attendance. Should the legislature fail to ensure remote audio-visual access, Maryland risks a backslide in transparency and accountability.

The right of public access to court proceedings is enshrined in both the 1<sup>st</sup> Amendment and 6<sup>th</sup> 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 had eliminated certain barriers to witnessing court proceedings, allowing individuals to fully enjoy the benefits of the 1<sup>st</sup> and 6<sup>th</sup> amendment. SB 43 would ensure that those



AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION

Maryland

barriers are eliminated permanently. Additionally, the bill would encourage individuals to stay home as we continue to navigate the ever-changing public health landscape.

For the foregoing reasons, we urge a favorable report on SB 43.

**1674490468100\_H.B. 43 and S.B. 133 Letter of Suppo**

Uploaded by: Raina Newsome

Position: FAV

609 Littlestown Pike, #1  
Westminster, MD 21157

Testimony of Raina Newsome

In favor of: S.B. 43/H.B. 133  
An Act Concerning Courts – Remote Public Access

My name is Raina Newsome, and I am a lifelong Maryland resident, currently living in Carroll County. As a community member engaged with issues around incarceration and connected to organizations including Courtwatch PG and the Justice Arts Coalition, I write to you in support of S.B. 43 and H.B. 133.

I, along with so many others, began to seriously reckon with the depths of racism and violence embedded in our policing, prison, and court systems in 2020, when the murders of Breonna Taylor and George Floyd sparked worldwide uprisings for Black lives. Still in school during the time, I brought criminal justice to the forefront of my studies, researching the intersections between environmental racism and jails, the role of surveillance in normalizing mass incarceration, and the impact of advocacy organizations like Courtwatch PG and Civil Rights Corps. Jails and prisons are widely viewed as means of keeping those on the outside safe, but by locking people up and hiding them away from society, we create the perfect conditions for neglect and abuse to fester inside. The visibility and accessibility afforded by remote court access is a fundamental right, as well as a crucial means of countering the injustices that happen when we collectively turn a blind eye.

The First and Sixth Amendments to the Constitution guarantee open public access to court proceedings, and in 2020, when the pandemic first arose, the Supreme Court of Maryland responded accordingly to uphold this right by authorizing remote access to courtrooms. The benefits of this decision cannot be understated. It has been a means of keeping people healthy and safe, and has also allowed access to people without the time or means to physically attend their loved ones' hearings. The increased accessibility of remote access encourages attendance from the broader public as well, which is valuable in promoting civic engagement and transparency in the system. Courtwatch PG has been a brilliant example of this, with their volunteers working diligently to take note of what happens in bail hearings and ensure that defendants are treated justly.

These measures were originally put in place to accommodate public health measures, and although the pandemic is not over, efforts to maintain remote access have been significantly cut back, which is undermining the work done by community members to advocate for their loved ones. Even if COVID-19 was no longer a risk, the increased accessibility and transparency that come with virtual access are enough justification to continue its use—that's why I urge you to vote for S.B. 43 and H.B. 133.

Sincerely,  
Raina Newsome

**MDDC Support SB 43.pdf**

Uploaded by: Rebecca Snyder

Position: FAV



**Maryland | Delaware | DC Press Association**

P.O. Box 26214 | Baltimore, MD 21210

443-768-3281 | [rsnyder@mddcpres.com](mailto:rsnyder@mddcpres.com)

[www.mddcpres.com](http://www.mddcpres.com)

To: Judicial Proceedings Committee

From: Rebecca Snyder, Executive Director, MDDC Press Association

Date: January 25, 2023

Re: **HB 133 - SUPPORT**

The Maryland-Delaware-District of Columbia Press Association represents a diverse membership of news media organizations, from large metro dailies like the Washington Post and the Baltimore Sun, to hometown newspapers such as The Annapolis Capital and the Frederick News Post to publications such as The Daily Record, the Baltimore Times, and online-only publications such as Maryland Matters and Baltimore Brew.

The Press Association is pleased to support SB 43, which would allow the public remote access to court proceedings that are already publicly available. This bill would allow for any party, witness or counsel in the proceeding to ask the judge to prohibit the broadcast, as long as there is not an overriding public interest.

In a 2016 report by the Federal Judicial Center, "Video Recording Courtroom Proceedings in United States District Courts: Report on a Pilot Project", ([http://www.fjc.gov/public/pdf.nsf/lookup/Cameras-in-Courts-Project-Report-2016.pdf/\\$file/Cameras-in-Courts-Project-Report-2016.pdf](http://www.fjc.gov/public/pdf.nsf/lookup/Cameras-in-Courts-Project-Report-2016.pdf/$file/Cameras-in-Courts-Project-Report-2016.pdf)) researchers surveyed bench, bar and staff to understand the effects of a pilot program for video recording. News media were allowed to record and broadcast court proceedings in several of the pilot sites. Survey respondents said that news media did not pose disruptions to proceedings (p Appendix F-14, F-15).

Broadcasting court proceedings will provide more transparency and openness to the process and allow the public to better understand and access the court system. This legislation is important to our members, as they would be able to cover proceedings more easily and thoroughly without the burdens of proximity. Additionally, the ways our members share the news is changing. In addition to the anchor printed publications, our members have websites and tv stations that provide different opportunities to engage audiences and inform the public.

The Press Association urges a favorable report.



**We believe a strong news media is  
central to a strong and open society.**

Read local news from around the region at [www.mddcnews.com](http://www.mddcnews.com)

# **SB43 - Maryland Legal Aid - FAV.pdf**

Uploaded by: Somil Trivedi

Position: FAV





**MARYLAND  
LEGAL AID**

*Advancing*  
**Human Rights and  
Justice for All**

January 24, 2023

The Honorable Senator William C. Smith Jr., Chair  
2 East  
Miller Senate Office Building  
Annapolis, Maryland 21401

**RE: Testimony of Maryland Legal Aid in Support of Senate Bill 43 – Court Proceedings – Remote Public Access and Administration**

Dear Chairman Smith and Members of the Committee:

As the Chief Legal & Advocacy Director at Maryland Legal Aid (MLA), I appreciate the opportunity to testify on Senate Bill 43, at the request of Senator Rosapepe. This bill will bring much needed access and transparency to our courtrooms, increase our awareness of how laws and procedures are carried out, and ultimately benefit our often-silenced clients.

MLA is Maryland's largest nonprofit law firm, with 12 offices serving thousands of low-income people in matters ranging from evictions to unemployment to children's rights to veteran's benefits. In courts throughout the state, MLA attorneys witness first-hand what the public rarely sees: inconsistent application of procedures, incorrect interpretations of the law, and injustices that are rarely monitored, much less remedied. Therefore, we understand the value of adding sunlight and accountability to these courts. MLA urges the Committee's favorable report, and we urge its ultimate passage.

Public access to courts is embedded in the First Amendment, which is reason alone to pass this bill. However, SB 43 is particularly vital for MLA's clients because court proceedings are the primary forum for our clients to speak their truth. Our clients are not rich; they cannot buy airtime or ads to expose the injustices they face. They are not politically powerful or well-connected; they cannot easily change the laws that oppress them. Broadcasting their day in court will vastly improve the chances that their voices are heard. And they deserve to be heard.

Virtual access to court proceedings will also vastly expand the ability of MLA, law reform advocates, and the public writ large to monitor how state courts administer justice, better holding both public and private actors accountable. In particular, broadcasting court proceedings will shed light on the state's many high-volume trial dockets at an unprecedented scale. One need only consider the impact of a single audio-video "stream" on a single day at a district court. For instance, with virtual access to eviction dockets, lawmakers and other stakeholders would literally see, on their phones, tablets, and laptops, the success (or not) of local implementation of the new Access to Counsel in Evictions program. This includes the helpfulness (or not) of landlords, the Housing Authority, and others. In a similar vein, with SB 43, the entire state can observe in real time whether

---

judges and prosecutors are honoring the letter and spirit of Maryland's expungement law. While the law is intended to streamline second chances for our clients, the process remains excruciatingly difficult to navigate in practice.

To be sure, MLA represents numerous clients who need privacy as they pursue justice in the courts. These include children involved in private guardianship, public agency, adoption, or juvenile delinquency matters; victims of domestic violence who fear for their safety; and, as noted above, people seeking expungement of old criminal records, where much of the purpose is to avoid stigma around, and public re-litigation of, past mistakes. There are good reasons why these and other clients may want certain proceedings to be held outside of public view. Fortunately, this bill contemplates those circumstances by exempting proceeds that were already closed, confidential, or restricted under federal or state law. The bill also allows parties to request (and judges to grant) confidential proceedings where appropriate. Therefore, MLA can still protect client privacy in appropriate settings while supporting the expanded transparency, accountability, and access this bill provides.

For the reasons stated above, and for the betterment of our courts and clients alike, **Maryland Legal Aid urges a favorable report on, and ultimate passage of, Senate Bill 43.**

Thank you,

/s/ Somil Bharat Trivedi

Somil Bharat Trivedi

Chief Legal & Advocacy Director, Maryland Legal Aid

500 E. Lexington Street

Baltimore, Maryland 21202

410-951-7679

strivedi@mdlal.org

# **Senate testimony.pdf**

Uploaded by: Sophie Holmes

Position: FAV

January 15th, 2023  
67 Spear Street  
Burlington VT, 05405

Testimony of Sophie Holmes  
In favor of: S.B.43

My name is Sophie Holmes. I am a resident of Bethesda, Maryland, but I'm attending college at the University of Vermont. I am a volunteer of CourtwatchPG (Prince George's County), an organization that observes and documents information from bail hearings in order to hold officials accountable for injustices in the court system. I am writing in support of S.B. 43. I support this bill because it is highly important that court hearings are transparent and that judges are held accountable for their decisions. Continuing to allow remote access to court hearings means that more people will be able to observe the justice system, leading to a more equitable system overall.

I am writing to support the bill because of the things I have observed as a court watcher. So many people are subjected to injustices everyday: being kept in jail because of an unaffordable bond, or being denied their medication and sent to mental health court, or ending up back in jail because of inability to receive their hearing date notices due to homelessness. This bill is very important because allowing more people to observe court is the first step to fixing problems like these, and the fact that these issues predominantly affect people of color is unjust. Remote access to courts is vital to the community because transportation costs are rising, and many people are busy with jobs and other circumstances, yet everyone still has a right to open and public courts.

I believe that legislators should support this bill because it will allow for more equality and transparency in the court system, and equality/justice is what a court system should strive for. In addition, many people cannot come to court in person because of their circumstances, such as not being able to afford the cost of public transportation and the inability to take enough time off work to attend the hearing. This means that the population able to attend court hearings in person is disproportionately skewed towards those who can afford to, which is unfair. By continuing to allow remote access to courts, people of all economic backgrounds will be able to attend court hearings. In addition, it makes it easier for family members and friends to attend their loved one's hearing, for the same reasons mentioned above.

For the reasons above, I support S.B.43, and I hope the Senate Judicial Proceedings Committee votes favorably.  
Thank you for your time,  
Sophie Holmes

# **Solidarity Law Cooperative - In favor of S.B. 43H.**

Uploaded by: Tara Vassefi

Position: FAV

Tara Vassefi, Esq.  
Steward  
Solidarity Law Cooperative  
January 20, 2023



In favor of: S.B. 43/H.B 133 An Act Concerning Courts  
Remote Public Access

Dear Maryland General Assembly,

My name is Tara Vassefi and I am a DC-based attorney specialized in the use of disruptive technologies and digital evidence. I happened to be one of the earliest thought leaders at the nexus of law, technology, and human rights through my work in humanitarian law and war crimes prosecutions in late 2013, at a time when there was no binding or even persuasive authority on how courts should admit and weigh what we were calling at the time "unique evidence" like social media posts, YouTube videos and the like. **Today I am writing to express my support of S.B. 43/H.B 133, legislation that aims to enhance accountability and transparency in Maryland courts.** If passed, this bill would require every court in the state to provide the public with remote audio-visual access to all criminal and civil proceedings.

Advances in legal-tech are often seeded by the most vulnerable amongst us because their innovation is based on necessity rather than choice. I personally first observed this through the courage and sacrifice of citizen journalists documenting the largest crime base in human history - the conflict in Syria that began in the era of the Arab Spring in 2011. Through my work with and after the War Crimes Research Office at American University Washington College of Law, I developed valuable expertise in the balance between the rapid proliferation of disruptive technologies that could be used as digital evidence and the duty facing legal systems around the world in absorbing and adjusting to technological advancement. I published a book on this topic, "Video as Evidence in the Middle East and North Africa," and secured a [visiting position](#) at UC Berkeley School of Law, which houses the flagship [Human Rights Investigations Lab](#) - an incubator for students and practitioners to improve methodologies in verifying publicly available information on potential war crimes and hate crimes; to conduct open source investigations for international organizations, news outlets, and courts; and to rapidly respond to human rights crises. This early expertise, particularly on authentication and verification technologies like Blockchain, Computer Vision, and Machine Learning, became very useful to hackers and developers and shortly thereafter I was recruited into the tech industry to provide legal and policymaking [guidance to socially-minded tech companies](#) on how their solutions could be most beneficial to the Public Interest.

Activated by the systemic vulnerabilities highlighted by the Covid-19 Pandemic, I was fortunate enough to find the DC Mutual Aid Network and carry-on the long, rich legacy of mutualism in the DMV area. I came across Life After Release ("LAR") through their crucial work on Participatory Defense - taking mutual aid to the courtrooms - and since then I have been doing everything I can to remain in their orbit and learn from These Brilliant Innovators like LAR ED Qiana Johnson and LAR Director of Court Watch & Judicial Accountability Dr. Carmen Johnson about the True meaning of Justice.

I am writing to you now to underscore the necessity of Senate Bill 43 and House Bill 133. These widely-popular pieces of legislation are crucial steps to bringing our legal system up to speed with the scientific, technological, and social advancements of our Times. I am thoroughly convinced by LAR's empirical approach, evidence-based practices, and robust data collection results that prove how adoption of this legislation will, among countless other benefits:

- 1.improve access to justice
- 2.increase participation
- 3.improve the efficiency of our legal system
- 4.mitigate the harms and effects of overloaded dockets
- 5.improve transparency and therefore Community trust

I am well-versed in the counter-arguments and hesitation around this advancement and in close Community with other respected thought leaders who are eager to mindfully leverage technology for justice and accountability. If you have any questions for me, I would relish an opportunity to engage on this fascinating and dynamic topic with you or any member of your staff - please feel free to email me or reach out directly at 202.344.9763.

Thank you so much for your time, consideration, and your dedication to the Public Good. I look forward to observing and tracking how you make this choice to advance access to justice and help keep us all safe. Please consider this support letter to also serve as my written testimony.

In Community,

Tara Vassefi, Esq.

Steward

Solidarity Law Cooperative





**SB0043 Remote Public Access - Favorable - TMurphy.**

Uploaded by: Teagan Murphy

Position: FAV

January 23, 2023  
Testimony of Teagan Murphy  
Doctoral Candidate, University of Maryland

10410 Montrose Ave  
Bethesda, MD 20814

In favor of: SB0043  
An Act Concerning Courts – Remote Public Access

My name is Teagan Murphy. I am a resident of Bethesda, MD and a doctoral candidate and teaching assistant at the University of Maryland, College Park. I am also a volunteer for Courtwatch PG, an advocacy group that observes bail hearings in the Prince George’s County District Court to document our county’s policies in action and hold officials accountable for injustice in the court system. I am writing in support SB0043.

When remote public access first became widespread during the rise of COVID in 2020, community members quickly realized that this was a critical tool for maintaining transparency, accessibility, and accountability in the courts as well as a benefit to all who are involved in the court system. Remote access allows community participation and family support for those who are incarcerated. Many courthouses are located in remote areas that can be difficult to reach on public transportation. Furthermore, community members often struggle to take off work, secure childcare, and find the means of transportation to come to court, making in-person court attendance inaccessible – particularly when you are not the person summoned to court. Remote access means that community members can more easily appear as character witnesses and moral support.

However, as court hearings have gradually returned to in-person proceedings, remote public access has been reduced, with some advocating for its removal entirely. Court access creates transparency and accountability; without it there is no public oversight. Since remote public access became available, Courtwatch volunteers like me – who rely on remote access as a means for advocacy – have consistently observed judges and other state actors harming our most vulnerable community members. This includes maintaining unaffordable bonds, ignoring extreme medical needs and other extenuating circumstances, openly mocking defendants, and incarcerating defendants for upwards of several months before their trial has even taken place. Without remote access, these acts of harm would remain largely hidden and overlooked. Injustice happens in empty courtrooms.

For the reasons above, I support SB0043. I hope the Judiciary Committee votes favorably.

Thank you for your time,  
Teagan Murphy

# **SB 43 Courts – Remote Public Access -- MOPD FWA.d**

Uploaded by: Elizabeth Hilliard

Position: FWA



**NATASHA DARTIGUE**  
PUBLIC DEFENDER

**KEITH LOTRIDGE**  
DEPUTY PUBLIC DEFENDER

**MELISSA ROTHSTEIN**  
CHIEF OF EXTERNAL AFFAIRS

**ELIZABETH HILLIARD**  
ACTING DIRECTOR OF GOVERNMENT RELATIONS

## **POSITION ON PROPOSED LEGISLATION**

**BILL: SB 43 Court Proceedings - Remote Public Access**

**FROM: Maryland Office of the Public Defender**

**POSITION: Favorable with Amendment**

**DATE: 1/24/2023**

The Maryland Office of the Public Defender respectfully requests that the Committee issue a favorable report with amendment on Senate Bill 43.

Senate Bill 43 requires each Appellate Court, Circuit Court, and District Court in the State to provide remote audio-visual public access for all public court proceedings, unless a proceeding is deemed closed, confidential, or restricted by federal or State law. It also authorizes a presiding judge to prohibit the broadcast of any portion of a proceeding on the request of any party, witness, or counsel involved in the proceeding, unless there is an overriding public interest compelling disclosure. We propose that this latter clause be amended to require the presiding judge to prohibit the broadcast of any portion of a proceeding on the request of the defendant in a criminal or post-conviction proceeding.

The Office of the Public Defender understands and appreciates the importance of transparency and access to court proceedings as a means to ensuring a fair judicial system and holding the criminal legal system accountable. The COVID-19 pandemic made remote access particularly important and valuable to help ease and facilitate the ability for parties and families to participate as well as helped shed light to the public on the extensive deficiencies throughout the jails, prisons, and court systems. For instance, prior to the implementation of remotely broadcasted proceedings in the Court of Special Appeals, incarcerated clients did not have the opportunity to view live oral arguments in their direct appeal; instead, they could only listen to the audio at a later date. Likewise, during bail review hearings, client's family members had to

make an impossible choice: come to the courthouse to observe the hearing and support their family member, foregoing an afternoon's pay at work, or miss the hearing entirely.

However, providing remote audio-visual public access for all public court proceedings poses significant risks of the dissemination of confidential and sensitive information. The exposure of permanent images and information may improperly influence public perceptions and potentially taint jury pools, be misused by those with ill intentions to impact live proceedings, and create permanent and misleading records for cases resulting in acquittal, dismissal, reversal, and/or expungement. This last concern is uniquely relevant for people accused in criminal cases and subsequently involved in appellate, post-conviction, and similar related proceedings.

In criminal proceedings, very sensitive information is shared about our clients and parties involved, including prior criminal history, medical and mental illness, substance abuse, family issues, financial limitations, and similar personal matters. The public exposure of easily accessible and distributable information pertaining to these sensitive matters can be extremely detrimental to our clients or others involved, with negative and irreparable ramifications, particularly with respect to employment, housing and education.

Allowing remote access to the public also presents far-reaching concerns. Anyone watching the proceeding has the potential to post the proceeding on social media, record it, and/or alter it. For example, in a domestic violence case that occurred during COVID, the family members of the alleged victim surreptitiously recorded the trial from that other room and then streamed it on Facebook where it was viewed by other witnesses. Moreover, the constant streaming of defendants in a detention jumpsuit reinforces negative images influencing media in ways that historically have had racially discriminatory impacts on black populations and communities.

This bill seeks to include an important check by allowing a presiding judge to prohibit the broadcast of a proceeding on the request of any party, witness, or counsel involved in the proceeding. However, relying on the discretion of the presiding judge will create inconsistent access across cases and not sufficiently protect the accused. **As such, we propose that the bill be amended to require the presiding judge to grant a defendant's request to prohibit the broadcast of a proceeding.**

**For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a favorable report with amendment on SB 43.**

---

**Submitted by: Government Relations Division of the Maryland Office of the Public Defender.**

**Authored by: Melissa Rothstein, Chief of External Affairs,  
[melissa.rothstein@maryland.gov](mailto:melissa.rothstein@maryland.gov), 410-767-9853.**

# **SB 43 - Courts - Remote Public Access.pdf**

Uploaded by: Ralph Watkins

Position: FWA



**TESTIMONY TO THE SENATE JUDICIAL PROCEEDINGS COMMITTEE**

**SB 43 - Courts - Remote Public Access**

**POSITION: Favorable with Amendment**

**BY: Nancy Soreng – President**

**Date: January 25, 2023**

The League of Women Voters of Maryland supports SB 43, which would require that courts provide remote audio-visual access to all public court proceedings except in specified situations.

The League of Women Voters believes that democratic government depends upon informed and active participation at all levels of government. The League further believes that governmental bodies must protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings, and making public records accessible. Except where the law requires that a proceeding be closed due to specific circumstances, the business of the courts should be conducted in public.

We note that SB 43 includes an exception for those rare instances where, at the request of a party or a witness, the judge determines that some portion of the proceeding should not be broadcast, unless there is an overriding public interest that compels disclosure. This will require the courts to determine the appropriate balance of the public's right to information about government decisions as well as the rights of litigants and witnesses in the particular circumstances of each case.

We also recognize that there are additional considerations, such as the need to exclude witnesses from the courtroom so that their testimony is not affected by the statements of other witnesses. Web broadcasting of proceedings may also increase the reluctance of some witnesses to testify. Accordingly, we recommend that the bill be amended to require a study on this issue and report to the General Assembly with recommendations.

The LWVMD strongly urges a favorable report on SB 43 with an amendment as noted.



**SB0043-JPR\_MACo\_SWA.pdf**

Uploaded by: Sarah Sample

Position: FWA



## Senate Bill 43

### *Courts – Remote Public Access*

MACo Position: **SUPPORT**  
**WITH AMENDMENTS**

To: Judicial Proceedings Committee

Date: January 25, 2023

From: Sarah Sample

The Maryland Association of Counties (MACo) **SUPPORTS SB 43 WITH AMENDMENTS**. This bill would require counties across the state to fund and facilitate the installation of simultaneous remote audio-visual public access to all public proceedings taking place within the Circuit Court system.

Circuit Courts are fully funded by county governments but operated by the State, with only a finite number of expenses eligible for reimbursement from State funding. The required infrastructure to facilitate simultaneous audio-visual remote public access under SB 43 is expensive and difficult to install generally but especially in buildings with historic designations, like many of our Circuit Court locations. Storage capacity for the footage is an added cost not addressed in this legislation but a predictable byproduct as the recordings are likely subject to regulations regarding document retention and audit compliance.

MACo agrees that the potential to create greater ease of access and transparency in court proceedings would have a public benefit. These updates certainly stand to offset cost and stress for low-income individuals who are more likely to experience resource scarcity. The added layer of transparency would fortify the purpose and principle of a foundational institution. The COVID-19 pandemic has been a catalyst for bringing this pathway forward into focus from a technological standpoint. There are more resources available and a greater understanding of what is possible, but it is not without substantial cost to county governments as much of the required technology is state-of-the-art due to the acceleration of the industry since the onset of the COVID-19 pandemic.

MACo suggests the following amendment to help ensure SB 43 is successfully implemented with resources from the State for its courts:

- **On page 2, line 6, after “(A)” insert “PENDING THE AVAILABILITY OF FUNDING IN THE STATE BUDGET,”**

To realize the full potential and benefit of this opportunity, SB 43 could be streamlined if it is not encumbered by the financial challenges many counties face at the local level that are further compounded by the volatile and uncertain economic climate of the last three years. For this reason, MACo urges a **FAVORABLE WITH AMENDMENTS** report for SB 43.

**William A. Haines for SB 43.pdf**

Uploaded by: William Haines

Position: FWA

January 24, 2023

Testimony of William A. Haines  
Volunteer, Courtwatch PG  
5603 Gary Avenue  
Alexandria, VA 22311

### **For Senate Bill 43 with the expected amendment**

My name is William A. Haines. As a volunteer with Courtwatch PG, I have monitored and reported on over a thousand bond hearings in the Prince George's County District Court in the past 14 months. I am writing in support of Senate Bill 43, to make Maryland's "public" court hearings genuinely public by ensuring remote access to hearings meant to be public.

My understanding is that the text that the sponsor Senator Rosapepe intends, the text we at Courtwatch PG support, is the text included beneath my testimony here, different from what is currently posted.

This bill would greatly facilitate citizen attendance at public court hearings.

#### **The possibility of abuse**

For almost two years, MD hearings were Zoom accessible and to our knowledge there was no abuse. Using Zoom rather than livestreaming makes abuse easier to prevent.

Abuse is already possible. Even now recordings from the courtroom are easy to make and sneak out. But if the possibility of occasional abuse were reason to block major projects, we wouldn't have cars; we wouldn't have courts. We do have cars and courts, and we need to be serious about preventing abuses. That is why court hearings must be public.

The court sometimes has a duty to conceal what happens in a courtroom. That is why not all hearings are public. The court has no **general** duty to conceal from the public what happens in **public** hearings. Our bill applies only to public hearings, and it has a clause giving judges some discretion to suspend remote access even to public hearings.

**This bill would make Maryland a leader in what must be the wave of the future.** Everyone sees that "freedom of the press" is not specifically about printing presses, and everyone is coming to see that an open courtroom door does not make a proceeding genuinely "public." It is quickly becoming plain that only remote access is public access. Florida is ahead of us on this, as can be seen in the following **directory of remote access to Florida court hearings:** <https://courtrooms.flcourts.gov/>

**The courts sorely need the supervision that publicity is supposed to provide.** Court officers are only human. My experience as a courtwatcher has shown me that judges, attorneys, police, and jail officials often make simple mistakes that can ruin lives—and that after a few months of feedback from a courtwatching group, their performance can improve significantly.

**In deeper ways the system may need repair.** For example, it appears that lengthy pretrial detention on cases that do **not** proceed to trial is being used on a large scale as a way to punish people without trial. Further, at least in Prince George's County, even the decision about whether to hold someone before trial is very often not really made by a judge, but rather delegated to a shadowy agency in the jail whose process is not public, not governed by known rules, and not prompt. **The way to improve the system is not by concealing its activities.**

**A legal system cannot work unless the people believe it works for them,** feel they have access, feel that in some fundamental sense the system cares about them and respects them. In these days of fragmenting community and communication we desperately need common spaces that matter, where the rules are clear, impressive, and respected, and fair and disciplined discourse is modeled. Courtrooms in the broad sense, truly accessible courtrooms, can be among those spaces.

**During the year and a half when court business was all by Zoom,** people had much better access to court hearings involving their loved ones. People could attend from work, or while caring for children. But today, over and over we hear that even people who want to be character witnesses for their loved ones cannot make it to court. This bill would give judges the discretion to let people participate remotely, at great benefit to fairness and to the community's respect for the courts.

I beg you to support this bill.

Thank you sincerely,

A handwritten signature in black ink, appearing to read 'William A. Haines', written in a cursive style.

William A. Haines  
Volunteer, Courtwatch PG

UNOFFICIAL COPY OF HOUSE BILL 133

HOUSE BILL 133

D1  
HB 647/22 - JUD

3lr0766

---

By: **Delegates Moon and Williams**  
Introduced and read first time: January 13, 2023  
Assigned to: Judiciary

---

A BILL ENTITLED

1 AN ACT concerning

2 **Court Proceedings - Remote Public Access and Participation**

3 FOR the purpose of requiring each court in the State to provide remote audio-visual public  
4 access to all public court proceedings; authorizing remote participation in a court  
5 proceeding by a nonparty; providing for the reporting and resolution of the  
6 malfunctioning of an audio-visual public access system; and generally relating to  
7 remote access to and participation in court proceedings.

8 BY repealing and reenacting, without amendments,  
9 Article - Courts and Judicial Proceedings  
10 Section 1-101(a) and (c)  
11 Annotated Code of Maryland  
12 (2020 Replacement Volume and 2022 Supplement)

13 BY adding to  
14 Article - Courts and Judicial Proceedings  
15 Section 1-206  
16 Annotated Code of Maryland  
17 (2020 Replacement Volume and 2022 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
19 That the Laws of Maryland read as follows:

20 **Article - Courts and Judicial Proceedings**

21 1-101.

22 (a) In this title the following words or terms have the meanings indicated.

2

**UNOFFICIAL COPY OF HOUSE BILL 133**

1 (c) "Court" means the Court of Appeals, Court of Special Appeals, circuit court,  
2 and District Court of Maryland, or any of them, unless the context clearly requires a  
3 contrary meaning. It does not include an orphans' court, or the Maryland Tax Court.

4 **1-206.**

5 (A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION  
6 AND SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, EACH COURT IN THE STATE  
7 SHALL PROVIDE CONTEMPORANEOUS REMOTE AUDIO-VISUAL PUBLIC ACCESS TO  
8 ALL PUBLIC COURT PROCEEDINGS THROUGH AN AUDIO-VISUAL PUBLIC ACCESS  
9 SYSTEM.

10 (2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO A  
11 PROCEEDING THAT IS DEEMED CLOSED, CONFIDENTIAL, OR RESTRICTED BY  
12 FEDERAL OR STATE LAW.

13 (3) ~~UNLESS THERE IS AN OVERRIDING PUBLIC INTEREST~~  
14 ~~COMPELLING DISCLOSURE, A~~ A PRESIDING JUDGE MAY ~~PROHIBIT THE BROADCAST OF~~  
15 RESTRICT REMOTE ACCESS TO  
16 ANY PORTION OF A PROCEEDING ON THE REQUEST OF ANY PARTY, WITNESS, OR  
17 COUNSEL INVOLVED IN THE PROCEEDING IF THE PRESIDING JUDGE FINDS THERE IS CLEAR AND CONVINCING  
18 EVIDENCE THAT REMOTE ACCESS WOULD ENDANGER AN IMPORTANT STATE INTEREST, AND THE RESTRICTION IS  
19 NARROWLY  
20 TAILORED TO ADDRESS THE DANGER.

21 (B) ON THE REQUEST OF COUNSEL AND FOR GOOD CAUSE SHOWN, A  
22 PRESIDING JUDGE MAY AUTHORIZE THE USE OF THE COURT'S AUDIO-VISUAL  
23 PUBLIC ACCESS SYSTEM TO ALLOW AN INDIVIDUAL WHO IS NOT A PARTY TO A  
24 PROCEEDING TO PARTICIPATE IN THE PROCEEDING REMOTELY, INCLUDING BY  
25 SPEAKING ON THE RECORD OR OFFERING TESTIMONY.

26 (C) (1) EACH COURT IN THE STATE SHALL DESIGNATE A PERSON OR  
27 PERSONS TO RECEIVE AND RESPOND TO REPORTS DURING COURT PROCEEDINGS  
28 THAT THE COURT'S AUDIO-VISUAL PUBLIC ACCESS SYSTEM IS MALFUNCTIONING.

29 (2) THE CONTACT INFORMATION, INCLUDING TELEPHONE NUMBER  
30 AND E-MAIL ADDRESS, FOR THE PERSON OR PERSONS DESIGNATED UNDER  
31 PARAGRAPH (1) OF THIS SUBSECTION SHALL BE PUBLISHED ON THE COURT'S  
32 WEBSITE.

33 (3) ON REPORT OF ANY MALFUNCTION OF THE AUDIO-VISUAL PUBLIC  
ACCESS SYSTEM, THE PERSON OR PERSONS RESPONSIBLE FOR THE SYSTEM SHALL  
WORK EXPEDITIOUSLY TO RESOLVE THE MALFUNCTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
October 1, 2023.

**sb43.pdf**

Uploaded by: Matthew Pipkin

Position: UNF



**MARYLAND JUDICIAL CONFERENCE**  
**GOVERNMENT RELATIONS AND PUBLIC AFFAIRS**

Hon. Matthew J. Fader  
Chief Justice

187 Harry S. Truman Parkway  
Annapolis, MD 21401

**MEMORANDUM**

**TO:** Judicial Proceedings Committee  
**FROM:** Legislative Committee  
Suzanne D. Pelz, Esq.  
410-260-1523  
**RE:** Senate Bill 43  
Courts – Remote Public Access  
**DATE:** January 23, 2023  
(1/25)  
**POSITION:** Oppose

---

The Judiciary opposes Senate Bill 43. This bill seeks to require each court in the State, except for Orphans' Courts and Maryland Tax Court, to provide remote audio-visual public access for all public court proceedings unless a proceeding is deemed closed, confidential, or restricted by Federal or State Law.

Compliance with this bill would have a significant fiscal impact on the Judiciary since it would require certain technical equipment, services, and personnel to enable each court to provide remote audio-visual access for each court proceeding. Judicial Information Systems estimates the cost of compliance at \$2,564,670 annually, excluding any additional labor cost needed. In addition to the above programming costs, the Judiciary estimates that an additional clerk position would be needed for each judge or magistrate in each location to monitor, receive and respond to any calls for issues with the system. The total personnel and operating costs for an estimated 124 additional clerks in the District Court and 249 additional clerks in the circuit courts is \$30,738,615 in the first full fiscal year. This bill would also have a significant operational and fiscal impact on courts by forcing them to conduct their court proceedings in a manner that accommodates remote audio-visual access. This could include, for instance, having to constantly ensure that audio-video broadcast equipment and services in each courtroom are working correctly. Further, courts would also have to consider requests by parties, witnesses, and counsel to prohibit broadcast of portions of proceedings. It would also require having a clerk or clerks designated to receive and respond to reports of any technical malfunctioning during all court proceeding. This all could result in additional court and clerical time.

Currently, the Supreme Court of Maryland has rules in place that govern remote participation by the public in civil matters in both circuit and in the District Court. Both MD Rule 2-804(g) and MD Rule 3-513.1(b) state, “[i]f a proceeding that otherwise would be open to the public is conducted entirely by remote electronic means, the court

shall ensure that members of the public shall have the ability to listen to the non-redactable portions of the proceeding during the course of the proceeding through remote electronic means.”

This bill presents a separation of powers concern as it impedes the Judiciary’s independence. A separation of powers has been established in Article 8 of the Maryland Declaration of Rights, which states, “the Legislature, Executive and Judicial power of Government ought to be forever separate and distinct from each other; and no person exercising the functions of one of said Departments shall assume or discharge the duties of any other.” Article IV, §18(b)(1) identifies the Chief Justice of the Supreme Court of Maryland as the administrative head of the Maryland Judiciary. The power to administer the Judiciary is not an implied or inherent power but is an express constitutional power of the Chief Justice. This constitutional authority includes managing public access to court proceedings. This authority is further established in the Maryland Rules, which states, “The Chief ... of the Court of Appeals is the administrative head of the Maryland judicial system and has overall responsibility for the administration of the courts of this State.” Maryland Rule 16-102.

Another matter of concern regarding this bill is use of the term “overriding public interest.” This term is not defined in the bill nor does the bill provide any factors for the court to consider when making the determination as to whether to prohibit the broadcast at the request of any party, witness, or counsel. Further, the request to prohibit the broadcast is limited to any party, a witness, or counsel. The bill does not provide the court with the authority, on their own initiative to prohibit the broadcast. Currently, Maryland Rule 16-608 provides, “upon a finding of good cause, the presiding judge, on the judge’s own initiative or on the request of a party, witness, or juror, may limit or terminate extended coverage of all or any portion of a proceeding.” When considering the request of a party, good cause shall be presumed in cases involving domestic violence, custody of or visitation with a child, divorce, annulment, minors, relocated witnesses, and trade secrets.” The committee note to this rule states: “examples of good cause include unfairness, danger to a person, undue embarrassment, or hinderance of proper law enforcement.”

It should be noted that audio-visual streaming of hearings will prevent testimony ordered to be stricken from the record to be stricken from the public domain. This inability would also undermine efforts to expunge cases. Once the information is live-streamed and in the public domain, the court lacks any ability to retain, control or redact the use of that live streamed information. Should that case later be expunged, the court would have no ability to expunge the information already in the public domain.

Furthermore, this bill presents circumstances that may hinder the Judiciary’s ability to properly execute its role as a fair and impartial adjudicator. Currently, when available, hearings are live-streamed with audio only. Adding a visual component could negatively impact victims, witnesses, attorneys, jurors and even judges. Concerns include victim, witness and juror safety, as well as, the forthrightness of testimony and the performance of parties knowing that anyone, anywhere could be watching.

cc. Hon. Jim Rosapepe  
Judicial Council  
Legislative Committee  
Kelley O'Connor

# **SB 43 - Scott Shellenberger.pdf**

Uploaded by: Scott Shellenberger

Position: UNF

**Bill Number: SB 43**

**Scott D. Shellenberger, State's Attorney for Baltimore County**

**Opposed**

**WRITTEN TESTIMONY OF SCOTT D. SHELLENBERGER,**  
**STATE'S ATTORNEY FOR BALTIMORE COUNTY,**  
**IN OPPOSITION TO SENATE BILL 43**  
**COURT PROCEEDINGS – REMOTE PUBLIC ACCESS AND PARTICIPATION**

I write in opposition to Senate Bill 43 that would allow for remote public access and participation of court proceedings. I object due to the fact that when people are in the courtroom authorities can observe them and make sure no video and audio is being recorded by a cell phone or other device. If people are in their homes nothing would prevent them from recording testimony and placing it on social media.

This type of access and possible recording can place the victims and witnesses testifying in criminal cases at risk. It is currently difficult enough to get victims and witnesses to come to court to testify against those charged with crimes of violence when the testimony takes place in front of relatives and friends of a defendant. Having the ability to watch and listen from home and record the testimony with a cell phone and the ability to put the video and audio on social media puts witnesses at even greater risk.

As a result of the Soderberg case, the Maryland Rules committee is currently working on a new rule to deal with the "Broadcast Ban" and these related issues.

I urge an unfavorable vote.

# **SB43 - Opposition Letter (2023).pdf**

Uploaded by: Shaoli Katana

Position: UNF



**MSBA Main Office**  
520 West Fayette Street  
Baltimore, MD 21201  
410-685-7878 | msba.org

**Annapolis Office**  
200 Duke of Gloucester Street  
Annapolis, MD 21401  
410-269-6464 | msba.org

## MEMORANDUM

To: Members of the Senate Judicial Proceedings Committee

From: Maryland State Bar Association (MSBA)  
Shaoli Katana, Esq., Advocacy Director

Subject: Senate Bill 43 - Court Proceedings - Remote Public Access

Date: January 24, 2023

Position: Oppose

---

The Maryland State Bar Association (MSBA) respectfully opposes Senate **Bill 43 - Court Proceedings - Remote Public Access**. SB43 requires each court in the State to provide remote audio-visual access to all public court proceedings, unless a proceeding is deemed closed, confidential, or restricted by federal or State law; and authorizing a presiding judge to prohibit a certain broadcast under certain circumstances.

The MSBA represents more attorneys than any other organization across the State in all practice areas. MSBA serves as the voice of Maryland's legal profession. Through its Laws Committee and various practice-specific sections, MSBA monitors and takes positions on legislation of importance to the legal profession.

The MSBA supports the bill's goal of transparency and having open doors to the courthouse. The public has access to most in-person, open court hearings and has had increased access to remote hearings as well. The Judiciary currently broadcasts and archives arguments from the Appellate Court of Maryland and the Supreme Court of



**MSBA Main Office**  
520 West Fayette Street  
Baltimore, MD 21201  
410-685-7878 | [msba.org](http://msba.org)

**Annapolis Office**  
200 Duke of Gloucester Street  
Annapolis, MD 21401  
410-269-6464 | [msba.org](http://msba.org)

Maryland. The Judiciary has also worked diligently throughout the pandemic to modernize and provide more remote access for hearings, both in the District and Circuit Courts, and to provide public access. These matters are already covered by Md. Rule 2-804(g) and Md. Rule 3-513.1(b): “[i]f a proceeding that otherwise would be open to the public is conducted entirely by remote electronic means, the court shall ensure that members of the public shall have the ability to listen to the non-redactable portions of the proceeding during the course of the proceeding through remote electronic means.”

The bill raises concerns about separation of powers and infringing on judicial authority, given the constitutional directive of the Judiciary to manage public access to court proceedings. The Judiciary is actively working towards greater public access to court hearings and remains in the best position to lead methods and procedures for remote access across all courts, considering the range of technology and available funds to provide remote access in courthouses across the state.

The MSBA notes that the Delivery of Legal Services, serving under our partner the Maryland Access to Justice Commission, files testimony in support of this bill, focused on increased opportunities for advocates to gain a better insight into the administration of justice and barriers to accessing justice. Their goals and perspective align with the MSBA's support for transparency and public access and we appreciate their testimony.

MSBA has concerns with the details of this legislation and respectfully requests an unfavorable report.

For additional information, please feel free to contact Shaoli Katana at MSBA at [shaoli@msba.org](mailto:shaoli@msba.org).