

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.