

Testimony of Charlene Franke

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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