



Maryland | Delaware | DC Press Association

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To: House Judiciary Committee

From: Rebecca Snyder, Executive Director, MDDC Press Association

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Re: **SUPPORT HB 1143**

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 Maryland Gazette to publications such as The Daily Record, the Baltimore Times, and online-only publications such as Maryland Matters and Baltimore Brew. Common Cause Maryland and the undersigned Court Watch groups focus on transparency into the judicial system.

We write in support of HB 1143, which would place into law the existing court rule 16-504(g) which governs public access to transparency of court proceedings. This bill is needed as the Rules Committee considers barriers to access recordings in light of the District of Maryland's December decision in *Soderberg v. Carrión*. (No. RDB-19-1559, 2022 U.S. Dist. LEXIS 222645 (D. Md. Dec. 9, 2022))

The Committee set out a new rule, which is currently stayed as advocates and the committee discuss options, which specified that members of the public could access criminal court proceedings only "at a time and place designated by the court and under the supervision of a court official." Further, the public would not be allowed to make copies or retain the recordings.

Judges have the discretion to shield sensitive information from official recordings on a case-by-case basis. Currently, members of the public and the press may request audio recordings of court hearings and receive copies via email or CD and this bill would enshrine that into law.

Across the nation, criminal courts are moving towards increased transparency and Maryland is out of step. In March 2022, the Judicial Conference of the United States expanded its audio streaming project to include 35 federal courts that will post audio recordings of proceedings online (Judicial Conference Adopts Transparency Measures, United States Courts, March 15, 2022, <https://www.uscourts.gov/news/2022/03/15/judicial-conference-adopts-transparency-measures>). Maryland is taking a step backward by limiting access to these critical recordings which shine light on the criminal justice system. The public is better served by having convenient, affordable and meaningful opportunities to service their legal system at work.

We urge a favorable report.

