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Dear Rhode Island General Assembly,

My name is Emma Kahn, and I submit this testimony in **strong support of H-8328**, which would establish a statutory right for parties, counsel, and witnesses to participate in Rhode Island court proceedings remotely via telephone or video conferencing technology.

Rhode Island's courts exist to serve justice — and justice requires that people be able to access them without fear. In the current climate, that access is being denied. Community members across our state are facing a documented threat: federal immigration enforcement officers have apprehended individuals at or near courthouse facilities while those individuals were attending unrelated civil or criminal proceedings. **These are neighbors summoned by the legal system — not individuals evading it — who are being detained and, in some cases, separated from their families** as a direct consequence of their compliance with court obligations.

The effects of this are not hypothetical. **When people fear that appearing in court will result in their detention and removal, they stop appearing.** When plaintiffs, defendants, witnesses, and petitioners disengage from proceedings out of fear, the integrity of those proceedings is compromised. Victims decline to pursue protection orders. Defendants go unrepresented in hearings that determine their lives. Witnesses in civil and criminal matters fail to appear. Rhode Island's courts cannot function as institutions of justice if a substantial portion of the population they serve is effectively excluded from them.

H-8328 offers a practical and legally sound remedy. By establishing a presumptive right to appear remotely, **this bill allows individuals to fulfill their court obligations without placing themselves in physical spaces where they are vulnerable to enforcement actions unrelated to their proceedings.**

Remote court access **reduces significant logistical barriers for working people, parents of young children, people with disabilities, and individuals in rural or underserved areas who face transportation burdens** to reach courthouse facilities. For many, a single court date can mean lost wages, the cost of childcare, or hours of travel — barriers that disproportionately affect lower-income litigants and compound existing inequities in the legal system. The COVID-19 pandemic demonstrated that remote court proceedings are not merely viable — they are, in many cases, preferable. Courts across the country implemented video and telephone hearings rapidly and successfully, maintaining docket continuity and reducing the costs associated with in-person proceedings.

H-8328 is carefully designed to protect the integrity of proceedings. It reserves for judges the authority to require in-person appearance upon specific findings that remote participation would be unfair or harmful to the process. It **ensures that remote appearances carry the same legal validity as in-person ones, and it mandates accessibility for all users**. This is not a blanket removal of judicial discretion — it is a calibration of that discretion in favor of access.

Passing H-8328 will allow Rhode Islanders who fear courthouse detention to meet their legal obligations safely. It will reduce systemic barriers that keep working-class, disabled, and rural residents from **full participation in the justice system**. And it will bring Rhode Island into alignment with the best practices that courts across the nation have embraced.

I urge the Committee to report this bill favorably.

Respectfully,

Emma Kahn

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