

Victim Advocates Request Changes to Procedures in Philadelphia Courts

As jury trials resume in Philadelphia this week, local and national victim advocates join together to respectfully request the Courts to reconsider live streaming proceedings on YouTube. Advocates jointly released the following statement on behalf of crime victims of assault, abuse, harassment, loved ones of murdered victims, and witnesses of crime who courageously access the courts during these unprecedented times:

“Although we appreciate the effort of the Philadelphia courts in pivoting to meet the ever-changing demands of balancing public health and public safety, we must be ever vigilant that we are also balancing rights within our justice systems.

The process of livestreaming proceedings without any protections fails to address victims’ rights regarding and need for safety and privacy. This offers a unique threat to those who witness and experience crime. Often times, even testimony that is not publicly observed, places them in grave risk of retaliation and harassment; testimony witnessed by untold numbers of persons amplifies these risks.

Victims in Pennsylvania have rights to privacy and protection that the courts must protect. Therefore, we respectfully request that the Court weigh the unique needs and rights of victims by adopting the following procedures:

- Not livestreaming hearings via Facebook, YouTube, or alternative channels for criminal and civil protection order proceedings, release hearings or other hearings in which the court anticipates testimony or other evidence concerning the victim will be at issue;
- Ensuring that no cameras or audio recording capture a victim’s image or voice during any recorded proceeding that will be broadcast, or ensuring redaction prior to broadcast;
- Limiting the number of “public” participants for any technology assisted hearing to a number that does not exceed the physical capacity of the courtroom in which the hearing would have been conducted under ordinary circumstances;
- Affording the victim an opportunity to proceed via a pseudonym in any technology assisted hearing—and upon such election issuance of a court order directing all parties and witnesses to refer to the victim via the pseudonym; and
- Preventing release of recordings of hearings to public websites, or if such release is to happen for it not to happen without prior review by a victim, their advocate and their attorney to ensure nondisclosure of any information that jeopardizes victim privacy or safety.

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