



March 23, 2017

Testimony of
MICHAEL P. RYAN, PRESIDENT
Connecticut Broadcasters Association

Before the

Judiciary Committee

concerning

**SENATE BILL NO. 981, AN ACT CONCERNING STRATEGIC LITIGATION AGAINST PUBLIC PARTICIPATION
AND A SPECIAL MOTION TO DISMISS.**

Co-Chairs Doyle, Kissel and Tong and members of the Judiciary Committee, thank you for the opportunity to give you the Connecticut Broadcasters Association's comments on S.B. 981. I am Michael Ryan, President of the Connecticut Broadcasters Association (the CBA).

The CBA is a trade association which represents all the FCC-licensed TV and radio stations in Connecticut, as well as associate members such as ESPN and NBC Sports. It hereby strongly supports Raised Bill No. 981, an act concerning the efficient disposition of abusive lawsuits aimed at suppressing the legitimate expression of First Amendment rights.

S.B. 981 is intended to ensure the right of all citizens to comment on matters of public interest without being intimidated by costly and baseless lawsuits. A few have abused the civil justice system by filing, or threatening to file, lawsuits against those who express their views on matters of public interest. Such lawsuits are calculated to suppress contrary points of view—not to win the case but solely to discourage, intimidate, retaliate against and, ultimately, silence persons voicing views differing from those of the plaintiffs by forcing them to spend in their defense inordinate amounts of time and money—unaffordable amounts for many.

In Connecticut, media defendants have had such claims filed against them not only to discourage reporting on subjects plaintiffs want to cover up, but also in the apparent hope of extorting lucrative nuisance settlements. Around the country, other plaintiffs have employed defamation and even false advertising allegations to crush comment on or questioning or criticism of their activities, plans, or the truth of their claims and representations. Indeed, the first anti-SLAPP laws were enacted to help private citizens who spoke out at public hearings concerning the subjects of the hearings, striking right at the heart of the First Amendment's purpose.

The proposed bill would protect individuals and organizations who speak to the public, petition the government, and associate with others on matters of public concern from lengthy, expensive litigation, while preserving the ability of people and businesses to file good faith lawsuits. Under the proposed bill, a person who faces a lawsuit that attempts to suppress the exercise of his or her First Amendment rights could request an expedited hearing, and if the court found the claim lacked merit, would be entitled to recover attorney's fees and costs. And to prevent the abuse of this process, plaintiffs could also recover such expenses if a defendant had abused the expedited process. The bill would also help reduce the burden on our courts' jammed calendars.

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Approximately 29 states and the District of Columbia have enacted similar legislation, which are known generally as "anti-SLAPP laws" (Strategic Lawsuits Against Public Participation). Other organizations including the Connecticut chapter of the American Civil Liberties Union, the Connecticut Council on Freedom of Information, the Connecticut Society for Professional Journalism, the Yankee Institute, and the Connecticut Business and Industry Association have expressed support for this bill.

We thank you for your consideration of this worthwhile bill.

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