



**MARYLAND
LEGAL AID**

Advancing
**Human Rights and
Justice for All**

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February 7, 2022

The Honorable William C. Smith, Jr.
Chairman of the Judicial Proceedings Committee
Miller Senate Office Building
Annapolis, Maryland 21401

**RE: Maryland Legal Aid Written Testimony in Support of SB 315 – Courts-
Strategic Lawsuits Against Public Participation**

Dear Chairperson Smith and Committee Members:

Thank you for the opportunity to present testimony regarding this bill which seeks to address the right of the public to participate in issues that affect their community. Maryland Legal Aid (MLA) is a non-profit law firm that provides free legal services to the State's low-income and vulnerable residents. MLA's 12 offices serve residents in each of Maryland's 24 jurisdictions. MLA handles various civil legal matters, including family law, housing, public benefits, consumer law (e.g., bankruptcy and debt collection), and criminal record expungements to remove barriers to obtaining child custody, housing, a driver's license, and employment. This letter serves as notice that Gregory Countess, Esq., will testify on behalf of Maryland Legal Aid at the request of Senator Shelly Hettleman.

MLA represents community groups concerned about proposals by businesses or entities to construct projects in their communities. MLA clients have opposed large and small development projects that strain their communities and often lead to the displacement of long-time residents or gentrification. These community groups need protection from bad faith lawsuits that curtail their voices. SB 315 protects the public's right to express their good faith opposition to development projects that harm the public good, in the opinion of those groups or individuals.

For example, a community group opposed a development proposal in their neighborhood that promised to build 14,000 residential units and provide space for commercial use on a site next to the community represented by the group. These units were to house high-income residents. The

community represented by MLA, has a median income which is among the lowest median incomes for all communities in Baltimore.¹

The community believed that the development of the 14,000 residential units and the development of businesses in the proposed development might bring increased employment opportunities. However, it would invariably heat the housing market, leading to higher rents, and though it would raise the value of homes would lead to the displacement of those in their community as had developments in similar low-income communities in Baltimore. These developments had led to increased home values which pushed low-income renters and homeowners out of their neighborhoods.

The community opposed the planned development unless the developers recognized the potential gentrifying impact of the planned development and worked with the community to provide training programs to ready community residents for employment opportunities and provide financial support to build affordable housing. This opposition brought the developer to the negotiation table. The parties were able to negotiate a community benefits agreement that provided benefits to the community, like the development of low-income housing and an agreement to provide training and hiring opportunities for persons residing in the neighborhood.

This bill will help further ensure that, like the community group MLA represented, other groups and their members can use their right to freedom of speech to ensure low-income communities have a voice in what is built in or near their community.

For these reasons, MLA urges a favorable report on SB 315.

/s/ Gregory Countess

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¹ https://bniajfi.org/wp-content/uploads/2016/04/VitalSigns14_Census.pdf