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January 19, 2022

To: The Honorable Luke Clippinger
        Chair, Judiciary Committee

From: Hannibal G. Williams II Kemerer
        Chief Counsel, Legislative Affairs, Office of the Attorney General

Re: HB0070– Courts – Civil Actions – Strategic Lawsuits Against Public Participation –
        Letter of Support

The Office of the Attorney General urges the Judiciary Committee to favorably report House Bill 70. Strategic Lawsuits Against Public Participation (hereinafter, SLAPP) are antithetical to the right to speech and petition enshrined in the First Amendment to the United States Constitution, and are counter to the American belief in free speech and healthy debate.

SLAPP pleadings are lawsuits that are intended to censor, intimidate, and silence critics by burdening them with the cost of a legal defense until they abandon their criticism or opposition. A lawsuit is a SLAPP suit if it is brought against a person based on an act or statement of the person that was done or made in furtherance of the person's right of petition or free speech under the U.S. Constitution, the Maryland Constitution, or the Maryland Declaration of Rights in connection with a public issue or an issue of public interest. Unfortunately, these types of lawsuits became so pervasive and successful at chilling speech that Maryland, along with 24 other states, passed anti-SLAPP laws. However, Maryland's anti-SLAPP law is outdated, and in need of reform.

House Bill 70 will provide the necessary updates to the anti-SLAPP law to protect Marylanders' First Amendment rights, and ensure that Marylanders are not brought to court to defend meritless suits for expressing their beliefs and opinions.

For all of the foregoing reasons, the Office of the Attorney General urges the Committee to favorably report House Bill 70.

cc: Committee Members

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