



Public Participation Project

Fighting for Free Speech

January 27, 2026

Senate Judicial Proceedings Committee
Maryland General Assembly
Legislative Services Building
90 State Circle
Annapolis, MD 21401

RE: Support for SB 251 (Love)

Dear Members of Senate Judicial Proceedings Committee,

I am the Policy Director of the Public Participation Project (PPP), a non-profit organization fighting for the First Amendment rights of all Americans.

I am writing to you on behalf of PPP in support of Senator Love's SB 251 (Uniform Public Expression Protection Act), a bill that will enact strong anti-SLAPP legislation in Maryland, strengthening the First Amendment rights of all Marylanders.

SLAPPs are Strategic Lawsuits Against Public Participation. These damaging suits chill free speech and healthy debate by targeting those who communicate with their government or speak out on issues of public interest. Anti-SLAPP laws protect individuals and organizations from SLAPPs, often by providing a fast-track dismissal process and allowing successful defendants to recover attorney's fees.

For background, here is a link to a scorecard for state anti-SLAPP laws across the country, drafted by the Institute for Free Speech, an organization fights for First Amendment rights:

<https://anti-slapp.org/your-states-free-speech-protection/>

As you can see, Maryland currently has a "D" on the scorecard because it does not have adequate protection against SLAPPs for all Marylanders. For example, unlike most strong state anti-SLAPP laws that have a mandatory attorneys fees provision for a prevailing SLAPP defendant, Maryland currently has no provision for fee- and cost-shifting at all. A mandatory attorneys fees provision is critical because it allows a defendant who has valid defenses but could not otherwise afford an attorney to secure an attorney on a contingency basis. The attorneys fees provision also helps give an anti-SLAPP law real teeth, creating a deterrent effect on potential SLAPP filers.

It's time for Maryland to be among the ranks of states with great anti-SLAPP laws that provide strong protections for First Amendment activities within the state. It will send a clear and strong message to all of those in Maryland that you strongly value and respect their rights of free speech and petition activity.

Please do not hesitate to contact me if you have any questions or would like to discuss further.

Thank you for your attention to this important piece of legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "E-mascagni". The signature is fluid and cursive, with a large initial "E" and a stylized "m" and "g".

Evan Mascagni
Policy Director
Public Participation Project
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