

Witness Written Testimony for HB650

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As an active member of the community, participating in citizen organizations, I have become familiar with local government processes.

Petition and Community Involvement

In March 2016, together with Stephanie Flasch, I recognized the need to inform our neighbors about the Harford County 2016 strategic planning and zoning land use document, known as Harford NEXT. This document proposed expansion of the public water and sewer system, referred to as the “Development Envelope.”

After gathering signatures for a petition, Stephanie and I met with our district’s local officials and submitted our printed petition.

The SLAPP Lawsuit

Just one week after our initial meeting with local officials, a lawsuit was filed against both Stephanie and me by a developer whose property stood to be affected by the proposed public water and sewer expansion. The filing of this lawsuit left me feeling shocked, dismayed, and deeply confused. I could not understand how my First Amendment right to free speech could be threatened by another party.

Personal and Community Impact

The effects of the lawsuit extended beyond me. My family and friends became stressed and anxious in response to what we perceived as a bullying tactic. As a middle-class family with children in school, we did not have the financial resources to match those of a developer capable of hiring expensive legal representation. We incurred legal expenses totaling over \$8,000 until the American Civil Liberties Union graciously agreed to take our case.

Unfortunately, this experience had a chilling effect on our community. Many citizens, intimidated by the prospect of legal action, withdrew from public participation.

The Need for Anti-SLAPP Legislation

The proposed anti-SLAPP legislation would offer critical protection for citizens who choose to speak out on matters of public concern. Specifically, it would provide a mechanism to dismiss weak lawsuits at an early stage, before legal costs spiral out of control for the speaker. In addition, it would allow lawyers who defend against SLAPP suits to be compensated on a contingency basis. Such legislation would discourage the filing of meritless lawsuits designed to suppress free speech, ensuring that only cases with genuine merit proceed.