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OHIO

Proponent testimony for SB 215, Senate Judiciary Committee, January 22, 2020 – Chairman Eklund, Vice Chair Manning, Ranking Member Thomas, on behalf of Americans for Prosperity - Ohio, I thank you for this opportunity to testify in support of SB 215. My name is Micah Derry, State Director for AFP – Ohio’s state chapter.

Strategic Lawsuits Against Public Participation (SLAPP) are complaints filed to intimidate individuals and deter them from speaking out in public forums. The threat of costly, long-term litigation has been used to silence whistleblowers, journalists, and political protesters. Examples of SLAPP suits range from restaurant owners threatening defamation suits against customers who leave negative reviews on websites to developers suing citizens protesting the use of eminent domain in their neighborhoods. Even sexual assault victims have been subjected to SLAPP suits to silence them from going public with their accusations. SLAPPs target citizens for their free speech on issues of public concern. They penalize, protest and silence free speech. Strong anti-SLAPP laws, such as those proposed within SB 215, protect the right of free speech and defend individuals from frivolous lawsuits.

Many states have already passed anti-SLAPP laws to counteract this phenomenon and protect peaceful protest and rigorous journalism from frivolous, bad faith lawsuits designed to silence speech. More than 28 states currently offer anti- SLAPP protections for citizens who engaged in public speech. Ohio currently offers no protections to journalists and other groups targeted with frivolous lawsuits for their speech. The General Assembly should pass legislation that will prevent bad actors from filing lawsuits designed to silence speech. S.B. 215 will protect the people of Ohio from SLAPP suits by:

- Allowing judges to dismiss SLAPP suits that target constitutionally protected speech;
- Requiring courts to adjudicate the suit within a reasonable period of time; and
- Allowing judges to award attorneys’ fees and costs to the victim of a SLAPP suit to deter future frivolous litigation.

Mr. Chairman, thank you again for the opportunity to support this important legislation from Senator Huffman. I’m happy to answer any questions that the committee may have.

Americans for Prosperity (AFP) exists to recruit, educate, and mobilize citizens in support of the policies and goals of a free society at the local, state, and federal level, helping every American live their dream – especially the least fortunate. AFP has more than 3.2 million activists across the nation, a local infrastructure that includes 36 state chapters, and has received financial support from more than 100,000 Americans in all 50 states. For more information, visit www.AmericansForProsperity.org.