



September 11, 2017

Representative Claire D. Cronin
Chairwoman, House Joint Committee on the Judiciary
24 Beacon St.
Room 136
Boston, Mass., 02133

Dear Chairwoman Cronin:

On behalf of the R Street Institute, a 501(c)(3) nonprofit, non-partisan, public policy research organization, I wish to respectfully request that H. 2263 and S. 756, two bills designed to strengthen the Commonwealth's "anti-SLAPP" laws, receive favorable report from the committee.

The R Street Institute strives to promote legal and regulatory frameworks supporting internet freedom, economic growth and individual liberty. In short, we champion laws and regulations that protect freedom of expression and privacy.

Strategic Lawsuits Against Public Participation ("SLAPP") suits have a dangerous tendency to chill freedom of expression and political participation. These suits, often filed by those with a desire to silence or harass their critics, take advantage of the legal system to suppress rights guaranteed under the First Amendment.

The state legislature understands this, and we applaud your existing anti-SLAPP law, concerning speech made in connection with government proceedings. But more should be done. We believe the time is right for the legislature to broaden its anti-SLAPP provision to include matters of more general public concern.

The need for greater legal breadth arises from the proliferation of online platforms allowing people to voice opinions about commercial experiences. Consumers rely on these "confidence mechanisms" to assess where they will take their business. These are matters of genuine public concern. But to ensure the online platforms that host these opinions are able to do so in a sustainable manner, they must be insulated from litigation.

By expanding the scope of the Commonwealth's anti-SLAPP law to the point where it is in harmony with the free speech guarantee of the First Amendment, as H. 2263 and S. 756 do, Massachusetts will foster an environment that promote consumer protection now and in the future.

Thank you for your time and consideration, please do not hesitate to contact us with questions or concerns.

Respectfully,

Ian Adams
Associate vice president of state affairs, R Street Institute
1050 17th St., NW
Suite 1150
Washington, D.C
20036