



OVERVIEW: WHAT ARE SLAPP SUITS?

Strategic Lawsuits Against Public Participation (SLAPP) are complaints filed to intimidate individuals and deter them from speaking out in public forums. This threat of costly, long-term litigation has been used to silence whistleblowers, journalists, and political protestors across the country. Examples of SLAPP suits range from restaurant owners threatening defamation suits against customers who leave negative reviews on a website and developers suing citizens protesting the use of eminent domain in their neighborhood. Even sexual assault victims have been threatened with SLAPP suits in an attempt to silence them from going public.

In sum, SLAPPs are a legal form of cancel culture – they weaponize the legal system to target citizens for exercising their free speech. They penalize political protest and silence free speech. We need laws that protect the right of free speech and defend individuals from meritless lawsuits.

AFP-KENTUCKY WILL FOCUS ON DEFENDING FREE SPEECH AND ADVOCATE FOR NEW LEGAL PROTECTIONS

Over twenty states have passed free speech laws designed to counteract this phenomenon and protect peaceful protests and rigorous journalism from frivolous, bad faith lawsuits designed to silence speech. In many of these states, anyone who is subjected to a SLAPP can petition a judge to immediately dismiss the case if their speech dealt with a matter of public concern. However, in many states these laws are still narrowly written. Kentucky is one of the handful of states with no legal protections against SLAPP suits. The state legislature should pass a law that protects the people of Kentucky from these meritless suits.

BOTTOM LINE

We should make it easier, not harder, for all Kentuckians to participate in civic life and exercise their First Amendment rights. By passing these new protections, Kentucky will be a leader in protecting free speech rights. The state can accomplish this by:

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

Through broad-based grassroots outreach, Americans for Prosperity (AFP) is driving long-term solutions to the country's biggest problems. AFP activists engage friends and neighbors on key issues and encourage them to take an active role in building a culture of mutual benefit, where people succeed by helping one another. AFP recruits and unites Kentuckians behind a common goal of advancing policies that will help people improve their lives.

For more information, visit www.AmericansForProsperity.org