

Judiciary Committee

JOINT FAVORABLE REPORT

Bill No.: HB-7134

AN ACT CONCERNING ENHANCED PROTECTIONS AVAILABLE UNDER THE

Title: STATE'S ANTI-SLAPP STATUTE.

Vote Date: 4/4/2025

Vote Action: Joint Favorable

PH Date: 3/10/2025

File No.:

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SPONSORS OF BILL:

Judiciary Committee

CO-SPONSORS OF BILL:

Rep. John Elliott, 88th District

REASONS FOR BILL:

When someone becomes a victim of sexual assault, harassment, or discrimination, they may be plagued with fear and/or be intimidated, causing them not to initiate a complaint against their aggressor. This bill clarifies that communications are to be privileged, whether a complaint alleging sexual assault, harassment, or discrimination was filed or not, to help alleviate concerns that victims may face if they were to file a formal complaint.

RESPONSE FROM ADMINISTRATION/AGENCY:

Office of the Victim Advocate, Natasha M. Pierre Esq.: The testifier supports this bill, stating that it will enhance Connecticut's Anti-SLAPP statute by affording protection to victims who are sued by a party on account of their privileged communications regarding an incident of sexual assault, harassment, or gender discrimination. The testifier states that SLAPPs have become a frequent tactic for intimidating and silencing crime victims, particularly victims of sexual assault, harassment, or discrimination, through expensive and baseless legal proceedings. However, the testifier finds this bill to be a great tool of defense for victims.

NATURE AND SOURCES OF SUPPORT:

VP of Government & Public Relations at the Connecticut Coalition Against Domestic Violence, Liza Andrews:

The testifier supports this bill, stating it would allow victims of sexual assault, harassment, or gender-based discrimination to file a special motion to dismiss any civil complaints, counterclaim, or crossclaim brought against them for exercising their First Amendment Right to free speech, providing they had a reasonable basis for their original complaint. The testifier states victims of domestic violence should also be included in the list of parties eligible to dismiss retaliatory claims brought against them. The testifier shares that several of their member organizations have worked with victims who have been sued for their Victim Impact Statements at sentencing or at parole hearings; as a victim of a crime, it is a survivor's constitutional right to make a statement to the court at sentencing.

Attorney and Adjunct Professor, Victoria Burke: The testifier supports this bill, stating it strengthens protections for survivors speaking out about sexual abuse. The testifier states that too often, abusers weaponize defamation lawsuits to silence their accusations through fear and financial burden. However, this bill would explicitly protect those who share their experiences of abuse from meritless, retaliatory claims. The testifier states this bill closes that loophole, better protecting free speech and helping survivors seek justice without intimidation. The testifier stated Connecticut's current Anti-SLAPP law is insufficient in protecting statements made in legal proceedings and explicitly protecting victims of sexual assault.

Policy Coordinator to RAINN, Zoey Brewer: The testifier supports this bill as it would classify communication from a survivor speaking about an incident of sexual assault, harassment, or discrimination as privileged communication, protected from defamation action. The testifier supports this bill for ensuring financial security to the survivor if it is discovered that the defamation claim is a retaliatory action from the abuser. The testifier states this bill is critical for protecting survivors and empowering them to speak against their assailant. The testifier states retaliatory defamation lawsuits are an insidious tactic to silence survivors of sexual violence, instilling fear and discouraging them from speaking out. The testifier states the effect of potential legal retaliation fosters an environment in which abusers feel emboldened and survivors feel coerced into silence.

Senior Counsel at the National Women's Law Center, Elizabeth Tang: The testifier supports this bill, stating sexual assault is widely prevalent but vastly underreported, often due to a fear of retaliation. The testifier states rapists and abusers weaponize defamation lawsuits against victims, and unfortunately, even the prospect of an expensive and traumatizing defamation lawsuit can extort survivors into silence. The testifier finds this bill to be critical to closing this gap. At the same time, this bill would ensure that Connecticut's existing anti-SLAPP law is fairly applied to everyone: sexual assault survivors would be protected from retaliatory lawsuits, and those who bring meritorious defamation claims can still proceed in court.

NATURE AND SOURCES OF OPPOSITION:

Peter Passaro: The testifier opposes this bill.

Reported by: Lucy Sheldon

Date: