



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

RESOLUTION NO. 160183

Introduced March 3, 2016

Councilmembers Squilla, Jones and Gym

RESOLUTION

Urging The Pennsylvania General Assembly to consider Senate Bill 95 introduced by Senator Larry Farnese on March 31, 2015 regarding Anti-SLAPP (Strategic Lawsuit Against Public Participation) legislation.

WHEREAS, A SLAPP is a Strategic Lawsuit Against Public Participation, brought against an individual or organization solely to have a chilling effect on debate of public issues; and

WHEREAS, Individuals and organizations have often been the victims of SLAPP lawsuits after speaking critically of a person or organization with deep pockets. The SLAPP is filed to drown the speaker in legal fees, filings, and proceedings, so that the speaker will rescind his or her statement and others will be deterred from engaging in similar debates; and

WHEREAS, Senator Farnese felt the need to introduce Senate Bill 95 after the Old City Civic Association, a 40-year-running community organization was forced to shut its doors due to their inability to obtain insurance because of several SLAPP lawsuits. With the help of organizations like the ACLU of Pennsylvania, the Public Participation Project, and the PA News Media Association, Senator Farnese learned that The Old City Civic Association case was not an isolated incident and that SLAPP lawsuits had been filed against numerous individuals and organizations throughout the Commonwealth; and

WHEREAS, During the Senate Judiciary Committee hearing in April 2014, Senator Farnese heard from individuals and organizations across the Commonwealth who had been the victims of SLAPPs. These individuals spoke of the insurmountable emotional, mental, and financial hardships they faced as a result of frivolous SLAPP lawsuits; and

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WHEREAS, Senate Bill 95 gives these individuals and organizations the incentive and the tools to fight back and continue their good work. Senator Farnese's bill allows victims of SLAPPs to immediately file a motion to dismiss a frivolous lawsuit based on protected communication. Specifically, Senate Bill 95 provides that a person who engages in any protected communication shall be immune from civil action for claims based upon such communication; and

WHEREAS, Senate Bill 95 strikes a vital balance between access to our courts, and the freedom to debate and comment on issues of public concern without fear of being silenced by frivolous litigation; and

WHEREAS, Currently Senate Bill 95 is in the House Judiciary Committee. Senator Farnese has written to the chairs of the committee, requesting the bill be brought up for consideration so this important free speech protection can be signed into law. I ask that folks reach out to their representatives and to the members of the House Judiciary Committee to express their support for this important community-protecting measure; now, therefore, be it

RESOLVED, BY THE COUNCIL OF CITY OF PHILADELPHIA, That it hereby urges The Pennsylvania General Assembly to consider Senate Bill 95 regarding Anti-SLAPP legislation to help protect individuals and organizations from frivolous litigation brought by persons or corporations that is aimed at delaying, suppressing or intimidating those that speak out against an issue of public concern.