



WASHINGTON BUREAU · NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE
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August 27, 2010

The Honorable Steve Cohen
U.S. House of Representatives
Washington, D.C. 20515

via fax

RE: NAACP SUPPORT FOR H.R. 4364, THE *CITIZEN PARTICIPATION ACT*

Dear Congressman Cohen:

On behalf of the NAACP, our nation's oldest, largest and most widely-recognized grassroots-based civil rights organization, I am writing to inform you of our strong support for H.R. 4364, the *Citizen Participation Act*. This vital legislation would ban Strategic Lawsuits Against Public Participation, or SLAPP suits, which have been brought by unscrupulous businesses and corrupt public officials against our members in order to silence their legitimate complaints of discriminatory action and unfair practices.

The NAACP supports H.R. 4364 due in large part to the numerous times that NAACP members raised legitimate complaints about clearly improper actions, including cases of improper racial discrimination and were unjustly sued for their courageous efforts. Special interests and local government officials, who don't like their misdeeds made known to the world, increasingly use SLAPP suits as vicious weapons to silence hard-working employees, constituents, customers, tenants and other whistleblowers. They know that such suits, although totally meritless, can be brought with impunity and effectively intimidate and silence both those whom they sue and others who are deterred from speaking up.

The need for a federal statutory remedy is clear. While a number of states have anti-SLAPP suit laws, those vary in their scope, strength and effectiveness. Many states have no laws at all. And none of these laws apply to claims brought in federal court – providing an easy way for SLAPP filers to evade state protections. H.R. 4364 would provide a uniform blanket of protection not currently available under the existing Federal Rules of Civil Procedure. It would help make SLAPP victims whole and deter SLAPP suits by requiring plaintiffs who are found to have filed a meritless SLAPP suits to pay court costs and attorneys fees.

Thank you in advance for your attention to this matter. I look forward to working with you and other supporters on this issue. Should you have any questions or comments, please do not hesitate to contact me at my office at (202) 463-2940.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hilary O. Shelton', is written over a light blue horizontal line.

Hilary O. Shelton
Director, NAACP Washington Bureau &
Senior VP for Advocacy and Policy