



My name is Matt Ruben. I am President of the Board of Directors of the Northern Liberties Neighbors Association, or NLNA, a volunteer-driven civic association and federally registered nonprofit charity that represents the more than 6,000 residents and 100+ businesses in Philadelphia's fastest-growing community. I appreciate the opportunity to testify before this committee on Senate Bill #1095, which would create an anti-SLAPP law in Pennsylvania, and I thank Sen. Farnese for authoring and introducing it.

Based on my years as an engaged citizen and civic association board member here in Philadelphia, I can say definitively that we need anti-SLAPP legislation, because civic groups are required by their missions – and in many cases by City law – to give public comment and input in situations that make them vulnerable to SLAPP suits.

Philadelphia is a city of neighborhoods, with a rich history of vibrant civic groups and a vocal citizenry. The NLNA exemplifies this tradition: The Delaware Valley Regional Planning Commission has called us “one of Philadelphia's most active neighborhood associations.” We work to promote smart development, a strong and stable commercial environment, environmental responsibility, public safety, and a high quality of life.

When your neighborhood's population increases more than 60% from one Census to the next, and when the number of active businesses doubles, you see a lot of new development. And the nature of Philadelphia's Zoning Code means the NLNA frequently is integrally involved in the process. As a Registered Community Organization, or RCO, we are officially recognized by the City. Our RCO status not only allows, but also *requires* us to participate in the zoning, permitting and public-hearing process, hosting public meetings, providing input or testimony at hearings, and so on. We cannot fulfill our mission, represent our neighbors, or comply with Philadelphia's Zoning Code unless we are able to participate freely and meaningfully in giving public input on behalf of our community.

That's why we need the protection of anti-SLAPP legislation like SB1095. SLAPP suits are a problem because they are not about the merits of a case. Instead, they use the legal process itself to subvert the democratic process by imposing monetary, logistical, and emotional burdens on defendants, in the hope that they will silence themselves, go away, or run out of money before a court even considers the actual merits of the case.

Recently our friends in the adjacent neighborhood of Old City – home of the Liberty Bell and our nation's first seat of government – had to shut down the Old City Civic Association after four decades, because they were unable to obtain directors & officers insurance. No court ever found them at fault – to the best of my knowledge, they'd never even gone to a trial – but the defense costs led insurers to turn them away.

I've also had firsthand experience: Last year the NLNA, our zoning committee chairman, several individual neighbors, and I personally, were named in a suit brought by a local nightclub/restaurant owner. (The suit also named the City, the local Councilman, the Police Department, the local police captain, one of his officers, two web publications, and an online discussion forum). This suit, in our view, is without merit and is a SLAPP suit. Yet in the absence of a law that would give us access to a SLAPP hearing on the front end of the process, we are now in the ninth month, incurring expenses, with no clear end in sight. If we didn't have some modest resources at our disposal, and the ability to secure representation on behalf of some of the individual defendants, I don't know what we would have done. And we don't know what the future holds in terms of our ability to retain our insurance policy.

A good anti-SLAPP law will prevent other civic groups and individual citizens from the threat of dissolution or heavy financial burdens created by those seeking to use the legal process to silence legitimate public input and free speech.

In that vein, I would echo and support the specific comments and recommendations made by the Philadelphia Crosstown Coalition (of which the NLNA is a member). In order to be effective, anti-SLAPP legislation must provide for quick, timely action by the courts in alleged SLAPP cases, and timely awarding of damages when the court determines that a violation of the anti-SLAPP statute has occurred.

Thank you for your time, and your consideration of this important matter.