



19 February 2025

The Honorable Bob Lynn
Chair, Judiciary
House of Representatives
107 North Main Street

Concord, New Hampshire, 03301-4951

The Honorable Dennis Mannion
Vice Chair, Judiciary
House of Representatives
107 North Main Street

Concord, New Hampshire, 03301-4951

Dear Chair Lynn and Vice Chair Mannion,

We write to offer our support for HB 580, which would classify communication from a survivor speaking about an incident of sexual assault, harassment, or discrimination, without malice, as privileged communication protected from defamation action. Furthermore, this bill would ensure financial security for the survivor in the event that it is discovered that the defamation claim is a retaliatory action from the abuser. This bill is critical to ensuring that survivors in New Hampshire are empowered and protected when they speak against their assailant.

RAINN is the nation's largest anti-sexual assault organization. Founded in 1994, RAINN created and operates the National Sexual Assault Hotline (800.656.HOPE and hotline.rainn.org). RAINN also carries out programs to support victims, educate the public, and improve public policy.

Retaliatory defamation lawsuits are an insidious tactic used to silence survivors of sexual violence, instilling fear and discouraging them from speaking out. The mere threat of legal action can be overwhelmingly stressful, particularly for those who have already endured the trauma of abuse. For survivors, the possibility of facing a defamation suit each time they share their story creates a barrier that inflicts emotional and financial harm, which further delays their healing and recovery. This threat extends beyond the individual survivor, impacting the broader survivor community by deterring both reporting of incidents and public testimony. The chilling effect of potential legal retaliation fosters an environment where abusers feel



emboldened, and survivors feel coerced into silence. HB 580 would not only empower survivors to reclaim their voices and advocate for justice without fear of retribution, but also deter perpetrators from using defamation lawsuits as a means of silencing survivors. By enacting this legislation, you would ensure that survivors would have the opportunity to heal, speak out, and seek justice without fear of retaliation.

We commend the courage and dedication of survivor Victoria Burke in leading the nation-wide effort to ensure that survivors can share their story without fear of legal retaliation. We also thank Representative Burroughs for her leadership in championing the rights of survivors across New Hampshire. With their work on HB 580, she is sending a message to survivors in New Hampshire that they are protected and their voices matter.

We urge you to move this bill forward and stand with survivors of sexual violence in New Hampshire. Thank you for your consideration and continued leadership.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Berkowitz", is written over a light blue horizontal line.

Scott Berkowitz
President, RAINN