



NEW YORK STATE SENATOR

Andrew Gounardes

Sen. Gounardes: Cuomo's Defamation Suit is a Textbook Tactic of Serial Harassers

ANDREW GOUNARDES December 19, 2024

| ISSUE: **SEXUAL HARASSMENT, WORKER PROTECTIONS**



FOR IMMEDIATE RELEASE

*New York State Senator Andrew Gounardes issued the following statement today after former Governor Andrew Cuomo **announced** he would sue former statehouse aide Charlotte Bennett for defamation, claiming her accusations of sexual harassment caused him “a cascade of harm:”*

“Cuomo may think he can bully his way to vindication, but this suit proves who he really is. This is the playbook of serial harassers. They not only abuse their victims; they weaponize

the justice system to bully them into silence. It is monstrous, and no one should stand for it.

“Since 2021, I’ve fought for legislation that would protect victims of sexual harassment and employment discrimination from frivolous libel or defamation suits. It’s time for us to make New York a place that stands up for survivors and holds the powerful to account.”

Background:

Victims of sexual harassment and other discrimination frequently find themselves targets of defamation suits as a result of filing complaints. These retaliatory tactics often force the victim to abandon their complaint or delay the investigation of the underlying harassment. They also deter other victims from coming forward.

S.4493A aims to eliminate these nefarious court actions by making them subject to New York's anti-SLAPP statute, which helps to defeat Strategic Lawsuits Against Public Participation (SLAPP). The anti-SLAPP law helps fend off lawsuits intended to silence victims with the cost and ordeal of litigation. If the defendant believes the lawsuit is intended to silence them, they can provide proof to the court that the claim relates to their exercise of free speech rights. The defendant can then submit evidence in support of the motion while the discovery process is put on hold. The burden of proof then shifts to the plaintiff bringing the suit to show that the claim has a "substantial basis in law." If they cannot do so and the action is dismissed, the plaintiff must pay the defendant's attorney fees and litigation costs.

By making frivolous defamation suits easier to dismiss as well as more likely to result in attorneys fees and other recompense for the defendant when they are wrongly brought, victims of workplace discrimination will be better protected when they speak up about the harms they experience.

Press Contact:

Billy Richling

Communications Director

State Senator Andrew Gounardes

billy@senatorgounardes.nyc

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RELATED LEGISLATION

2023-S4493A

- Introduced

- - In Committee Assembly
 - In Committee Senate

- - On Floor Calendar Assembly
 - On Floor Calendar Senate

- - Passed Assembly
 - Passed Senate

- Delivered to Governor
- Signed By Governor
-

Relates to actions involving public petition and participation

February 09, 2023

In Assembly Committee

Sponsored by **Andrew Gounardes**

Do you support this bill?