

Another twist in Sandy Hook families' defamation case against Alex Jones

By Susan Svrluga, The Washington Post

The Connecticut Supreme Court agreed to hear an appeal of a lower court's decision sanctioning broadcaster Alex Jones, a sudden turn in a case pitting families whose relatives were killed at a Newtown, Conn., school against conspiracy theorists.

Eight families of people gunned down at Sandy Hook Elementary School and an FBI agent who responded to the scene brought a defamation case against Jones, who runs the conspiracy-driven Infowars website, and others. The families said they endured years of harassment from people who insist the 2012 attack was a hoax staged by the government to promote gun control. One parent described people accusing him of being a paid actor even before he had buried his 6-year-old daughter.

Jones and other defendants — including several corporate entities, a conspiracy theorist who has been a guest on Infowars and his associate —

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have defended their right to ask questions and speak freely.

The case is one of several throughout the country brought by family members of Newtown victims, who are increasingly fighting back publicly against Jones and conspiracy theories.

Last month, a judge in Connecticut sanctioned Jones for two reasons: She said his legal team failed to produce several documents, despite repeated orders. And she decried what she described as a 20-minute “deliberate tirade and harassment and intimidation” on Jones’s broadcast about the lawsuit and one of the plaintiffs’ attorneys.

Superior Court Judge Barbara Bellis ordered Jones to pay some of the plaintiffs’ legal fees, told the defendants they could not pursue a motion to dismiss and set a trial date for November 2020.

An attorney for Jones, Norm Pattis, said Bellis’ decision to issue sanctions “was an obscene

mockery of core constitutional values” because robust and even offensive speech has long been protected by the First Amendment.

Jones’ attorneys asked the Connecticut Supreme Court to review Bellis’s decision, and on Tuesday, Chief Justice Richard Robinson granted their application to appeal.

“This is extremely good news for all who care about freedom of expression,” Pattis said. One may disagree with Jones, he said, in which case the remedy is to not listen to him. “Silencing speech is never a good idea,” the attorney said. “While we owe sympathy to the Sandy Hook parents, their grief does not entitle them to become censors.”

The plaintiffs’ lawyers argued in their court filing, “There is no substantial public interest in allowing a litigant to abuse the discovery process and to threaten and harass opposing counsel.”

Josh Koskoff, an attorney representing the Sandy Hook families, said in a statement that they welcome the review of the record in this case.

“It is more important than ever that the Courtroom remains a place where the rule of law matters, where Court orders matter, where being truthful matters and where litigants can pursue their rights and justice can be dispensed free from

intimidation or threats,” Koskoff said.

Last month, Chris Mattei, another attorney for the families, described the families’ legal action as a classic defamation case.

“There is no constitutional value in lies,” he said, and no legitimate protection for people who recklessly spread false information that could harm others.

Oral arguments could be heard before the state Supreme Court in September, according to a spokeswoman for the Connecticut Judicial Branch. ■