

Should someone be sued for comments at public meetings? The Connecticut Supreme Court weighs in.

Connecticut Public Radio | By [Camila Vallejo](#)

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Frankie Graziano / Connecticut Public Radio

Municipal public hearings aim to get local residents involved in the decision-making process. Public comment is part of a variety of matters, including annual budgets, land use plans and more. Usually, residents can provide comments in writing or live during the meeting and are asked to keep comments brief.

But what are residents allowed to say?

A recent [case](#) before the State Supreme Court aims to address that.

The court heard arguments in a case in which the plaintiff claimed he was defamed during a virtual planning and zoning public hearing when another local resident questioned his trustworthiness, among other things.

“This case involves the collusion of defamation on one side and absolute immunity on another in a form that is really stripped of any safeguards or any reliability at all and that’s the Greenwich Planning and Zoning Commission,” said Eric Grayson, with Grayson & Associates in Greenwich. He represents the plaintiff, Thomas Priore.

Priore bought a property in Greenwich in 2015. The area, known as Deer Park, was once owned by William Rockefeller in the late 1800s and developed into a private neighborhood with more than 15 lots. Today the neighborhood is home to several historically significant trees, fixtures and more.

When Priore purchased the property, it was on the condition that he demolish the former home and build a new one. So in 2016, he applied for a special permit and attended a public hearing before the Greenwich Planning and Zoning Commission, according to court documents.

During the hearing, several soon-to-be-neighbors raised concerns, including Stephanie Haig. She suggested that Priore didn't want to preserve the history on his lot. Haig claimed that he had removed several trees without approval and submitted documents suggesting they were still on the property. She raised her concerns with the property's condition all while questioning his trustworthiness because Priore had what she claimed was a "serious criminal past." Haig pointed to a [penalty Priore paid](#), falsely stating it was more than \$40 million. The comments were later [published](#) by a local news organization.

Priore founded New York-based investment advisory firm ICP Asset Management, which came under scrutiny by the Securities and Exchange Commission (SEC). In 2012, the SEC found that Priore and ICP defrauded several collateralized debt obligations they managed. He was charged a penalty of \$487,618.

Priore argued that Haig's comments were false and therefore defamation, but a trial court ruled that Haig's comments during the meeting had absolute litigation immunity. In other words, she couldn't face legal repercussions because the public hearing was quasi-judicial in nature.

But Grayson, Priore's attorney, argues that's the wrong approach because there is nothing available to hold people accountable for the truth in a public meeting.

"There's no manual procedure, they take it all and that's exactly what happened here. A neighbor walked in, not under the oath, came down and said he's a criminal. People can just say whatever they want and they get the strong medicine of absolute immunity. Why? If the procedure has no safeguards, not one, I think the answer is it should not be quasi-judicial," said Grayson.

He said that at the very least, there should be some kind of paper or announcement that reminds speakers they should tell the truth.

Haig's attorney, Richard Bowerman, disagrees. He said that given the layout of the meeting, Priore could have easily pushed back and corrected Haig's comments.

"There's nothing like truth to cleanse the air. She didn't go on Twitter, she didn't go on TikTok, she showed up at a public hearing concerned about her property," Bowerman said.

He said public hearings get heated sometimes because people care about the matters at hand. And if the government wants an engaged community, then people should be able to speak without worrying about a lawsuit.

“If this court overrules, there will be devastating effects on not only the people who serve on commissions across the state, but the engaged citizenry they’re trying to get in to say something.”

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