

“See Something, Say Something Act”

Mississippi House of Representatives [\(HB578\)](#)

TITLE OF BILL: The See Something, Say Something Act

PURPOSE OR GENERAL IDEA OF THE BILL: This bill would immunize individuals who in good faith report suspected potential criminal or terrorist activity from unfounded lawsuits, thereby encouraging citizens who "see something" to "say something" and help law enforcement agencies protect us from crime and further terrorist attacks.

SUMMARY OF SPECIFIC PROVISIONS: The bill would provide (1) that individuals who report suspicious, potentially terrorist activity in good faith cannot be sued as a consequence, and (2) that suits against such individuals alleging that the report was made in bad faith must be pleaded with particularity.

JUSTIFICATION: When it comes to suspicious, potentially terrorist activity, Americans are encouraged to, "if you see something, say something." But before they do so, they have a right to know that they won't be sued for their efforts.

Unfortunately, this is exactly what is happening to passengers aboard a US Airways flight bound from Minneapolis to Arizona in November 2006 who alerted airline personnel to what they perceived to be suspicious activity on the part of six other passengers. For seeing something and then saying something to airline personnel, these passengers are being dragged into court.

Such lawsuits dissuade honest citizens from reporting suspicious, potentially terrorist activity. Even if such cases are ultimately dismissed the expense and inconvenience of defending against them is a strong discouragement to those who might otherwise be willing to report suspicious activity.

Similar legislation passed in New York in 2007 “Freedom to Report Terrorism Act”

LEGISLATIVE HISTORY: New Bill.

FISCAL IMPLICATIONS: None.

- The federal government, and the US Department of Homeland Security in particular, urge citizens to report crimes to law enforcement authorities.
- Numerous crimes have been prevented and criminals have been apprehended as a result of such reports.

- There have even been instances when members of terrorist organizations in the United States have been apprehended due to such reports. (Charlotte, NC 1998 Hezbollah cell)
- However, there have been instances in which law abiding citizens, acting in good faith, have been subjected to lawsuits for reporting suspicious behavior.
- Lawsuits and the threat of lawsuits can be used to intimidate witnesses and prevent crimes from being reported.
- This form of “lawfare” can prevent citizens from “saying something” when they “see something.”
- HB578 would protect people who “say something” by preventing them from being sued when they, in good faith, with a reasonable belief, report suspicious behavior that they believe constitutes, is indicative of, or is in furtherance of a crime or an act of terrorism.
- Such a statute already exists in the state of New York.
- The act does not offer protection if the report is deemed to have not been made in good faith or with a reasonable belief that suspicious behavior constitutes, is indicative of, or is in furtherance of a crime or an act of terrorism.
- Recent reports indicate that Jihadists have arrived in Mississippi with the reports of Islamic State (ISIS) recruits in the Starkville area and a khat narcotics ring busted in Laurel.
- The San Bernardino shooters had been observed displaying suspicious activity but a neighbor did not want to report that suspicious activity out of fear of being labeled a “bigot.” We need those who witness suspicious activity to feel safe to report that activity in an appropriate manner to appropriate authorities.