CENTER FOR DEMOCRACY & TECHNOLOGY

Press Release

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Backpage.com Succumbing to Government Is Blow to Free Speech Online

Following years of government pressure, Backpage.com today announced that it would shut down the adult section of its website. This development is a direct blow to the freedom of speech we enjoy online. Backpage, like Craigslist before it, has faced a long-running campaign from government officials at every level seeking to force the website to restrict lawful speech as a way to pursue criminal activity by some of the site's users. In virtually every case before a state or federal court, these government censorship efforts have been rejected – often, as violations of the First Amendment.

"This issue is about far more than just one company or one form of speech; it's about protecting the right of all Americans to freely express themselves online and to find platforms for their constitutionally protected speech. This is an important reminder that our online freedoms remain under threat," said Nuala O'Connor, President and CEO of the Center for Democracy & Technology (CDT). "While the fundamental legal framework protecting free speech remains strong, too often we see government officials attempt to circumvent these protections to achieve their censorship goals."

CDT was founded to help preserve a free and open internet, and participated in the critical cases that established the principle that online speech warrants the highest level of First Amendment protection. Over the years, we have fought back against government actors who seek to censor through pernicious, extralegal methods, including threats, intimidation, and ruinous litigation. As Judge Richard Posner, of the Seventh Circuit Court of Appeals, described in *Backpage.com v. Dart*, these extralegal pressure tactics by the government constitute "a formula for permitting unauthorized, unregulated, foolproof, lawless government coercion."

"The tactics used against sites like Backpage and Craigslist threaten speech far beyond what's posted on online classified ads sites," said Emma Llansó, Director of Free Expression at CDT. "When government officials move beyond the bully pulpit and conduct persistent pressure campaigns to achieve a result repeatedly denied to them in court, we're in the territory of unaccountable government censorship that is anathema to First Amendment values. With government actors at the highest level publicly threatening and bullying journalists and activists, the risks of unchecked extralegal censorship are all too clear."

CDT remains vigilant in protecting the rights of all internet users to express themselves freely online. More information on our efforts is available here.

1401 K Street NW, Suite 200, Washington, DC 20005