

NATIONAL COALITION AGAINST CENSORSHIP

June 14, 2022

Allison Love
York County Council
P.O. Box 66
York, SC 29745

Dear Council Member Love,

The National Coalition Against Censorship is an alliance of national nonprofit groups dedicated to protecting freedom of expression. We are writing about reports that you have blocked one of your constituents from posting on your Facebook page. Several federal appeals courts, including the Fourth Circuit, which hears South Carolina cases, have declared that the Facebook pages of elected officials can be considered public forums and hence that efforts to block particular individuals from those pages violate the First Amendment.

It has been reported that on June 5, without warning or explanation, you blocked John Gossett after he posted a flier with information about a future local community meeting. The action not only removed the flier but every comment Gossett had ever posted on the page. This ban denied Mr. Gossett access to an important channel of community information and simultaneously removed the record of his contributions and involvement as an active citizen.

The United States Courts of Appeals for the Second, Fourth and Eighth Circuits have all ruled that social media sites such as Facebook and Twitter can be public forums that fall under the purview of the First Amendment. Under those precedents, your Facebook page is a public forum because you use it as a channel for communicating with the public about issues of concern to them and to city government, and because you have opened it to discourse by the public. The First Amendment protects a citizen's right of free expression in public forums, whether the public forum is a town hall, a park, or a Facebook page. You may not bar Mr. Gossett or anyone else based on the opinions they express.

We urge you to immediately remove the ban of John Gossett and any other community members that may have been denied access to your Facebook page because of the views they express.

NCAC PARTICIPATING ORGANIZATIONS

Actors' Equity Association
AICA-USA
American Association of School Administrators
American Association of University Professors
American Association of University Women
American Booksellers for Free Expression
American Civil Liberties Union
American Ethical Union
American Federation of Teachers
American Jewish Committee
American Library Association
American Literary Translators Association
American Society of Journalists & Authors
Americans United for Separation of Church & State
Association of American Publishers
Authors Guild
Catholics for Choice
Children's Literature Association
College Art Association
Comic Book Legal Defense Fund
The Creative Coalition
Directors Guild of America
The Dramatists Guild of America
Dramatists Legal Defense Fund
Educational Book & Media Association
First Amendment Lawyers Association
Free Speech Coalition
Freedom to Read Foundation
Global Alliance for Behavioral Health and Social Justice
International Literacy Association
Lambda Legal
Modern Language Association
National Center for Science Education
National Communication Association
National Council for the Social Studies
National Council of the Churches
National Council of Jewish Women
National Council of Teachers of English
National Education Association
National Youth Rights Association
The NewsGuild-CWA
PEN America
People For the American Way
Planned Parenthood Federation of America
Project Censored
SAG-AFTRA
Sexuality Information & Education Council of the U.S.
Society of Children's Book Writers & Illustrators
Student Press Law Center
Union for Reform Judaism
Union of Democratic Intellectuals
Unitarian Universalist Association
United Church of Christ
Office of Communication
United Methodist Church,
United Methodist Communications
Women's American ORT
Woodhull Sexual Freedom Alliance
Writers Guild of America, East
Writers Guild of America, West

Please contact us if you have any questions.

Thank you.

Sincerely yours,

A handwritten signature in black ink that reads "Chris Finan". The signature is written in a cursive, slightly slanted style.

Christopher Finan
Executive Director
National Coalition Against Censorship