

CNET News  
[Politics and Law](#)

Ad Info ▼

Sponsored Links

**[Download Metatrader 4](#)**

Trade Forex and CFDs with MT4 Get a Free \$50,000 Demo Account  
[www.askobid.com](http://www.askobid.com)

**[Maximize Each Customer Interaction](#)**

Join this live BNET Webcast to get the most out of your CRM system.  
[www.bnet.com](http://www.bnet.com)

**[Version Tracker](#)**

Stay Current, Stay Secure, Stay on Track  
[www.versiontracker.com](http://www.versiontracker.com)

September 9, 2010 4:00 AM PDT

# Craigslist faces new wave of political attacks

by [Declan McCullagh](#)

203 retweet

[Share](#) 5

A year ago, Craigslist founder Craig Newmark was busy [touting](#) e-government, [promoting](#) neighborhood social networks, and [blogging](#) about squirrel-proofing his bird feeder.

But now the 57-year-old entrepreneur is spending his days in more nerve-racking pursuits: responding to attacks from ambitious attorneys general, legal threats from antiprostitution advocacy groups that sometimes seem to be actually anti-Craigslist, and critical articles written by journalists employed by the same newspapers that his company is helping to [slowly eviscerate](#).

And now, two sources have told CNET, a congressional committee has asked Newmark to testify at a hearing in Washington, D.C. on Wednesday afternoon on the topic of "domestic minor sex trafficking." About the only thing that might make matters worse, perhaps, would be President Obama himself joining the anti-Craigslist fray.



This political onslaught would present a formidable challenge even to companies like BP that have spent millions of dollars arming themselves with lobbyists and accruing ex-congressmen on their payrolls. For a San Francisco-based company that continues to employ only around 30 people and has found itself the target of so much official obloquy, it could be an existential threat.

If there is any irony here, it's this: Craigslist has not changed significantly in the last year or so, and neither has the amount of legal or illegal activities in its "adult services" section (which was [yanked](#) a few days ago). Instead, a chain of events has turned Craigslist into an election-year target for hostile politicians and advocacy groups, aided by news coverage this summer that dubbed a now-deceased medical student the "[Craigslist Killer](#)."

Newmark himself was an unwitting catalyst. After being confronted by CNN's Amber Lyon this summer outside a technology conference in Washington, D.C., he offered [awkward responses](#) to her questions, which accused Craigslist of profiting from sex ads posted by underage girls. (That decision to charge for such ads, [announced](#) in May 2009, actually came in response to pressure from state attorneys general who believed that credit card payments would make the section less anonymous.)

"If Amber had done her homework, she would have known ambushing me with questions I am not qualified to answer, or even the right person to ask, would not get CNN's viewers the accurate information they deserve," Newmark [wrote](#) in a blog post [echoed](#) by CEO Jim Buckmaster. Neither responded to an interview request on Wednesday.

After the segment aired, Lyon's [CNN.com biography](#) was updated to boast of her "exclusive" interview that "left Newmark speechless."

If CNN's piece had appeared a year ago, or even early in 2010, it might have been quickly forgotten. But the political groundwork been laid this spring, after groups like the Rebecca Project and actress Demi Moore convened briefings on Capitol Hill and with Obama administration officials that featured pointed criticism of Craigslist's business practices. (Moore, who appeared topless as a stripper [in a 1996 film](#), also stopped by the White House on that trip.)

"We were able to, in the middle of all that happening, meet with Attorney General (Eric) Holder on the overall issue of trafficking, and talked about specifically Craigslist," said [Malika Saada Saar](#), executive director of the [Rebecca Project for Human Rights](#) in Washington, D.C. "All of those points of pressure led to Craig Newmark deciding to shut down the adult services section."

Saada Saar says her organization is exploring what legal methods to employ against Craigslist, including filing a lawsuit under existing statutes or pushing for a new federal law. "What is the legal handle if we have a class action lawsuit?" she said. "Unfortunately, the law has not caught up with the terrible reality of how the industry is now using our children. That really wasn't true 15 years ago, 10 years ago, the way it's true today."

### **Liability and the law**

Then there's the option of persuading Congress to rewrite [Section 230](#) of the 1996 Telecommunications Act, which says: "No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider." Translated, that means Craigslist isn't generally liable for what its users do.

But the law that immunizes Craigslist from lawsuit also protects Facebook, Blogspot, Flickr, and innumerable other Web sites. It lets news organizations, including CNET publisher CBS Interactive, permit readers to post comments without prior approval by an editor. It's probably no exaggeration to say that one sentence--inserted as part of negotiations over antiporn

legislation--gave birth to Web 2.0 and modern social networks.

"Any attempt to reopen section 230 will inevitably invite a flurry of other proposals of how to deputize online intermediaries to handle any concern or pet grievance," says [Berin Szoka](#), a senior fellow at the free-market [Progress and Freedom Foundation](#). "Just limiting it to adult services or prostitution is naive."

Andrea Powell, executive director of the [FAIR Fund](#), is also weighing a class action lawsuit against Craigslist. "There are enough victims," Powell said. "We were thinking about this one day and reached out and it turns out other groups were pondering it. I had a conversation with one woman who was victimized by Craigslist. By our records, our financial records, they owe her \$60,000."

It might seem odd to say that a girl forced into prostitution was victimized "by Craigslist," when the pimp and any customers who know she's underage are the actual criminals doing the victimizing. But the FAIR Fund is probably the most unabashedly anti-Craigslist group, featuring no fewer than nine links to critical articles about the online classified site on its [home page](#).

"There's probably not going to be an amicable solution at this point," Powell said.

Powell wants to eliminate any Craigslist ads hinting at sex trafficking--for both "minors and young people," meaning some adults as well. Because it's impossible to know whether a Craigslist post hinting at sex for money contemplates a fully consensual transaction between adults, the only sure way to delete sex-trafficking ads is to delete all sex ads, wherever they appear on the site. That leaves millions of posts to review.

"It takes a lot of work," Powell said. "Ultimately I think it's their business' responsibility...Ultimately I think the responsibility falls on them."

Her group wasn't satisfied with Craigslist's decision earlier this week to remove its U.S.-based adult services sections, arguing that they remain available internationally. For a few days, the word "censored" appeared, but that was [removed from each U.S. city page](#) on Wednesday evening.

That might have been prompted by a letter ([PDF](#)) on Monday from Connecticut Attorney General Richard Blumenthal, who asked Buckmaster and Newmark to confirm that the word "censored" does not imply that the section "may be reinstated." Blumenthal added: "I urge Craigslist to employ other means of verification and detection before prostitution ads become rampant in the personals section."

The attorney general's office said that, as of Wednesday evening, Craigslist had not responded to the letter.

Not all antitrafficking groups agree that Craigslist should be forced to monitor every post for

potential sex trafficking.

Loren Wohlgemuth, a spokesman for [Shared Hope International](#), which bills itself as "leading a worldwide effort to eradicate sexual slavery," isn't terribly enthusiastic about the idea. "In theory that's wonderful," he said. "But you're seeing hundreds of thousands of ads. That's almost, from a time perspective, impossible to filter through every single one...There's no feasible way to monitor and regulate online classifieds--they'll continue to be abused."

That may not stop Washington officialdom. Congressional hearings, of course, are hardly neutral forums convened to unearth the truth of a matter. Instead, they're designed to make committee chairman look good--in this case, it's Rep. Bobby Scott, a Virginia Democrat and head of the House Judiciary Subcommittee on Crime, Terrorism, and Homeland Security.

Which means any invitation to testify amounts to a no-win situation for Craigslist, whether it's accepted or rejected, as Yahoo co-founder Jerry Yang [can attest](#) from his own personal experience. (A spokesman for Scott said Wednesday that he could not immediately answer questions about Newmark's acceptance. Newmark did not respond to a request for comment.)

For his part, Newmark recently [pointed out](#) that even though the nation's [eighth-most-popular Web site](#) bears his name, his actual title remains customer service representative. [Jim Buckmaster](#) has been the chief executive for the last decade.

"Craigslist has a CEO," said [Jim Harper](#), a policy analyst at the libertarian [Cato Institute](#). "Inviting Craig Newmark puts spectacle ahead of substance. It's like inviting Tony the Tiger to a hearing on childhood nutrition."



[Declan McCullagh](#) is the chief political correspondent for CNET. You can [e-mail him](#) or follow him on Twitter as [declanm](#). Declan previously was a reporter for Time and the Washington bureau chief for Wired and wrote the Taking Liberties section and Other People's Money column for CBS News' Web site.

**Echo 74 Items**

[Admin](#)



**J Soxfan**

Craigslist faces new wave of political attacks: CNET (blog)Powell wants to eliminate any Craigslist ads hinting at...  
Today, 10:33:29 AM – Flag

via Twitter

Liked by Guest



**Human Trafficking**


[#Craigslist](#) faces new wave of political attacks [#Washington](#)  
Today, 9:59:06 AM – Flag


via Twitter




**Patrix**

Newspapers are finally getting their lobbying act together to save their Jurassic businesses  
Today, 9:55:34 AM


 **business**  
 Craigslist faces new wave of political attacks: CNET (blog)After being confronted by CNN's Amber Lyon this s...  
 Today, 9:54:08 AM – Flag via Twitter


 **Cally Jaymes**  
 Follow this ... Craigslist faces new wave of political attacks: CNET (blog)"Any attempt to reo... "Follow me - CallyJ"  
 Today, 9:47:26 AM – Flag via Twitter


 **DAVID L JOHNSON**  
 Craigslist faces new wave of political attacks: CNET (blog)"Any attempt to reopen section 230 will inevitably invi...  
 Today, 9:44:06 AM – Flag via Twitter

 **Singles Love**  
 Craigslist faces new wave of political attacks: CNET (blog)Blumenthal added: "I urge Craigslist to employ other me...  
 Today, 9:42:23 AM – Flag via Twitter



 **alysyncurd**  
 Craigslist faces new wave of political attacks: CNET (blog)About the only thing that might make ... messageformore.com  
 Today, 9:20:07 AM – Flag via Twitter


 **Lynne Boone**  
 Craigslist faces new wave of political attacks: CNET (blog)But now the 57-year-old entrepreneur is spending his da...  
 Today, 9:09:44 AM – Flag via Twitter


 **Cindy Baggs**  
 Craigslist faces new wave of political attacks: CNET (blog)But now the 57-year-old entrepreneur is spending his da...  
 Today, 9:09:57 AM – Flag via Twitter

 **candice barron**  
 Craigslist faces new wave of political attacks: CNET (blog)But now the 57-year-old entrepreneur is spending his da...  
 Today, 9:09:58 AM – Flag via Twitter

 **glennsnews**  
 Craigslist faces new wave of political attacks  
 Today, 9:09:33 AM – Flag via Twitter  
 Liked by  Guest

 **Michael Scott**  
 Some blogging news - Craigslist faces new wave of political attacks  
 Today, 9:09:30 AM – Flag via Twitter  
 Liked by  Guest

 **BlogThemeCreator**  
 Craigslist faces new wave of political attacks: CNET (blog)by Declan McCullagh A year ago, Craigslist founder Crai...  
 Today, 9:09:30 AM – Flag via Twitter

 **scott joy**  
 Craigslist faces new wave of political attacks: CNET (blog)by Declan McCullagh A year ago, Craigslist founder Crai...  
 Today, 9:09:31 AM – Flag via Twitter

 **Jan Olsen**

Craigslist faces new wave of political attacks: CNET (blog)by Declan McCullagh A year ago, Craigslist founder  
Crai...  
Today, 9:09:34 AM – Flag via Twitter



**Year Of Blogger**  
Craigslist faces new wave of political attacks: CNET (blog)by Declan McCullagh A year ago, Craigslist founder  
Crai...  
Today, 9:09:40 AM – Flag via Twitter



**Mr Blogging Themes**  
Craigslist faces new wave of political attacks: CNET (blog)by Declan McCullagh A year ago, Craigslist founder  
Crai...  
Today, 10:33:49 AM – Flag via Twitter



**Ying Wang**  
Craigslist faces new wave of political attacks | Politics and Law - CNET News  
Today, 8:54:47 AM – Flag via Twitter



**Karen**  
Craigslist faces new wave of political attacks | Politics and Law - CNET News via @cnet  
Today, 11:00:55 AM – Flag via Twitter



**JJ**  
Craigslist faces new wave of political attacks: CNET (blog)And now, two sources have told CNET, a congressional co...  
Today, 8:48:12 AM – Flag via Twitter



**Connor Petloe**  
Craigslist faces new wave of political attacks: CNET (blog)And now, two sources have told CNET, a congressional co...  
Today, 10:48:57 AM – Flag via Twitter



**Dhanabir Singh Th.**  
Craigslist faces new wave of political attacks: CNET (blog>About the only thing that might make matters worse, per...  
Today, 8:46:44 AM – Flag via Twitter



**David Gonzalez**  
Craigslist faces new wave of political attacks: CNET (blog>About the only thing that might make matters worse, per...  
Today, 8:48:38 AM – Flag via Twitter



**Julia Robbin**  
Craigslist faces new wave of political attacks: CNET (blog>About the only thing that might make matters worse, per...  
Today, 9:11:48 AM – Flag via Twitter  
Liked by Guest



**Donald Schmidt**  
Craigslist faces new wave of political attacks: CNET (blog>About the only thing that might make matters worse, per...  
Today, 9:20:29 AM – Flag via Twitter

[More](#)

