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A major Supreme Court case could affect the way you access Twitter and Facebook

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The law at issue in the case prevented sex offenders from using social networking sites, but legal scholars warn it could affect many marginalized groups.

A Supreme Court case could affect the way Americans access social media.

The justices heard arguments for *Peckingham v. North Carolina* on Monday, over a law the state passed preventing sex offenders from using social networking sites.

While the law may seem targeted, constitutional scholars warn it could have chilling effects on many Americans' First Amendment rights.

David Post, an adjunct scholar at the Cato Institute and retired law professor from Temple University, filed a friend of the court brief with 14 other First Amendment scholars. They argue that the North Carolina law violates the sex offenders' constitutional right to free speech.

Sex offenders are entitled to the same rights to free speech that any American does, Post told Business Insider.

They already served their time in prison, and are off probation, so, the state shouldn't be able to violate their constitutional rights, according to Post.

"Not to be too extreme or hysterical about it, but I think this is the opening ledge in an attack on social networking," Post said. "That could be very dangerous, and the court has a chance to really nip that in the bud and reaffirm that this is what the First Amendment is about — protecting these forms of communication between citizens for good and for ill. That's just the price we pay for having the First Amendment."

If the Supreme Court upholds the law, it could allow states to pass laws preventing other classes of people from accessing social media. Post warns that states could claim that any targeted class in the country — people on the no-fly list, ex-felons, the unemployed, African American males, Muslims — could be more statistically likely to commit certain crimes, and ban them, too.

The American Civil Liberties Union, which also filed an amicus brief, called the North Carolina law "unconstitutionally over broad because, under the definition of social media, it would prevent individuals on the registry from reading or commenting on a huge swathe of websites, including not only all of Twitter and Facebook, but Amazon, the New York Times, and Wikipedia."

In the oral arguments of the case, some of the justices took issue with excluding this group from social media, which has become such a central part of civil discourse and society.

"Even if the New York Times is not included, the point is that these people are being cut off from a very large part of the marketplace of ideas," Supreme Court Justice Ruth Bader Ginsburg said. "And the First Amendment includes not only the right to speak, but the right to receive information."

By the end of the oral arguments, it seemed like the Supreme Court would strike down the North Carolina law limiting social media access. It's difficult to guess what the justices will do, but Post said he wouldn't be surprised if they unanimously rule that free speech is too important to restrict in this case.

"The First Amendment is under some stress and strain these days from a lot of sources," he said. "I think this is a wonderful opportunity for the court to affirm its central place in the life of the nation."