

**UNITED STATES DISTRICT COURT
NEW YORK SOUTHERN DISTRICT**

Mandela Brock,

Plaintiff,

-against-

Mark Zuckerberg (in his individual and
corporate capacity),
FACEBOOK INC., Sheryl Sandberg (in her
individual and corporate capacity), John Doe
1-100 (in his individual capacity), Jane Doe 1-
100 (in her individual capacity),

Defendant(s)

) Case No.: _____

) **COMPLAINT**

) **Jury Trial Demanded**

I, Mandela Brock, being duly affirmed deposes and says:

I am the plaintiff in the above-entitled action, and I be personally familiar with the facts and
circumstances herein stated.

1. The address where I may be reached at is 1990 Adam Clayton Powell Jr. Boulevard, 2B, New York, NY 10026 and the telephone number that I may be reached at be 718-690-0204.
2. The Plaintiff accepts the court’s oath to “support the constitution of the United States and to faithfully discharge his/her duties as a District Court Judge and/or Magistrate.
3. The Plaintiff is a layman in terms of the law and humbly requests the court’s indulgence pursuant to the spirit of **HAINES V. KERNER** which states: “pro se pleadings should be construed to present the strongest claims that they suggest,” and **JENKINS V. MCKEITHEN**, which states: “pro se pleadings are not to be held to the same high standards of perfection as lawyers.”

RECEIVED
SDNY PRO SE OFFICE
2020 SEP 14 AM 10:10

PRELIMINARY STATEMENT

4. Plaintiff, Mandela Brock, has been unconstitutionally censored on the Facebook platform for the last six (6) months, approximately. In total the plaintiff has been censored more than thirty (times). In fact, he was censored three (3) times in one (1) week.
5. The events giving rise to Plaintiff's complaint begin on or about the 15th day of March 2020, when Plaintiff posted on FACEBOOK INC. ("THE COMPANY") and "THE COMPANY" arbitrarily and capriciously 'censored' Plaintiff's post (EXHIBIT A) which is in violation of the First, Sixth, and Fourteenth Amendments of the United States Constitution
6. "THE COMPANY" has continued to censor Plaintiff's Facebook page and has even severed and or tampered with the connection between Plaintiff's main page (EXHIBIT A-1) and his group page "Governmental Reformation NOW!!!" EXHIBIT A-2) to prevent posts and comments from appearing in Plaintiff's news feed concerning George Floyd protests.
7. Although the unlawful and unconstitutional censorship begun in March it was intensified after the murder of George Floyd for plaintiff ramped up his posts, sharing, and commentary in protest and the "COMPANY" responded in kind.
8. Said censorship was without "just cause" or "recourse", for the only way to respond to a decision is to mark "I object" without being afforded the opportunity to make a statement and await their decision on the words "I object."
9. Thereby, with the unlawful and unconstitutional censorship committed by "THE COMPANY" Plaintiff was deprived of the rights, privileges, and immunities guaranteed by the First, Sixth, and Fourteenth Amendments to the United States Constitution.

THEREFORE, it can reasonably be inferred that the sole purpose of the censorship is discriminatory and partisan in nature.

Jurisdiction

The jurisdiction of the court is predicated upon 28 U.S.C. § 1331, 28 U.S.C. § 1343(a) (1)(2)(4), 28 U.S.C. § 1332 and 28 U.S.C. § 1367(a). This court additionally has supplemental jurisdiction of the New York State claims pursuant to 28 U.S.C. § 1367 and 42 U.S. Code § 1985(3)

The acts complained of while occurred in the Southern District of New York pursuant to 28 U.S.C. § 1391 (b)(1), (c)(2).

Jury Demand

Plaintiff demands trial by jury on this action.

Parties

Plaintiff:

Mandela Brock is a National of the United States of America and is currently a transient domiciliary within New York City.

Defendants

Mark Zuckerberg has corporate offices located at 1601 Willow Rd., Menlo Park, CA 94025.

FACEBOOK INC. has corporate offices located at 1601 Willow Rd., Menlo Park, CA 94025 and local offices located at 770 Broadway, New York, NY 10003.

Sheryl Sandberg has corporate offices located at 1601 Willow Rd., Menlo Park, CA 94025.

John Doe has corporate offices located at 1601 Willow Rd., Menlo Park, CA 94025.

Jane Doe has corporate offices located at 1601 Willow Rd., Menlo Park, CA 94025.

STATEMENT OF FACTS

10. At all times relevant hereto, Defendant, Mark Zuckerberg (“DEF 1”) was the Chief Executive Officer of FACEBOOK INC. (“DEF 2”) acting in the capacity as agent and Chief Executive Officer of FACEBOOK INC. Based on information and belief “DEF 1” was responsible for the hiring of “John and Jane Doe (“DEF’s 1 – 100”) as compliance officers i.e. Facebook Oversight Board”, Additionally, at all relevant times “DEF 1” was aware of what the New York Post called “Facebook’s new ‘supreme court’ looks like a license to censor” (EXHIBIT B).
11. Based on information and belief “DEF 1” was responsible for the hiring of Sheryl Sandberg “DEF 3” as Chief Operating Officer (“COO”) of “DEF 2.”
12. At all times relevant hereto “DEF 1” was “CEO” of “DEF 2.”
13. At all times relevant hereto “DEF 2” was a corporation organized in the State of California with offices in New York, NY.
14. At all times relevant hereto, “DEF 3” was “COO” thereby responsible for the overall operations of “DEF 2” and for ensuring that “DEF’s 1 – 100”, i.e. Facebook Oversight Board, did not overstep constitutional constraints.
15. As of the time that Plaintiff, Mandela Brock, was unconstitutionally subjected to censorship, without ‘just cause’, and stripped of his rights, privileges, and immunities guaranteed by the United States Constitution, the New York State Constitution, along with both federal and state law, there continues to be a pervasive and distinct high-handed unwillingness of the defendants to obey the laws that govern

them or to ensure that the individual defendants, who they are mandated by law to supervise, follow the laws that govern them in particular the United States Constitution.

FIRST CLAIM FOR RELIEF

First, Sixth and Fourteenth Amendments: 'Due Process' and 'Right to Free Speech' (Against all Defendants)

16. Plaintiff repeats and realleges the foregoing paragraphs, 1 – 15, as if the same were fully set forth at length herein.
17. By reason of the foregoing, by censoring Plaintiff's free speech and then denying him the right to put forward a stated / written explanation or defense and then by allowing "DEF's John & Jane Doe 1 - 100", i.e. Facebook Oversight Board, to *arbitrarily and capriciously* restrict plaintiff's access to free speech without *just cause*, "DEF's 1 -3" deprived and conspired to deprive Plaintiff of rights, privileges, and immunities guaranteed to every resident, national and citizen of the United States of America.
18. The defendants, severally and jointly, acted under pretense of blocking *false or hate speech or harassment* in their individual and official capacities and within the scope of their employment as "DEF 2" staff. Said acts by all defendants were beyond the scope of jurisdiction, without the authority of the law, and in abuse of their powers. The defendants, severally and jointly, acted willfully, knowingly, and with specific malicious partisan intent to deprive Plaintiff of his constitutional rights that are guaranteed by the United States Constitution.
19. "DEF's 1 - 3" knew, or very well should have known, that it was unlawful therefore unconstitutional to deprive Plaintiff of his rights, privileges, and immunities in the above-mentioned manner.
20. As a direct and proximate result of the misconduct, abuse of authority, and unconstitutional censoring detailed above, Plaintiff sustained the damages herein alleged.

SECOND CLAIM FOR RELIEF


First, Fifth, and Fourteenth Amendments: ‘Due Process’ and ‘Right to Free Speech’ (Against All Defendants)

21. Plaintiff repeats and realleges the foregoing paragraphs, 1 – 20, as if the same were fully set forth at length herein.
22. “DEF 1”, Mark Zuckerberg; “DEF 2”, FACEBOOK INC.; and “DEF 3”, through “DEF’s John and Jane Doe 1 – 100 i.e. Facebook Oversight Board”, and acting under the pretense of blocking *false or hate speech or harassment*, permitted, tolerated, and was deliberately indifferent to a clear pattern of suppression of free speech, discrimination, and partisanship abuse by “DEF 2’s” staff at the time of Plaintiff’s *account restriction*. This widespread tolerance of the “DEF’s John and Jane Doe 1 – 100 i.e. Facebook Oversight Board” *free speech* abuse of social media users posts constitutes a *company* policy, practice, and custom which led to the unlawful *suppression of free speech* and *denial of due process*.
23. “DEF’s 1- 3”, by permitting, tolerating, sanctioning, and turning a blind eye to the persistent and widespread policy, practice, and custom of ‘suppression of free speech, discrimination, and partisanship abuse’, without *just cause*, Plaintiff was subjected to a brutal form of psychological torture i.e. denial of his right to *protest* in the *public square* (See EXHIBIT T, Executive Order).
24. Thereby, “DEF’s 1- 3” have deprived and permitted the deprivation of Plaintiff’s rights, privileges, and immunities guaranteed to every resident, national and or citizen of the United States of American.
25. “DEF’s 1-3,” as the employers of the “DEF’s John and Jane Doe 1 – 100 i.e. Facebook Oversight Board” are responsible for their wrong doings under the doctrine of *respondeat superior*.
26. As a direct and proximate result of the unlawful misconduct and abuse of power detailed above, Plaintiff sustained the damages herein alleged.

WHEREFORE, Plaintiff, Mandela Brock, requests that the court grant the following relief, jointly and severally, against ALL defendants:

- A. Compensatory damages in the amount of one million dollars (\$1,000,000) per account restriction plus two hundred fifty thousand dollars (\$250,000) per day per individual restriction violation of rights, privileges, and immunities.
- B. Punitive damages against **all** defendants in the amount of ten million dollars (\$10,000,000) per day plus five hundred thousand dollars (\$500,000) per day per individual violation of rights, privileges, and immunities.
- C. An order awarding Plaintiff reasonable attorney fees together with the costs of this action.
- D. Such other and further relief as the Court may deem appropriate.
- E. Plaintiff reserves the right to amend this complaint.

Dated: September 14, 2020


Mandela Brock, *Belligerent Claimant, Sui Juris*
Pro Se; In Propria Persona

1990 Adam Clayton Powell Boulevard, 2B
New York, NY 10026

mandela-brock@mymail.berkeleycollege.edu
718-690-0204

Memorandum Of Law

With Analysis

- I. **Snyder v. Phelps**, 562 U.S. 443 (2011), was a landmark decision of the US Supreme Court ruling that speech on a matter of public concern, on a public street, cannot be the basis of liability for a tort of emotional distress, even in the circumstances that the speech is viewed or interpreted as "offensive" or "outrageous".
- a. As with the above mentioned caselaw the matters that "DEF's 1 -3" allowed the Facebook Oversight Board to restrict and censor were matters of a *public concern* made on a *publicly* traded platform, that is open to the public, that has become the new *public square*. (EXHIBIT T). **THEREBY**, because "DEF 2" is a *publicly* traded company and because "DEF 2" has become the *de facto public square* and because plaintiff was making posts of a *public concern* it really does not matter whether the defendants, severally or jointly, consider them to be "offensive" or "outrageous", the plaintiff has an absolute right to say them in the *public square*. **THEREFORE**, the censoring and restriction of plaintiff's accounts were and are in violation of the United States Constitution which *all* defendants are constrained by.
- II. "**US v. ALA** (2003) 539 U.S. 194 is limited to its facts. It only holds that libraries may filter internet content. That does not include private businesses, such as internet platforms Facebook, Google, YouTube, Wikipedia, etc. Indeed, the law is to the contrary; such private businesses may not lawfully censor, filter, "throttle" or block content, merely because it does not meet a private business's arbitrary

"community standards". Doing so violates the First Amendment and the Fourteenth Amendment, and such conduct is unlawful. See: Marsh v. Alabama (1946) 326 U.S. 501 "People living in company-owned towns are free citizens of their State and country, just as residents of municipalities; and there is no more reason for depriving them of the liberties guaranteed by the First and Fourteenth Amendments than there is for curtailing these freedoms with respect to any other citizen."

III. Marsh v. Alabama, 326 US 50 "The more an owner, for his advantage, opens up his property for use by the public in general, the more do his rights become circumscribed by the statutory and constitutional rights of those who use it." Cf. RepublicAviation Corp. v. Labor Board, 324 U. S. 793, 798, 802, n. 8.

- a. The above-mentioned case laws nearly represents the exact matter and clearly illustrates "DEF 1's" culpability in the unlawful censoring of plaintiff's accounts and demonstrates that "DEF 1" is "*circumscribed*" by the "*statutory and constitutional rights* of those who use it." Furthermore, it is beyond question that "DEF 1" traded his *private* ownership of "DEF 2", "for his advantage", when he went *public* for by going *public* he has become the fourth (4th) richest man *in the world* (EXHIBIT U). **THEREFORE**, the censoring and restriction of plaintiff's accounts were and are in violation of the United States Constitution which *all* defendants are constrained by.

IV. Marsh v. Alabama, 326 US 509: "When we balance the Constitutional rights of owners of property against those of the people to enjoy freedom of press and religion, as we must here, we remain mindful of the fact that the latter occupy a preferred position.' As we have stated before, the right to exercise the

liberties safeguarded by the First Amendment "lies at the foundation of free government by free men" and we must in all cases "weigh the circumstances and ...appraise the• ..reasons ...in support of the regulation ...of the rights." **Schneider v. State**, 308 U. S. 147,161.

- a. As mentioned above, to "block content, merely because it does not meet a private business's arbitrary *and capricious* "community standards"" is not sufficient to overcome "the right to exercise the liberties safeguarded by the First Amendment" and "DEF's 1-3" knows or should have very well known that fact. Furthermore, the "rights of owners of property against those of the people to enjoy *freedom of press* and religion, as we must here, we remain mindful of the fact that the latter occupy a *preferred* position." **THEREFORE**, the censoring and restriction of plaintiff's accounts were and are in violation of the United States Constitution which all defendants are constrained by.

MR. JUSTICE FRANKFURTER, concurring.

- V. **Marsh v. Alabama**, 326 US 510: "So long as the views which prevailed in Jones v. Opelika,319 U. S. 103, in connection with 316 U. S. 584, 600;Murdock v. Pennsylvania, 319 U. S. 105; Martin v. Struthers, 319 U. S. 141, express the law of the Constitution, I am unable to find legal significance in the fact that a town in which the Constitutional freedoms of religion and speech are invoked happens to be company-owned."

- a. In reference to the above-mentioned citation there is no *legal significance* in the fact that "DEF 2", on which the right to *free speech* has been, and continues, to be invoked happens to a

corporation. **THEREFORE**, the censoring and restriction of plaintiff's accounts were and are in violation of the United States Constitution which all defendants are constrained by.

VI. **FASHION VALLEY MALL, LLC v. NATIONAL LABOR RELATIONS BOARD**, 2007 and 375

“The more an owner, for his advantage, opens up his property for use by the public in general, the more do his rights become circumscribed by the statutory and constitutional rights of those who use it”. (See III(a).

VII. **Robins v. Pruneyard Shopping Center**, supra, 23 Cal.3d 899, 910 (Pruneyard), it was held that: “this provision of our state Constitution grants broader rights to free expression than does the First Amendment to the United States Constitution by holding that a shopping mall is a public forum in which persons may exercise their right to free speech under the California Constitution. We stated that a shopping center “to which the public is invited can provide an essential and invaluable forum for exercising [free speech] rights.”

- a. In reference to the above-mentioned citation “DEF’s 1-3” knows or should very well have known that California’s “state Constitution grants broader rights to free expression than does the First Amendment to the United States Constitution” for they are duly organized under the laws of California and that “DEF 2” “to which the public is invited can, *and does*, provide an essential and invaluable forum for exercising [free speech] rights.” **THEREFORE**, the censoring and

restriction of plaintiff's accounts were and are in violation of the United States Constitution which all defendants are constrained by.

VIII. *Ibid.* at p. 907 Because of the “growing importance of the shopping center [,] . . . to prohibit expressive activity in the centers would impinge on constitutional rights beyond speech rights,” particularly the right to petition for redress of grievances. (Pruneyard, supra, 23 Cal.3d.)

a. The above-mentioned citation can be equated with the importance of social media for social media has become the *new public square* and *soapbox* to stand upon and “to prohibit expressive activity would impinge on constitutional rights beyond speech rights,” particularly the right to petition for redress of grievances.” **THEREFORE**, the censoring and restriction of plaintiff's accounts were and are in violation of the United States Constitution which all defendants are constrained by.

IX. *Id.* at p. 910, California Constitution “protect[s] speech and petitioning, reasonably exercised, in shopping centers even when the centers are privately owned.”

a. The above-mentioned quote can be directly equated with “DEF 2” except “DEF 2” is not *privately owned* for it is *publicly* traded and is a *public* forum thereby is constrained by both the United States and California constitutions. **THEREFORE**, the censoring and restriction of plaintiff's accounts were and are in violation of the United States Constitution which all defendants are constrained by.

- X. **Hague v. C.I.O** (1939) 307 U.S. 496, 515: “We noted that in many cities the public areas of the shopping mall are replacing the streets and sidewalks of the central business district which, “have immemorially been held in trust for the use of the public and, time out of mind, have been used for purposes of assembly, communicating thoughts between citizens, and discussing public questions.”
- a. It is without question that social media such as “DEF 2” has replaced the shopping malls, streets, and sidewalks “for purposes of assembly, communicating thoughts between citizens, and discussing public questions.” **THEREFORE**, the censoring and restriction of plaintiff’s accounts were and are in violation of the United States Constitution which all defendants are constrained by.
- XI. **Schwartz-Torrance Investment Corp. v. Bakery & Confectionery Workers’ Union** (1964) 61 Cal.2d 766 (Schwartz-Torrance.) We recognized that peaceful picketing by a labor union “involves an exercise of the constitutionally protected right of freedom of speech.” (Id. at p. 769.)
- XII. **Id. at p. 771** “Because of the public character of the shopping center, however, the impairment of plaintiff’s interest must be largely theoretical. Plaintiff has fully opened his property to the public.” (.)
- a. (See X.(a)) Additionally, because “DEFs 1” has “fully opened his property / *platform* to the public his “interest, *and right to decide what is offensive*, must be largely theoretical.”

THEREFORE, the censoring and restriction of plaintiff's accounts were and are in violation of the United States Constitution which all defendants are constrained by.

XIII. In **re Hoffman** (1967) 67 Cal.2d 845, we reiterated that private property that was open to the public in the same manner as public streets or parks could constitute a public forum for free expression.

- a. In reference to the above-mentioned citation, it is indisputably clear that "DEF 2" is no longer a *private* company for from the time "DEF 1" initiated the Initial Public Offering for "DEF 2" to become *publicly* traded and then continued to "open to the public in the same manner as public streets or parks could constitute a public forum for free expression" they became constrained by both the United States and California constitutions. **THEREFORE**, the censoring and restriction of plaintiff's accounts were and are in violation of the United States Constitution which all defendants are constrained by.



CLOSED

HEL

ACTIVITY



About your post

Sunday, March 15, 2020 at 10:37 AM
No one else can see your post.



Mandela El'Shabazz

March 15

Stupid nigger shit



ABC7NY.COM

Asian man kicked, told to 'go back to China' in coronavirus hate attack in East Harlem



You accepted our decision

Sunday, March 15, 2020 at 10:44 AM
No one else can see your post and you can no longer request review.

Delete

This post goes against our Community Standards on spam

CLOSED

ACTIVITY



About your post

Monday, February 24, 2020 at 5:31 PM
No one else can see your post.

EXHIBIT A



HEL

Se:

Safe
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Tools

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Delete

This post goes against our Community Standards on spam

CLOSED

ACTIVITY



About your post

Wednesday, March 18, 2020 at 8:12 AM

No one else can see your post.



Mandela El'Shabazz

March 18

LOL. See this is why you should NEVER ask your smart aleck ass daughter to dye your hair.

This content isn't available right now

When this happens, it's usually because the owner only shared it with a small group of people, changed who can see it or it's been deleted.

Delete

This post goes against our Community Standards on hate speech

CLOSED

ACTIVITY



About your post

Sunday, March 15, 2020 at 10:37 AM

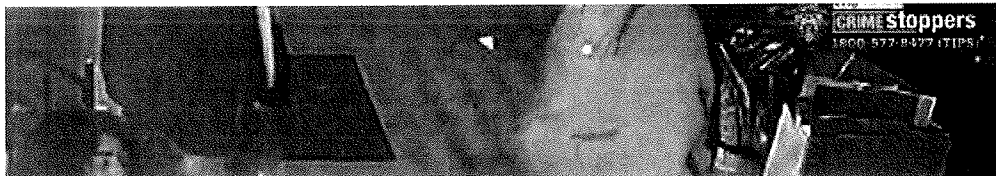
No one else can see your post.



Mandela El'Shabazz

March 15

Stupid nigger shit





Edit Cover Photo

Mandela El'Shabazz

Add Bio



Edit Profile



More

Archive

Photos

Friends 574

About

Timeline



What's on your mind?

Intro

Attorney-in-Fact at Constitutional Legal Resources

Resources

Went to Louis D.Brandeis High School

Photo/Video

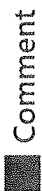
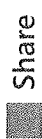
Live Video

Life Event

EXHIBIT A-1



1 Comment 1 Share



First Met Someone
2011

First Met Someone
2011



Drew Halsey
Exactly

Like · Reply · 22h



Write a comment...



Privacy · Terms · Advertising · Ad Choices · Cookies · More ·
Facebook © 2020



Mandela El'Shabazz
22 hrs ·

This is some straight up nigger shit! What I mean by nigger shit is low down of no account, with low moral fortitude and dense of mind.

This video may be sensitive to some people.

See Video



Dream Lit

Yesterday at 1:42 AM ·

Father & Stepmother victimize teen live on teen's IG



Calvin Smith and Amber Che'rie

1 Comment 1 Share



Like



Comment



Share



Amber Che'rie

Don't share this!! You are doing exactly what these lowlifes want. Making this more public. To share this is to share this little girls shame on the world. She's a child. Sharing this adds to the abuse

Like · Reply · 21h



Write a comment...

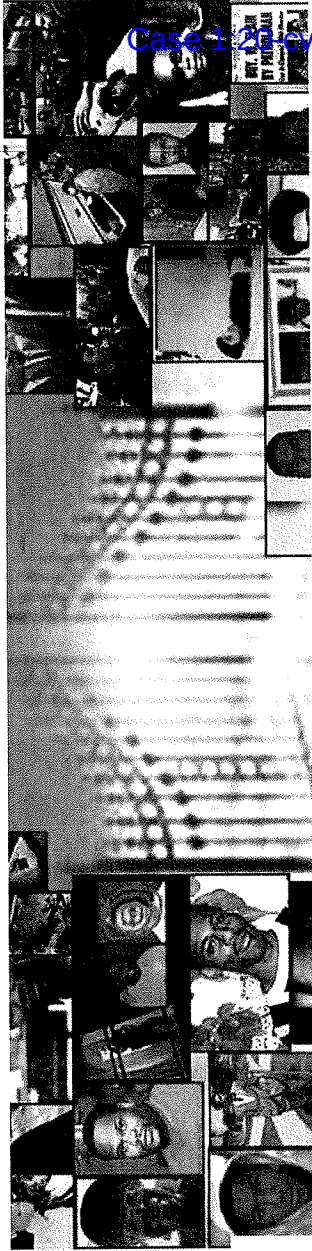


Mandela El'Shabazz

23 hrs ·

This is a symbol from 'People Of Color!'





Manage Group

Governmental Reformation NOW!!



Public group

Edit

Home

Governmental Reformation NOW!!

Public group · 32 members

Admin Tools



Invite

Member Requests

Automatic Member Approvals

Membership Questions

Pending Posts

Post Topics

Scheduled Posts

About Discussion Rooms Members More

What's on your mind, Mandela?



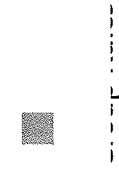
Photo/Video

Tag People

Feeling/Activity

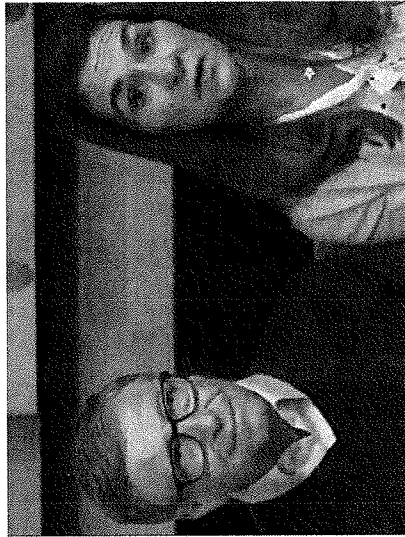
New Activity

EXHIBIT A-2



I will make a deal with you Bill & Melinda Gates. If you first, vaccinate yourselves, then your children, your parents, grandparents, I IDGAF if they dead dig em up and give it to them, AND THEN find EVERY relative that you have and vaccinate them. Then I will CONSIDER getting a vaccination for COVID-19.

**Medical Racism:
Bill & Melinda
Gates say Black
people and
Native Americans
should be
vaccinated first**



0:05 / 1:35

Anselmo Viotti

July 8 ·

Demons

OPINION EDITORIAL

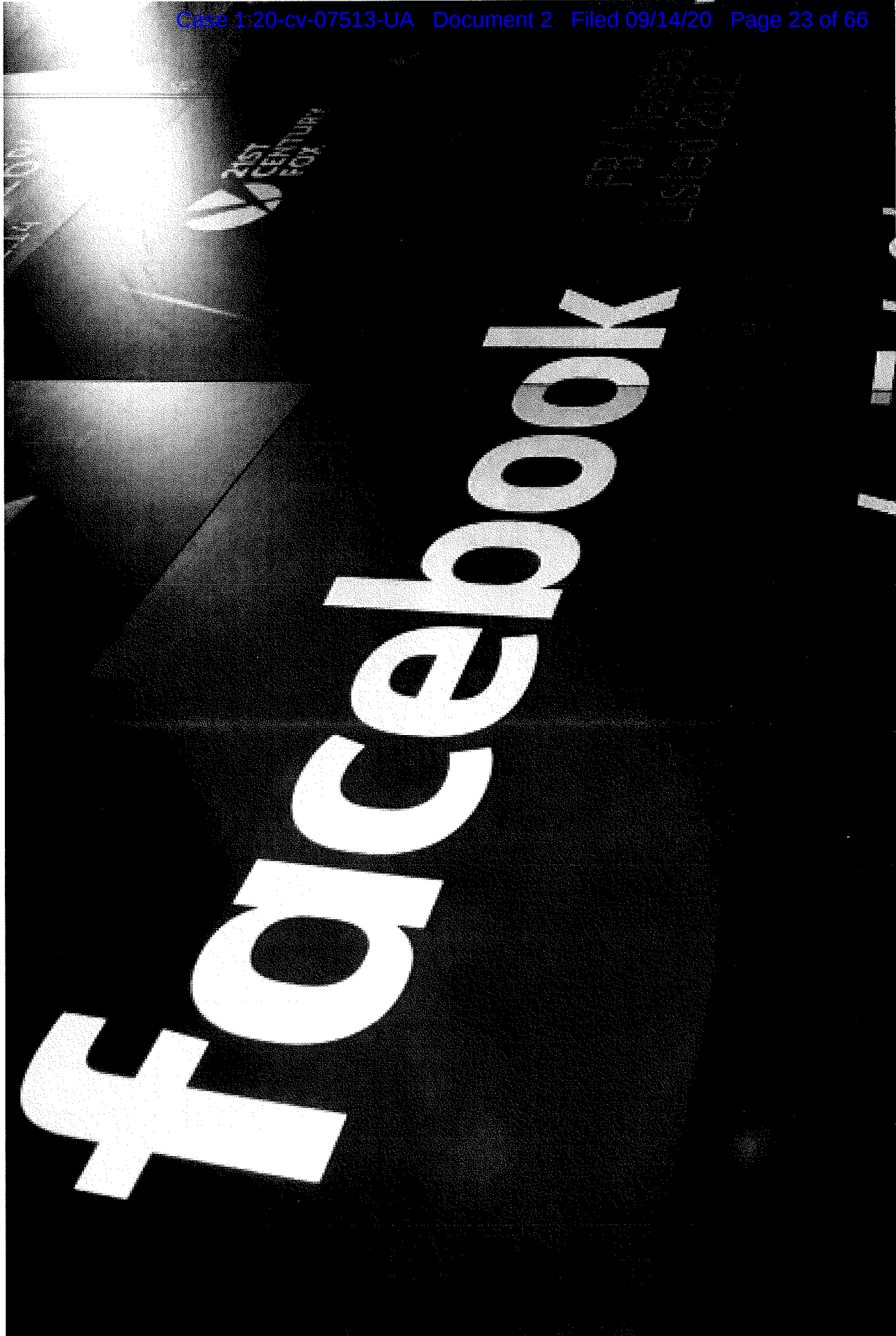
Facebook's new 'supreme court' looks like a license to censor

By Post Editorial Board

May 7, 2020 | 7:33pm

EXHIBIT B

Facebook's new 'supreme court' looks like a license to censor



9/10/2020

AP

The Facebook Oversight Board — a 20-member independent panel that will rule on which posts can be blocked as false or as hate speech or harassment — is a recipe for left-wing censorship.

<https://nypost.com/2020/05/07/facebook-s-new-supreme-court-looks-like-a-license-to-censor/>

Sure, there are a few token conservatives, such as Stanford Law prof Michael McConnell. But even he is potentially compromised, since his firm (Wilson Sonsini) represents much of the Silicon Valley corporate elite.

And the majority are clearly prone to view truth through a left-wing lens. Alan Rusbridger, for example, won fame in his days as editor-in-chief of the lefty UK paper The Guardian by publishing the government secrets stolen by Edward Snowden. But he's a massive fan of silencing dissent from the right of the spectrum.

Then there's the other Stanford Law professor: Pamela Karlan, whose chief claim to fame is testifying in favor of the rush to impeach President Trump at Rep. Jerry Nadler's hearings last year. Another law prof, Columbia's Jamal Greene, served as an aide to Sen. Kamala Harris for the Brett Kavanaugh hearings.

SEE ALSO



Facebook names members of oversight board that can overrule Zuckerberg

Tellingly, *Wired* reports that insiders said getting liberals for the board was fairly easy “since human rights activists generally shade liberal” — revealing a horrific blindness about the difference between activism in the fuzzy human-rights field and a genuine commitment to free speech.

The real purpose of the board is to get Mark Zuckerberg and other Facebook execs out of the no-win position of being responsible for what speech they ban. It outsources censorship. The panel will initially only take up appeals of Facebook's decisions to block content, but is eventually supposed to start deleting on its own.

At The Post, we know Facebook makes mistakes: It took us weeks to get the company to reverse its blockage of Steven Mosher's opinion column suggesting that the coronavirus might have escaped from that Wuhan lab. It's an official government investigation now, but back then Facebook determined it wasn't a topic you were allowed to discuss.

We have less confidence that this "court" will make fairer decisions or be anything more than thought police.

FILED UNDER **CENSORSHIP, EDITORIAL, FACEBOOK, FREE SPEECH, 5/7/20**



We confirmed your post didn't follow the Community Standards

Monday, July 13, 2020 at 9:54 PM

We reviewed your post again and it doesn't follow our **Community Standards**.

[Read More](#)

This comment goes against our Community Standards on hate speech

CLOSED

ACTIVITY



About your comment

Thursday, July 9, 2020 at 2:50 PM

No one else can see your comment.



Mandela El'Shabazz Tanya Brice this is the shit that pisses me off. You want equal rights but then when someone gives it to you you refuse. These house nigger types is the very ones that we can do without. WTF was you filming her for if you not proving anything???? Bitch ass nigger!

about 2 months ago



You disagreed with the decision

Thursday, July 9, 2020 at 4:39 PM

Thanks for your feedback. We use it to make improvements on future decisions.



We confirmed your comment didn't follow the Community Standards

Thursday, July 9, 2020 at 5:11 PM

We reviewed your comment again and it doesn't follow our **Community Standards**.

[Delete](#)

This post goes against our Community Standards on spam

CLOSED

ACTIVITY



About your post

Tuesday, May 19, 2020 at 12:06 PM

No one else can see your post.



Mandela El'Shabazz

May 17



EXHIBIT C

HEL
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Safe
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This post goes against our Community Standards on hate speech

CLOSED



We confirmed your post didn't follow the Community Standards

Monday, July 13, 2020 at 9:54 PM

We reviewed your post again and it doesn't follow our Community Standards.

Read More

This post goes against our Community Standards on hate speech

CLOSED

ACTIVITY



About your post

Monday, July 13, 2020 at 8:04 PM

No one else can see your post.



Governmental Reformation NOW

July 13 · ⚙️

Here's the thing we ALL KNEW what type of man Clarence Thomas was BEFORE he was sworn in FOR LIFE! With that being said is it ANY WONDER why his white trash wife is a piece of shit also!



You disagreed with the decision

Monday, July 13, 2020 at 9:50 PM

HEL

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EXHIBIT D



HEL

ACTIVITY



About your post

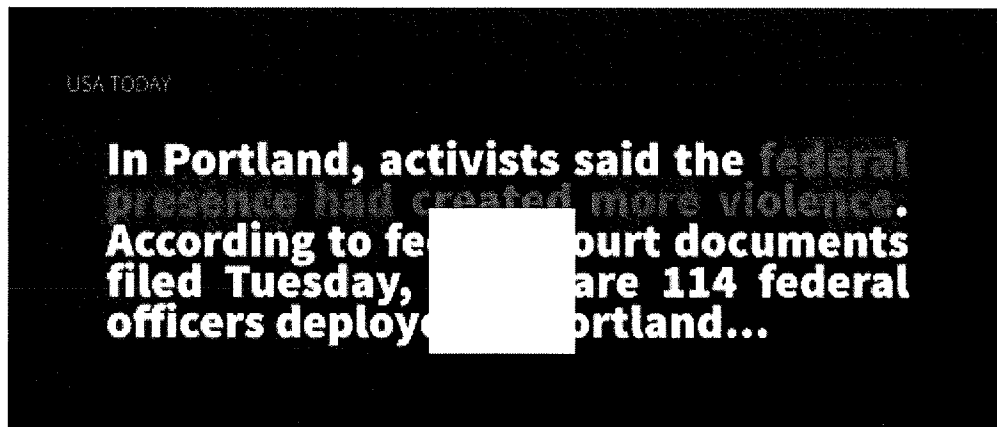
Friday, July 24, 2020 at 4:47 PM
No one else can see your post.



Mandela El'Shabazz

July 24

See what you ignorant people don't understand is that YOU ARE AT WAR and you DO NOT ask a person not to shoot you when you are at war. Americans are so stupid!



Fight For Your Side

05:19

TYT.COM/JOIN

Fight For Your Side

Learn More

50,964 Views

The Young Turks

Paid for by The Young Turks, Inc.

Like Page

The scary footage coming out of Portland should be very concerning. Help us in our mission to take down Donald Trump, by subscribing to TYT today.



You disagreed with the decision

Saturday, July 25, 2020 at 5:45 PM

Thanks for your feedback. We use it to make improvements on future decisions.



Your post is back on Facebook

Saturday, July 25, 2020 at 6:54 PM

We're sorry we got this wrong. We reviewed your post again and it does follow our Community Standards. We appreciate you taking the time to request a review. Your feedback helps us do better.

Se:
Safe
Polic
Bully
Tools
Safe
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COV
See
Learn
and
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EXHIBIT E



This comment goes against our Community Standards on hate speech

CLOSED

ACTIVITY



About your comment

Yesterday at 10:44 PM

No one else can see your comment.



Mandela El'Shabazz Hell no! White men are serial killers and child molesters!

12 hours ago



You disagreed with the decision

Yesterday at 10:47 PM

Thanks for your feedback. We use it to make improvements on future decisions.



We confirmed your comment didn't follow the Community Standards

Yesterday at 10:49 PM

We reviewed your comment again and it doesn't follow our Community Standards.

Delete

This post goes against our Community Standards on spam

OPEN

WHAT YOU CAN DO

See Options

Learn more about this post and see what you can do

ACTIVITY



About your post

Saturday, August 22, 2020 at 9:56 PM

No one else can see your post.



Mandela El'Shabazz updated his status.


August 21 at 9:23 AM

This content isn't available right now

When this happens, it's usually because the owner only shared it with a small group of people, changed who can see it or it's been deleted.

HEL
Se:
Safe
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Took
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COV
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and
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EXHIBIT F


 You can't post or comment for 7 days

This is because you previously posted something that didn't follow our Community Standards.



Mandela El'Shabazz Governmental Reformation

NOW!!

13 mins · 

This is some straight up nigger shit! What I mean by nigger shit is low down of no account, with low moral fortitude and dense of mind.

EXHIBIT G

Continue



ACTIVITY



About your post

Today at 1:16 PM

Only you and the group admins can see this post.

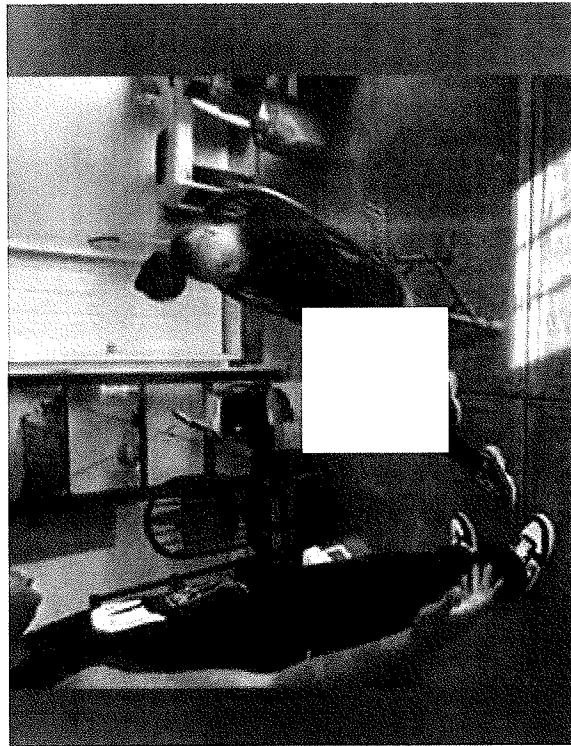


Mandela El'Shabazz

16 mins

Governmental Reformation NOW!!

This is some straight up nigger shit! What I mean by nigger shit is low down of no account, with low moral fortitude and dense of mind.



Father & Stepmother victimize teen live on teen's IG

13:20

1,197,818 Views

Dream Lit

11 hrs ·

Father & Stepmother victimize teen live on teen's IG

Like Page

HELP CENTER

Search FAQs

Safety Center

Policies, tools and resources to help you stay safe
Bullying Prevention Hub
Tools and tips for teens, parents and educators.

Safety Check

Connect with friends and loved ones during a crisis

COMMUNITY STANDARDS

See our Community Standards

Learn about what type of sharing is allowed on Facebook and what type of content may be reported and removed.

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Facebook © 2020

EXHIBIT H



Request Review?

You're about to request a review. Here's a recap of what will happen next.

Your post goes against our Community

We'll review your post again if you think

We'll send an update once we've reviewed

EXHIBIT I



3



Request Review?

You're about to request a review. Here's a recap of what will happen next.

Your post goes against our Community

We'll review your post again if you think

We'll send an update once we've review



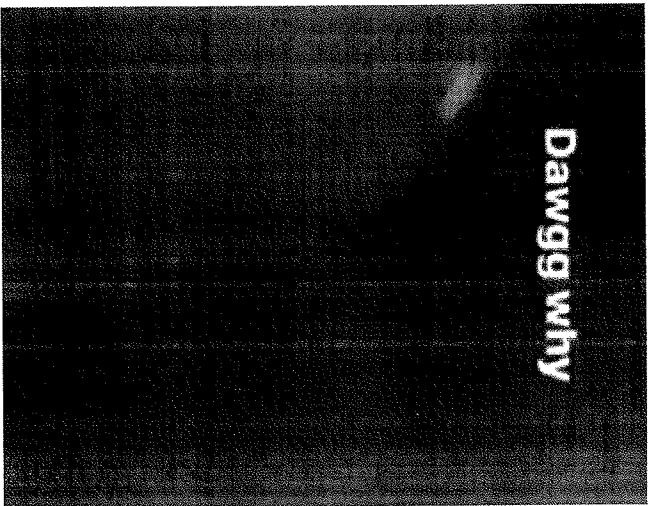
This Feature is Temporarily Blocked

You recently posted something that violates Facebook policies, so you're temporarily blocked from using this feature. For more information, visit the Help Center.

To keep from getting blocked again, please make sure you've read and understand Facebook's Community Standards.
This block will be active for 30 days more.

If you think this doesn't go against our Community Standards let us know.

PL 129TH X2



0:00 / 0:17

Karlous Miller

28 mins ·

hell nah



1

Like

Comment

Share



Write a comment...



Kathy Farrell added 2 comments.



Kathy Farrell

September 5 at 2:26 PM ·





3. See important messages about your account.

FROM NOTIFICATION

This post goes against our Community Standards on hate speech

CLOSED

ACTIVITY

Read 2 Previous Messages



We confirmed your post didn't follow the Community Standards

Today at 1:50 PM

We reviewed your post again and it doesn't follow our Community Standards.

Delete

OTHER MESSAGES

This comment goes against our Community Standards on hate speech

CLOSED



We confirmed your comment didn't follow the Community Standards

Yesterday at 10:49 PM

We reviewed your comment again and it doesn't follow our Community Standards.

Read More

HELP CENTER

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EXHIBIT K

ERROR

Your message couldn't be sent because it includes content that other people on Facebook have reported as abusive.



EX H282T 7

Okay



Father & Stepmother victimize teen live on teen's IG

You disagreed with the decision

Today at 1:26 PM

Thanks for your feedback. We use it to make improvements on future decisions.

Delete

This comment goes against our Community Standards on hate speech

CLOSED

ACTIVITY



About your comment

Yesterday at 10:44 PM

No one else can see your comment.



Mandela El'Shabazz Hell no! White men are serial killers and child molesters!

15 hours ago

You disagreed with the decision

Yesterday at 10:47 PM

Thanks for your feedback. We use it to make improvements on future decisions.

We confirmed your comment didn't follow the Community Standards

Yesterday at 10:49 PM

We reviewed your comment again and it doesn't follow our Community Standards.

Delete

HELP CENTER

Search FAQs

Safety Center

Policies, tools and resources to help you stay safe

Bullying Prevention Hub

Tools and tips for teens, parents and educators.

Safety Check

Connect with friends and loved ones during a disa

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EXHIBIT M



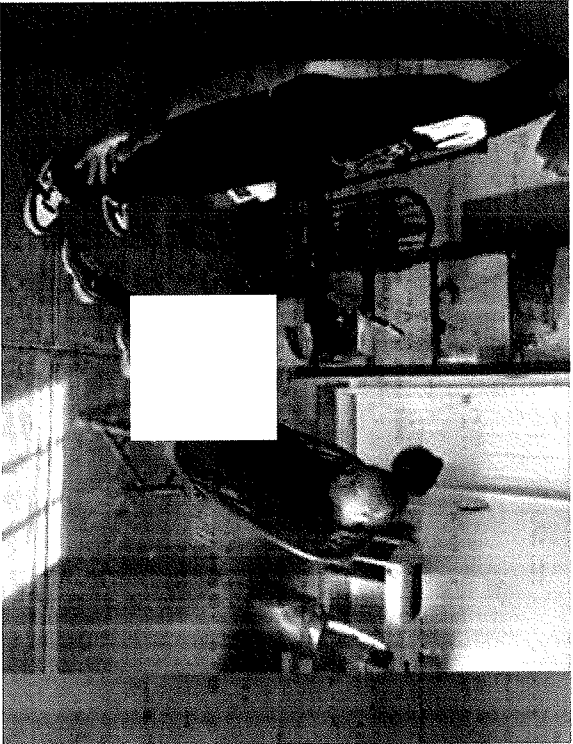


About your post
Today at 1:16 PM
Only you and the group admins can see this post.



Mandela El'Shabazz Governmental Reformation NOW!!
34 mins

This is some straight up nigger shit! What I mean by nigger shit is low down of no account, with low moral fortitude and dense of mind.



Father & Stepmother victimize teen live on teen's IG
13:20

1,285,654 Views

Dream Lit
12 hrs ·

Father & Stepmother victimize teen live on teen's IG

Like Page



HELP CENTER

Search FAQs

Safety Center
Policies, tools and resources to help you stay safe

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COMMUNITY STANDARDS

See our Community Standards
Learn about what type of sharing is allowed on Fa and what type of content may be reported and ren

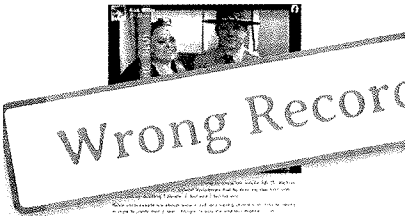
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EXHIBIT 2

Alleged Kenosha Shooter Kyle Rittenhouse Did NOT Have Lengthy Criminal History

Sep 2, 2020
by: Eric Ferkenhoff

Share
Tweet



Did 17-year-old Kyle Rittenhouse have a long and violent criminal past before the fatal shootings of two people and the wounding of a third in Kenosha, Wisconsin? No, that is not true. A search of databases in Wisconsin and Illinois reveal that another, older man by the same first and last name has a record that is falsely being attributed to the 17-year-old Rittenhouse in

is a fact checking website that is always looking for the latest false, deceptive or inaccurate stories (or media) making the rounds on the internet. Spotted something? Let us know!

Lead Stories is a:

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- [Facebook Third-Party Fact-Checking Partner](#)
- [Member of the #CoronavirusFacts Alliance](#)

Follow us on social media



Most Read

Hoax Alert

Can someone - anyone - explain to me why finding 39 missing KIDS in a double wide trailer in Georgia not the biggest news story on the planet??

Fact Check: 39 Missing Kids Were NOT Found In A Double Wide Trailer In Georgia -- But

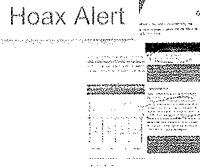
EXHIBIT 2

traffic citations in Wisconsin.
The only other charges against him stem from the Aug. 25, 2020, shootings.

The Rittenhouse criminal history claim appears in [a post](#) (archived [here](#)) published on Facebook on Aug. 26, 2020. The post read, in part:

” 17 year old Kyle Rittenhouse-Lewis' mom Wendy drove him and his AR-15 rifle from Antioch, IL to Kenosha WI to "defend" businesses that he does not own from riots. He ended up shooting 3 people, 2 died and 1 lost his arm.

Since some people are always quick to pull up shooting victims prior criminal history in order to justify their ill fate, I thought I'd post the shooters instead.



'Dr.' Misleads



Other Charges

was Covered Extensively In The Media

🕒 Aug 29, 2020

by: Alexis Tereszczuk

Fact Check: The CDC Did NOT Admit That Only 6% Of Deaths In COVID Toll Were From COVID-19

🕒 Aug 31, 2020

by: Dean Miller

Fact Check: Jacob Blake Was NOT Facing Accusation That He 'Raped A 14 Year Old' When He Was

2020

by: Eric

Ferkenhoff Fact Check: BLM Did NOT Buy Two New Luxury Buses With Money Raised - - They're Toronto Raptors Team Buses

Aug 5,

2020

by: Sarah

Thompson Fact Check: Former President George W. Bush Has NOT Said He Supports The Biden/Harris Ticket

Sep 5,

2020 by:

Alan Duke Fact Check: Portland Mayor Did NOT Say He Is Moving Out Of The City



17 year old Kyle Rittenhouse-Lewis' mom Wendy drove him and his AR-15 rifle from Antioch, IL to Kenosha WI to "defend" businesses that he does not own from riots. He ended up shooting 3 people, 2 died and 1 lost his arm. Since some people are always quick to pull up shooting victim's prior criminal history in order to justify their ill fate, I thought I'd post the shooter's instead. - Wendy Rittenhouse

46 126 1 1 0 0 0 0

(Source: Facebook screenshot taken on Wed Sep 2 13:54:46 2020 UTC)

This post, which shows a picture of Rittenhouse in a police cadet uniform, along with his mother, is false on at least two fronts.

First, there is no evidence revealed by investigators that Rittenhouse's mother provided his transportation to Kenosha, site of a protest against racial injustice in the wake of Jacob Blake, 29, getting shot seven times by police on August 23.

Second, the post gives an inaccurate picture of Rittenhouse's past by combining the information of a 31-year-old man with the same first and last names, but a different middle name.

Hoax Alert



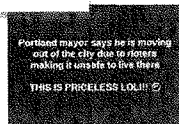
Raptors Buses

Hoax Alert



Not Yet

Hoax Alert



Still In Town



”

His prior criminal history, In 2018, he has a charge for disobeying officers.

2016

Case Number: 2016CM000410
Case Type: MISDEMEANOR
Classification: MISDEMEANOR CLASS A
Counts: 1
Crime Type: MISDEMEANOR
Degree Of Offense: MISD. A
Crime County: ROCK
Offense Code: 941.20(1)(B)
Offense Date: 01/29/2016
Offense Description: OPERATE FIREARM WHILE INTOXICATED
Charges Filed Date: 03/01/2016
County: ROCK
Plea: NOT GUILTY

Hoax Alert



National News

Most Recent

Hoax Alert



No Captives

Hoax Alert

6, 2020

by:

Alan

Duke

Fact Check: 'Main Stream Media' Is NOT Silent On Children Rescued From Sex Trafficking In Michigan, Georgia And Ohio

Sep 2,

2020

by: Alexis

Tereszcuk

Fact Check: 62 Girls Were NOT Found In A Shipping Container In Delaware 'Ready To Be' Sex Slaves

Sep 7,

2020

by: Victoria

Eavis

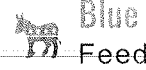
Fact Check: Photo Does NOT Show



Hoax Alert

Analysis

Corrections



READ IN

Disposition Date:

10/04/2016

Status: CLOSED

DISORDERLY

CONDUCT

2016

Case Number:

2016CM000410

Case Type:

MISDEMEANOR

Classification:

MISDEMEANOR

CLASS B

Counts: 1

Crime Type:

MISDEMEANOR

Degree Of

Offense: MISD. B

Crime County:

ROCK

Offense Code:

947.01(1)

Offense Date:

01/29/2016

Offense

Description:

DISORDERLY

CONDUCT

Charges Filed

Date: 03/01/2016

County: ROCK

Plea: NO

CONTEST

Disposition:

Not Kyle's Mom

Hoax Alert

Portland mayor says he is moving out of the city due to rioters making it unsafe to live there. THIS IS PRICELESS LOCAL

Still In Town

Hoax Alert

On July 27, 1999, Duke declared in Centennial Olympic Park in Atlanta, Illinois, "I am going to be a 'mass murderer'". Efforts to raise money for Jewell's defense & family were banned on social media. Richard was innocent. On July 28, 2020, Sep 6, 2020

10 Years Early

Hoax Alert

Mirra Gear And Armed At Kenosha Protest

Sep 7,

2020 by:

Eric Ferkenhoff

Fact Check: Portland Mayor Did NOT Say He Is Moving Out Of The City Due To Rioters

Sep

6, 2020

by:

Alan

Duke

Fact Check: Mark Zuckerberg Did NOT Declare Richard Jewell To Be A 'Mass Murderer' Or Ban His Defense Raising Money On Facebook

Sep 6,

2020 by:

Alan

Duke

Fact Check: Former



Disposition Date:
10/04/2016
Status: CLOSED
POSSESSION OF
THC

Not Yet

2016

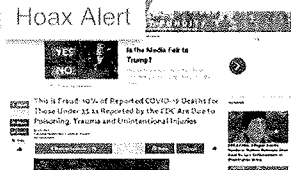


Case Number:
2016CM000410
Case Type:
MISDEMEANOR
Classification:
MISDEMEANOR
Counts: 1

Not Antifa

Crime Type:
MISDEMEANOR
Degree Of
Offense: MISD. U
Crime County:
ROCK

Offense Code:
961.41(3G)(E)



Offense Date:
01/29/2016
Offense

Description:
POSSESSION OF
THC

Data Distorted

Charges Filed
Date: 03/01/2016
County: ROCK
Plea: NOT
GUILTY

Disposition:
CHARGE
DISMISSED BUT

NOT said He Supports The Biden/Harris Ticket

Sep 5,
2020 by:

Fact Check: Video Does NOT Show Portland Antifa 'Anarchist' Camps -- They Are Temporary Outdoor Homeless Shelters

Sep 5,
2020 by:

Alexis
Tereszcuk

Fact Check: The CDC Did NOT Fraudulently Count Poisoning, Trauma And Unintentional Injuries In COVID Death Tally

Sep 4,
2020 by:

Dean Miller

Share your
opinion



Status: CLOSED
POSSESS DRUG
PARAPHERNALIA

2016

Case Number:
2016CM000410
Case Type:
MISDEMEANOR
Classification:
MISDEMEANOR
Counts: 1
Crime Type:
MISDEMEANOR
Degree Of
Offense: MISD. U
Crime County:
ROCK
Offense Code:
961.573(1)
Offense Date:
01/29/2016
Offense
Description:
POSSESS DRUG
PARAPHERNALIA
Charges Filed
Date: 03/01/2016
County: ROCK
Plea: NOT
GUILTY
Disposition:
CHARGE
DISMISSED BUT
READ IN
Disposition Date:



OBEY TRAFFIC
OFFICE...

2018

Case Number:

2018TR011432

Classification:

FORFEITURE U

Counts: 1

Offense Code:

346.04(2)

Offense Date:

08/09/2018

Offense

Description:

FAILURE TO

OBEY TRAFFIC

OFFICER/SIGNAL

Charges Filed

Date: 08/13/2018

Plea: NO

CONTEST

Disposition:

GUILTY DUE TO

NO CONTEST

PLEA

Disposition Date:

09/18/20

White Supremacist

would be quick to

state that he's a

drug addict and a

criminal IF he was

a POC. They

would say he



LEAD STORIES

Hoax Alert

Analysis

Corrections



Blue Feed



Instead they're calling him a "patriot" and started a GoFundMe account for his legal fees.

The listed cases in the post do not belong to the 17-year-old charged in the August 25 shootings. As the below screenshot shows, most belong to Kyle Joseph Rittenhouse, who was born in April of 1989, is 31 and lives in Clinton, Wisconsin. The 17-year-old accused shooter is Kyle Howard Rittenhouse, born in January of 2003, from Antioch, Illinois.

Case Number	Filing Date	County	Case Name	Case Type	Case Status	Case Description
19-000001	08/19/19	Kenosha	19-000001	CRIMINAL - FELONY	Open	Charge: Aggravated Battery
19-000002	08/19/19	Kenosha	19-000002	CRIMINAL - FELONY	Open	Charge: Aggravated Battery
19-000003	08/19/19	Kenosha	19-000003	CRIMINAL - FELONY	Open	Charge: Aggravated Battery
19-000004	08/19/19	Kenosha	19-000004	CRIMINAL - FELONY	Open	Charge: Aggravated Battery
19-000005	08/19/19	Kenosha	19-000005	CRIMINAL - FELONY	Open	Charge: Aggravated Battery
19-000006	08/19/19	Kenosha	19-000006	CRIMINAL - FELONY	Open	Charge: Aggravated Battery
19-000007	08/19/19	Kenosha	19-000007	CRIMINAL - FELONY	Open	Charge: Aggravated Battery
19-000008	08/19/19	Kenosha	19-000008	CRIMINAL - FELONY	Open	Charge: Aggravated Battery
19-000009	08/19/19	Kenosha	19-000009	CRIMINAL - FELONY	Open	Charge: Aggravated Battery
19-000010	08/19/19	Kenosha	19-000010	CRIMINAL - FELONY	Open	Charge: Aggravated Battery

The traffic citations from August 19 do belong to alleged shooter Rittenhouse, who lives in Antioch, about 20 miles from Kenosha. He is currently being held in Illinois, according to Lake County, Illinois court records, pending a September 25 hearing on his transfer to Wisconsin to face charges in the killings. The August 27 case refers to the killings of Joseph



Hoax Alert

Analysis

Corrections



Blue Feed



Grosskreutz, 26

According to the [Wisconsin Circuit Court website](#),

Rittenhouse currently faces two counts of first-degree intentional homicide, one count of first-degree reckless homicide, two counts of first-degree recklessly endangering safety and one count of possession of a dangerous weapon by someone under age 18:

The following are charges in the felony column

Count	Statute	Description	Severity	Offense Date	Fine
Charge #1	939.02	Intentional homicide	Class C Felony	08/23/20	
Charge #2	939.02	Intentional homicide	Class C Felony	08/23/20	
Charge #3	939.02	Reckless homicide	Class C Felony	08/23/20	
Charge #4	939.02	Recklessly endangering safety	Class C Felony	08/23/20	
Charge #5	939.02	Recklessly endangering safety	Class C Felony	08/23/20	
Charge #6	939.02	Recklessly endangering safety	Class C Felony	08/23/20	
Charge #7	939.02	Recklessly endangering safety	Class C Felony	08/23/20	
Charge #8	939.02	Recklessly endangering safety	Class C Felony	08/23/20	
Charge #9	939.02	Recklessly endangering safety	Class C Felony	08/23/20	
Charge #10	939.02	Recklessly endangering safety	Class C Felony	08/23/20	
Charge #11	939.02	Recklessly endangering safety	Class C Felony	08/23/20	
Charge #12	939.02	Recklessly endangering safety	Class C Felony	08/23/20	
Charge #13	939.02	Recklessly endangering safety	Class C Felony	08/23/20	
Charge #14	939.02	Recklessly endangering safety	Class C Felony	08/23/20	
Charge #15	939.02	Recklessly endangering safety	Class C Felony	08/23/20	
Charge #16	939.02	Recklessly endangering safety	Class C Felony	08/23/20	
Charge #17	939.02	Recklessly endangering safety	Class C Felony	08/23/20	
Charge #18	939.02	Recklessly endangering safety	Class C Felony	08/23/20	
Charge #19	939.02	Recklessly endangering safety	Class C Felony	08/23/20	
Charge #20	939.02	Recklessly endangering safety	Class C Felony	08/23/20	

There is no evidence, as suggested in the post, that Grosskreutz has lost his arm. The Chicago Sun-Times [reported](#) that, in fact, he should be able to keep his arm, though he will need reconstructive surgery to repair it. A family friend told the paper that he "lost his bicep."

Want to inform others about the accuracy of this story?

We're working to update facebook.com and the Help Center. If you don't see instructions for the version you're using, learn how to switch versions or report a problem.

Help Center

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How is Facebook addressing false news through third-party fact-checkers? | News Feed

Creating an Account
 Friending
 Your Home Page
 Messaging
 Stories
 Your Photos and Videos
 Pages
 Groups
 Events
 Fundraisers and Donations
 Facebook Pay
 Marketplace
 Apps
 Facebook Mobile Apps
 Accessibility

How is Facebook addressing false news through third-party fact-checkers?

Share Article

We're committed to fighting the spread of false news on Facebook. We use both technology and human review to remove fake accounts, promote news literacy and disrupt the financial incentives of spammers. In certain countries, we also work with third-party fact-checkers who are certified through the non-partisan International Fact-Checking Network to help identify and review false news.

Reducing the Distribution of False News

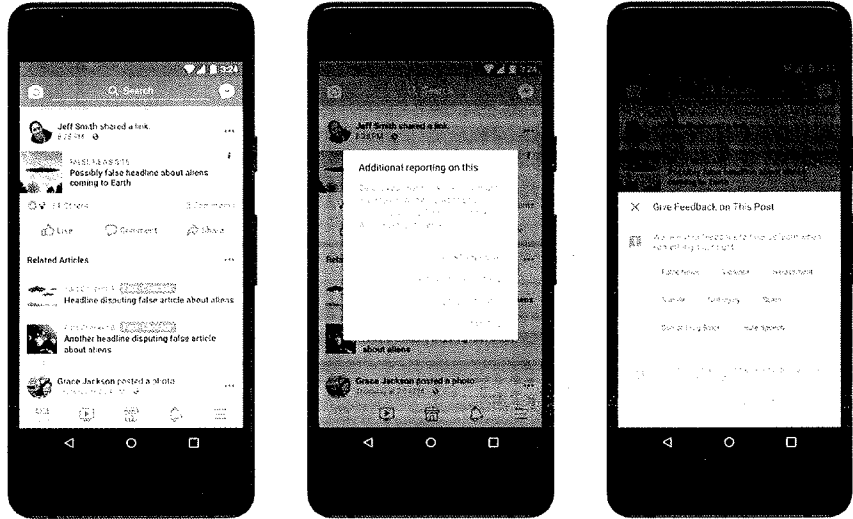
- **Identifying false news:** we identify news that may be false using signs like feedback from people on Facebook. Fact-checkers may also identify stories to review on their own.
- **Reviewing stories:** fact-checkers will review stories, check their facts, and rate their accuracy.
- **Showing false stories lower in News Feed:** if a fact-checker rates a story as false, it will appear lower in News Feed. This significantly reduces the number of people who see it.
- **Taking action against repeat offenders:** Pages and websites that repeatedly share false news will see their distribution reduced and their ability to advertise removed.

Providing More Information if you See False News

- **Providing more context on false news:** when fact-checkers write articles with more information about a story, you'll see them in Related Articles immediately below the story in your News Feed
- **Notifying people when they've shared false news:** you'll receive a notification if you try to share a story or have shared one in the past that's been rated false by fact-checkers. Page Admins will also be notified if they share stories rated false.

Giving You More Tools to Identify and Give Feedback on False News

- Learn how to spot false news. Knowing what to look out for can help you make more informed decisions about what to read, trust, and share.
- Provide feedback on stories you think are false. Let us know if you think a story is false. This is one of the signs we use when trying to identify false news.



Was this information helpful?
 Yes No

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Partly False



Fact-Check from USA TODAY



USA TODAY Fact-Check

Fact check: President Trump has not said he will terminate Social Security

About This Notice



Independent fact-checkers say this information has some factual inaccuracies.



Curious how Facebook works with independent fact-checking organizations? [Learn more](#)



Partly False



Fact-Check from Lead Stories



Lead Stories Fact-Check

Fact Check: Alleged Kenosha Shooter Kyle Rittenhouse Did NOT Have Lengthy Criminal History | Lead Stories

About This Notice



Independent fact-checkers say this information has some factual inaccuracies.



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EXECUTIVE ORDERS

Executive Order on Preventing Online Censorship

— INFRASTRUCTURE & TECHNOLOGY

Issued on: May 28, 2020



EXHIBIT 1

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Policy. Free speech is the bedrock of American democracy. Our Founding Fathers protected this sacred right with the First Amendment to the Constitution. The freedom to express and debate ideas is the foundation for all of our rights as a free people.

In a country that has long cherished the freedom of expression, we cannot allow a limited number of online platforms to hand pick the speech that Americans may access and convey on the internet. This practice is fundamentally un-American and anti-democratic. When large, powerful social media companies censor opinions with which they disagree,

they exercise a dangerous power. They cease functioning as passive bulletin boards, and ought to be viewed and treated as content creators.

The growth of online platforms in recent years raises important questions about applying the ideals of the First Amendment to modern communications technology. Today, many Americans follow the news, stay in touch with friends and family, and share their views on current events through social media and other online platforms. As a result, these platforms function in many ways as a 21st century equivalent of the public square.

Twitter, Facebook, Instagram, and YouTube wield immense, if not unprecedented, power to shape the interpretation of public events; to censor, delete, or disappear information; and to control what people see or do not see.

As President, I have made clear my commitment to free and open debate on the internet. Such debate is just as important online as it is in our universities, our town halls, and our homes. It is essential to sustaining our democracy.

Online platforms are engaging in selective censorship that is harming our national discourse. Tens of thousands of Americans have reported, among other troubling behaviors, online platforms “flagging” content as inappropriate, even though it does not violate any stated terms of service; making unannounced and unexplained changes to company policies that have the effect of disfavoring certain viewpoints; and deleting content and entire accounts with no warning, no rationale, and no recourse.

Twitter now selectively decides to place a warning label on certain tweets in a manner that clearly reflects political bias. As has been reported, Twitter seems never to have placed such a label on another politician’s tweet. As recently as last week, Representative Adam Schiff was continuing to mislead his followers by peddling the long-disproved Russian Collusion Hoax, and Twitter did not flag those tweets. Unsurprisingly, its officer in charge of so-called ‘Site Integrity’ has flaunted his political bias in his own tweets.

At the same time online platforms are invoking inconsistent, irrational, and groundless justifications to censor or otherwise restrict Americans' speech here at home, several online platforms are profiting from and promoting the aggression and disinformation spread by foreign governments like China. One United States company, for example, created a search engine for the Chinese Communist Party that would have blacklisted searches for "human rights," hid data unfavorable to the Chinese Communist Party, and tracked users determined appropriate for surveillance. It also established research partnerships in China that provide direct benefits to the Chinese military. Other companies have accepted advertisements paid for by the Chinese government that spread false information about China's mass imprisonment of religious minorities, thereby enabling these abuses of human rights. They have also amplified China's propaganda abroad, including by allowing Chinese government officials to use their platforms to spread misinformation regarding the origins of the COVID-19 pandemic, and to undermine pro-democracy protests in Hong Kong.

As a Nation, we must foster and protect diverse viewpoints in today's digital communications environment where all Americans can and should have a voice. We must seek transparency and accountability from online platforms, and encourage standards and tools to protect and preserve the integrity and openness of American discourse and freedom of expression.

Sec. 2. Protections Against Online Censorship. (a) It is the policy of the United States to foster clear ground rules promoting free and open debate on the internet. Prominent among the ground rules governing that debate is the immunity from liability created by section 230(c) of the Communications Decency Act (section 230(c)). 47 U.S.C. 230(c). It is the policy of the United States that the scope of that immunity should be clarified: the immunity should not extend beyond its text and purpose to provide protection for those who purport to provide users a forum for free and open speech, but in reality use their power over a vital means of communication to engage in deceptive or pretextual actions stifling free and open debate by censoring certain viewpoints.

Section 230(c) was designed to address early court decisions holding that, if an online platform restricted access to some content posted by others, it would thereby become a “publisher” of all the content posted on its site for purposes of torts such as defamation. As the title of section 230(c) makes clear, the provision provides limited liability “protection” to a provider of an interactive computer service (such as an online platform) that engages in “‘Good Samaritan’ blocking” of harmful content. In particular, the Congress sought to provide protections for online platforms that attempted to protect minors from harmful content and intended to ensure that such providers would not be discouraged from taking down harmful material. The provision was also intended to further the express vision of the Congress that the internet is a “forum for a true diversity of political discourse.” 47 U.S.C. 230(a)(3). The limited protections provided by the statute should be construed with these purposes in mind.

In particular, subparagraph (c)(2) expressly addresses protections from “civil liability” and specifies that an interactive computer service provider may not be made liable “on account of” its decision in “good faith” to restrict access to content that it considers to be “obscene, lewd, lascivious, filthy, excessively violent, harassing or otherwise objectionable.” It is the policy of the United States to ensure that, to the maximum extent permissible under the law, this provision is not distorted to provide liability protection for online platforms that — far from acting in “good faith” to remove objectionable content — instead engage in deceptive or pretextual actions (often contrary to their stated terms of service) to stifle viewpoints with which they disagree. Section 230 was not intended to allow a handful of companies to grow into titans controlling vital avenues for our national discourse under the guise of promoting open forums for debate, and then to provide those behemoths blanket immunity when they use their power to censor content and silence viewpoints that they dislike. When an interactive computer service provider removes or restricts access to content and its actions do not meet the criteria of subparagraph (c)(2)(A), it is engaged in editorial conduct. It is the policy of the United States that such a provider should properly lose the limited liability shield of subparagraph (c)(2)(A) and be exposed to liability like any traditional editor and publisher that is not an online provider.

- (b) To advance the policy described in subsection (a) of this section, all executive departments and agencies should ensure that their application of section 230(c) properly reflects the narrow purpose of the section and take all appropriate actions in this regard. In addition, within 60 days of the date of this order, the Secretary of Commerce (Secretary), in consultation with the Attorney General, and acting through the National Telecommunications and Information Administration (NTIA), shall file a petition for rulemaking with the Federal Communications Commission (FCC) requesting that the FCC expeditiously propose regulations to clarify:
- (i) the interaction between subparagraphs (c)(1) and (c)(2) of section 230, in particular to clarify and determine the circumstances under which a provider of an interactive computer service that restricts access to content in a manner not specifically protected by subparagraph (c)(2)(A) may also not be able to claim protection under subparagraph (c)(1), which merely states that a provider shall not be treated as a publisher or speaker for making third-party content available and does not address the provider's responsibility for its own editorial decisions;
 - (ii) the conditions under which an action restricting access to or availability of material is not "taken in good faith" within the meaning of subparagraph (c)(2)(A) of section 230, particularly whether actions can be "taken in good faith" if they are:
 - (A) deceptive, pretextual, or inconsistent with a provider's terms of service; or
 - (B) taken after failing to provide adequate notice, reasoned explanation, or a meaningful opportunity to be heard; and
 - (iii) any other proposed regulations that the NTIA concludes may be appropriate to advance the policy described in subsection (a) of this section.

Sec. 3. Protecting Federal Taxpayer Dollars from Financing Online Platforms That Restrict Free Speech. (a) The head of each executive department and agency (agency) shall review its agency's Federal spending on advertising and marketing paid to online platforms. Such review shall include the amount of money spent, the online platforms that receive Federal dollars, and the statutory authorities available to restrict their receipt of advertising dollars.

(b) Within 30 days of the date of this order, the head of each agency shall report its findings to the Director of the Office of Management and Budget.

(c) The Department of Justice shall review the viewpoint-based speech restrictions imposed by each online platform identified in the report described in subsection (b) of this section and assess whether any online platforms are problematic vehicles for government speech due to viewpoint discrimination, deception to consumers, or other bad practices.

Sec. 4. Federal Review of Unfair or Deceptive Acts or Practices. (a) It is the policy of the United States that large online platforms, such as Twitter and Facebook, as the critical means of promoting the free flow of speech and ideas today, should not restrict protected speech. The Supreme Court has noted that social media sites, as the modern public square, "can provide perhaps the most powerful mechanisms available to a private citizen to make his or her voice heard." *Packingham v. North Carolina*, 137 S. Ct. 1730, 1737 (2017). Communication through these channels has become important for meaningful participation in American democracy, including to petition elected leaders. These sites are providing an important forum to the public for others to engage in free expression and debate. *Cf. PruneYard Shopping Center v. Robins*, 447 U.S. 74, 85-89 (1980).

(b) In May of 2019, the White House launched a Tech Bias Reporting tool to allow Americans to report incidents of online censorship. In just weeks, the White House received over 16,000 complaints of online platforms censoring or otherwise

taking action against users based on their political viewpoints. The White House will submit such complaints received to the Department of Justice and the Federal Trade Commission (FTC).

(c) The FTC shall consider taking action, as appropriate and consistent with applicable law, to prohibit unfair or deceptive acts or practices in or affecting commerce, pursuant to section 45 of title 15, United States Code. Such unfair or deceptive acts or practice may include practices by entities covered by section 230 that restrict speech in ways that do not align with those entities' public representations about those practices.

(d) For large online platforms that are vast arenas for public debate, including the social media platform Twitter, the FTC shall also, consistent with its legal authority, consider whether complaints allege violations of law that implicate the policies set forth in section 4(a) of this order. The FTC shall consider developing a report describing such complaints and making the report publicly available, consistent with applicable law.

Sec. 5. State Review of Unfair or Deceptive Acts or Practices and Anti-Discrimination Laws. (a) The Attorney General shall establish a working group regarding the potential enforcement of State statutes that prohibit online platforms from engaging in unfair or deceptive acts or practices. The working group shall also develop model legislation for consideration by legislatures in States where existing statutes do not protect Americans from such unfair and deceptive acts and practices. The working group shall invite State Attorneys General for discussion and consultation, as appropriate and consistent with applicable law.

(b) Complaints described in section 4(b) of this order will be shared with the working group, consistent with applicable law. The working group shall also collect publicly available information regarding the following:

(i) increased scrutiny of users based on the other users they choose to follow, or their interactions with other users;

- (ii) algorithms to suppress content or users based on indications of political alignment or viewpoint;
- (iii) differential policies allowing for otherwise impermissible behavior, when committed by accounts associated with the Chinese Communist Party or other anti-democratic associations or governments;
- (iv) reliance on third-party entities, including contractors, media organizations, and individuals, with indicia of bias to review content; and
- (v) acts that limit the ability of users with particular viewpoints to earn money on the platform compared with other users similarly situated.

Sec. 6. Legislation. The Attorney General shall develop a proposal for Federal legislation that would be useful to promote the policy objectives of this order.

Sec. 7. Definition. For purposes of this order, the term “online platform” means any website or application that allows users to create and share content or engage in social networking, or any general search engine.

Sec. 8. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
 - (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.
- (b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Facebook Oversight Board

The **Oversight Board** is an entity that makes content moderation decisions on the social media platform Facebook, specifically about handling appeals for blocked or removed content. Proposed in November 2018 by Mark Zuckerberg, the first members of the board were announced on May 6 2020.

Facebook said the board's members have lived in 27 countries and speak at least 29 languages, though a quarter of the group and two of the four co-chairs are from the United States, where the company is headquartered. The co-chairs, who selected the other members jointly with Facebook, are former U.S. federal circuit judge and religious freedom expert Michael McConnell, constitutional law expert Jamal Greene, Colombian attorney Catalina Botero-Marino and former Danish Prime Minister Helle Thorning-Schmidt. Among the initial cohort are: former European Court of Human Rights judge András Sajó, Internet Sans Frontières Executive Director Julie Owono, Yemeni activist and Nobel Peace Prize laureate Tawakkol Karman, former editor-in-chief of *The Guardian* Alan Rusbridger, and Pakistani digital rights advocate Nighat Dad.^[1]

History

In November 2018, Facebook proposed creating a content oversight board that would make content moderation decisions on the platform.^[2] Among the goals for this board include improving the fairness of the appeals process, give oversight and accountability from an outside source, and improve transparency.^[2]

In January 2019, Facebook received a draft charter for the board^[3] and began a period of public consultations and workshops with experts, institutions, and people around the world.^{[4][5]} In June 2019, Facebook released a 250-page report summarizing the findings from the period of public consultation, and announced that they are in the process of looking for people to serve on the 40-person board.^{[6][7]}

In July 2020 it was announced that the board would not start work until "later in the year".^[8]

Members

The 20 members of the Oversight Committee were announced on 6 May 2020.^[9]

Name	Country	Term	Details
<u>Catalina Botero Marino</u> , co-chair	Colombia	2020 - present	Dean of Law Faculty at Universidad de los Andes
Jamal Greene, co-chair	United States of America	2020 - present	Professor at Columbia Law
<u>Michael McConnell</u> , co-chair	United States of America	2020 - present	Constitutional law professor at Stanford Law
<u>Helle Thorning-Schmidt</u> , co-chair	Denmark	2020 - present	Former prime minister of Denmark
<u>Afia Asantewaa Asare-Kyei</u>	Ghana, South Africa	2020 - present	Human rights lawyer
<u>Evelyn Aswad</u>	United States of America	2020 - present	Law professor at University of Oklahoma College of Law
<u>Endy Bayuni</u>	Indonesia	2020 - present	Journalist
<u>Katherine Chen</u>	Taiwan	2020 - present	Public relations and statistics professor at National Chengchi University
<u>Nighat Dad</u>	Pakistan	2020 - present	Lawyer and internet activist
<u>Pamela S. Karlan</u>	United States of America	2020 - present	Stanford Law professor and US Supreme Court advocate
<u>Tawakkol Karman</u>	Yemen	2020 - present	Journalist and human rights activist
<u>Maina Kiai</u>	Kenya	2020 - present	Lawyer and human rights activist
<u>Sudhir Krishnaswamy</u>	India	2020 - present	Vice-Chancellor of National Law School of India University
<u>Ronaldo Lemos</u>	Brazil	2020 - present	Lawyer and academic
<u>Julie Owono</u>	Cameroon, France	2020 - present	Lawyer and executive director of Internet Sans Frontieres
<u>Emi Palmor</u>	Israel	2020 - present	Former director general of Israeli Justice Ministry
<u>Alan Rusbridger</u>	United Kingdom	2020 - present	Journalist
<u>András Sajó</u>	Hungary	2020 - present	Law academic
<u>John Samples</u>	United States of America	2020 - present	Vice president of Cato Institute
<u>Nicolas Suzor</u>	Australia	2020 - present	Associate law professor at Queensland University of Technology

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This page was last edited on 2 September 2020, at 12:50 (UTC).

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