

No. 23-411

IN THE
Supreme Court of the United States

VIVEK H. MURTHY, SURGEON GENERAL, ET AL.
Petitioners,

v.

MISSOURI, ET AL.
Respondents.

On Writ of Certiorari to the
United States Court of Appeals for the Fifth Circuit

**BRIEF FOR SECRETARIES OF STATE OF
ARIZONA, COLORADO, CONNECTICUT, MAINE,
MINNESOTA, NEW MEXICO, OREGON, AND
VERMONT AS *AMICI CURIAE* SUPPORTING
PETITIONER**

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INTEREST OF THE AMICI CURIAE¹

Amici are each state officials who administer elections. Their roles enable them to educate the public about the mechanics of voting and counting votes. Accordingly, *amici* have been at the forefront of efforts to counteract election misinformation, including by engaging directly with social media companies to mitigate the impact of disinformation and promote the dissemination of accurate electoral information. These initiatives were straightforward, non-coercive, and successful. *Amici* submit this brief to inform the Court of these efforts so that any rule the Court crafts in this case does not chill future efforts to disseminate accurate information.

Arizona Secretary of State Adrian Fontes, as the chief election official of Arizona, is responsible for ensuring the accuracy and security of elections. In his official capacity, Secretary Fontes has a vested interest in addressing misinformation about election processes, particularly as such misinformation has proliferated on social media. His efforts to review and correct misinformation about election processes demonstrate his commitment to fair and transparent elections in Arizona.

Colorado Secretary of State Jena Griswold is the chief election official of Colorado. She and officials

¹ As required by Supreme Court Rule 37, counsel of record for all parties consented to the filing of this brief by written notice after counsel of record for *amici* provided timely notice of intent to file. Further, no counsel for any party authored this brief in whole or in part. No person or entity other than *amici* and their counsel funded its preparation or submission, except that a non-profit initiative, the Tech Justice Law Project, provided some supplemental funding.

in her office are responsible for ensuring that elections are conducted accurately, and, as part of that role, she and her staff have reviewed misinformation about election processes on social media and attempted to correct it.

Connecticut Secretary of the State Stephanie Thomas administers, interprets and implements all state and federal laws pertaining to elections, primaries, nominating procedures, and the acquisition and exercise of voting rights. As part of their efforts to ensure voters had access to reliable information about voting, officials in her office regularly monitor social media for false information and use various channels to correct it.

Maine Secretary of State Shenna Bellows is Maine's chief elections officer. Her Department is responsible for the administration of federal and state elections and for public education on Maine's election laws and policies. As part of that work, she and her staff review both traditional and social media for accuracy and attempt to correct instances of misinformation.

Minnesota Secretary of State Steve Simon is the chief elections officer of Minnesota. He is required by law to administer state election law and oversee Minnesota elections in partnership with county auditors and city and township officials. In this capacity, Secretary Simon and staff maintain a Minnesota Elections Facts webpage that provides a step-by-step narrative of the election process and a "Fact and Fiction" section that counteracts common rumors and misinformation about voting in Minnesota. Secretary Simon and staff also monitor social media platforms to rectify any false or

misleading information about Minnesota elections on those platforms.

New Mexico Secretary of State Maggie Toulouse Oliver is the chief election officer of New Mexico. She is charged by statute to generally supervise all elections and to obtain and maintain uniformity in the application, operation, and interpretation of New Mexico’s Election Code. In that capacity, she and her staff continually monitor social media platforms for postings that contain false or misleading information regarding, but not limited to, the time, place, and manner of voting, and then take appropriate steps to redress it, including by maintaining a webpage called “Rumor vs. Reality” where false information is noted and debunked.

Oregon Secretary of State LaVonne Griffin-Valade is the chief elections officer of Oregon. She is responsible for obtaining and maintaining uniformity in the application, operation, and interpretation of the election laws and a maximum degree of correctness, impartiality, and efficiency in their administration. As part of that role, she and her staff have monitored social media and other platforms for election misinformation. Oregon officials attempted to correct misinformation with social media companies in the past, but they currently focus on affirmatively providing accurate information directly to the public because social media companies have been unresponsive.

Vermont Secretary of State Sarah Copeland Hanzas is the chief elections official in Vermont. Her office protects the integrity of campaigning and elections in Vermont. The Vermont Secretary of State’s office maintains a “Facts Matter—The Truth

About Vermont Elections” page. Additionally, as part of the office’s responsibilities, the Secretary and her staff review social media posts. The office attempts to correct any false or inaccurate information it sees.

SUMMARY OF THE ARGUMENT

Amici are responsible for running successful elections in eight different states. In recent elections, representatives in many of state election offices have closely reviewed social media for election misinformation and, where appropriate, have communicated directly with employees at large social-media platforms to notify the platforms of false, and sometimes illegal, speech. Those communications have been non-coercive, productive, and consistent with the First Amendment. But platforms have recently changed their attitudes to receiving *any* government speech, even speech protected by the First Amendment rights of both government speaker and private listener. Given their deep election experience, *amici* urge the Court to reverse the decision of the Fifth Circuit and craft a rule of law that does not unduly suppress constitutional speech by state election officials.

ARGUMENT

On November 12, 2020, employees working for the Connecticut Secretary of State saw two inaccurate messages circulating on Twitter: one said that Connecticut had 1.8 million registered voters before Election Day and 2.1 million after, and the other that a voter’s dogs received “unsolicited” ballots. These statements were, unsurprisingly, false: in fact, Connecticut officials announced *before* the election that there were 2.3 million registered voters, and the

State mailed out only absentee ballot *applications*, not absentee ballots, and to humans only. But, in the days after hotly contested state and federal elections, misinformation could spread quickly and damage voter confidence.

And so, after seeing these messages, a Connecticut state employee did the sensible thing: contact Twitter, point out the false information, and provide the truth. See Appendix at 2a–3a. From there, Twitter was free to do as it saw fit, from adding context to the incorrect tweets to reducing their reach or removing them if they violated terms of service to doing nothing at all. The false statements never entered the mainstream dialogue that day.

This free exchange of ideas between some state officials and platforms was common during the election seasons of 2020 and 2022, and it gave platforms accurate information, with which they were then free to do as they wish. That is how the First Amendment ought to work. But for the coming election season, that dialogue has essentially ended, likely influenced by fears of legal liability for communicating too closely with the government. Forcing social media platforms to block all direct contact with government officials, then, will squelch uncontroversial, commonplace communications. That, in turn, will increase the risk that dangerous, and even illegal, falsehoods about elections and voting will spread unchecked.

Platforms being able to hear directly from *amici* and others similarly situated is an important tool to combat the spread of damaging, destructive, and dangerous false information about American the mechanics and processes of elections. Whatever

decision this Court reaches in this matter, it should make clear that the First Amendment permits state election officials to quickly notify platforms of false election-related speech.

I. Amici Previously Engaged With Social Media Platforms And Other Media Outlets.

Providing false information about the mechanics and integrity of elections is often harmful and frequently illegal. In Colorado, for instance, it is a crime to “unduly influence[] an elector to vote in any particular manner or to refrain from voting,” Colo. Rev. Stat. 1-13-112, and to “cause[] any deceit to be practiced with intent to fraudulently induce a voter to deposit a defective ballot so as to have the ballot thrown out and not counted,” Colo. Rev. Stat. 1-13-707. Similarly, in Connecticut, it is unlawful to, “with intent to disenfranchise any elector, influence[] or attempt[] to influence by force or threat, bribery or corrupt, fraudulent or deliberately deceitful means any elector to stay away from any election.” Conn. Gen. Stat. § 9-364. In Oregon, a court may enjoin someone who knowingly or recklessly makes “a false statement of material fact that is intended to mislead electors” about voting eligibility or the means of voting. Or. Rev. Stat. 260.537. Similar laws abound.

Further, although perhaps not criminal, much other false speech about elections—such as false claims about the mechanics and integrity of ballot counting or the available methods for voting—erodes our system of governance. After all, democracy doesn’t work well if malicious actors, including foreign adversaries, can precisely target voters and sow doubt about when and where to vote, and whether votes are counted accurately.

Such false speech about elections is on the rise. And it spreads faster than ever through social media platforms like Meta, X (né Twitter), and others. These, of course, are fast becoming the primary sources of news for many American voters.

The First Amendment does not require states to sit idly by while false information about their work or the laws in their states spreads online. To the contrary: to combat the explosion of false information about elections, officials like those in the office of *amici* here, and other states, made investments in combating this false information.

For instance, Connecticut has hired an expert in reviewing and analyzing social media so that it can get a handle on what is being said about elections in the state. Hugh McQuaid & Christine Stuart, “Connecticut Hires Analyst To Combat Election-Related Misinformation,” *CT News Junkie* (Oct. 14, 2022), <https://perma.cc/5YG6-V5PJ>. Oregon recently completed a pilot program with a social media counter disinformation expert and is in the process of contracting to continue the program. Other states, too, have added specialized teams and positions to review and analyze the deluge of information about elections now appearing online.

Most offices use a multi-pronged approach to the difficult problem of combatting false speech about elections. Because one value of the First Amendment is that that “speech can rebut speech,” *Dennis v. United States*, 341 U.S. 494, 503 (1951), the Colorado office created outreach initiatives to direct citizens to trusted information about elections. They increased their own social-media presence and helped local election officials do the same. And they also did their

best to ensure that people searching for relevant information found it from trusted sources, not from bad actors trying to manipulate voters. *See, e.g.*, Presentation, “Colorado Secretary of State RESCU” (Undated Summer 2022), <https://perma.cc/6MS5-CCN3>. Similarly, Oregon actively participates in the “#TrustedInfo2024” campaign sponsored by the National Association of Secretaries of State, which aims to combat the spread of elections misinformation by helping overwhelmed voters find trustworthy sources among the proliferation of online information about elections. Michaela Bourgeois, “Oregon Secretary of State urges trust in elections amid ‘prolific misinformation,’” (Dec. 1, 2023), *KOIN 6 News*, <https://perma.cc/38LF-75D8>.

But a key component of some *amici*’s efforts was also to make platforms aware, in a non-coercive, non-discriminatory way, of false and misleading speech about elections.² That is because, despite the large investment that many Secretary of State’s offices made in affirmatively educating the public about election mechanisms and election integrity, social media platforms still hosted some false, misleading, and even criminal speech about elections.

² These *amici*’s practice was to report false election-related speech that was likely to be harmful, regardless of its partisan orientation. Reporting only false and harmful speech that was likely to benefit one political party, for example, while ignoring similarly harmful speech that would benefit a different party, may be unconstitutional even though non-discriminatory reporting without any coercion is constitutional. *Cf., e.g., R.A.V. v. City of St. Paul*, 505 U.S. 377, 385–88 (1992) (holding that viewpoint discrimination is unconstitutional even when visited on categorically unprotected speech). That question is not presented here.

For instance, here is just some of the false information spreading on social media platforms, including Twitter and Facebook, during the 2020 and 2022 election cycles:

- An effort to “urg[e] people to intentionally make mistakes when filling out their ballots to trigger a hand count of that ballot.” Bente Birkeland, “Colorado Officials Warn of Disinformation And Conspiracy Theories Ahead of Midterm Elections,” *Colo. Pub. Radio News* (Oct. 17, 2022), <https://perma.cc/26VK-MYFQ>.
- An effort to induce people to vote very late on election day on the false grounds that doing so would “make it harder to stuff a ballot box.” *Id.*
- Messages that there were armed people standing near ballot boxes demanding IDs for those who dropped off ballots. Allison Sherry, “Social Media Foments Stories of Voter Intimidation But Local Officials Say So Far They Aren’t True,” *Colo. Pub. Radio News* (Oct. 15, 2020), <https://perma.cc/VB9N-KCR8>.
- Messages telling voters who drop off ballots at a dropbox that the ballots required a stamp, which was not true. *Id.*
- Reports in 2020 that the Governor of Colorado was “planning a COVID-19 shutdown that will prevent in-person voting and therefore potentially limit Republican votes.” Reuters Fact Check, “Fact Check: Colorado COVID-19

Restrictions Will Not Hinder Voting” (Oct. 28, 2020), <https://perma.cc/LQV5-5XCV>.

- False statements that copies of ballots were available online and could be printed out, submitted, and counted. Appendix at 4a.
- False statements that absentee ballots had been proactively mailed to Connecticut voters resulting in dogs and deceased people receiving ballots, when in fact only ballot applications had been mailed. Appendix at 5a.
- False statements that the Connecticut Secretary of State’s “office and municipalities have procured militarized trucks to deploy anti-car ramming barricades around our voter booths” on election day. Appendix at 6a.
- False statements that Connecticut has no absentee voting and that town clerk offices would close at 4:30 pm (when they would in fact be open until 8:00 pm when polls closed). Appendix at 7a.
- False statements that certain voting machines are incompatible with “Sharpie”-type pens and that ballots filled out with that pen would not be counted. *See, e.g.*, Saranac Hale Spencer, “Sharpie Ballots Count in Arizona,” *Factcheck.org* (Nov. 4, 2020), (noting that “[t]he word ‘Sharpie’ trended on Twitter as a bogus claim of voter fraud in Arizona spread online”).

All of this speech impedes meaningful voter participation, and some of may be illegal. It is not about issues, positions, or candidates. Rather, it sows doubt and discourages people with low information who are unable to distinguish trusted sources from unreliable ones.

Social media platforms, as is their right, have frequently expressed a desire not to propagate this kind of speech. The platform now known as X currently states that users “may not use X’s services for the purpose of manipulating or interfering in elections or other civic processes, such as posting or sharing content that may suppress participation, mislead people about when, where, or how to participate in a civic process, or lead to offline violence during an election.” X Help Center, “Civic Integrity Policy” (Aug. 2023), <https://perma.cc/9N2E-VJFM>. This policy is in place even after an ownership change resulted in a significantly more liberal content-moderation regime. Meta, which operates Facebook and Instagram, similarly states that it is “focused on providing reliable election information while combating misinformation.” Meta, “Preparing for Elections,” (as of Dec. 20, 2023) These platforms are uncontroversially within their rights to promote true speech and limit false speech on their platforms. *E.g.*, *Miami Herald Pub. Co. v. Tornillo*, 418 U.S. 241, 258 (1974) (“It has yet to be demonstrated how governmental regulation” of “editorial control and judgment . . . can be exercised with First Amendment guarantees of a free press.”).

Government agencies may also attempt to correct false speech. *Pleasant Grove City v. Sumnum*, 555 U.S. 460, 467–68 (2009) (“[The government] is entitled

to say what it wishes, and to select the views that it wants to express.” (quotation marks and citations omitted)). The most effective way to do that is to stop it from spreading. Because the social media platforms themselves have substantial power to control what spreads on their sites and what does not, it makes sense for the social media platforms to receive input from state election officials so that the platforms can easily identify false speech and take action if they choose. This non-coercive dialogue is consistent with the platforms’ stated objectives.

These notifications occurred in the 2020 and 2022 election cycles, and there is little question that all of this was constitutional and consistent with regular practice that occurs in the mainstream media. Government officials talk to the media all the time, including about matters of election administration, and they frequently point out errors so that the media can correct them. In October of 2022, for instance, officials in the office of the Connecticut Secretary of State noticed that a traditional media outlet called *Business Insider* had posted a story stating that voters in some Connecticut towns could invalidate cast ballots and vote new ones, but that this process “varies across the state.” That was not true: in fact, under Connecticut law, there is a uniform procedure for voters who thought they would be absent but in fact could vote in person on Election Day to invalidate their absentee ballots and vote in person, but that’s all. *See* Conn. Gen. Stat. § 9-159o(a). So state election officials sensibly reached out to the publication, cited the law, and respectfully noted the error. Appendix 8a.

What happened next was also routine: *Business Insider* corrected the story. The article now contains a

correct description of Connecticut law and a note saying “Correction: October 25, 2022—An earlier version of this story misstated the law in Connecticut. The law does not vary across the state.” Rachel Harrington & Eliza Relman, “If You Voted Early And Changed Your Mind, You Can Switch Your Choice In Several States—Here’s How,” *Business Insider* (as corrected Oct. 25, 2022).

There is no conceivable First Amendment problem with this productive dialogue. No one threatened *Business Insider*, and no one pressured or encouraged it. They simply provided accurate information. *Contra* J.A. 69 (upholding finding that several officials “significantly encouraged social-media platforms to moderate content.”) Instead, *Business Insider* did of its own accord what responsible newspapers do and printed the truth.

It is valuable for media to engage with state election officials, because engagement allows media to correct errors. Closing avenues for engagement would leave everyone worse off: readers would be misled; media outlets who wish to promote truthful communications would be left without a key source of information and expertise; and government officials’ own government speech would be meaningfully less effective for no good reason.

And yet, as explained in Section II below, that is the unfortunate reality that state election officials face today.

II. Non-Coercive Lines Of Communication With State Election Officials Have Been Closed Down.

Unfortunately, as of now, these valuable, constitutional lines of communication have frozen out or rendered ineffective in advance of a critical and hotly contested 2024 election season. See Nora Benavidez, “Big Tech Backslide,” A *Free Press* Report (Dec. 2023) at 10–12, <https://perma.cc/M6FB-KTZX> (describing substantial layoffs in content moderation and trust & safety teams at social media platforms). The exact consequences are unknown, but they are likely to lead to additional proliferation of false election speech and a need by *amici* to spend even more resources, time, and effort to combat it and provide voters with accurate information about state election law, procedures, and integrity.

Several *amici* personally attended or heard reports about a late 2023 discussion with employees at Meta with the National Association of Secretaries of State. The upshot: despite Meta’s stated commitment to “providing reliable election information while combating misinformation,” Meta, “Preparing for Elections,” *supra*, it has told state officials there are no current plans to facilitate direct communications between state officials and the platforms.

The same is true at X. *Amici* understand that the people who previously corresponded with state election officials are no longer at the company and have not been replaced. And state officials who have attempted to reach out to old email addresses or contacts have not heard back in recent months. There is no reason to think any of this will change soon absent intervention by this Court—this, again, despite

X's stated policy that users may not "mislead people about when, where, or how to participate in a civic process." X, "Civic Integrity Policy," *supra*.

This is counterproductive and risky. It is like a local TV station stating that it is committed to accurate coverage of natural disasters and meanwhile severing all direct contact with the National Hurricane Center. It benefits all, and violates no constitutional provision, for the station and employees of the Center to be able to directly communicate about something that seems off in the reporting. So too in the context of elections.

Without these open lines of communication, state election officials still have options, but their work is harder and their interventions less effective. State election officials can, and do, proactively communicate about misleading information. They can, and do, provide transparency. And, working with state officials in other departments, they can even bring after-the-fact prosecutions against those who spread falsehoods with the intent to intimidate voters and suppress voting. *E.g. People v. Burkman*, 341 Mich. App. 734, 739, *appeal granted*, 980 N.W.2d 715 (Mich. 2022) (upholding indictment in case where defendants are accused of sending false messages about mail-in voting that met criminal prohibition against unlawfully "influenc[ing], deter[ing], or interrupt[ing]" voters).

But misinformation on social media spreads quickly and chaotically and is not as simple to correct as a newspaper story. Going straight to the source is key tactic that has worked well in past instances. There is every reason to believe it can work well in the future, and there is no reason to think any of the states' past interactions have been unconstitutional.

Nonetheless, likely out of fears of litigation given the uncertainty created by the decisions below, that avenue has been cut off. Without a clear legal pronouncement from this Court, nothing is likely to change on that front.

III. Any Rule This Court Crafts Should Protect Non-Coercive Lines of Communication.

The question presented in this case is, essentially, when contact between the government and social-media platforms crosses the line between talking and coercing. Neither *amici* nor any party question whether there is such a line; the only question is the test for determining where it is.

In crafting a rule, *amici* urge the Court to consider the impact the rule may have on the kinds of communications mentioned in Section I *infra*, and to accordingly prioritize clarity, for a few key reasons.

First, the mere *threat* of litigation may deter government officials from speaking to social-media platforms in constitutionally unproblematic ways. *See, e.g., Gregoire v. Biddle*, 177 F.2d 579, 581 (2d Cir. 1949) (Hand, J.) (“It does indeed go without saying that an official, who is in fact guilty of using his powers to vent his spleen upon others . . . should not escape liability for the injuries he may so cause; and, if it were possible in practice to confine such complaints to the guilty, it would be monstrous to deny recovery. The justification for doing so is that it is impossible to know whether the claim is well founded until the case has been tried, and that to submit all officials, the innocent as well as the guilty, to the burden of a trial and to the inevitable danger of its outcome, would dampen the ardor of all but the most resolute, or the most

irresponsible, in the unflinching discharge of their duties.”). There is already evidence that this is chilling speech. Naomi Nix & Cat Zakrzewski, “U.S. Stops Helping Big Tech Spot Foreign Meddling Amid GOP Legal Threats,” *Washington Post* (Nov. 30, 2023), <https://perma.cc/WV3J-AXG3>. Thus, if this Court’s rule is such that anyone who collects examples of government–social media communications by, say, a freedom of information suit can non-frivolously allege subtle, unseen pressures by the government, the government may be deterred from the uncontroversially constitutional communications described above. At a minimum, any rule that the Court crafts should recognize (as one circuit has suggested) that many agencies, including amici, cannot engage in intimidating or coercive behavior because they lack oversight or enforcement authority over social-media platforms. Agencies that merely flag posts with no strings attached should not be subject to any rule developed by the Court here.

Second, although the Individual Plaintiffs in this case are speakers themselves, the speech interests of at least two other parties are implicated—the platforms and the states. This Court has long recognized that because expression is easily deterred, the Court’s rules must give it substantial breathing room. *See, e.g., Reno v. ACLU*, 521 U.S. 844, 871–72 (1997) (“The vagueness of [a content-based speech] regulation raises special First Amendment concerns because of its obvious chilling effect on free speech.” (citing *Gentile v. State Bar of Nev.*, 501 U.S. 1030, 1048–1051 (1991))). Here, the mere threat of litigation may well deter the government from speaking, for it is of course not obligated to in this circumstance. What’s more, a vague rule may deter the *platforms* from

responding to government inquiries, as is their uncontested First Amendment right.

Finally, and relatedly, the Court should recognize that a too-strict prohibition can effectively work as an unconstitutional prior restraint on speech. *Ex ante* restraints on speech are “the essence of censorship,” as the Court is well aware. *Near v. State of Minnesota ex rel. Olson*, 283 U.S. 697, 713 (1931). Censorship harms both speakers and listeners, who also have a right to receive the information. *Stanley v. Georgia*, 394 U.S. 557, 564 (1969) (“[T]he Constitution protects the right to receive information and ideas.”). Indeed, listeners have their own “First Amendment rights to choose the speech they read.” See Br. of First Amendment and Internet Law Scholars As *Amici Curiae* In Support Of Respondents In No. 22-277 And Petitioners In No. 22-555 at 4 (Dec. 6, 2023). So a rule that would shut down valid lines of communication between state election officials and platforms that wish to receive them can operate as an unconstitutional restraint. Thus, whatever rule the Court crafts should not squelch constitutional speech by state election officials nor infringe on the platforms’ right to receive that information and, after receiving it, take whatever action they freely choose.

CONCLUSION

This Court should reverse the judgment of the Fifth Circuit.

Respectfully submitted,

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APPENDIX

APPENDIX

*Referenced Communications From State Election
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2a

EMAIL OF NOVEMBER 12, 2020

From: REDACTED

To: Misinformation Reports

Cc: REDACTED; gov@twitter.com

Subject: Twitter Misinformation – 2 reports

Date: Thursday, November 12, 2020 5:18:00 PM

Attachments: dog ballot tweet.PNG reg voters
tweet.PNG

1. <https://twitter.com/neysu200/status/1325049860668657665>

Ney Su @neysu200

Replying to @RudyGiuliani and @RL9631

Connecticut committed fraud as well you should check in to this. On Nov 5 two days after the election there were 1.8 registered voters today they have 2.1 million, how can this be possible??

Connecticut has 2.3 million registered voters, as announced days before the election:

<https://portal.ct.gov/SOTS/Press-Releases/2020-Press-Releases/Secretary-Merrill-Announces-Record-BreakingVoter-Registration-in-Connecticut>

2. <https://twitter.com/thezinctable/status/1326771448044802057>

3a

@TheZincTable @thezinctable @seanhannity
@TuckerCarlson

Thank you for mentioning voting corruption in
#Connecticut. My dogs, whose names we use for
Gmail and FB accounts received 'unsolicited'
ballots. Big Tech data-mining has aided
#Democratic voter fraud in CT.

No voters received unsolicited ballots; in CT, a voter
must fill out an absentee ballot application in order to
receive a ballot. Also, absentee ballot applications
were mailed to active, registered voters on our state's
voter file, not to any list obtained from facebook or
gmail.

Thanks again,
[REDACTED]

4a

EMAIL OF NOVEMBER 2, 2020

From: REDACTED

To: Misinformation Reports

Cc: REDACTED; gov@twitter.com

Subject: False Tweet regarding sample ballots online

Date: Monday, November 2, 2020 2:54:00 PM

Attachments: ballot tweet.PNG

See below and attached. In fact, those are the sample ballots that are located on our website, but they cannot be used to print official ballots, as actual ballots use special paper and ink and are only printed by two print shops. This is not something you can print at home.

<https://twitter.com/DanaKamide1/status/1323283150651465728>

Dana Kamide @DanaKamide1

#Connecticut has their actual ballots in PDF form unsecured on their servers for anyone to download and print... NOT SAMPLE ballots... but the doc they use to print official ballots. By the looks of them they are specifically designed to sway voters towards (D) ticket #VoterFraud

[BALLOT PICTURE AND EMAIL SIGNATURE]

5a

EMAIL OF SEPTEMBER 29, 2020

From: [REDACTED]
To: misinformation@cisecurity.org
Cc: [REDACTED]
Subject: CT Misinformation related to absentee ballots and fraud
Date: Tuesday, September 29, 2020 1:34:00 PM

See these links and attached: <https://www.facebook.com/1579908259/posts/10222038969074842/?extid=LNhw19ZiSWzUFmLD&d=n> <https://www.facebook.com/1579908259/posts/10222038969074842/?extid=LNhw19ZiSWzUFmLD&d=n>

This is absolutely not true as ballots on CT cannot be distributed before 10/2. It has been shared more than 400 times.

Sprint 1:31 PM 56%

< Michael's Post >



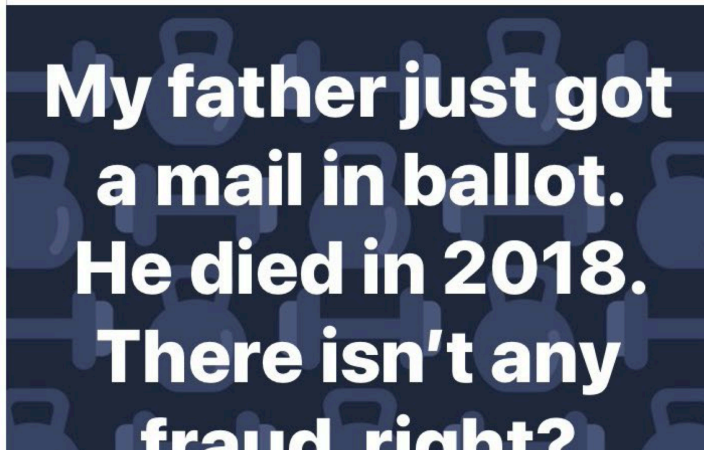
Michael R. Criss

30m · 🌐



Matthew Valenti

22h · 🌐



6a

EMAIL OF NOVEMBER 3, 2020

From: REDACTED

To: Misinformation Reports

Cc: REDACTED; Khalid Pagan

Subject: FB Post

Date: Tuesday, November 3, 2020 1:32:00 PM

Attachments: image001.png

This part is the part I am flagging for you:

our CT SOTS office and municipalities have procured militarized trucks to deploy anti car ramming barricades around our voter booths tomorrow in Connecticut.

Needless to say, our office has not procured any militarized vehicles, or any vehicles at all...

<https://www.facebook.com/vote.merlen/posts/4202199789836466>

[REMAINDER OF POST AND THEN EMAIL SIGNATURE]

7a

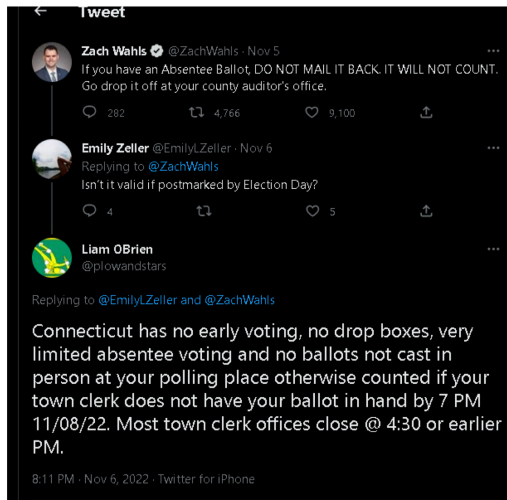
EMAIL OF NOVEMBER 8, 2022

From: [REDACTED]
To: information@ctsecurity.org
Cc: [Twitter Government & Politics](#); [REDACTED]
Subject: Multiple Reports
Date: Tuesday, November 8, 2022 8:54:00 AM
Attachments: 01.png
02.png
03.png
04.png
05.png
06.png

Connecticut has 250 drop boxes, between 1 and 4 in each town, ballots will be counted that are received by 8:00pm (when polls close), and town clerks offices will be open to at least 8:00pm but likely well into the night.

Connecticut has no early voting, no drop boxes, very limited absentee voting and no ballots not cast in person at your polling place otherwise counted if your town clerk does not have your ballot in hand by 7 PM 11/08/22. Most town clerk offices close @ 4:30 or earlier PM.

<https://twitter.com/plowandstars/status/1589425332289171456>
<https://twitter.com/plowandstars/status/158943278673340064?s=20&t=BxE8RnBHUGhj3dDpmCawTg>
<https://twitter.com/plowandstars/status/1589425332289171456?s=20&t=BxE8RnBHUGhj3dDpmCawTg>
<https://twitter.com/plowandstars/status/1589384105926885376?s=20&t=BxE8RnBHUGhj3dDpmCawTg>
<https://twitter.com/plowandstars/status/1589385884700327936?s=20&t=BxE8RnBHUGhj3dDpmCawTg>



8a

EMAIL OF OCTOBER 25, 2022

From: REDACTED

To: [REDACTED]@insider.com;
[REDACTED]@insider.com

Subject: Error in article: If you voted early and changed your mind, you can switch your choice in several states — here's how

Date: Tuesday, October 25, 2022 5:02:48 PM

Attachments: image001.png

Hi all, I just wanted to alert you to an error in the story If you voted early and changed your mind, you can switch your choice in several states — here's how (<https://www.businessinsider.com/how-can-youchange-your-vote-trump-clinton-early-voting-2016-11>). The article states, “Casting new ballots in permitted in some Connecticut towns, but it varies across the state.” This is not accurate, this process is defined statewide by statute in CGS 9-159o, and (aside from a 2020-specific change in when the deadline was) has not changed in years.

I am aware that this story id from 2020, but it is the citation for an article on Ballotpedia which has been screenshotted and is making the rounds on social media. I have also followed up with Ballotpedia and the social media platforms.

Please let me know if you have any questions or need any more information!

9a

Thanks,

[EMAIL SIGNATURE]