

February 11, 2021 Public Comment Re: Facebook's Suspension of Donald J. Trump 2021-001-FB-FBR

Trump's Incitement of Racist Violence Predated January 6

Despite significant reservations about the Facebook-created, Facebook-funded Facebook Oversight Board, we, the undersigned civil rights, human rights, technology policy, and consumer protection organizations working to stop online hate, write to strongly argue that Facebook's decision to suspend former President Trump's account be upheld. In reviewing the Board's first set of decisions and the Trump case description, we are deeply concerned that Trump's history of inciting racist violence and active potential to catalyze further violence are not being taken seriously: the case makes no mention of past violence incited by Trump's Facebook posts and fails to name the white supremacist nature of the January 6 insurrection. A decision that divorces itself from reality by failing to consider these factors and reinstates Trump in the name of Ivory Tower logic will harm communities targeted by this violence and further aid white supremacy's perversion of the discourse around freedom of expression.

The January 6 attack on the Capitol was not the first time that Trump's Facebook activity led to violence. Trump has a long history of racist, misogynist, anti-immigrant, anti-Muslim, anti-Semitic Facebook activity that has promoted, normalized, and emboldened white supremacist ideologies. A careful review of this activity and the violence it caused, from 2015 through now, is essential to your final decision. This includes consideration of the following Facebook posts *and* Facebook ads: while ads are technically not under the purview of the Board—one of the Board's structural flaws that protects Facebook—they were hosted on and promoted from his Facebook page. Ads are an essential part of the story.

- On February 21, 2019, Donald J. Trump's Facebook page posted a Facebook Ad with an image of barbed wire and the words "AMERICA'S SAFETY IS AT RISK" and the message: "We have an INVASION! So we are BUILDING THE WALL to STOP IT. Dems will sue us. But we want a SAFE COUNTRY! It's CRITICAL that we STOP THE INVASION." On August 3, 2019, a white gunman committed mass murder in El Paso, Texas. His "manifesto" explicitly reflected Trump's xenophobic Facebook rhetoric.
- On May 28, 2020, Donald J. Trump referred to the Black Lives Matter protesters in the wake of George Floyd's death as "thugs" and <u>posted on Facebook</u> "when the looting starts, the shooting starts," referring to the military opposition that would confront the protestors. Facebook's own Civil Rights Auditors were "deeply troubled" by Facebook's decision to leave up the post. In the US, <u>more than 10,000</u> people were arrested for participating in these protests. On August 25, 2020, during protests against the police shooting of Jacob Blake, two protestors were shot and killed by a white man there to "protect" businesses. He was joined by others there in response to a call to arms <u>posted on Facebook</u>: "Any patriots willing to take up *arms* and defend out [sic] City tonight from the evil thugs?" Trump's rhetoric emboldened this action and is echoed in that call.

- On June 20, 2020, during a campaign rally in Tulsa, Oklahoma that was <u>live streamed on his Facebook page</u>, Donald J. Trump <u>referred</u> to the coronavirus pandemic as the "Kung Flu," saying also, "China sent us the plague." Over the last year, Trump's Facebook posts use "Chinese Virus" or "China Virus" nearly fifty times. On May 11, 2020, Donald J. Trump <u>posted a Facebook Ad</u> stating that the "coronavirus infected millions, crushed the world economy, one nation deserves the blame, China." Fueled by this type of rhetoric, Asian Americans have <u>faced thousands</u> of <u>hate incidents</u> during the pandemic.
- On December 7, 2015, Donald J. Trump posted on Facebook a "Statement on Preventing Muslim Immigration" demanding "a total and complete shutdown of Muslims entering the United States." On September 30, 2020, Donald J. Trump posted a Facebook Ad claiming that "JOE BIDEN WANTS TO INCREASE REFUGEES FROM SYRIA & SOMALIA BY 700%," followed by a screen with the country names of "SYRIA," "SOMALIA," and "YEMEN" alongside the label "TERROR HOTSPOTS." Anti-Muslim bias incidents increased during this time, with a 2017 spike around the Muslim Ban.
- On June 17, 2020, Donald J. Trump <u>posted a Facebook Ad</u> with a Nazi concentration camp symbol, saying: "Dangerous MOBS of far-left groups are running through our streets and causing absolute mayhem. They are DESTROYING our cities and rioting- it's absolute madness." The most recent data available suggest Anti-Semitic hate crimes are at <u>record highs</u>.
- Over the last four years, Donald J. Trump used Facebook to broadcast a constant barrage of misogyny. His Facebook posts have called women <u>ditzy</u>, <u>airhead</u>, <u>not very smart</u>, <u>inexperienced</u>, <u>disgusting</u>, <u>foul mouthed</u>, <u>crazy</u>, <u>nasty</u>, <u>mean</u>, <u>condescending</u>, <u>dumb as a rock</u>, <u>deranged</u>, <u>America hating</u>, and more. Donald J. Trump called Speaker Pelosi "Crazy Nancy" in more than twenty-five Facebook posts. A man who stormed the Speaker's Office to search for her on January 6, 2021 bragged about it <u>on Facebook</u>, echoing Trump's Facebook posts as he described the violence he planned should he meet her: "Crazy Nancy probably would have been torn into little pieces."

The examples above are only a fraction of the countless hateful remarks and actions by Donald J. Trump. This rhetoric has <u>violent consequences</u>. In 2019, hate crimes reached the <u>highest level</u> in <u>over a decade</u>. Among the most <u>deadly months</u> in recent years were November 2016, Trump's election, and August 2017, the violent Charlottesville rally that prompted Trump to refer to neo-Nazis as "very fine people." <u>Experts suggest</u> these <u>incidents</u> are not merely correlation. In one striking example, Texas counties that hosted a Trump campaign rally in 2016—a time when Trump's "invasion" Facebook ads were in heavy rotation—saw a <u>226% increase in hate crimes</u> compared to statistically similar counties that did not host a rally.

The white supremacist insurrection of January 6 was instigated by Trump and supported by the hate groups he empowered. The violence should come as no surprise to Facebook: we have warned about the racist violence enabled by their <u>business decisions</u> for years, and no new self-regulatory efforts will distract us from Facebook's active role in <u>fueling white supremacy</u>. With Trump's future on Facebook set to the Oversight Board, it is clear: if Trump is reinstated to Facebook, he will catalyze further racist, xenophobic, misogynist violence. A decision to reinstate Trump, whose ongoing capacity to do serious harm is not captured in two decontextualized posts, is no less than the Oversight Board endorsing bigotry and hatred. We urge you to uphold Facebook's long-overdue decision to suspend this dangerous account.

Signed,

The <u>Change the Terms</u> Coalition