

February 12, 2021

Comments of Anti-Defamation League, Asian American Organizing Project (AAOP), Common Sense, Free Press, Guns Down America, MediaJustice, National Hispanic Media Coalition, Parsons School of Design and Voto Latino

Re: Facebook's Suspension of Donald J. Trump
2021-001-FB-FBR

We, the undersigned, represent nine human-rights, racial-justice and digital-rights groups, predominantly led by people of color, women and religious minorities. We are writing to urge the Oversight Board to uphold Facebook's long-overdue suspension of Donald J. Trump. The former president has repeatedly and flagrantly violated Facebook's community standards and terms of service. These violations include posts inciting racial hatred, violence and insurrection, as well as posts proliferating deadly disinformation about the pandemic and the election.¹ Given the gravity of these violations, Trump should not enjoy the privilege of amplification on Facebook's platforms. We urge the Oversight Board to **permanently** ban Trump.

In its first set of decisions, the Oversight Board reiterated what we have [said for years](#): Facebook's content moderation and enforcement practices are broken. For those reasons, the Board recently reinstated some content — including a blatantly anti-Muslim post — that it had reviewed from another user. While the Board is correct that Facebook's practices are deeply flawed, restoring hateful content is the wrong remedy.

The Oversight Board must act in the public interest and prioritize the health and safety of our communities. If the Board believes that Facebook's insufficient protocols prevent it from affirming Trump's suspension, then the Board should decline to resolve this matter until Facebook's house is in order. But the Board shouldn't reinstate Trump simply because the company's rules are unclear and arbitrarily enforced. The Board must acknowledge that Trump's social-media presence has made not just Facebook users but the world less safe.

We also urge the Board to extend the scope of review. This decision should not rest on just [two pieces of content](#) or the immediate events surrounding the insurrection. We encourage the Oversight Board to examine the totality of the circumstances — and the full context of how Trump has long used Facebook to sow hate and division, foment violence toward marginalized communities, and undermine democratic processes.

Trump's online rhetoric does not live in isolation from the real world and his speech should not get preferential treatment. If anything, politicians should be held to the [same standards](#) — if not higher standards — as everyone else.

To be sure, Facebook must tighten its content moderation policies and procedures. The company’s repeated failures to enforce its own policies — and its use of twisted logic and loopholes for Trump — is an intentional decision to profit from hate and threats of violence directed at Black and Brown people, Muslims and other religious minorities. Further, the company’s lack of meaningful transparency, its [patchwork of policies](#), its limited and constrained appeals process, and the erratic enforcement of its own policies are not flaws. Rather, they are by design.

In October 2018, [Change the Terms](#), a coalition led by women and people of color, released a set of [model corporate policies and recommendations](#). These were crafted to curb hateful activities by addressing known failures in the lack of transparency and equitable enforcement of online content. These recommendations were shaped by decades of research on the rise of hate groups and hate crimes — and by data showing how online rhetoric has repeatedly resulted in real-world violence against our communities.

Over the last several years, we have urged companies like Facebook to protect our safety by [deplatforming hate](#). The Change the Terms coalition warned in 2018 that: “[w]hite supremacist and other organizations engaging in hateful activities are using online platforms to organize, raise funds, recruit supporters, and normalize racism, sexism, xenophobia, religious bigotry, and anti-LGBTQIA animus. Online tools have been used to coordinate attacks, including violence, against people of color, immigrants, religious minorities, LGBTQIA people, women, and people with disabilities. This chills the online speech of the targeted groups, curbs democratic participation, and threatens people’s safety and freedom in real life.”² The events that took place on Jan. 6, 2021, were not surprising: They were the logical outcome of Facebook’s refusal to meaningfully address hate — and its use of erratic and illogical systems for enforcing its own content-moderation policies.

We expect you to center the real lives at stake in this decision — and refuse this prolific inciter of violence and insurrection the privilege of amplifying hate on Facebook’s platforms.

Respectfully submitted,

Anti-Defamation League
Asian American Organizing Project (AAOP)
Common Sense
Free Press
Guns Down America
MediaJustice
National Hispanic Media Coalition
Parsons School of Design
Voto Latino

¹ This endnote contains just a small sample of Trump’s Facebook policy violations, illustrating that the events and Trump posts of Jan. 6, 2021, were far from isolated occurrences. Here are some other examples: His May 29, 2020 post read “...These THUGS are dishonoring the memory of George Floyd, and I won’t let that happen. Just spoke to Governor Tim Walz and told him that the Military is with him all the way. Any difficulty and we will assume control but, when the looting starts, the shooting starts. Thank you!” <https://www.facebook.com/153080620724/posts/10164767134275725>; Facebook’s Final Civil Rights Audit wrote about this particular piece of content when noting that Facebook’s decision “ignores how such statements, especially when made by those in power and targeted toward an identifiable, minority community, condone vigilantism and legitimize violence against that community” at 54 (July 8, 2020), <https://about.fb.com/wp-content/uploads/2020/07/Civil-Rights-Audit-Final-Report.pdf>; Trump’s Feb. 4, 2019 post, which featured a video, read: “This is an invasion of our country. WE NEED A WALL!” <https://www.facebook.com/153080620724/posts/10162117339785725>; Facebook let Trump’s campaign run more than 2,000 ads referring to immigration as an “invasion,” Media Matters for America (Sept. 5, 2020): <https://www.mediamatters.org/facebook/facebook-let-trumps-campaign-run-over-2000-ads-referring-immigration-invasion> Those ads were in heavy rotation in Texas ahead of the El Paso massacre, which left 22 people dead. The shooter’s manifesto echoed the “invasion” language.

² Change the Terms, “Recommended Internet Company Corporate Policies and Terms of Service to Reduce Hateful Activities” at 2, tinyurl.com/19wmodjk(Oct. 25, 2018).