

Quinnipiac law student sues Facebook after site removes his posts naming whistleblower

By Tara O'Neill

A Quinnipiac University law student claimed his First Amendment rights were violated when Facebook removed posts where he named the whistleblower at the heart of the impeachment hearings.

A lawsuit filed in New Haven on Tuesday by Cameron L. Atkinson, a third-year law student, cites two Facebook posts by Atkinson from Monday that were removed from the social media site.

Atkinson said he learned Facebook was allegedly blocking posts mentioning the name of the CIA officer who filed a whistleblower complaint against President Donald Trump and wrote two posts using the whistleblower's full name.

Atkinson wrote one post calling the whistleblower a hero, while the second referred to the whistleblower as a "dirty lying rat." The suit claims Atkinson's



This March 29, 2018, file photo shows the logo for social media giant Facebook at the Nasdaq MarketSite in New York's Times Square.

reasoning was to see whether Facebook removed one post over another.

Within a few hours, both posts were taken down.

In the lawsuit, Atkinson claimed

that the posts were removed without warning or notification from Facebook.

A third post written by Atkinson — which read "Tattling in the dark shadows destroys public confidence in a matter of serious

public interest. On the other hand, the vitriolic nature of our society may very well raise concerns for his safety.” — was also removed.

Atkinson alleges that Facebook’s process of removing user posts “is totally opaque.”

The lawsuit stated, “The manner in which postings are flagged as community standards violations is unknown, and the extent to which computer algorithms or humans decide which content is objectionable remains unknown.”

Norm Pattis, a lawyer representing Atkinson, told the Hartford Courant, “Facebook operates under a federal grant of immunity and makes enormous profits. That privilege comes with responsibility to serve the public. Its censorship policies are incoherent. It should be held to First Amendment standards.”

The lawsuit said defendants Facebook and its chairman and CEO Mark Zuckerberg “seek to, and do, have quasimonopolistic control of a quintessential public communications forum, offering users access to their service free of charge while surreptitiously selling data gathered from the users to third parties for a profit. The defendants enter into adhesion contracts with users, arrogating unto the defendants an opaque right to ban any user for violating the defendants’ so-called ‘community standards.’”

The suit said Atkinson “has been denied the ability to speak publicly on a matter of grave public importance based on the perceived content of the ideas he sought to express.”

Most news organizations have withheld the name of the whistleblower, but it has been published on several social media sites, including on Twitter where one of the president’s sons retweeted a Breitbart News story naming the whistleblower.

A Facebook spokesman told the Courant Tuesday night that the company would remove any post that named the whistleblower.

“Any mention of the potential whistleblower’s name violates our coordinating harm policy, which prohibits content ‘outing of witness, informant, or activist.’ We are removing any and all mentions of the potential whistleblower’s name and will revisit this decision should their name be widely published in the media or used by public figures in debate,” Facebook told the Courant.

The lawsuit contends, “Facebook’s censorship of Cameron L. Atkinson embodies its categorical attempt to pander to and placate its critics. Facebook has elected to apply its vague ‘community standards’ policies in a politically-motivated, ideologically-driven way, silencing both right-wing and left-wing speech that threatens to disrupt the

carefully crafted narrative around the attempt to impeach President Donald Trump.”

In the suit, Atkinson seeks punitive damages to hold Facebook accountable.

The name of the whistleblower — whose complaint focuses on the president’s call with Ukrainian President Volodymyr Zelenskiy — has been kept confidential by United States officials, which falls in line with federal law in place to prevent retaliation against whistleblowers. ■