



October 20, 2021

## Wisconsin A.B. 591 would Force Social Platforms to Carry Harmful Content

*Bill would give free rein to hate speech, hoaxes, and disinformation online*

Dear Wisconsin Democrats,

On behalf of Chamber of Progress, a center-left tech industry association devoted to technology's progressive future, I encourage you to **oppose AB 591**. Our organization works with elected Democrats around the country to promote **healthy online communities** -- free of hoaxes, conspiracy theories, hate speech, incitement to violence, election- and vaccine-related disinformation.

AB 591 **would tie the hands of services** fighting against conspiracy theories, white supremacists, domestic terror, and voter suppression online. It would turn the Internet into a cesspool of lies and hatred.

- **AB 591 would enable the spread of vaccine disinformation and the election “big lie.”** The bill would prohibit platforms from censoring the “political speech of a person that is a resident of this state,” effectively blocking services from taking action to remove unverified claims about elections, democracy, and public health. The bill would impose a false impartiality standard that would hobble platforms’ constitutional freedom to remove or downrank QAnon conspiracies, vaccine disinformation, or President Trump’s election “Big Lie.” For example, this rule would effectively prohibit Facebook from removing an [obviously false claim](#) that local Wisconsin officials discovered more than a hundred thousand ballots of unknown origin following the last election.
- **AB 591 is a clear violation of the U.S. Constitution’s First Amendment.** If passed, this bill would immediately be met with legal opposition and struck down. **Under the U.S. Constitution**, the government **cannot regulate or infringe upon an online platforms’ freedom of speech and expression**. We’ve seen firsthand the outcome of state governments attempting to limit and control online platforms’ content moderation practices. In Florida, Federal U.S. District Judge Robert Hinkle blocked a bill similar to AB 591 stating “[t]he legislation compel[ed] providers to host speech that violates their standards—speech they otherwise would not host—and forbids providers from speaking as they otherwise would.” Texas was met with a lawsuit immediately upon passing a similar bill attempting to eradicate platforms’ ability to censor and filter content altogether.



- **AB 591 would eliminate content moderation.** By prohibiting online platforms to apply “censorship, deplatforming, and shadow banning standards in a manner that is not consistent among its users on the social media Internet site,” AB 591 would effectively stop Facebook, Twitter, and YouTube from taking action against racist, salacious, inflammatory, and untrue claims from terrorists, scammers, and criminals. Online platforms use content moderation to make their platforms a safe and healthy experience for their users, and content moderation is by definition “not consistent” because it takes action against harmful content. By removing a platform’s ability to remove or deplatform “a user’s religious or political speech [considered] to be hate speech,” for example, AB 591 could prevent Facebook from removing [social media hate groups](#) tied to violence in Kenosha last year.
- **AB 591 would tip off the bad guys.** By requiring platforms to “publish the standards, including detailed definitions, that it uses or has used for determining how to delete, censor, disfavor, and censure speech,” AB 591 would give those who seek to spread lies online a playbook for avoiding detection. Its mandate of publicly exposing the details of platforms’ content policies would be like handing bank robbers a live map of where every police officer is located. The bill would allow Russian election trolls, white supremacists, child predators, scammers, and extremists to devise new strategies to evade platforms’ evolving rules.
- **AB 591 ties platforms hands in reacting to new threats online.** The bill prohibits platforms from making “changes to its user rules, terms, and agreements more than once every 180 days.” This would make it impossible for services to respond to new, never-seen-before threats like the unprecedented January 6 attack on the U.S. Capitol, or the 2019 mosque shootings in Christchurch, New Zealand.

No major online platform wants to become a haven for hate or harassment, and their content moderation practices enable them to stay one step ahead of bad actors. They are not perfect, but they want their services to provide a positive environment for most users.

We urge you to reject AB 591 in order to prevent hate, hoaxes, crime, and lies from spreading even further on the Internet.

Thank you,

A handwritten signature in black ink, appearing to read "Montana Williams", with a long horizontal line extending to the right.

Montana Williams  
Director of State & Local Public Policy