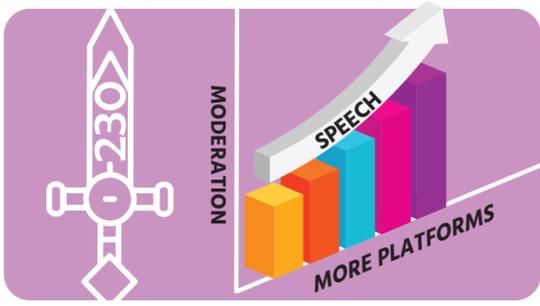


SECTION 230

CREATING SAFE SPACES ONLINE FOR LGBTQ+ COMMUNITIES



Section 230 enables websites and other Internet intermediaries, big and small, to host and moderate user content, by ensuring they are not held legally responsible for their users' posts. Section 230 shields platforms from liability for user content and allows platforms to moderate harmful content and hate speech.



These protections result in more online speech for vulnerable communities because both small and large online platforms are afforded protections under Section 230.

WHAT INTERMEDIARIES ARE PROTECTED BY SECTION 230?

There are several actors along the path that bits and packets of information travel on the Internet. Each one of them might be considered an "intermediary" in the transmission of the message, including E-commerce platforms, social networks, search providers, apps and websites.



ISPs
(Internet service providers)



Internet Infrastructure
such as Content
Delivery Networks



eCommerce Platforms
and Search Engines



smaller platforms
and websites
(e.g., Trevor Project or GLAAD)



Social Media
Platforms

WHAT IF SECTION 230 PROTECTIONS DID NOT EXIST?



LAWSUITS INCREASE

Websites could be legally responsible for everything users post.



INNOVATION DECREASES

Innovation would be diminished as new platforms and infrastructure intermediaries would face new legal obstacles to getting started.



CONTROVERSIAL OPINIONS SILENCED

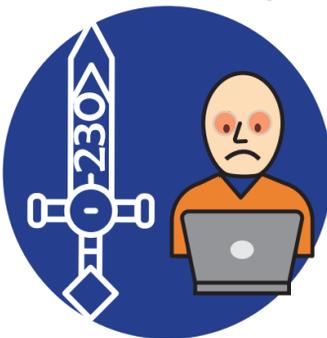
LGBTQ+ people who can currently express themselves and care for their community could be silenced as websites become less open to hosting content created by users.



POSTING SPEED DECREASES

Sites may feel pressure to limit real-time posts in order to review them to avoid liability.

SECTION 230 PROTECTS MODERATORS



Section 230 can act as a sword that allows moderators to aggressively remove anti-LGBTQ+ content (e.g., Westboro Baptist Church spam comments) without fear of liability.



Section 230 acts a shield allowing websites to host LGBTQ+ content that might have been considered controversial or drawn lawsuits without fear of liability.



Section 230 provides social media platforms and other intermediaries protection from being sued for hosting LGBTQ+ content and has allowed LGBTQ+ websites to proliferate and thrive.

Stricter online speech rules diminish the availability and reach of marginalized voices.

After the Communications Decency Act was passed to regulate content on the Internet, one of the first test cases of the new law relied heavily on testimony from an AIDS activist. Kiyoshi Kuromiya, a civil rights leader who had created an online resource called the Critical Path AIDS Project that provided safe sex tips and a 24-hour hotline to thousands of queer HIV+ people, told the district court that the law would make discussing safe sex online—an essential public health tool—subject to prosecution. The court agreed with him. Its final decision striking down large swaths of the CDA frequently referenced Kuromiya, and The New York Times wrote that Kuromiya's story "proved decisive" in the case.



Why Does Section 230 Matter to LGBTQ+ Individuals?

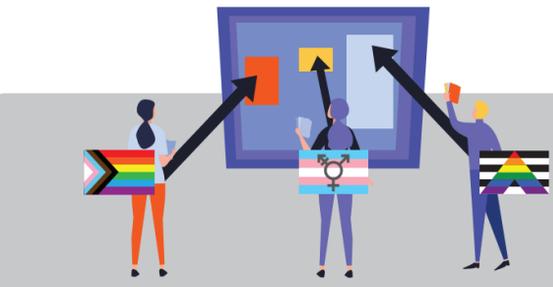


Research suggests that LGBTQ+ people adopt technology and the Internet at higher rates than other communities.

Section 230 enabled LGBTQ+ spaces online so we could tell our stories and our truth so the media could no longer diminish or deny us. The fight for trans rights has particularly thrived online thanks to Section 230.



It allows websites such as the Trevor Project and GLAAD to amplify the voices of our community and remove harmful content. Changes to Section 230 would impact many online spaces but LGBTQ+ people would disproportionately be harmed.



Weakening Section 230 Would Result in Unintended Consequences

- ✓ Platforms could be held liable for nearly anything that appears online.
- ✓ The work of social justice organizations and activists would become more challenging.
- ✓ When Section 230 was amended in an effort to fight sex trafficking, legitimate resources for sex workers and sexual content were removed from the internet.
- ✓ Black, Latinx and diverse LGBTQ+/SGL communities will suffer disproportionately. Members of our community will be blocked from fully accessing information and communicating online.



Marginalized groups online face harassment every day and platforms need to do more to protect them—but it shouldn't take the threat of narrowing Section 230 to force companies to take those measures.