

MEDIA COALITION and INTERNET LAW

Since 1997, Media Coalition’s successful challenges to the application of state “harmful to minors” laws to the Internet have established the definitive body of law protecting free expression on the Internet. These laws barred the dissemination of material with sexual content to anyone – including adults – despite other existing, effective means for shielding children. The laws violated a basic constitutional principle that the state cannot limit Internet speech to only what is acceptable for minors at the expense of the rights of adults. Media Coalition has succeeded in all of its challenges to these laws, thereby protecting retailers’ and content providers’ rights to make available the broadest range of constitutionally protected material on the Internet.

Laws applying state “harmful to minors” law to the Internet were found unconstitutional or substantially narrowed in the following Media Coalition challenges:

- *ABFFE v. Burns*, Civ. No. 3:10-cv-00193 (D. Alaska July 7, 2011) (Alaska law)
- *ABFFE v. Coakley*, No. 10-11165-RWZ, WL 4273802 (D. Mass. Oct. 26, 2010) (Massachusetts law)
- *ABFFE v. Cordray* (decided as *ABFFE v. Strickland*), 601 F.3d 622 (6th Cir. 2010) (Ohio law)
- *Florence v. Shurtleff* No. 2:05-cv-00495 (D. Utah August 25, 2006) (Utah law) (pending case)
- *ACLU v. Goddard*, No. Civ. 00-0505 TUC-AM (D. Ariz. Aug. 11, 2004) (Arizona law)
- *PSINet v. Chapman*, 342 F.3d 227 (4th Cir. 2004) (Virginia law)
- *Southeast Booksellers v. McMasters*, 282 F. Supp. 2d 389 (D.S.C. 2003) (South Carolina law)
- *ABFFE v. Dean*, 342 F.2d 86 (2nd Cir. 2003) (Vermont law)
- *ACLU v. Johnson*, 194 F.3d 1149 (10th Cir. 1999) (New Mexico law)
- *ALA v. Pataki*, 969 F. Supp. 160 (S. D. N. Y 1997) (New York law)

Additionally, Media Coalition has provided amicus support to challenges brought by its members and others in the following Internet challenges where our members have been plaintiffs:

- *ACLU v. Mukasey*, 534 F.3d 181 (3d Cir. 2008), cert. den. 129 Sup. Ct. 1032 (2009) (Child Online Protection Act) (Federal law) Media Coalition filed multiple briefs in this case.
- *Cyberspace Communications, Inc. v. Engler*, 238 F.3d 420 (6th Cir. 2000) (Michigan law)
- *ACLU v. Reno*, 521 U.S. 844 (1997) (Communications Decency Act) (Federal law)

Despite Media Coalition’s success in these challenges and the growing body of law, states have continued to pass laws that regulate Internet content through unconstitutional means. Media Coalition has a challenge pending to a broad Utah law that bars dissemination to minors of “harmful to minors” material and requires the Attorney General to create a blacklist of all websites that contain such material. In 2010, Media Coalition obtained a preliminary injunction against Alaska’s harmful to minors law, which bans from the Internet sexual content that adults have a First Amendment right to view. In challenging these laws, Media Coalition has been a critical advocate for First Amendment rights on the Internet.