



November 5th, 2020

Mr. Jack Dorsey
Chief Executive Officer
Twitter
1355 Market Street, Suite 900
San Francisco, CA 94103

Dear Mr. Dorsey,

We represent national, non-partisan organizations that work to ensure all voters have an equal opportunity to participate in the political process.

Throughout the 2020 U.S. election, we have closely tracked the use of Twitter's service to spread mis- and disinformation to millions of voters – potentially frustrating their ability to cast their ballots and undermining public trust in the integrity of our elections. We greatly appreciate Twitter's partnership in both removing and flagging content that could potentially harm voters, counteracting it with reliable information from official sources, and in publicly clarifying its Civic Integrity Policy. However, in certain instances, these remedial steps do not go far enough.

We are writing to request that, in response to President Donald Trump's repeated violations of Twitter's Civic Integrity Policy, that you suspend his account – an action that Twitter has taken in the past against other verified users who have also repeatedly violated your policies, including Katie Hopkins, David Ernest Duke, former member of the Louisiana House of Representatives, Rose McGowan, among others. We are not aware of any exceptions for current elected officials who, by virtue of their position, pose an even greater threat to the public when allowed to repeatedly violate your policies with impunity. President Trump's repeated use of Twitter's service to amplify false claims regarding our elections stand in deliberate violation of the platform's Civic Integrity Policy. We urge that @realDonaldTrump be temporarily suspended from the platform.

Twitter's Civic Integrity Policy forbids "misleading claims about the results or outcome of a civic process which calls for or could lead to interference with the implementation of the results of the process" as well as "inciting unlawful conduct to prevent the procedural or practical implementation of election results."¹ Twitter's Civic Integrity Policy also prohibits "misleading

¹ <https://help.twitter.com/en/rules-and-policies/election-integrity-policy>

claims that cause confusion about the established laws, regulations, procedures, and methods of a civic process, or about the actions of officials or entities executing those civic processes.”² Twitter may temporarily lock accounts for violations of its Civic Integrity Policy or permanently suspend offending users for severe and repeated violations.³

In the last day, President Trump has used Twitter’s platform, in violation of Twitter’s Civic Integrity Policy, to repeatedly broadcast false claims about the 2020 election – including, but not limited to:

- Claiming victory “for Electoral Vote purposes” the states of Pennsylvania, Georgia, and North Carolina, when no such claims have been made by state officials.⁴
- Amplifying unproven assertions regarding “a large number of secretly dumped ballots.”⁵
- Alleging the unauthorized deletion and/or addition of votes,⁶ unsubstantiated claims which would constitute a felony violation of federal election law.⁷
- Spreading a debunked⁸ claim that 128,000 new votes spontaneously appeared in Michigan.⁹

President Trump has also used Twitter’s platform to openly call for election interference by falsely claiming that any ballot received after Election Day will not be counted.¹⁰ This is in direct violation of Twitter’s Civic Integrity Policy, prohibiting misleading claims that cause confusion about established laws regarding our civic process. In the past, Twitter has suspended the accounts of foreign and domestic actors for making similar false claims.

We note that this conduct is not new but follows his repeated abuse of the platform to spread misinformation throughout the election and the COVID-19 pandemic. Particularly, Twitter has repeatedly taken action against President Trump’s claims about security of mail-in balloting, which millions of voters relied on to cast their ballots safely this year.

Each of the above examples clearly and intentionally violates Twitter’s policy. If Twitter’s rules are to have any meaning, they must be enforced, and we would expect any other Twitter users who repeatedly and deliberately violated Twitter’s terms of service in this manner would also have their account locked.

² <https://help.twitter.com/en/rules-and-policies/election-integrity-policy>

³ <https://help.twitter.com/en/rules-and-policies/election-integrity-policy>

⁴ <https://twitter.com/realDonaldTrump/status/1324108200141082624>

⁵ <https://twitter.com/realDonaldTrump/status/1324108206801563650>

⁶ <https://twitter.com/realDonaldTrump/status/1324033983882166272>

⁷ <https://twitter.com/realDonaldTrump/status/1324004491612618752>

⁸ <https://www.snopes.com/fact-check/rumor-alert-biden-michigan-votes/>

⁹ <https://twitter.com/realDonaldTrump/status/1324033983882166272>

¹⁰ <https://twitter.com/realDonaldTrump/status/1324368202139357186>

President Trump's continued use of Twitter's platform to spread disinformation may incite the public in ways that could prove harmful to public safety, if it has not done so already.¹¹

We fear that, in the absence of action by Twitter, the President may be successful in his goal of delegitimizing the integrity of our democratic processes for many, and not just Twitter users but other voters and members of the public, sowing uncertainty about the voting and elections process, and potentially inciting violence against civil servants or others.

Even a twelve hour pause today would provide a cooling period to recognize the multiple violations identified above. The intensity and frequency of these violations suggests that President Trump will continue to use Twitter's platform to promote disinformation in the period ahead.

Furthermore, Twitter's present remedy to his repeated violations of the Terms of Service – limiting his posts' organic reach and applying a disclaimer – are insufficient. President Trump's posts to the platform are quickly noticed regardless of their level of engagement.

We understand the difficult situation Twitter finds itself in as it works to balance the newsworthiness of a public figure's use of the platform, and the potential threats to democracy and public safety from its unfettered use. We believe that, particularly in the next 24-48 hours, the balance must be weighted towards the free, fair, and transparent operation of our civic processes.

Thank you for your prompt attention to this matter,

Karen Hobert Flynn
President
Common Cause

Kristen Clarke
President & Executive Director
Lawyers' Committee for Civil Rights Under Law

¹¹ <https://nypost.com/2020/11/04/chaotic-scene-at-detroit-vote-tally-site-as-protesters-chant-stop-the-count/>