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### **America's Future Files Amicus Brief With SCOTUS In Censorship Case**

Florida – September 1, 2023 – America's Future, Inc., a national leader in the fight to preserve individual rights, promote American values and traditions, and protect the nation's Constitutional Republic, announced that it filed an **Amicus brief** with the Supreme Court of the United States (SCOTUS) in *O'Handley v Weber, California Secretary of State, et al., Dkt. No. 22-1199*, a case concerning online censorship in violation of the petitioner-appellant, Mr. O'Handley's First Amendment right to speak freely. The brief was filed on August 25, 2023, with nine other nonprofit organizations, in support of Mr. O'Handley's petition to SCOTUS following a dismissal, with prejudice, order that was handed down by the trial court and later affirmed by the Ninth Circuit Court of Appeals.

As background, in 2018, California established a division of the Secretary of State Office dubbed the "Office of Elections Cybersecurity" (OEC). It was authorized to "[t]o monitor and counteract false or misleading information regarding the electoral process that is published online or on other platforms and that may suppress voter participation or cause confusion and disruption of the orderly and secure administration of elections."

Preceding the 2020 election, the OEC leveraged its "powers," entering into a \$35 million contract with consultants, assigned to troll social media platforms, looking for posts with content considered by California state government officials to be "misinformation." Subsequently, California unlawfully exercised state power when it interacted with Twitter to suppress Mr. O'Handley's speech questioning the 2020 electoral process.

"Our First Amendment gives us every right to discuss and debate issues that impact us, our families, and our communities," said Mary O'Neill, Executive Director of America's Future. "In today's environment, social media platforms serve as our public square. We hope the SCOTUS decides in favor of Mr. O'Handley and abides by our Constitutional rights to speak freely without fear of retribution."

The First Amendment of our Constitution states, in part, "Congress shall make no law ... abridging the freedom of speech." The Fourteenth Amendment incorporates our First Amendment rights and all other God-given rights such that limitations applied to the federal government are also

applied to the state governments. Therefore, no government in America, albeit federal, state, or local, has the power or may take action to abridge, suppress, or censor our right to speak freely.

As pointed out in our brief, in a 2012 SCOTUS [decision](#), Justice Alito explains in plain language, “The First Amendment creates ‘an open marketplace’ in which differing ideas about political, economic, and social issues can compete freely for public acceptance without improper government interference....The government may not prohibit the dissemination of ideas that it disfavors, nor compel the endorsement of ideas that it approves.”

To read more details about this filing, along with other briefs filed by America’s Future, please visit our Law & Policy page on our website at [www.AmericasFuture.net](http://www.AmericasFuture.net).

**ABOUT AMERICA’S FUTURE, INC.**

Founded in 1946, America’s Future, Inc. is a 501(c)(3) nonprofit organization committed to protecting the individual rights of every American and our Judeo-Christian values that make America exceptional. We do our work through educational and informational initiatives, strategic partnerships, communications, and networking opportunities that empower Americans to get involved in the fight to preserve the American way of life, now and for generations to come. For information, visit [www.AmericasFuture.net](http://www.AmericasFuture.net).