

For example: The editor and publisher of a small newspaper in Kansas were convicted [11] of criminal defamation after the paper published an article suggesting that the mayor lived in another county and was therefore ineligible for public office. A Massachusetts woman was convicted [12] of criminal defamation in New Hampshire after she claimed that a coffee shop's employees spit in police officers' coffee. And a Kansas man was charged [13] with criminal defamation after he posted a yard sign criticizing his local government's inaction on a water drainage problem; the lawsuit was dropped after the ACLU got involved.

[CLICK HERE FOR AN INTERACTIVE MAP OF STATE CRIMINAL DEFAMATION LAWS](#) [3]

It's important to note that a disproportionate [14] number of criminal defamation convictions have involved politicians and law enforcement officials. This is no coincidence. Whenever people in power are given a tool to punish critics, you can bet they'll be sorely tempted to use it. As a result, criminal defamation laws are often used to punish political speech lying at the heart of the First Amendment, just like the old seditious libel laws.

The Exeter Police Department's criminal complaint against Frese is a textbook example of the use and abuse of criminal defamation laws. Someone who has had a history of trouble with the police went to the internet to air his grievances, and the police department itself decided to prosecute him

This is absurd, and it's a telling reminder of what happens when law enforcement is given the power to crack down on expression. It's time we toss criminal defamation laws into the dustbin of history, where they belong.

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[5] <http://www.seacoastonline.com/news/20180503/retiring-exeter-officers-favorite-role-mentoring-youth>

[6] <http://www.seacoastonline.com/news/20180607/exeter-police-drop-charge-alleging-defamation-of-chief>

[7] https://en.wikipedia.org/wiki/Seditious_libel

[8] https://en.wikipedia.org/wiki/Alien_and_Sedition_Acts

[9] <https://www.aclu.org/other/aclu-history-robust-uninhibited-and-wide-open-meaning-first-amendment>

[10] <https://www.aclu.org/online-privacy-statement>

[11] <https://www.rcfp.org/browse-media-law-resources/news/newspaper-editor-publisher-get-fines-and-probation-criminal-libel>

[12] <http://www.seacoastonline.com/article/20120602/NEWS/206020330>

[13] <https://firstamendmentcoalition.org/2010/11/kansas-man-wins-free-speech-battle-with-city-over-yard-sign/>

[14] <https://www.rcfp.org/browse-media-law-resources/news-media-law/news-media-and-law-spring-2001/criminal-libel-political-ta>

[15] <https://action.aclu.org/signup/sign-aclu-weekly-newsletter>