



# DOJ Probe of Social Media Giants Seeks Criminal Manipulation of Politics

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GOP state AGs already examining firms will brief Sessions

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Trump has said Facebook, Google stifle conservative voices

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## Sessios Open To Probe Facebook, Twitter

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Attorney General Jeff Sessions is exploring a potential investigation of social media companies and will be briefed on Sept. 25 by Republican state attorneys general who are already examining the firms' practices, according to two people familiar with the matter.

The meeting -- which will include a representative of the Justice Department's antitrust division -- is intended to help Sessions decide if there's a federal case to be made against companies such as [Alphabet Inc.](#)'s Google, [Facebook Inc.](#) and [Twitter Inc.](#) for violating consumer-protection or antitrust laws, the people said. They asked not to be identified discussing the matter because of its sensitivity.

Sessions hasn't made up his mind about whether to proceed, the people said. At least one of the attorneys general participating in the meeting has indicated he

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seeks to break up the companies.

A Justice Department probe of the social media giants for potentially improper business practices would likely trigger a political firestorm. President Donald Trump and congressional Republicans have complained that Facebook, Google and Twitter have censored or otherwise suppressed some conservatives.

“Social Media is totally discriminating against Republican/Conservative voices,” Trump said on Twitter in August. “Speaking loudly and clearly for the Trump Administration, we won’t let that happen. They are closing down the opinions of many people on the RIGHT, while at the same time doing nothing to others.”

Some social media companies have conceded that enforcement actions against prohibited speech incorrectly targeted both conservative and liberal voices on their platforms. It isn’t clear which conservatives Trump is concerned about.

Shares of Facebook and Twitter fell as much as half a percent in aftermarket trading on the news. Both companies declined to comment on the Sessions meeting.

[Read more about how Washington could really unfriend Facebook](#)

The Sept. 25 briefing will include the attorneys general from Alabama, Nebraska, Tennessee, Louisiana and Texas. It wasn’t immediately clear how far their inquiries have gotten or how coordinated they are. States have the authority to investigate anti-competitive conduct and deceptive practices by companies.

Louisiana Attorney General Jeff Landry looks forward to hearing from Sessions and other states about “what

the next steps may be,” according to Ruth Wisher, a spokeswoman for Landry.

Landry said in an interview last week with a Shreveport radio station that he’s “extremely concerned” about data collection by Google, Facebook and Twitter and the supposed suppression of conservative viewpoints. He added that he’s “thrilled” by the Justice Department’s interest.

“Those are the kind of resources that we’re going need to break these companies up,” Landry said in the interview with KEEL News Radio 710. “The problem is they’ve got no competition.”

Separately on Tuesday, a spokeswoman for Arizona Attorney General Mark Brnovich said his office had retained outside counsel to assist in a long-running consumer fraud investigation over tracking of consumers’ locations through smartphones even when they disabled location services.

"While we cannot confirm the company or companies at the center of this probe, we decided to move forward and retain outside counsel after a series of troubling news reports, including a recent story that highlighted Google’s alleged tracking of consumer movements even if consumers attempt to opt out of such services," said the spokeswoman, Katie Conner.

Brnovich, whose office also said it was not aware of an invitation to the Justice Department meeting, hired a Washington firm with ties to Sessions.

### Missouri Investigation

Last year, Missouri Attorney General Josh Hawley opened an antitrust investigation into whether Google manipulated search results to benefit its own products and whether it scrapes information without permission from competitors. A spokeswoman for the office

declined to comment on whether it's participating in the meeting with Sessions.

The Justice Department announced earlier this month that Sessions "has convened a meeting with a number of state attorneys general this month to discuss a growing concern that these companies may be hurting competition and intentionally stifling the free exchange of ideas on their platforms."

One reason Sessions decided to meet with the state officials is to determine if they have any evidence of bias against conservatives by the social media companies. The announcement created some confusion, as several attorneys general, including Democrats, have expressed an interest in attending the meeting.

The department is now considering whether to open up the briefing to more attorneys general or holding a separate, bigger meeting. The White House is also considering whether it should hold a meeting instead of the Justice Department.

Congressional Republicans have kept up their pressure on the tech companies. On Tuesday, Representative Kevin McCarthy of California, the House majority leader, said in a tweet that "an invite will be on its way" and castigated Google for not sending a top executive to a recent Senate hearing.

## First Amendment

The companies have said they don't censor any perspectives. Rather, they say, much of the alleged censorship results from the sites' policies against threats, hate, harassment or other forms of abusive speech.

The social media sites have conceded that enforcement actions have mistakenly targeted conservatives who are

following company guidelines, such as Twitter's moves in July to limit the visibility of some Republicans in profile searches.

The sites say they have undone most of these practices, labeling them rare mistakes among millions of daily content decisions. The enforcement activity also affected liberals and even the companies' own executives, they say.

Two conservative social media personalities known as "Diamond and Silk," Lynnette Hardaway and Rochelle Richardson, testified at a congressional hearing in April that their Facebook page was deemed "dangerous" by the company. Facebook said the determination was in error and hired former Arizona Senator Jon Kyl to advise it on potential anti-conservative bias.

Trump called Hardaway and Richardson "terrific people who are doing really well" in a Sept 8. tweet. Kyl was appointed last week to serve out the term of the late Senator John McCain.

A Pew Research Center survey earlier this year found that majorities of Republicans say major technology companies favor the views of liberals over conservatives and believe that social media companies censor political viewpoints they find objectionable.

Seventy-two percent of Americans, and 85 percent of Republicans, think it's likely that social media companies intentionally censor political viewpoints that those companies find objectionable.

Even if censorship were proven, it would likely be protected under the First Amendment, which only restrains the government from stifling speech. In that case, though, the companies could be accused of deceptive practices for having asserted that they don't engage in political censorship.

— With assistance by Ben Brody, and Steven T. Dennis