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9 **COMMONWEALTH OF MASSACHUSETTS**
10 **COMMISSION AGAINST DISCRIMINATION**

11 THE SATANIC TEMPLE, a Religious
12 Corporation,

13 Complainant,

14 vs.

15 TWITTER, INC., a Foreign Corporation.

16 Respondent.

FEPA No.: _____

COMPLAINT

17 Complainant The Satanic Temple ("Complainant" or "TST"), by and
18 through its attorneys Randazza Legal Group, PLLC, brings this Complaint against
19 Respondent Twitter, Inc. ("Respondent" or "Twitter") and hereby alleges as
20 follows:

21 **INTRODUCTION**

22 Twitter claims to be welcoming to people of all religions; it may welcome
23 some, but it detests The Satanic Temple. When a Massachusetts resident asked
24 people on Twitter to burn down the headquarters of The Satanic Temple in
25 Salem, a tweet that took wing when retweeted by Corey Feldman, Twitter
26 showed its true colors. Instead of taking swift action against the arsonist and her
27 god-fearing champion, Twitter suspended accounts that innocently spread the

1 word of Satanism, doubling down after they complained of discrimination. The
 2 Satanic Temple brings this claim of discrimination and retaliation to stand up for
 3 the rights of religious minorities.

4 **I. THE PARTIES**

5 1. Complainant, The Satanic Temple, is a Religious Corporation
 6 organized under the Chapter 180 of the General Laws of the Commonwealth of
 7 Massachusetts, with a principal office located at 64 Bridge Street in Salem,
 8 Massachusetts.

9 2. Respondent Twitter, Inc., is a Foreign Corporation, organized under
 10 the laws of the State of Delaware, maintaining a registered office in the
 11 Commonwealth of Massachusetts at CT Corporation System, 155 Federal Street,
 12 Suite 700, in Boston, Massachusetts 02110.

13 **II. JURISDICTION AND VENUE**

14 3. This Commission has jurisdiction over this matter pursuant to Mass.
 15 Gen. Laws, ch. 151B, § 5, because Complainant alleges herein a violation of
 16 Mass. Gen. Laws, ch. 272, § 98.

17 4. Respondent is subject to personal jurisdiction in the Commonwealth
 18 of Massachusetts pursuant to Mass. Gen. Laws, ch. 223A, § 3(d), as it caused
 19 tortious injury in the Commonwealth, and regularly does and solicits business in
 20 the Commonwealth and derives substantial revenue from services rendered in
 21 the Commonwealth.

22 5. This Complaint is properly filed with the Boston Office of the
 23 Commission pursuant to 804 CMR 1.10(2), which authorizes filing to any of the
 24 Commission's offices. This matter should be investigated and heard by the
 25 Boston Office as Respondent has a registered office in Boston and Complainant's
 26 principal office is geographically closest to the Commission's Boston Office.

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III. FACTS RELEVANT TO ALL CLAIMS

A. The Satanic Temple

6. The United Federation of Churches, LLC, d/b/a The Satanic Temple is a religious organization that opened its headquarters in Salem, Massachusetts, in 2015.

7. Complainant is the successor entity to the United Federation of Churches. As successor, among other things, it operates the organization's headquarters in Salem, Massachusetts, and it owns and operates the official Twitter account of The Satanic Temple, being @satanicpsalms.

8. The mission of The Satanic Temple is to encourage benevolence and empathy among all people, reject tyrannical authority, advocate practical common sense and justice, and be directed by the human conscience to undertake noble pursuits guided by the individual will. See "About Us," The Satanic Temple.¹

9. The Satanic Temple publicly opposes the Westboro Baptist Church, advocates against corporal punishment, seeks equal representation for public display of religious iconography, facilitates women's reproductive rights, exposes medical and scientific quackery, and educates children in the principles of Satanism.

10. At its headquarters, The Satanic Temple holds ritual black masses and operates the Salem Art Gallery.

11. "Lucien Greaves" is a pseudonym of Douglas Misicko, one of the co-founders of The Satanic Temple.

¹ Available at: <<https://thesatanictemple.com/pages/about-us>> (last accessed Mar. 1, 2018).

B. Twitter

12. Twitter owns and operates a preeminent social media networking internet-based service that permits its users to send messages, called “tweets”, of up to 280 characters to other users.

13. This service may be accessed through the website at <<http://www.twitter.com>>, through a Twitter's proprietary software, or through third-party services utilizing Twitter's application programming interface (API).

14. Tweets are directly distributed to other users who may choose to “follow” another user and may be seen by any other user who either visits a tweeting-user's profile or follows a user who may retransmit the tweet via a “retweet” or a “like”.

15. Twitter generates revenue by selling “promoted” tweets, i.e., advertisements.

16. Promoted tweets may be geo-targeted, i.e. directed to users in a particular location, including specifically to users in the Commonwealth of Massachusetts. See “Geography and language targeting,” Twitter.²

17. Upon information and belief, over 80% of Twitter's revenue is generated through advertising, including geo-targeted promoted tweets.

18. Twitter accounts are named by the user and are preceded by the “@” sign.

19. Certain high-profile users receive “verified” status, indicated by a blue checkmark, that does not simply verify that the user is who he purports to

² Available at: <<https://business.twitter.com/en/targeting/geo-and-language.html>> (last accessed Mar. 1, 2018).

1 be, but, rather, is an at-will system, where verification status may be affected by
 2 the user's viewpoint. See "Verified account FAQs," Twitter.³

3 20. For example, in November 2017, Twitter removed verification from
 4 the accounts of political figures Laura Loomer and Richard Spencer, not
 5 because of any doubt that those individuals were actually the ones operating
 6 the accounts, but rather, it appears, because Twitter did not like these
 7 individuals' opinions.

8 21. Twitter claims it will remove verification for "behaviors on and off
 9 Twitter", including "Promoting hate and/or violence against, or directly attacking
 10 or threatening other people on the basis of...religious affiliation.... Supporting
 11 organizations or individuals that promote the above." *Id.*

12 22. Twitter also may suspend user accounts, verified or not, for violations
 13 of the Twitter rules and the abusive behavior policy. See "About suspended
 14 accounts," Twitter.⁴

15 23. Among the activities that ordinarily warrant a Twitter user's
 16 suspension, for abusive behavior, is "Hateful conduct"; Twitter informs users "You
 17 may not promote violence against, threaten, or harass other people on the basis
 18 of...religious affiliation...." See *id.*

19 24. Twitter also has a "Hateful conduct policy", violation of which can
 20 result in a suspension; pursuant to that policy, Twitter claims it does not
 21 "tolerate...behavior that harasses individuals or groups of people with: violent
 22 threats...." See "Hateful conduct policy," Twitter.⁵

23 _____
 24 ³ Available at: <<https://help.twitter.com/en/managing-your-account/twitter-verified-accounts>> (last accessed Mar. 1, 2018).

25 ⁴ Available at: <<https://help.twitter.com/en/managing-your-account/suspended-twitter-accounts>> (last accessed Mar. 1, 2018).

26 ⁵ Available at: <<https://help.twitter.com/en/rules-and-policies/hateful-conduct-policy>> (last accessed Mar. 1, 2018).
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C. Twitter's Discrimination Against The Satanic Temple

25. On or about November 7, 2017, Mr. Greaves applied to Twitter to "verify" the @LucienGreaves and @SatanicPsalms twitter accounts.

26. Twitter has granted verified status, among others, to:

- (a) @Pontifex, the official account of the Roman Catholic Pope Francis f/k/a Jorge Mario Bergoglio;
- (b) @USCCB, the account for the United States Conference of Catholic Bishops;
- (c) @ChiefRabbi, the account of the Chief Rabbi of the United Hebrew Congregations of the Commonwealth, Rabbi Ephraim Mirvis;
- (d) @RabbiAssembly, the account of the Rabbinical Assembly of the Jewish Conservative movement;
- (e) @RabbiJason, the account of Michigan Rabbi Jason Miller;
- (f) @ImamofPeace, the account of Shi'ite Imam Mohammad Tawhidi;
- (g) @DailaiLama, the account Tenzin Gyatso, the 14th Dalai Lama of Tibetan Buddhism;
- (h) @Franklin_Graham, the account of minister Franklin Graham (son of the late Billy Graham);
- (i) @JoelOsteen, the account of Joel Osteen of Joel Osteen Ministries; and
- (j) @LDSchurch, the authorized account for the Mormon church.

27. To date, Twitter has neither acknowledged nor acted upon the verification requests, acting as a de facto denial thereof.

1 28. On or about January 10, 2018, a Twitter user, using the account
2 @LaurieGatta1, tweeted the following message:



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11 "I doubt nothing anymore. I have em. In Salem MA. Opened a
12 Satanic Church last year!!! The Witches are evil. And Satanists and
13 Cults are VERY real! W a church like this Should not exist! Burn it!
14 Blame Hillary I don't care! It's gutta go. If anyone likes this idea they
15 r FKEd."

16 [grammatical and spelling errors in original].

17 29. That tweet was at the internet uniform resource locator (URL) of
18 <<https://twitter.com/LaurieGatta1/status/950995669287874560>>.

19 30. Upon information and belief, the said Twitter user was Laurie Ann
20 Gatta of Woburn, Massachusetts.

21 31. Ms. Gatta has a history of anti-Satanic tweets.⁶

22 32. Her anti-Satanism also reveals itself elsewhere; notably, on Christmas
23 Day 2017, Ms. Gatta tweeted to President Trump: "We really need to make god
24 great again also."⁷

25 ⁶ See <<https://twitter.com/search?f=tweets&q=from%3A%40lauriegatta1%20satanic&src=typd>> and <<https://twitter.com/search?f=tweets&q=from%3A%40lauriegatta1%20satan&src=typd>> (last accessed Mar. 1, 2018).

26 ⁷ See <<https://twitter.com/LaurieGatta1/status/945159917828296704>> (last
27 accessed Mar. 1, 2018).

1 33. Ms. Gatta's anti-Satanic call to commit arson against the
 2 headquarters of Complainant was retweeted by Twitter-verified user and former
 3 child actor Corey Feldman, using the account @Corey_Feldman.

4 34. At all relevant times herein, Mr. Feldman had over 150,000 Twitter
 5 followers.

6 35. At all relevant times herein, Mr. Feldman espoused in his Twitter
 7 profile his religious viewpoint of "I LOVE God".⁸

8 36. Mr. Feldman publicly proclaims he has a personal relationship with
 9 "God", claiming to even hear messages from "God".⁹

10 37. By retweeting Ms. Gatta's arsonist, anti-Satanic tweet, Mr. Feldman
 11 promoted hate and violence against The Satanic Temple and otherwise
 12 supported an individual who promoted the same.

13 38. Shortly after retweeting the arsonist tweet, on January 10, 2018,
 14 Mr. Feldman tweeted:



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 20 "IM CRYING MY EYES OUT! I COULDN'T WATCH IT ALL! BUT 4 ANY1
 21 WHO THINKS THESE CRAZY SATANIC NUTBAGS ARENT REAL, THEN TRY
 22 WATCHING THIS! HOW DARE ANY1 JOKE?1? HOW DARE U LAUGH?1?
 23 MY LORD SAVE OUR SOULS!!! 🙏🙏🙏"
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 26 ⁸ See <https://twitter.com/Corey_Feldman> (last accessed Mar. 1, 2018).

27 ⁹ See <<https://www.christianpost.com/news/corey-feldman-god-told-him-expose-hollywood-pedophiles-dr-oz-207859/>> (last accessed Mar. 1, 2018).

39. Subsequently, Mr. Feldman anti-Satanically tweeted:¹⁰



"Yea I'm pretty sure the Salem Witches, weren't diddling the kids in town! But the Salem Satan's club is prob a bit of a diff story!"

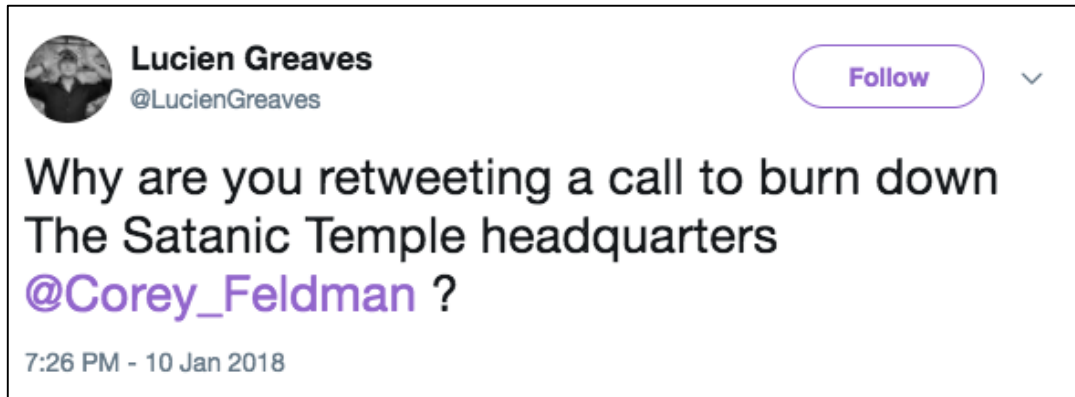
40. Following Ms. Gatta's tweet and Mr. Feldman's retweet thereof, along with Mr. Feldman's follow-up tweets, Mr. Greaves reported the threat to Twitter.

41. A search of Twitter reveals a history of anti-Satanic tweets by Mr. Feldman.¹¹

¹⁰ See <https://twitter.com/Corey_Feldman/status/951046366565777409> (last accessed Mar. 1, 2018).

¹¹ See <https://twitter.com/search?f=tweets&vertical=default&q=from%3A%40corey_feldman%20satan&src=typd> and <https://twitter.com/search?f=tweets&vertical=default&q=from%3A%40corey_feldman%20satanic&src=typd> (last accessed Mar. 1, 2018).

1 42. Upon learning of these anti-Satanic tweets, Mr. Greaves, from his
2 @LucienGreaves twitter account, tweeted:¹²



9 “Why are you retweeting a call to burn down The Satanic Temple
10 headquarters @Corey_Feldman ?”

11 43. Mr. Greaves also tweeted:



21 “Everybody do me a favor, if you have a moment: report this asshole
22 for asking people to burn down The Satanic Temple headquarters on
23 Twitter.”¹³

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25 ¹² See <<https://twitter.com/LucienGreaves/status/951233819419533313>>
26 (last accessed Mar. 1, 2018).

27 ¹³ <<https://twitter.com/LucienGreaves/status/951231752357449728>>
(last accessed Mar. 1, 2018).

1 44. That tweet contained a link to Ms. Gatta's arsonist, anti-Satanic
 2 tweet.

3 45. Mr. Greaves's Twitter account identifies him as the "Cofounder and
 4 spokesperson for The Satanic Temple."

5 46. In making those two tweets, Mr. Greaves was acting in his capacity
 6 as spokesperson for The Satanic Temple.

7 **D. Twitter's Retaliation Against The Satanic Temple**

8 47. Following Mr. Greaves's, for The Satanic Temple's, protest of the anti-
 9 Satanic, arsonist tweet, Mr. Greaves's account was suspended by Twitter without
 10 warning.

11 48. That suspension caused injury to Complainant, by limiting its ability
 12 to express its religious tenets.

13 49. Mr. Greaves appealed the suspension as Twitter Case#75019816 on
 14 January 11, 2018.

15 50. In retaliation to his appeal, on January 12, 2018, Twitter informed Mr.
 16 Greaves "Your account has been suspended and will not be restored" for
 17 alleged violation of the abusive behavior policy.

18 51. In further retaliation, Twitter prohibited the official account of The
 19 Satanic Temple, being @satanicpsalms, from making any tweets for a week
 20 because it appeared the account was "owned by someone who has recently
 21 been permanently suspended for abuse".

22 52. That prohibition caused injury to Complainant, by limiting its ability
 23 to express its religious tenets.

24 53. Mr. Greaves appealed his suspension as Twitter Case#75019816.

25 54. After a few days, on January 15, 2018, after protests by other Twitter
 26 users, as Case#75230433, Twitter unsuspended Mr. Greaves's account without
 27 explaining the basis for its prior actions.

1 55. As Twitter has admitted that Mr. Greaves did not violate any rules,
 2 Complainant has reason to and does believe that Twitter's actions were as a
 3 result of religious discrimination and unlawful retaliation.

4 **E. Twitter's Disparate Treatment of Anti-Satanists**

5 56. To date, in contravention of its policy, Twitter has not removed
 6 verification from Mr. Feldman despite the fact that he engaged in the kind of
 7 conduct that would have resulted in such action, had Feldman lashed out at
 8 any other religious minority.

9 57. To date, in contravention of its policy, Mr. Feldman's account is not
 10 suspended despite the fact that he engaged in the kind of conduct that would
 11 have resulted in such action, had Feldman lashed out at any other religious
 12 minority.

13 58. To date, in contravention of its policy, Ms. Gatta's account is not
 14 suspended despite the fact that she engaged in the kind of conduct that would
 15 have resulted in such action, had Gatta threatened violence against any other
 16 religious minority.

17 59. Upon information and belief, Twitter did not remove Mr. Feldman's
 18 verification or suspend him because Mr. Feldman supports "God" and opposes
 19 Satanism.

20 60. On January 10, 2018, Mr. Greaves reported Ms. Gatta's arsonist
 21 tweet to Twitter, which they identified as Case# 74939945.

22 61. In response, Twitter wrote "We have reviewed your report carefully
 23 and found that there was no violation of the Twitter Rules against abusive
 24 behavior". See **Exhibit 1**.

25 62. Although, ultimately, amid public outcry, Twitter found Ms. Gatta in
 26 violation, she was not subject to the permanent suspension imposed on
 27 Mr. Greaves.

63. Upon information and belief, Twitter did not suspend Ms. Gatta because she supports "God" and opposes Satanism.

IV. FIRST CLAIM FOR RELIEF

Discrimination in a Public Accommodation on the Basis of Religion

64. Complainant hereby incorporates the allegations of each of the preceding paragraphs as if set forth fully herein.

65. Twitter's internet service is a place of public accommodation within the meaning of Mass. Gen. Laws, ch. 272, § 92A.

66. Twitter's initial suspension of the account of Mr. Greaves on January 10, 2018, was an adverse action against Complainant.

67. Twitter's permanent suspension of the account of Mr. Greaves on January 12, 2018, was an adverse action against Complainant.

68. Twitter's barring of the @satanicpsalms account on or after January 12, 2018, was an adverse action against Complainant.

69. Such adverse actions were taken under the pretext of violation of the abuse policy.

70. Twitter's ongoing failure to verify the @LucienGreaves and @SatanicPsalms accounts was an adverse action against Complainant.

71. All such adverse actions were taken against Complainant on the basis of Complainant's religion, namely, Satanism, under the auspices of The Satanic Temple.

72. Twitter engaged in disparate treatment when it ignored its own abusive behavior policy and failed to suspend Mr. Feldman or Ms. Gatta's account for the anti-Satanic attacks on Complainant.

73. Twitter engaged in disparate treatment when it ignored its own policy and failed to remove Mr. Feldman's verification in response to the anti-Satanic attacks on Complainant.

1 74. Twitter engaged in disparate treatment when it verified the
 2 accounts of other religious organizations and leaders, but not those of
 3 Complainant.

4 75. Such disparate treatment and adverse actions constituted
 5 distinction, discrimination, and/or restriction on account of religious creed, in
 6 violation of Mass. Gen. Laws, ch. 272, § 98.

7 76. As a proximate result of Twitter's violations of Mass. Gen. Laws, ch.
 8 272, § 98, Complainant suffered actual damages, including deprivation of the
 9 ability to express its message and obtain financial support.

10 77. Such conduct by Twitter, including promoting arson against the
 11 headquarters of Complainant, was outrageous and egregious, warranting the
 12 imposition of punitive damages.

13 78. To vindicate its rights, on account of Twitter's violations,
 14 Complainant was forced to incur attorneys' fees and expenses.

15 **V. SECOND CLAIM FOR RELIEF**

16 **Unlawful Retaliation**

17 79. Plaintiff hereby incorporates the allegations of each of the
 18 preceding paragraphs as if set forth fully herein.

19 80. Twitter is a "person" within the meaning of Mass. Gen. Laws, ch. 151B,
 20 §1(1).

21 81. Twitter retaliated against Complainant by permanently suspending
 22 the account of Mr. Greaves upon his appeal of the temporary suspension.

23 82. Twitter retaliated against Complainant by limiting the
 24 @satanicpsalms account following Mr. Greaves's unsuccessful appeal of the
 25 temporary suspension.

26 83. Twitter retaliated against Complainant by denying Ms. Gatta
 27 violated the abusive behavior policy and permitting her arsonist, anti-Satanic

1 tweet to continue to be published, despite the fact that Twitter takes far harsher
 2 action against anyone who might allude to such behavior against any other
 3 religious minority.

4 84. Upon information and belief, on January 13, 2018, an individual
 5 inspired by Ms. Gatta's anti-Satanic tweet, came to the Complainant's
 6 headquarters, smashed Complainant's property, attempted to gain unlawful
 7 entry, and threatened Mr. Greaves and another member of The Satanic Temple
 8 with a sharpened screwdriver.

9 85. Such retaliation constitutes discrimination against Complainant
 10 because Mr. Greaves opposed Twitter's unlawful religious discrimination,
 11 forbidden under Chapter 151B, which incorporates Chapter 272, § 98, and
 12 because he filed a complaint of such discrimination, all in violation of Mass. Gen.
 13 Laws, ch. 151B, § 4(4).

14 86. Such retaliation constitutes intimidation, threats, and interference
 15 with Complainant's exercise and enjoyment of its and Mr. Greaves's religious
 16 freedom protected by Chapter 151B, which incorporates Chapter 272, § 98, all
 17 in violation of Mass. Gen. Laws, ch. 151B, § 4(4A).

18 87. As a proximate result of Twitter's violations of Mass. Gen. Laws, ch.
 19 272, § 98, Complainant suffered actual damages, including deprivation of the
 20 ability to express its message and obtain financial support.

21 88. Such conduct by Twitter, promoting arson against the headquarters
 22 of Complainant, was outrageous and egregious, warranting the imposition of
 23 punitive damages.

24 89. To vindicate its rights, on account of Twitter's violations,
 25 Complainant was forced to incur attorneys' fees and expenses.

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V. PRAYER FOR RELIEF

WHEREFORE, Complainant, The Satanic Temple, hereby prays for relief as follows:

- A. A declaration that Twitter unlawfully discriminated against Complainant on the basis of religious creed and unlawfully retaliated against Complaint a matter of law;
- B. An order that Twitter grant verified status to the @SatanicPsalms and @LucienGreaves accounts.
- C. That Complainant be awarded compensatory and general damages in an amount to be determined at a hearing;
- D. Exemplary and/or punitive damages;
- E. An award of attorneys' fees and expenses; and
- F. Such other relief as the Commission deems proper.

Dated: March __, 2018.

Respectfully Submitted,
RANDAZZA LEGAL GROUP, PLLC

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VERIFICATION

I declare under penalty of perjury that the foregoing is true and correct.

Dated: _____.

Douglas Misicko
a/k/a Lucien Greaves
The Satanic Temple