



Why Did Craigslist End ‘Adult Services’ Section?

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We [noted last May](#) that the popular Craigslist website faced major flak from state attorneys general and from anti-prostitution groups over its “Adult Personals” section, which many say was a thinly veiled venue for prostitution.

On September 3, Craigslist [abruptly discontinued the “Adult Personals” section](#) and replaced the link with the word “Censored.” Craigslist didn’t state any reason for this step, and many observers are speculating about its motivations.

We agree with Matt Zimmerman, a senior staff attorney for the Electronic Frontier Foundation, who was quoted as saying that the legal analysis hasn’t changed and that Craigslist is not legally responsible for illegal acts that may occur as a result of postings on its site.

As we pointed out in May, federal law – the 1996 Communications Decency Act – immunizes Craigslist from liability related to content submitted to the site by users. Craigslist, by law, is not a “publisher” of the content posted by third parties.

So we doubt that Craigslist took this step the other day because of the risk of legal liability. Instead, we think it’s more likely that Craigslist was concerned about its reputation in the “court of public opinion,” and that the profits from the “adult” postings, which may have been fairly substantial, simply weren’t worth the bad publicity. Some critics have called Craigslist “an online pimp” and the “Wal-Mart of online sex trafficking, and Craigslist, quite possibly, wanted no part of that reputation.



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The next question: Will other well-known sites such as Facebook and YouTube, which are equally immune from liability, decide that the most judicious step is to keep certain content off their sites? Where should the proper balance between free speech on the Internet and harm to minors and women be struck?

Crime in the Suites is authored by the [Ifrah Law Firm](#), a Washington DC-based law firm specializing in the defense of government investigations and litigation. Our client base spans many regulated industries, particularly e-business, e-commerce, government contracts, gaming and healthcare.

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