

The Supreme Court just legalized stalking | Slate

By Mary Anne Franks

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The Supreme Court majority describes its [holding](#) last week in *Counterman v. Colorado* as a vindication of the First Amendment and a principled defense of free speech. Indeed, influential civil libertarian organizations were quick to [celebrate](#) the decision. ACLU attorney Brian Hauss [praised](#) the court for guaranteeing that “inadvertently threatening speech cannot be criminalized” and for “provid[ing] essential breathing room for public debate.” Foundation for Individual Rights and Expression (FIRE) attorney Jay Diaz [rejoiced](#) that “fewer prosecutors will be able to criminalize speech tomorrow than was possible yesterday” and praised the majority for “ensur[ing] that Americans would not face prosecution for parody or political commentary.”

[...]

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