

1. Defamation

We will remove parleys or comments found to be defamatory by a court of law having jurisdiction over Parler. Otherwise, we will avoid making our own determinations about the truth or falsity of statements posted on Parler.

2. No Sexualization of Minors

No sexualization of minors is permitted on Parler. Parleyers should not parley or comment **any** image, video, depiction, or description involving nudity of, or sexual involvement with, a minor.¹ Period.

3. Nudity and Pornography

Images, videos, depictions or descriptions of *adult* nudity or sex are permitted, so long as they are designated as “sensitive” (NSFW). Neither cover images nor profile pictures (nor usernames) can be designated as “sensitive,” and so may not contain these types of images (or descriptions).

An exception to the requirement to mark this type of content as “sensitive” is given to (1) photographs or videos portraying stylized *sculptural* art—i.e., sculptural works that neither look realistic, nor focus primarily on genitalia; (2) any image posted by a verified art gallery.

¹ See, e.g., “Citizens’ Guide to US Federal Law on Child Pornography,” at <https://www.justice.gov/criminal-ceos/citizens-guide-us-federal-law-child-pornography>

4. Indecency Involving Violence, Gore and Other Graphic Content

The purpose of allowing indecent content on Parler is to allow users to convey news, share personal experiences and knowledge, or to make political statements. And even when it's allowed, it must be placed behind our "sensitive" (NSFW) filter. Accordingly:

4.1 No parley or comment may contain, without a "sensitive" designation:

- 4.1.1 any image, video, or other depiction of death, or of serious physical violence or injury, including nonconsensual sex or sexual assault, in which bodily fluids or organs of any kind (blood, feces, etc.) are visible or represented realistically.
- 4.1.2 any image, video, or other depiction of the excretory act of any living being of any species in which bodily fluids of any kind (blood, feces, etc.) are visible or represented realistically.

4.2 Even with a "sensitive" designation, content in either of these categories that, considering all the context (typically, when no context is provided) appears to be gratuitous and presented to threaten *only*—is prohibited.

4.3 Because neither cover images nor profile pictures can be designated as "sensitive," they may not contain the types of images described above.

5. Fraud, IP Theft, Impersonation, Doxing

5.1 No parley, comment, or message sent using our service may contain:

- 5.1.1 any attempt to gain money or other value(s) by means of wrongful or criminal deception, including knowingly sharing synthetic or manipulated media where intended to deceive, defraud, or manipulate. (Note: while paid ads may contain manipulated media, and are intended to influence thinking and behavior, they are also clearly labeled as such and can be considered by users accordingly.)
- 5.1.2 any trademark or other intellectual property belonging to another, without permission or proper attribution, as appropriate.
- 5.1.3 any use of another's name or likeness in a confusing or deceptive manner.
- 5.1.4 another's private information (including non-public contact, financial account, location, medical or other information), or a threat or offer to publicly expose the same.

5.2 In addition to the above, no user may superimpose a Parler badge graphic onto his or her profile picture, or otherwise fraudulently portray association with, employment by, or endorsement by Parler.

6. Threats of Violence, Advocacy of Imminent Lawless Action, Threats to Dox, Bribery or Criminal Solicitation

So-called “fighting words” are not a violation of our Guidelines.²

6.1 However, reported parleys, comments, or messages sent using our service will be deemed a violation of these Guidelines if they contain:

- 6.1.1 a “serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals,” with either the *intent* or *reckless disregard* as to whether the communication will “place the victim in fear of bodily harm or death.”³
- 6.1.2 an explicit or implicit encouragement to use violence, or to commit a lawless action, such that: (a) the Parleyer intends his or her speech to result in the use of violence or lawless action, and (b) the imminent use of violence or lawless action is the likely result of the parley, comment, or message.⁴
- 6.1.3 a threat to dox anyone for any reason.
- 6.1.4 an offer to give or receive money, or other goods or services, in exchange for (a) a favor from any public official, or (b) the commission of any illegal action by anyone.

² The United States Supreme Court has held that “fighting words”— “insulting language direct[ed] at another person, intending to instigate that person’s imminent violent reaction against the speaker”—are not protected as an exercise of the right to free speech. (Nadine Strossen, *Hate: Why We Should Resist It With Free Speech, Not Censorship* (2018) at 64.) However, Parler agrees with those scholars who have opined that, when “such abuse is shared among strangers separated by space and time,” as is true with Parleyers, then the “imminent violent reaction” cannot reasonably be intended. See, e.g., John Samples, “Fighting Words and Free Speech,” June 25, 2018 at <https://www.cato.org/blog/fighting-words-free-speech> Therefore, such abuse, alone, will not be deemed a violation of our Guidelines.

³ In June 2020, Justice Clarence Thomas noted, in his dissent from denial of cert. in the case, *Kansas v. Boettger*, that there exists a split among the federal circuits as to the level of intent required for a communication to constitute a “true threat.” Thomas, in the dissent, said he agreed with those circuits who held that States may “criminalize threats, even in the absence of any intent to intimidate.” Per Thomas, “threats of violence made in reckless disregard of causing fear may be prohibited.” See https://www.supremecourt.gov/orders/courtorders/062220zor_mjn0.pdf

⁴ See, e.g., Eugene Volokh, “Then-Candidate Trump’s Speech at Rally Wasn’t Constitutionally Unprotected ‘Incitement’ of Violence Against Protesters,” September 11, 2018, at <https://reason.com/2018/09/11/then-candidate-trumps-speech-at-rally-wa/> (citing *Brandenburg v. Ohio*, 395 U.S. 444 (1969) <https://www.law.cornell.edu/supremecourt/text/395/444>).

7. Terrorism

Terrorist organizations [officially recognized as such by the United States](#) are forbidden from using Parler, as is anyone—including state actors—recruiting for such organizations.

8. Spam

Spam is repetitive content that does not contribute relevant, solicited substance to the conversation, but instead prevents others from getting their message out. It is most disruptive of discussions in comments on others' parleys. But a user's own parleys can also qualify as spam, especially when they make frequent, irrelevant use of hashtags, or other users' handles. Such deceptive uses of hashtags and user handles result in the flooding of a tag feed, or of a user's notifications feed, with repetitive or irrelevant content. While serial spamming is a violation of these Guidelines, we encourage Parleyers to first use our mute or block features before reporting spammers.

9. Unsolicited Advertisements

Those wishing to advertise products or services on Parler may do so in their own Parleys or via our Influencer Network. Techniques frequently used to avoid paying for advertising via our services, such as (a) unsolicited, unrelated advertisements, commented on others' Parleys, as well as (b) coordinated arrangements to echo parleys in exchange for money or material goods, are not permitted.

10. Bots

As stated in Parler's User Agreement <https://legal.parler.com/documents/useragreement.pdf>, users may not overutilize the service via automated tooling—i.e., issue excessive queries to our system, continuously, at a rate that suggests it's being done by a bot of some kind. Users who do this will be immediately removed. They will be reinstated only upon paying Parler restitution for damages caused and value received by means of circumventing our system.