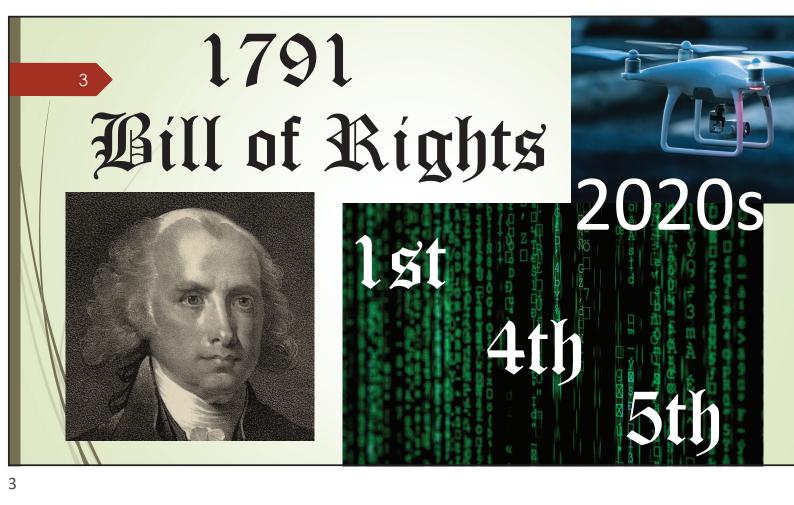
## Old Meets New: the 1st, 4th, and 5th Amendments face the digital world

By Pierre Grosdidier, Houston, Texas August 12, 2021

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## 1st Amend. and cyberstalking statutes

"Congress shall make no law . . . abridging the freedom of speech"



■ 18 U.S.C. § 2261A(2), the federal cyberstalking statute



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E.g., flag burning is expressive conduct:

~ Texas v. Johnson

~ U.S. v. Eichman

to kill, injure, harass, intimidate, .

my interactive computer service or . . . ,

gage in a course of conduct that—

► (B) causes, attempts to cause, or would reasonably be expected to cause substantial emotional distress to [another person shall be punished].

c





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