



ACLU of Massachusetts Secures Victory for Freedom of Speech and Association

Case Against NAMBLA Members Dismissed With Prejudice

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BOSTON -- In a victory for freedom of speech and association, the long-running suit for damages against members of the North American Man-Boy Love Association (NAMBLA) has been dismissed with prejudice. The ACLU of Massachusetts had represented the defendants in the suit, asserting that the organization's views were protected by the First Amendment.

The case, filed eight years ago, sought to hold the defendants responsible for the murder of Jeffrey Curley, a 10-year-old Cambridge boy who had been abducted and murdered by two men who lured him into a car. Copies of NAMBLA publications were later found in the apartment of Charles Jaynes, one of the killers, but nothing in these materials was about abduction or murder. "This was a misguided effort to spread the blame for the horrific murder of Jeffrey Curley, to shift responsibility away from those who actually committed the crime," said John Reinstein, Legal Director of the ACLU of Massachusetts. "The principle is as simple as it is central to freedom of speech. Those who do wrong should be held accountable for their crimes. Those who write about ideas, no matter what we think of those ideas, have a constitutionally protected right to freedom of speech under the American system of liberty."

The case was sponsored by the Traditional Values Coalition and the Thomas More Center. After the suit was filed, Thomas More Center lawyers attempted to claim that Jaynes had met with NAMBLA members and had been trained to abduct and rape children. There was no evidence of any contact between Jaynes and NAMBLA other than his brief membership and his receipt of the organization's publications. He did not attend their meetings and never met any NAMBLA members. When the court ordered the Curleys' lawyers to come forward with an offer of proof of their claims, they instead agreed to dismiss the case. "It was a meritless case from the start," said ACLUM Executive Director Carol Rose. "It was dragged out for years by groups who shamelessly preyed on a grieving family in order to raise money for their own causes by attacking a group whose ideas they found offensive."

"Our position was straightforward: the freedom of speech protected by the First Amendment does not allow anyone to be sued simply for what they have written or said. That principle holds true no matter what a reader may later do," said Rose. "This victory ensures that those who commit crimes be held accountable for those crimes and not be permitted to blame their actions on things they have read or seen."

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