

An Ohio Man Wants to Sue the Police Over His Arrest for a Satirical Facebook Page, and He's Trying To Take His Case to the U.S. Supreme Court

Anthony Novak was arrested in 2016 for making a satirical Facebook page that parodied his local police department in Parma, Ohio – and now he's trying to sue the City for a civil rights violation.

Institute for Justice

Anthony Novak

In order to do that, he's bringing his case to the U.S. Supreme Court after the suit was dismissed by a federal judge and that dismissal was upheld on appeal, per the *New York Times*.

"They said, 'put your hands behind your back.' They said, 'fake Parma Facebook page,'" Novak told ABC News about the time he got arrested.

Novak spent four days in jail and was later acquitted of the charge of computer usage that disrupted police functions, per the Times.

But, he's not stopped there. Novak previously filed an entirely separate lawsuit, accusing the police of violating his civil rights.

"I made something that was completely legal. I was allowed to make a parody page about the police," Novak told ABC. "My image was blasted all over the news, and I didn't do anything wrong."

He also faced a home raid after being arrested.

"Nearly a month after Novak had deleted the parody account, police arrested him, searched his apartment, seized his phone and laptop, and jailed him for four days," his appeal to the Court reads.

But the legal contention in the most recent appeal is that, in this case, the local police officers are not entitled to legal protection that is known as "qualified immunity."

Qualified immunity protects state and local governments, and, by extension, police officers, from liability for constitutional violations in a doctrine that has, over the years, come to establish a very high legal bar for plaintiffs

to overcome, particularly in civil rights cases, per Lawfare.

This case relates to the justification for qualified immunity when the reason for the original charge is based on speech, per SCOTUSBlog. As the outlet notes, Novak's lawsuit says that the police attacked him based on his speech – parody is protected under the first amendment – and that it is a constitutional violation.

The City has argued that the page was too close to the page it was imitating to qualify as a parody, and his fake page put up an identical warning about a parody page that the correct one did, per the Times.

Novak “went beyond mimicry,” said a lawyer for the city, Richard Rezie, per the outlet.

However, satirists in general have become interested in the case. The humor site *The Onion* filed its first-ever brief to the Supreme Court in support of Novak, per the Times, in October.

“The Onion cannot stand idly by in the face of a ruling that threatens to disembowel a form of rhetoric that has existed for millennia, that is particularly potent in the realm of political debate, and that, purely incidentally, forms the basis of The Onion's writers' paychecks,” the brief says.

The court will decide next month whether or not to take up the case, per ABC. <https://www.entrepreneur.com/article/442336>