
Supreme Court Rules California Ban on Sale or Rental of Violent Video Games to Minors Unconstitutional Under the First Amendment

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On June 27, 2011, in *Brown v. Entertainment Merchants Assn.*, the Supreme Court held that a California law banning the sale or rental of violent video games to minors and requiring their packaging to be labeled "18" was an unconstitutional restriction on the content of speech protected by the First Amendment. The Court held that the interactive nature of video games does not lessen their protection under the First Amendment, and the restrictions based on violent content were subject to strict scrutiny, rather than the more permissive test applied to regulation of obscenity, because the Court would not create a new category of speech exempted from First Amendment protection.

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