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MARJORIE R. ESMAN
EXECUTIVE DIRECTOR

September 22, 2010

OPEN LETTER REGARDING STUDENT FREE SPEECH

VIA FAX 318-274-6172
AND REGULAR MAIL
Dr. Frank G. Pogue
President
Grambling State University
403 Main St.
Grambling, Louisiana 71245

Dear Dr. Pogue:

We have learned that Grambling's Office of Media Relations recently advised students that they are prohibited from forwarding emails that contain political solicitations. This letter is to advise you that any prohibition on student communication of otherwise lawful material is a violation of students' rights under the First Amendment of the U.S. Constitution, and under Article I, Section 7 of the Louisiana Constitution.

Free speech is an essential cornerstone of our democracy, and what sets us apart from a dictatorship. When government – including a state university – can ban speech, the essential right to free expression is compromised. Political speech must receive the highest form of protection because only through a robust exchange of political ideas can our government truly be representative. For this reason, the Supreme Court has repeatedly ruled that discussion of public issues and debate on the qualifications of candidates are forms of political expression integral to the system of government established by the federal Constitution. *Buckley v. Valeo*, 424 U.S. 1, 96 S.Ct. 612, 46 L.Ed.2d 659 (U.S. 1976). In a forum that has been opened to the public for communication and debate – such as an email system made available to students – the government may not limit speech purely for political purposes.

Grambling's prohibition against political speech is a clear violation of the Constitutional rights of students to express their political beliefs and to engage in political debate. Rather than imposing unlawful restrictions on students' rights to free expression, as a university Grambling should encourage a free exchange of ideas and a respect for our system of laws.

Please ensure that this unlawful restriction is lifted immediately in the protection of the rights of your students.

Sincerely,

Marjorie R. Esman
Executive Director