



Foundation for Individual Rights in Education

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February 19, 2007

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CHAIRMAN EMERITUS

Dear Chancellor Abrams:

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As you can see from our Directors and Board of Advisors, FIRE unites civil rights and civil liberties leaders, scholars, journalists, and public intellectuals across the political and ideological spectrum on behalf of liberty, due process, legal equality, freedom of speech, and religious liberty on America's college campuses. Our website, www.thefire.org, will give you a greater sense of our identity and activities.

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On February 5, Lechtholz-Zey attended a meeting with representatives from the UCLA Police Department, the Center for Student Programming, and the UCLA Events Office to discuss additional security measures for the debate. Lechtholz-Zey reports that administrators required an additional 16 university police officers and 30 hired guards from the outside group Contemporary Services Corporation to provide security for the debate and protest. Lechtholz-Zey was informed that L.O.G.I.C. would have to pay for the additional security forces, a sum totaling \$12,000 to \$15,000. Administrators also reportedly said that they would not know until February 6—the day of the event—whether security would be available. UCLA therefore forced L.O.G.I.C. to cancel the debate. L.O.G.I.C. has rescheduled the debate for March 15 and UCLA has not stated whether L.O.G.I.C. will have to pay for additional security for the rescheduled debate.

Lechtholz-Zey reports that UCLA has no policies stating explicitly that student groups are required to pay for additional security forces for their events. He also reports that at the February 5 meeting, administrators stated that student organizations bear the cost of security for their events and for whatever proximately results from those events. On February 7, the *Daily Bruin* printed an article in which Mike Cohn of the Center for Student Programming stated, “[t]he protest is involved with [L.O.G.I.C.’s] event. They have to ensure that their event is safe for everybody. If they choose to bring speakers that are controversial, then they have to be responsible for that. And that’s the standard for all campus organizations.”

UCLA’s stated requirement that student organizations hosting controversial events pay for extra security is clearly unconstitutional, as it affixes a price tag to events based upon their expressive content. The Supreme Court addressed this issue in *Forsyth County v. Nationalist Movement*, 505 U.S. 123 (1992), by striking down an ordinance in Forsyth County, Georgia, that permitted the local government to set varying fees for events based upon how much police protection the event would need. The Court wrote that in the case of the Forsyth County ordinance, “[t]he fee assessed will depend on the administrator’s measure of the amount of hostility likely to be created by the speech based on its content. Those wishing to express views unpopular with bottle throwers, for example, may have

