



November 25, 2020

Cass Cliatt  
Vice President for Communications  
Brown University  
Box 2004  
Providence, Rhode Island 02912

*Sent via Electronic Mail (cass\_cliatt@brown.edu)*

Dear Vice President Cliatt:

FIRE appreciates your response to our letter of November 10, regarding our concerns about the state of freedom of the press at Brown University. As you may recall, our letter aimed to alert Brown to its poor performance in a recent report on university press policies<sup>1</sup> and to urge Brown to revise its press policies to better conform with its laudable commitments to free expression.

In your response, you expressed concern that our November 10 letter was “based on generalizations . . . with no direct connection to or knowledge of Brown’s policies.” While the intent of our original letter was to open the conversation and allow Brown to reflect on its own policies, I am happy to outline FIRE’s specific concerns with Brown’s press policies here.

First, we would like to note that we are pleased that, as explained in your response, Brown does not maintain a policy restricting the rights of faculty or student employees to speak to the media in their individual capacities. We are glad to learn that Brown is not among the institutions that affirmatively imposes this type of restriction, which would imperil transparency and press freedom on Brown’s campus.

We are similarly pleased that Brown does not maintain any restrictive media policies specific to student journalists. However, we are concerned that Brown’s general media policies include no exception for student journalists and could therefore be applied to restrict the newsgathering of student journalists. Even if the policies aren’t applied to student journalists, the mere fact that they—based on their plain language—*could be* applied to student journalists

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<sup>1</sup> See JOHN K. WILSON, UNIVERSITY OF CALIFORNIA NATIONAL CENTER FOR FREE SPEECH AND CIVIC ENGAGEMENT, FREEDOM OF THE PRESS ON CAMPUS (2020), available at <https://freespeechcenter.universityofcalifornia.edu/fellows-19-20/wilson-research>.

creates a chilling effect that is untenable at a university that purports to value free expression and transparency.

Specifically, Brown’s policy on “Access to Campus for News Media” requires that “[a]ll members of the news media interested in capturing images or conducting interviews on University property must” secure permission from the Office of University Communications before doing so.<sup>2</sup> While, in another clause of the policy it is specified that “[n]on-Brown agencies and individuals . . . require permission to come on campus”—presumably excepting Brown student journalists from that part of the policy—no similar language or other exception for student journalists is included in the latter part of the policy.

At a minimum, the lack of clarity as to whether and how the policy applies to student journalists risks a chilling effect on student expression. FIRE has spoken with numerous student journalists at colleges and universities across the nation who come to us with concerns about how their institutions’ media policies might restrict their ability to gather news. While these policies are often not intended to apply to student reporters—as we hope is the case at Brown—the ambiguity and the fact that at least some institutions *do* actively apply such policies to the student press leaves student journalists reasonably concerned about the status of their rights.

At worst, if Brown’s media access policy in fact applies to student journalists, it restricts the student press in ways that cannot be squared with Brown’s “consistent and sustained support for freedom of expression.” We are confident this is not the case and invite Brown to clarify its policies to make that commitment unambiguous.

We hope this letter clarifies FIRE’s concerns, and we’d like to take this opportunity to once again call on Brown—as an institution that has long supported free expression—to demonstrate its ongoing commitment to the rights of its student journalists by clarifying the scope of its media access policy. FIRE would be pleased to offer our support and assistance as Brown undergoes these revisions.

We request receipt of a response to this letter no later than the close of business on December 4, 2020.

Sincerely,



Lindsay Rank  
Program Officer, Individual Rights Defense Program

Cc: Christina H. Paxson, President, Brown University

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<sup>2</sup> *Access to Campus for News Media*, BROWN U., <https://www.brown.edu/about/administration/policies/access-campus-news-media> (last visited Nov. 20, 2020).