



**PennState**

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October 26, 2022

Alex Morey, Director  
Campus Rights Advocacy  
FIRE  
510 Walnut Street, Suite 1250  
Philadelphia, PA 191056

Dear Mr. Morey:

I am writing on behalf of The Pennsylvania State University (the "University") in response to your letter to President Neeli Bendapudi dated October 25, 2022, requesting that the University "detail the circumstances that led to last night's cancellation so students can have confidence that their right to host expressive events—and peacefully protest them without being subjected to violence—remains protected on your campus."

As you are aware from University statements and published news reports, a registered student organization, Uncensored America, hosted a presentation on Monday October 24 by two individuals, one of whom is the founder of the Proud Boys. Despite significant criticism, President Bendapudi declined demands from students, faculty, alumni, parents, and other members of the University community to cancel the event, citing the very principles of free speech and freedom of expression that you refer to in your letter. We appreciate your recognition of the University's efforts to weather public pressure and to provide, at its own expense, appropriate security measures.

At the same time, President Bendapudi, as she must, has the safety of our community and particularly our students at the forefront of her thinking. At her direction, in the weeks preceding Monday night's event, literally hundreds of hours were spent by University police and its federal, state and local law enforcement partners, together with the University's Strategic Communications team, Student Affairs, the Office of General Counsel, local authorities and other senior leaders, planning for the event with the hope and expectation that it could be conducted successfully and safely, notwithstanding expected protestors and counter-demonstrators. It should be noted that this team of professionals have had recent experience with similarly controversial events,

having successfully managed the appearance of a similarly controversial speaker, Milo Yiannopolous, in 2021.

On Monday evening, I, and other senior leaders of the University, including the President's Chief of Staff and the Vice President for Student Affairs, were present outside the lecture hall in which the presentation was scheduled. It quickly became evident that Monday night's event was distinctly and noticeably different than the 2021 event. One of the invited speakers came out into the crowd, presumably with the intent to taunt the protestors and played a role in inciting anger among the protestors. Supporters of the invited speakers were circulating among the demonstrators, creating an intense environment of anger and hostility. The crowd was significantly larger, more angry, and more unruly, than in 2021. There was at least one known physical altercation, a crowd surge toward the lecture hall, and at least one chemical spray targeted at the crowd and police officers. Taken altogether and in the context of the moment, even with the significant police presence (supplemented with, among other things, Pennsylvania State Police on horseback) it was determined to be a safety risk to continue to move forward with the event and University Police made the recommendation that it be canceled so that the crowd would disperse without further incident or physical injury. Senior leaders on site concurred with that recommendation and the President made the decision to cancel the event. Thankfully, no serious injuries appear to have been suffered.

You are correct to say that "Universities must act where there are credible threats of violence." On Monday night, there were more than credible threats. There was actual violence, which threatened to get considerably worse. There are details that I am not at liberty to share with you due to ongoing police investigations, but which also played a part in our decision-making. In the heat of the moment, despite the University's commitment to the event, its best efforts at planning, and a very significant police presence, cancellation of the event and dispersion of the crowd was the only reasonable option.

President Bendapudi sent a message to the University community on Tuesday morning, expressing her deep disappointment and reinforcing her commitment to free speech and freedom of expression. In her words, "[t]onight, Stein and McInnes will celebrate a victory for being canceled, when in actuality, they contributed to the very violence that compromised their ability to speak. Tonight, counter-protestors also will celebrate a victory that they forced the University to cancel this event, when in actuality they have furthered the visibility of the very cause they oppose. Tonight, the message too many people will walk

away with is that one can manipulate people to generate free publicity, or that one can restrict speech by escalating protest to violence. These are not ideas that we can endorse as an institution of higher education. We cannot laud academic freedom; and then abandon the constitutional right to free expression which undergirds academic freedom. Over the coming weeks, let us reflect on the role we must all play in encouraging vigorous debate and also upholding the values we hold dear."

I trust this is responsive to your request.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Frank T. Guadagnino", written over a horizontal line.

Frank T. Guadagnino  
Interim Vice President and General  
Counsel  
The Pennsylvania State University

FTG/lps

cc Neeli Bendapudi, President  
Charles Noffsinger, Assistant Vice President  
For Police and Public Safety