



FIRE

Foundation for Individual
Rights and Expression

February 20, 2023

Robin H. Jones
Office of Counsel
University of Alabama
Box 870100
Tuscaloosa, Alabama 35487

Sent via U.S. Mail and Electronic Mail (rjones@uasystem.edu)

Dear Mr. Jones:

FIRE appreciates your February 9 response to our January 31 letter concerning the University of Alabama's statement that certain views cannot be expressed on campus because they violate UA's "Capstone Creed."

While we appreciate UA's "long history of promoting free expression opportunities" and your continued commitment to "foster a culture of open expression and engagement on campus," your response did not address FIRE's main concern—UA's implication that certain controversial views cannot be expressed on campus. As a public institution bound to uphold the First Amendment, UA cannot ban the expression of certain views just because some people may find them offensive.¹

Though you may not have intended to chill students' speech in violation of the First Amendment, UA's statement that offensive views are unwelcome on campus will continue to unlawfully burden expression until it is rescinded. We again seek clarification as to whether students may express themselves on campus even if others find their views offensive. We request receipt of a response by Friday, March 3, 2023.

Sincerely,

Sabrina Conza
Program Officer, Campus Rights Advocacy

Cc: Stuart R. Bell, President

¹ See, e.g., *R.A.V. v. City of St. Paul*, 505 U.S. 377 (1992) (striking down an ordinance that prohibited placing on any property symbols that "arouse[] anger, alarm or resentment in others on the basis of race, color, creed, religion or gender").