

Federal Mandates and Campus Rights: FIRE's Response to Title VI Pressure at Columbia

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Topic: Internal Law Enforcement Empowerment

In its [demand letter](#) to Columbia University, the federal government directed the school to ensure that campus security is granted “full law enforcement authority, including arrest and removal of agitators who foster an unsafe or hostile work or study environment, or otherwise interfere with classroom instruction or the functioning of the university.” Columbia [responded](#) by announcing the hiring of 36 special officers with arrest authority, a force it is committed to maintaining for the duration of the [Resolution Agreement](#) period, and emphasized its continued relationship with the NYPD during the training period.

In considering that exchange, it's important to recognize that universities have an obligation to provide as much security as necessary to protect students and faculty engaging in peaceful expression, regardless of their viewpoint. Added security can help bolster free speech by preventing shout-downs and breaking up disruptions and violence. But the presence of more law enforcement than necessary may also chill expression. Universities should seek to strike the right balance and by pairing the provision of proper security with clear conduct policies and regular efforts to educate students and administrators about free speech rights.

In the face of building takeovers, encampments, and serious concerns about a hostile environment on campus for Jewish students and faculty, the government has urged Columbia to “empower internal law enforcement” and grant security personnel “full law enforcement authority, including arrest and removal of agitators.” Columbia is responding by hiring “36 special officers who will have the ability to remove individuals from campus and/or arrest them when appropriate,” as is its right. Columbia has a responsibility to maintain order and protect the rights and physical safety of all community members. And there is reason to believe the university has, at times, fallen short.

Columbia must be able to enforce its rules. Unlawful harassment, trespassing, and violence are not protected by the First Amendment principles to which Columbia has promised to adhere. Especially in cases involving violence, conduct that exceeds the bounds of protected expression must be addressed swiftly and decisively.

However, the university must also define when, how, and under what authority law enforcement intervenes to protect, not deter, lawful expressive activity. Columbia should provide educational training on its policies and procedures for all members of the campus

community—including administrators, law enforcement, students, and faculty—to better communicate expectations for when this line is crossed.

Columbia must also ensure disruptions are addressed quickly and evenhandedly, whether through protest monitors or law enforcement where necessary. It may not be politically selective. If officers are deployed more aggressively in response to certain viewpoints or protest themes, the university will send a clear message that speech is protected only when it's popular with its administration. That message runs counter to both First Amendment principles and Columbia's own stated commitments. Viewpoint neutrality isn't optional — it's the requirement for any institution that claims to value free expression.