



FIRE

Foundation for Individual
Rights and Expression

September 30, 2025

Kent Syverud
Office of the Chancellor
Syracuse University
Crouse-Hinds Hall, Suite 600
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Syracuse, New York 13244-2130

URGENT

Sent via U.S. Mail and Electronic Mail (chancellor@syr.edu)

Dear Chancellor Syverud:

FIRE¹ writes to encourage your institution to stand with free expression and refrain from punishing faculty members for making comments critical of political activist Charlie Kirk in the wake of his assassination. While many may be offended by recent criticism of Kirk, Syracuse's own free expression policies bar it from investigating or punishing protected political expression—even that which some may view as poorly timed, tasteless, inappropriate, or controversial.² Syracuse must therefore end any investigation into and rescind any punishment already imposed on faculty members for their protected comments about Kirk.

We have become aware of at least three different faculty members that have posted comments about Kirk on their Bluesky accounts. For example, Professor Jenn Jackson posted, "Charlie Kirk said it was worth it to have 'a few' gun deaths each year so that we can have the Second Amendment. He called those deaths 'prudent' and a 'rational deal.' Him dying this way seems

¹ As you will recall from previous correspondences, FIRE is a nonpartisan nonprofit that defends free speech. You can learn more about our mission and activities at thefire.org.

² "Syracuse University is committed to maintaining an environment that fosters tolerance, sensitivity, understanding and respect while protecting the free speech rights of the members of its community." *Anti-Harassment Policy*, Student Conduct System Handbook, SYRACUSE UNIV., <https://policies.syr.edu/policies/free-speech/anti-harassment-policy/> [<https://perma.cc/XLQ9-KJXX>]; "Syracuse University is committed to academic freedom and freedom of expression." *Free Speech, Policies*, SYRACUSE UNIV., <https://policies.syr.edu/policies/free-speech/> [<https://perma.cc/82U4-5YNA>]. These commitments are laudable and would lead any faculty member to reasonably believe they have expressive rights commensurate with those guaranteed by the First Amendment. Therefore, First Amendment jurisprudence necessarily informs Syracuse's commitments to free expression.

both ironic and in line with his own politics.”³ Jackson also posted, among other things, “To be clear: I do not believe in lying about people when they die. Sometimes people are trash. When they die, they are still trash. That’s how I choose to remember him.”⁴

Professor Farhana Sultana posted, among other things, “Sorry, but rest in piss,” “[t]he white supremacist actually promoted gun violence. He died experiencing what he supported,” and “Give him what he valued: no empathy.”⁵

Members of the public called on Syracuse to punish these two professors. U.S. Representative Claudia Tenney also called on Syracuse to “hold these professors accountable ... If the university continues to employ Professors Jackson and Sultana, it should forfeit every dollar of federal funding. Academic freedom does not extend to celebrating the assassination of an American citizen.”⁶ In a story on the two professors, the *New York Post* reported Syracuse had confirmed it was “aware of the social media activity, and two faculty members are currently on leave.”⁷

Members of the public also called on Syracuse to punish Professor Alan Allport, who allegedly posted to Bluesky that he had, “[o]ne prediction about CK: in five years time, no-one will remember anything about him at all other than his death. Rush Limbaugh was a huge cultural figure. Who remembers anything about him now? He built nothing capable of ensuring or worth preserving. Neither man said a single memorable thing.”⁸ It is unclear whether Syracuse has also placed Allport on leave.

Popular expression rarely needs protecting; it is in moments of controversy that institutional commitments to free speech are put to the test.⁹ The Supreme Court has long held that free speech principles protect expression others may deem offensive, uncivil, or even hateful.¹⁰

³ Josh Christenson & Ryan King, *Syracuse professors gloat over Charlie Kirk’s ‘ironic’ death, bizarrely thank witches for his demise: ‘Can rest in piss,’* N.Y. POST (Sept. 17, 2025, 2:31 PM), <https://nypost.com/2025/09/17/us-news/syracuse-professors-gloat-over-charlie-kirks-ironic-death-bizarrely-thank-witches-for-his-demise-can-rest-in-piss/>. The recitation of facts here reflects our understanding of the pertinent information. We appreciate that you may have additional information and invite you to share it with us.

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ NizNellie3 (@NizNellie3), X (Sept. 15, 2025, 8:32PM), <https://x.com/NizNellie3/status/1967748410649502053>.

⁹ Whether speech is protected by the First Amendment is “a legal, not moral, analysis.” *Animal Legal Def. Fund v. Reynolds*, 353 F. Supp. 3d 812, 821 (S.D. Iowa 2019).

¹⁰ See *Texas v. Johnson*, 491 U.S. 397, 414 (1989) (burning American flag is protected by First Amendment, the “bedrock principle underlying” the holding being that government actors “may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable”); see also *Cox v. Louisiana*, 379 U.S. 536, 557 (1965) (fears that “muttering” and “grumbling” white onlookers might resort to violence did not justify dispersal of civil rights marchers); *Matal v. Tam*, 137 S. Ct. 1744, 1764 (2017).

This includes expressing vitriol about public figures, engaging in rhetorical hyperbole, and the general endorsement of violence.¹¹

These principles hold even when discussing political assassinations. In the 1987 Supreme Court case of *Rankin v. McPherson*, the Court examined a situation in which a police department fired one of its employees who, after hearing that President Reagan had been shot, said: “If they go for him again, I hope they get him.”¹² The Court held that the employee’s firing violated her free speech rights, noting that whether listeners found her statement of “inappropriate or controversial character” was “irrelevant” to its protection.¹³

Again, this principle has not changed. Simply because professors’ comments may be viewed as inappropriate or hateful does not justify “discipline ... for expressing controversial, even offensive, views,”¹⁴ at an institution like Syracuse that professes to protect free speech. Just last week, a federal court in South Dakota issued a temporary restraining order returning University of South Dakota Professor Micheal Hook to the classroom after he was placed on administrative leave for his social media posts about Kirk’s assassination.¹⁵ The district court concluded that Hook’s posts as a private citizen were entitled to First Amendment protection.¹⁶ There is no reason that Syracuse should come to a different conclusion with regard to the professors it has placed on leave.

Additionally, comments about the death of a prominent national political activist, whose assassination occurred during an event held on an American university campus, unquestionably deal with matters of public concern, which include speech that relates to “any matter of political, social, or other concern to the community[.]”¹⁷ Even when harsh or hyperbolic, they are undoubtedly “core political speech,” where free speech protection is “at its zenith.”¹⁸ Thus, comments that violate no law and are publicly made to a broad audience¹⁹

¹¹ *Watts v. United States*, 394 U.S. 705, 708 (1969) (draftee’s statement that “[i]f they ever make me carry a rifle the first man I want to get in my sights is L. B. J.” was First Amendment-protected rhetorical hyperbole).

¹² 483 U.S. 378, 381 (1987).

¹³ *Id.* at 387.

¹⁴ *Vega v. Miller*, 273 F.3d 460, 467 (2d Cir. 2001).

¹⁵ *Hook v. Rave*, D.S.D., Case 4:25-cv-04188-KES (Sept. 24, 2025), available at <https://www.courthousenews.com/wp-content/uploads/2025/09/hook-v-rave-usdc-south-dakota-tro.pdf> (the professor has a “fair chance of prevailing” in showing that defendants’ intention to terminate his position as a professor materially changed the terms and conditions of his employment and that the change to his employment status would ‘chill a person of ordinary firmness’ from continuing to engage in First Amendment protected activity.”).

¹⁶ *Id.* at 7, 8.

¹⁷ *Snyder v. Phelps*, 562 U.S. 443, 453 (2011) (quoting *Connick v. Myers*, 461 U.S. 138, 146 (1983)).

¹⁸ “‘Core political speech’ involves ‘interactive communication concerning political change.’” *Buckley v. Am. Constitutional Law Found.*, 525 U.S. 182, 186-87 (1999) (quoting *Meyer v. Grant*, 488 U.S. 414 (1988)).

¹⁹ See *Hardy v. Jefferson Cmty. Coll.*, 260 F.3d 671, 674 (6th Cir. 2001) (“The purpose of the free-speech clause ... is to protect the market in ideas, broadly understood as the public expression of ideas, narratives, concepts, imagery, opinions—scientific, political, or aesthetic—to an audience whom the speaker seeks to inform, edify, or entertain.”) (citing *Swank v. Smart*, 898 F.2d 1247, 1250–51 (7th Cir. 1990) (citation omitted)).

about issues that are currently gripping the entire country cannot be rational grounds for institutional punishment.²⁰

A university must never reward “community outrage,” however ugly or overwhelming, by curtailing free speech principles. Such an institution cannot function if the value of its faculty’s freedom to engage in the exchange of ideas is easily outweighed by a segment of the public’s subjective feelings.²¹

The comments by all three professors are clearly protected under Syracuse’s promises of free expression. This principle does not shield the professors from every consequence of their speech—including criticism by other faculty, students, or the broader community. Criticism is a form of the “more speech” remedy that an institution committed to free expression must favor over censorship.²² But Syracuse’s obligations by its own commitment to free speech limit the *types* of consequences that can be imposed, and disciplining faculty for their protected expression clearly violates that obligation.

If Syracuse chooses to ignore its free speech obligations and punish protected speech, it will open the door to censorship of a limitless array of views on campus, while chilling other individuals from sharing their opinions.²³ Both of these outcomes are unacceptable for an institution that plainly commits itself to free speech. We must not respond to calls for censorship with more censorship.

Given the urgent nature of this matter, we request a substantive response to this letter no later than the close of business on October 3, confirming Syracuse will end any investigation into and rescind any punishment against any faculty member for their protected comments about Kirk.

Sincerely,



Haley Gluhanich
Senior Program Counsel, Campus Rights Advocacy

Cc: Lois Agnew, Vice Chancellor and Provost

²⁰ See also *Graziosi v. City of Greenville Miss.*, 775 F.3d 731, 737 (5th Cir. 2015) (citing *Garcetti v. Ceballos*, 547 U.S. 410, 419; *Pickering v. Bd. of Educ.*, 391 U.S. 563, 572) (commentary by “public employees is welcome as they occupy trusted positions in society ... and are the members of a community most likely to have informed and definite opinions on matters of import to the community”) (cleaned up).

²¹ See *Levin v. Harleston*, 966 F.2d 85, 88 (2d Cir. 1992); *Noto v. United States*, 367 U.S. 290, 298 (1961) (Abstract teaching of the moral necessity of violence “is not the same as preparing a group for violent action ... There must be some substantial direct or circumstantial evidence of a call to violence now or in the future”).

²² *Whitney v. California*, 274 U.S. 357, 377 (1927) (Brandeis, J., concurring).

²³ Free speech principles bar any “adverse government action against an individual in retaliation for the exercise of protected speech activities” which “would chill a person of ordinary firmness from continuing to engage in that activity.” *Keenan v. Trejeda*, 290 F.3d 252, 258 (5th Cir. 2002).