



October 17, 2025

Darryll J. Pines
University of Maryland
Office of the President
1101 Main Administration Building
7901 Regents Drive
College Park, Maryland 20742-5025

URGENT

Sent via U.S. Mail and Electronic Mail (president@umd.edu)

Dear President Pines:

FIRE, a nonpartisan nonprofit that defends free speech,¹ is concerned by the University of Maryland's requirement that its Turning Point USA chapter pay for additional private security services in order to host an on-campus speaker event scheduled for October 22, 2025. Forcing TPUSA to shoulder the costs of extra security—because of UMD's subjective judgment that anything connected to TPUSA necessitates such security—violates TPUSA's First Amendment rights and puts freedom of expression at UMD at risk. UMD must immediately rescind the security fee requirement it has imposed on TPUSA.

On September 23, 2025, TPUSA submitted an event request UMD to host Cabot Phillips, senior editor at *The Daily Wire*, as an on-campus guest speaker for a 40-person audience.² On October 2, UMD Police Department Lieutenant Matthew Suthard informed the chapter communications director, student Connor Clayton, that "[d]ue to security concerns, UMPD will be staffing the event[.]"³ In an October 3 follow-up email, Lt. Suthard wrote that UMPD was "not going to charge for UMPD's presence for this event, however we are going to require you to hire [Contemporary Services Corporation] Event Staff to conduct screening upon entry into the room. They can conduct metal/weapon detection wand and bags checks upon entry."⁴ Lt. Suthard added that UMPD would likely charge for officers to work at events in the future,

¹ For more than 25 years, FIRE has defended freedom of expression, conscience, and other individual rights on America's university campuses. You can learn more about our mission and activities at thefire.org.

² Email from Connor Clayton, student, to Event & Guest Services, Stamp Academic Classroom Requests Team (Oct. 1, 2025, 4:23 PM) (on file with author). The recitation of facts here reflects our understanding of the pertinent facts. We appreciate that you may have additional information to offer and invite you to share it with us.

³ Email from Lieutenant Matthew Suthard, UMPD Special Events/Operations Commander, to Clayton (Oct. 2, 2025, 8:16 AM) (on file with author).

⁴ Email from Suthard to Clayton (Oct. 3, 2025, 8:41 AM) (on file with author).

“but given the current climate and the time frame given, we want to ensure you have the coverage you need.”⁵

Later that day, Lt. Suthard reiterated that the TPUSA chapter “would be required to pay for [CSC’s] services as part of security requirements in order to be approved to host the event. ... At this time, we cannot allow the event to continue without screening (wandering and bag checks) in place[.]”⁶ On October 15, a week before the scheduled event, CSC provided TPUSA with an estimated cost of \$148.52 for its security services, including a four-hour minimum coverage requirement (despite the fact that Phillips is scheduled to speak for only one hour in a classroom that fits 40 people).⁷

When TPUSA pushed back on the required third-party security fee, Lt. Suthard explained:⁸

On and after September 10, 2025 there has been a significant change in how we operate and secure certain events and we, UMPD, follow events nationwide and worldwide to aid in how we make those determinations. We have seen an increase in threats related to Turning Point events and as such, increased our security related to events here on campus. ... While this event is a lecture in an inside venue, UMPD is aware of a recent increase in threats all [sic] Turning Point events[.]

Lt. Suthard added, “The requirement that CSC provide such services is not unique to this event or to Turning Point. To the contrary, this is a common security practice at the University and there are numerous other events this semester being hosted by University affiliated groups that have had the same CSC requirement implemented.”⁹

While UMD’s event security policy states that the event sponsor is responsible for the cost of security services, it lays out reasonable, viewpoint-neutral criteria used to determine these costs, such as “[t]he type of event and number of anticipated attendees/participants” and “[e]vent venue, including the venue size.”¹⁰ The policy also specifically notes that, “in determining whether security costs shall be imposed, and the amount of any such costs, the University *may not consider the content or viewpoints of the speech* expressed or intended to be expressed by the event sponsors, speakers, guests, or attendees.”¹¹

UMD’s actions here stand in stark contrast to its own policies, as well as its handling of not only other UMD student organization events but also other TPUSA on-campus events in the wake of Charlie Kirk’s assassination. For example, on September 12, TPUSA held an on-campus vigil for Kirk after being told by Lt. Suthard that “[t]here will not be any charges for UMPD Officers

⁵ *Id.*

⁶ Email from Suthard to Clayton (Oct. 3, 2025, 9:03 AM) (on file with author).

⁷ Email from Andrew Witten, CSC Venue Manager, to Clayton (Oct. 15, 2025, 2:23 PM) (on file with author).

⁸ Email from Suthard to Clayton (Oct. 7, 2025, 6:37 AM) (on file with author).

⁹ *Id.*

¹⁰ *Event Mgmt. & Policy Manual*, Security, UNIV. OF MARYLAND. POLICY OFFICE (rev. Aug. 2024), https://stamp.umd.edu/meeting_events/event_guest_services/policies_procedures#security [<https://perma.cc/5CSU-AEUB>].

¹¹ *Id.* (emphasis added).

working this event.”¹² Then, on October 1, 2025, TPUSA held an on-campus tabling event, for which UMD did not charge for UMPD officer presence or require any additional security fees.¹³

Even more recently, while TPUSA was still seeking approval for its Phillips speaker event, the UMD Students Supporting Israel chapter held an October 7 vigil on the McKeldin Mall.¹⁴ Security for the SSI event included CSC Security Personnel at entry and exit points, Open Gate technology for weapons detection, CSC Personnel to search bags, a UMPD drone, and UMPD officers located at the perimeter of the Mall.¹⁵ All of this was provided at no cost to SSI.¹⁶

Here, UMD’s campus police appear to have affixed the unreasonable additional security price tag on Phillips’ speech because TPUSA is hosting the event and they expect the event to draw protests or receive threats.¹⁷ Yet, as a public university bound by the First Amendment,¹⁸ UMD cannot tax student speech because of the speaker’s association or viewpoint.¹⁹ Thus, while UMD may charge reasonably determined security fees, it cannot impose *excessive* fees because of expected protests or controversy based on the speaker’s views.²⁰

It may or may not be true that, after Kirk’s assassination, the threat of violence directed against TPUSA events is higher than comparable events held by other on-campus groups or events presenting different views. Universities may, therefore, be forced to expend more resources to secure TPUSA events than those of other student groups. But there is an excellent reason that the law does not allow public institutions to shift this increased burden to the targeted group: because doing so gives those most willing to engage in political violence the ability to silence or burden their opponents through the agency of the state. Raising costs on TPUSA in the wake of its leader’s assassination is a stark reminder of how literally deadly such a perverse incentive can be.

The Supreme Court addressed precisely this issue when it invalidated a Forsyth County, Georgia, ordinance that permitted the local government to set varying fees for events based on

¹² Email from Suthard to Clayton (Sept. 11, 2025, 6:22 PM) (on file with author).

¹³ *Stamp Expressive Activity Event Confirmation*, 2 (Sept. 30, 2025) (on file with author).

¹⁴ Pera Onal & Tyler Quattrin, *UMD community members attend memorial honoring hostages taken by Hamas from Israel*, THE DIAMONDBACK (Oct. 8, 2025), <https://dbknews.com/2025/10/08/umd-memorial-hostages-hamas-israel/>.

¹⁵ Email from Susan Canady, Event & Guest Services Asst. Director, to Uriel Appel, student and SSI chapter president (Oct. 3, 2025, 3:21 PM) (on file with author).

¹⁶ *Stamp Expressive Activity Event Confirmation*, 2 (Oct. 3, 2025) (on file with author).

¹⁷ Email from Suthard, *supra* note 8.

¹⁸ *Healy v. James*, 408 U.S. 169, 180 (1972) (“[T]he precedents of this Court leave no room for the view that, because of the acknowledged need for order, First Amendment protections should apply with less force on college campuses than in the community at large. Quite to the contrary, ‘the vigilant protection of constitutional freedoms is nowhere more vital than in the community of American schools.’”) (internal citation omitted).

¹⁹ See *Rosenberger v. Rector & Visitors of the Univ. of Va.*, 515 U.S. 819, 829 (1995); *Lamb’s Chapel v. Ctr. Moriches Union Free Sch. Dist.*, 508 U.S. 384, 392–93 (1993) (school’s refusal to permit an organization access to school facilities at night to show a film addressing family issues from a religious perspective was impermissible viewpoint discrimination); see also *Healy*, 408 U.S. at 183 (establishing that student groups at public colleges possess associational freedoms).

²⁰ *Forsyth Cnty v. Nationalist Movement*, 505 U.S. 124, 134–35 (1992).

the amount of police protection required.²¹ In declaring the ordinance a violation of the First Amendment, the Court noted “[t]he fee assessed will depend on the administrator’s measure of the amount of hostility likely to be created by the speech based on its content. Those wishing to express views unpopular with bottle throwers, for example, may have to pay more for their permit.”²²

The Court held that “[any] government regulation that allows arbitrary application is inherently inconsistent with a valid time, place, and manner regulation because such discretion has the potential for becoming a means of suppressing a particular point of view.”²³ The Court held Forsyth County’s implementation of the ordinance did not rely on “narrowly drawn, reasonable and definite standards guiding the hand of the Forsyth County administrator,” such that “[n]othing in the law or its application prevents the official from encouraging some views and discouraging others through the arbitrary application of fees.”²⁴ In sum, “Speech cannot be financially burdened, any more than it can be punished or banned, simply because it might offend a hostile mob.”²⁵

In the interest of preserving viewpoint and content neutrality in determining fees for campus events, UMD cannot and must not force student groups to pay more money for security protection because others in the community might feel offended by an event and subsequently become violent or disruptive. There may be certain instances in which student groups partially or fully cover the costs of security—if the group demands security beyond what the university deems necessary, for example. Accordingly, when UMD applies its security fees policy to a student group, it must adhere to narrowly drawn, viewpoint- and content-neutral, and otherwise reasonable standards that guard against viewpoint discrimination.

Allowing the subjectively determined, potentially controversial nature of select TPUSA speaker events to form the arbitrary basis for exorbitant fees effectuates a heckler’s veto,²⁶ allowing the anticipated audience reaction to price speakers out of the marketplace of ideas.²⁷ Indeed, UMD has provided a dangerous blueprint to those who would suppress the viewpoints of disfavored groups in just the manner *Forsyth* sought to prohibit. With the precedent UMD has set here, any student or community member could announce plans to disrupt a group’s campus event, and encourage others to do so, in the hope that UMD would respond by financially burdening the group to the point that it can no longer afford to exercise its right to free speech. This kind of heckler’s veto is a perverse and unacceptable outcome entirely at odds with UMD’s obligation to protect its students’ First Amendment rights.

UMD’s requirement that TPUSA pay for the costs of security for its event—security that UMD deemed necessary precisely because it believes TPUSA to be more likely to be violently targeted

²¹ *Id.*

²² *Id.*

²³ *Id.*

²⁴ *Id.*

²⁵ *Id.*

²⁶ See, e.g., Zach Greenberg, *Rejecting the ‘heckler’s veto,’* FIRE (June 14, 2017), <https://www.thefire.org/news/rejecting-hecklers-veto>.

²⁷ See, e.g., *Watson v. Memphis*, 373 U.S. 526, 535 (1963) (“[C]onstitutional rights may not be denied simply because of hostility to their assertion of exercise.”).

than other groups—violates TPUSA’s First Amendment rights. Because UMD is a government entity committed to free expression, it—not student groups—must foot the bill to ensure a broad range of viewpoints can be heard on campus.

Given the urgent nature of this matter, we request a substantive response to this letter by the close of business on Monday, October 20, confirming that UMD will immediately lift the imposition of these fees and ensure that TPUSA’s event can proceed as planned on October 22.

Sincerely,

A handwritten signature in black ink that reads "Charlotte Arneson". The script is cursive and fluid, with the first name and last name clearly distinguishable.

Charlotte Arneson
Program Counsel, Campus Rights Advocacy

Cc: Jay Rosselló, Vice President for Legal Affairs & General Counsel
Lieutenant Matthew Suthard, UMPD Special Events/Operations Commander
Susan Canady, Event & Guest Services Assistant Director