

October 9, 2025

Jim D. Hess
Office of the President
Oklahoma State University
107 Whitehurst
Stillwater, Oklahoma 74078-1015

URGENT

Sent via U.S. Mail and Electronic Mail (osupres@okstate.edu)

Dear President Hess:

FIRE, a nonpartisan nonprofit dedicated to defending freedom of speech,¹ is deeply concerned by the warning OSU's coordinator of the Student Government Association issued to student senator Joshua Wilson regarding a hat Wilson wore during an SGA session. We write to urge OSU to uphold its students' First Amendment rights, and refrain from making implicit threats to students based their protected expression.

On September 10, 2025, the same day that Charlie Kirk was assassinated at Utah Valley University, the SGA held a student government meeting where Wilson, who had volunteered for Turning Point USA, spoke about the shooting.² Wilson described Kirk's assassination as "horrendous and vile" and called on OSU students to embrace open discourse, pointing to Kirk's visit to OSU's campus in April 2025 as an example of constructive discussions.³

One week later, Melisa Echols, the coordinator of SGA programs, sent Wilson a GroupMe message that they needed to speak that day.⁴ During their meeting, Echols told Wilson that while the administration appreciated Wilson's comments, the Turning Point USA hat he wore during his speech, featuring the numbers "45" and "47," violated purported SGA rules about

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

² Ray Carter, *OSU student reprimanded after honoring Charlie Kirk in speech*, OCPA, Oct. 6, 2025 <https://ocpathink.org/post/independent-journalism/osu-student-reprimanded-after-honoring-charlie-kirk-in-speech>.

³ *Id.*

⁴ GroupMe message from Melisa Echols, Student Government Association coordinator, to Joshua Wilson, student (Sept. 17, 2025, 3:321 PM) (on file with author).

nonpartisanship.⁵ “What I need you to understand is the choice in wearing the hat, at the same time of making the comments in our nonpartisan space, is a contradiction,” Echols said.⁶ Wilson said that he didn’t intend the hat to be partisan but instead a statement about Kirk’s death. Echols then asked Wilson to take a “self-reflection” of the expectations of Wilson as a leader in the SGA, and reiterated that wearing the hat was not the “best choice.”⁷ She added that she supported Wilson’s right to free speech but objected to his appearing biased by wearing the hat, and that she was having conversations with multiple students about their posts on social media concerning Kirk’s death.⁸ She referred to the conversations as “teachable moments.”⁹

As Wilson continued to push back, Echols told him that “yes, but” could not be the response to her assertions because such a response does not indicate a “learned lesson” on Wilson’s part.¹⁰ She then said that Wilson should expect to encounter SGA candidates who have different perspectives from him. “I really hope that this year helps you see some things that look very different from what you’re seeing now. So just be ready for that as a leader, because [...] ‘yes, but,’ cannot be every response that you give me. Otherwise, this year is going to be difficult for you.”¹¹

OSU said in a statement to the Oklahoma Council of Public Affairs that the SGA “has no official policies to restrict partisan expression, and the organization has not enacted or enforced such a policy.”¹² It added that “clarification regarding SGA policies has been provided to appropriate university staff.”¹³

FIRE is concerned about the chilling effect created by Echols summoning Wilson to an urgent meeting to warn him of unspecified difficulties in response to his political speech. As a public institution bound by the First Amendment, OSU must refrain from even appearing to punish or reprimand students for clearly protected expression.¹⁴

The power differential between university administrators and students is significant. When an administrator with disciplinary authority demands a meeting with a student representative about his or her protected speech, the student is likely to infer an implicit threat of discipline. Such a demand strongly suggests that a student’s actions were problematic, and they may

⁵ Recording of conversation between Echols and Wilson (on file with author).

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² Carter, *supra* note 2.

¹³ *Id.*

¹⁴ *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).

accordingly self-censor. Indeed, Wilson will likely self-censor in the future to avoid encountering the “difficult” school year Echols promised. Furthermore, Echols’ incorrect assertion that Wilson violated SGA policy suggests that OSU administrators may look for justifications in school policy to crack down on expression they dislike. This is an unacceptable outcome at a university bound by the First Amendment.

Moreover, other students who become aware of this situation, as well as the students already contacted by the OSU administration about their speech, will likely self-censor to avoid future ominous summons. Indeed, even if the decisions resulting from these meetings go in favor of the student, OSU must refrain from launching inquiries into clearly protected speech. The question is not whether formal punishment is meted out, but whether the institution’s actions in response “would chill or silence a person of ordinary firmness from future First Amendment activities[.]”¹⁵ Such reprimands of, meetings concerning, or investigations into protected expression chill speech—and effectively constitute censorship—because of the implicit threat of discipline,¹⁶ which a student of “ordinary firmness” has reason to fear.¹⁷

To be clear, Wilson and other students who speak publicly are not shielded from every consequence of their speech—including criticism by other students, faculty members, or the broader community. Criticism is a form of the “more speech” remedy that a governmental institution must favor over censorship.¹⁸ But OSU harms the environment for free expression when it delivers implicit threats to students. We request a substantive response to this letter no later than October 16 affirming that OSU will not issue implicit threats based on constitutionally protected speech and will clarify to SGA members that they are able to wear expressive clothing.

Sincerely,



Graham Piro
Faculty Legal Defense Fund Fellow, Campus Rights Advocacy

Cc: Melisa Echols, SGA Programs Coordinator

Encl.

¹⁵ *Mendocino Env’tl Ctr. v. Mendocino Cnty.*, 192 F.3d 1283, 1300 (9th Cir. 1999).

¹⁶ *Levin v. Harleston*, 966 F.2d 85, 89 (2d Cir. 1992).

¹⁷ *Speech First, Inc. v. Fenves*, 979 F.3d 319, 333 (5th Cir. 2020).

¹⁸ *Whitney v. California*, 274 U.S. 357, 377 (1927) (Brandeis, J., concurring).