

January 6, 2026

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Morgan State University
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Sent via U.S. Mail and Electronic Mail (david.wilson@morgan.edu)

Dear President Wilson:

FIRE's Student Press Freedom Initiative¹ and the Society of Professional Journalists² are concerned about the state of the free press at Morgan State University. MSU's updated media request and film policies restrict the right of the student press to gather news and infringe upon the protected expression of faculty, staff, and student journalists. We urge MSU to promptly revise these protocols.

On November 13, 2025, MSU's Office of Public Relations and Strategic Communications sent the university's revised media policy to faculty and staff.³ The updated policy mandates "**all media inquiries**—including those received from *The MSU Spokesman*, BEAR TV, or WEAA—that involve the University, or its operations" be directed to OPRSC "for proper review and response."⁴ Further, under this policy, "[a]ny individual media requests not directly related to University matters but occurring on campus or in a Morgan facility must also be cleared

¹ For more than 25 years, FIRE has defended free expression and other individual rights on America's university campuses. You can learn more about our mission and activities at thefire.org. FIRE's Student Press Freedom Initiative (SPFI) defends the free press on campus by advocating for the rights of student journalists at colleges and universities across the country.

² The Society of Professional Journalists (SPJ) is the nation's largest and most broad-based journalism organization, dedicated to encouraging the free practice of journalism and stimulating high standards of ethical behavior. Founded in 1909 as Sigma Delta Chi, SPJ promotes the free flow of information vital to a well-informed citizenry, works to inspire and educate the next generation of journalists and protects First Amendment guarantees of freedom of speech and press.

³ Aleisha Robinson, *Morgan revises, tightens protocols on ability of students, faculty, staff to speak to press*, MORGAN STATE SPOKESMAN (Nov. 24, 2025), <https://themsuspokesman.com/18050/news/campus-news/morgan-revises-tightens-protocols-on-ability-of-students-faculty-staff-to-speak-to-press/>. The recitation here reflects our understanding of the pertinent facts. We appreciate that you may have additional information and invite you to share it with us.

⁴ *Protocols and Procedures Regarding Film Crews and Media Interviews*, MORGAN STATE UNIV. (Nov. 13, 2025) (on file with author) (emphasis in original).

through OPRSC.”⁵ OPRSC Director Larry Jones reiterated that “[i]f a member of the university is contacted by media, their responsibility is to direct that individual” to the OPRSC. The new policy, Jones said, “clarifies that any media requests, from student outlets or external press, need to be coordinated through” the university.⁶ Neither Jones’ nor the policy’s language limits this protocol’s application to only requests for official university comments. Additionally, the updated protocols require “all non-academic and/or non-Morgan-sponsored filming requests taking place on campus” to be approved by the OPRSC following a “comprehensive review and approval process.”⁷

MSU’s updated policies threaten the expressive rights of the university’s faculty and student press—rights MSU, as a public institution, has an obligation to uphold.⁸ The media inquiry rule effects a prior restraint on both the student press and their sources. This begins before any interview could even take place, given MSU’s limits on requests for interviews. Such requests are *themselves* protected expression, but are now suppressed before they can even occur. That is textbook prior restraint, which is “the most serious and the least tolerable infringement on” freedom of expression.⁹ Prior restraints are only valid in the most demanding circumstances,¹⁰ and courts analyze them with a “heavy presumption against [their] constitutional validity.”¹¹

The same is true, of course, of the protected expression of faculty and student employees who might choose to speak (if asked) in their private capacity about matters of public concern.¹² And to the extent that MSU responds to such requests with delays or denials, this practice further culminates in a constructive prior restraint on student journalists’ reporting, blocking them from reaching sources, developing stories, and ultimately publishing their reports.

Further, public employees, including MSU faculty and student employees, have the right to comment on matters of public concern when not purporting to speak on behalf of their employer, including to members of the media.¹³ While MSU may instruct employees not to speak *on behalf of* the university, it may not issue a blanket ban on their ability to speak with the press. Faculty and employee speech to the media are commonly understood by both the law and the public to be commentary of the *individual* who is speaking rather than the official message of the university itself. MSU’s media inquiry policy, then, goes beyond constitutional bounds.

⁵ *Id.*

⁶ Robinson, MORGAN STATE SPOKESMAN, *supra* note 3.

⁷ *Protocols and Procedures Regarding Film Crews and Media Interviews*, *supra* note 4 (emphasis in original).

⁸ *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).

⁹ *Neb. Press Ass’n v. Stuart*, 427 U.S. 539, 559 (1976).

¹⁰ *Id.* at 561.

¹¹ *N.Y. Times Co. v. United States*, 403 U.S. 713, 714 (1971).

¹² *See Garcetti v. Ceballos*, 547 U.S. 410, 421 (2006).

¹³ *Id.*

MSU's film policy likewise poses constitutional concerns. Its filming request process drastically limits newsgathering that involves filming, a routine practice in both professional and student newsrooms that has become even more ubiquitous with the rise of smartphones and electronic distribution. Breaking news simply does not wait until an administrator has reviewed and approved a film request. The student press is an important conduit for the public's right to know, acting, like other media, as "surrogates for the public" in keeping a watchful eye on the operations of the government,¹⁴ including public institutions like MSU. Indeed, "[t]he right to gather information plays a distinctly acute role in journalism."¹⁵ That includes gathering "[f]irst-hand accounts, buttressed by video evidence" which "brings reporting to life, demanding our attention and allowing us to appreciate the full scope of the societal issues related."¹⁶ Yet under MSU's policy, student reporters lose the ability to film and gather news in public fora,¹⁷ where student expression should be most protected.¹⁸ Instead of enhancing students' newsgathering efforts (and their education in how to report), MSU's policy further stifles student journalism.

The unique role of universities as "peculiarly the 'marketplace of ideas'"¹⁹ in our free society cannot be squared with MSU's burdens on student reporting. SPFI and SPJ call upon MSU to revise its policies to ensure the student press may (1) speak with sources who provide commentary as private individuals on matters of public concern *without* first going through the university, and (2) film in public fora on MSU's campus without administrative reviews. SPFI would be happy to offer its assistance in revising these policies to ensure MSU's institutional interests are addressed without burdening the expressive rights of students or faculty, free of charge and in accordance with our charitable mission. We request a substantive response to this letter no later than the close of business on January 19, 2026, confirming MSU will protect the rights of the student press by implementing these measures.

Sincerely,



Marie McMullan
Student Press Counsel, Campus Rights Advocacy
FIRE



Anne Marie Tamburro
Press Freedom Strategist
SPJ

Cc: Larry Jones, Assistant Vice President, Public Relations & Strategic Communications
Julie D. Goodwin, General Counsel

¹⁴ *Richmond Newspapers v. Virginia*, 448 U.S. 555, 573 (1980).

¹⁵ *PETA, Inc. v. N.C. Farm Bureau Fed., Inc.*, 60 F.4th 815, 829 (4th Cir. 2023).

¹⁶ *Id.* (internal citations omitted).

¹⁷ *ACLU v. Mote*, 423 F.3d 438, 444 (4th Cir. 2005) (finding that an open, outdoor area of the University of Maryland is a public forum).

¹⁸ *E.g., McGlone v. Bell*, Nos. 10-6055, 10-6169, 2012 U.S. App. LEXIS 8266, at *33 (6th Cir. Apr. 23, 2012) (finding that the open, outdoor areas of the Tennessee Technological University's campus are public fora); *OSU Student All. v. Ray*, 699 F.3d 1053, 1063 (9th Cir. 2012) (finding that the Oregon State University campus is a public forum); *Justice for All v. Faulkner*, 410 F.3d 760, 768-69 (5th Cir. 2005) (open outdoor areas of University of Texas at Austin found to be designated public fora as to students).

¹⁹ *Keyishian v. Bd. of Regents of Univ. of State of N.Y.*, 385 U.S. 589, 603 (1967).