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# Group tackles CSU free-speech policy

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A national watchdog group that looks for First Amendment violations on college campuses has called on CSU administration to correct three "restrictive speech codes," including the university's hate incidents and free-speech zone policies.

On Wednesday, Associated Students of CSU debated a free-speech resolution and the CSU Libertarians held a three-person rally on the West Lawn of the Lory Student Center, making a point free speech could be conducted anywhere on campus, not just the Plaza.

In a letter sent to CSU President Larry Penley on March 12, the Foundation for Individual Rights in Education-commonly known as FIRE-charged the university with stifling the student voice in three areas of CSU policy.

First, FIRE claimed that the hate incidents policy for residence halls, which prohibits "expressions of hostility" against individuals or property because of certain characteristics, such as race or sexual orientation, cannot lawfully enact such a rule.

Loretta Martinez, general counsel to the CSU system, responded to FIRE's accusations in a letter to the organization.

"Under even the most rudimentary definition of freedom, people are allowed to be hostile," wrote Samantha Harris, FIRE's director of legal and public advocacy, in the letter to Penley.

Martinez maintains the hate incidents policy is appropriate and protects students who reside on campus.

"The intent and application of this policy is to prohibit speech or behavior directed against a specific individual that amounts to harassment based upon protected characteristics," Martinez said in her response letter to FIRE.

CSU will not change policy concerning hate incidents, Martinez said Wednesday from her home office in Denver.

FIRE's second grievance criticizes CSU's designation that the Plaza is the "primary public forum space" and must be reserved by individuals within a 14-day reservation.

"Colorado State's Peaceful Assembly Policy runs afoul of both the First Amendment and the university's own commitments to free speech by restricting free speech to just one area of the campus and by requiring two weeks of advance notice for events," Harris wrote in the letter.

Martinez said FIRE was reading an outdated version of the free speech zone policy and was misinformed. Since, the university has made sure the online version is corrected and matches that which is stated in the

## Student Code of Conduct.

"The Peaceful Assembly at CSU policy designates the Plaza as the 'primary public forum space for CSU-open to all individuals for the purpose of free speech,'" Martinez said in the letter.

Martinez made it clear Wednesday that most of the campus is available for protests and free speech, including the steps of the Administration Building and the Oval.

Dan Palmer, co-sponsor of the free speech resolution for ASCSU, said he took on the proposed measure to spark debate, adding he knew students could protest anywhere, but with restrictions.

"My understanding is, sure, you can protest anywhere, but you can only have limited materials there," Palmer said, citing that leaflets can only be distributed at certain campus locales.

Lastly, FIRE blasts the university with its advertising policy regulating handbills in the residence halls that promote alcohol and drug use, claiming it smothers students' right to free speech "simply because it's offensive to some."

Martinez said the policy will stay, but intends to review the measure and make revisions.

"We hold the principle of free speech as very important," Martinez said.

CSU Libertarians have worked closely with FIRE and vow to voice their opinion on restrictive free speech on campus.

"I feel our free speech has been limited and it's a bad precedent," said Ian Bezak, a freshman economics major and campus Libertarian member. "We are very much for upholding First Amendment rights."

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