



December 17, 2024

J. Larry Jameson
Office of the President
University of Pennsylvania
1 College Hall, Room 100
Philadelphia, Pennsylvania 19104-6380

URGENT

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

Dear President Jameson:

FIRE¹ is concerned that Penn is investigating Cinema and Media Studies professor Julia Alekseyeva for her recent social media posts regarding the murder of United Healthcare CEO Brian Thompson. The investigation, as reported by United States Rep. Dan Meuser on the Harrisburg radio station WHP 580,² follows calls for her termination from Rep. Meuser, Rep. Brian Fitzpatrick, the social media account “Libs of TikTok,” and the public. While some may find Alekseyeva’s posts offensive, they are unquestionably protected by Penn’s written commitment to free speech. We urge Penn to uphold these commitments and end its investigation into Alekseyeva’s speech.

On December 9, in a since-deleted TikTok video, Alekseyeva, upon learning Thompson’s alleged killer Luigi Mangione is an alumnus of Penn, said she had “never been prouder to be a professor at the University of [Pennsylvania].”³ On Instagram, Alekseyeva further called Mangione “the hero we all need and deserve.”⁴ Screenshots of her posts quickly circulated online, leading to calls for her termination. On December 10, Alekseyeva publicly apologized on X for her statements, saying she “retract[s] them wholly” and that she is “genuinely regretful

¹ As you likely recall, for more than 20 years, FIRE has defended freedom of expression, conscience, and other individual rights on America’s college campuses. You can learn more about our expanded mission and activities at thefire.org.

² Rep. Dan Meuser (@RepMeuser), X (Dec. 16, 2024, 12:11 PM), <https://x.com/RepMeuser/status/1868705500709503469> [<https://perma.cc/FG89-497L>].

³ LibsOfTikTok (@libsoftiktok), X, (Dec. 10, 2024, 12:40 AM), <https://x.com/libsoftiktok/status/1866357249767010707> [<https://perma.cc/ZQ7Z-BMHC>]. The recitation of facts here reflects our understanding of the pertinent information. We appreciate that you may have additional information to offer and invite you to share it with us.

⁴ *Id.*

of any harm the posts have caused.”⁵ Calls for Alekseyeva’s termination have nonetheless continued, including from Reps. Meuser and Fitzpatrick.⁶ Then, on December 16, in the midst of this cancellation campaign, Rep. Meuser revealed on WHP 580 that Penn had indeed begun an investigation.⁷

Penn has abundant reason to understand that an institution typically finds its commitment to free speech tested in moments of controversy. Indeed, were it not for Penn’s mishandling of free expression during the “water buffalo affair” in 1992,⁸ it is very likely that FIRE itself would not exist. As such, Penn has every reason to use this situation to reaffirm its established commitment by ending its investigation and declining to punish Alekseyeva for her speech.

Penn’s own guidelines require that the university be a place that “affirms, supports and cherishes the concepts of freedom of thought, inquiry, speech, and lawful assembly,”⁹ and correctly state that “[t]he freedom to experiment, to present and examine alternative data and theories; the freedom to hear, express, and debate various views; and the freedom to voice criticism of existing practices and values are fundamental rights that must be upheld and practiced by the University in a free society.”¹⁰ Penn also maintains a policy explaining that “[t]he value of free and open expression and vigorous debate apply with equal force to newer forms of communication, including emails, web sites, social media, and other technologies and communication media.”¹¹ It continues that “open expression remains equally valuable to the University and equally protected to the same extent, under the same principles, and subject to the same limitations as non-digital forms of communication.”¹² While public and official objections decry Alekseyeva’s posts as “harmful, divisive, and inappropriate”¹³ and even “profoundly dangerous,”¹⁴ these characterizations do not remove the posts from Penn’s protection of expressive freedom.

⁵ Julia Alekseyeva (@thesoviette), X (Dec. 10, 2024, 9:29 PM), <https://x.com/thesoviette/status/1866671563321335912> [<https://perma.cc/H2GB-XTVU>].

⁶ See, e.g., Congressman Dan Meuser (@RepMeuser), X (Dec. 11, 2024, 3:28 PM), <https://x.com/RepMeuser/status/1866943220074107062> [<https://perma.cc/4ECL-HH6L>]; Letter from Dan Meuser, U.S. Representative, to J. Larry Jameson, Interim President (Dec. 11, 2024), <https://meuser.house.gov/sites/evo-subsites/meuser.house.gov/files/evo-media-document/Letter%20to%20President%20Jameson%20PDF.pdf> [<https://perma.cc/L9NN-GNUK>]; Congressman Dan Meuser (@RepMeuser), X (Dec. 13, 2024, 9:51 AM), <https://x.com/RepMeuser/status/1867583008905048454> [<https://perma.cc/CPJ4-GT5K>]; Rep. Brian Fitzpatrick (@RepBrianFitz), X (Dec. 16, 2024, 12:43 PM), <https://x.com/RepBrianFitz/status/1868713468892967216> [<https://perma.cc/KH27-FSYG>].

⁷ Meuser, *supra* note 2.

⁸ See Chapter 1, Alan Charles Kors & Harvey A. Silverglate, *The Shadow University: The Betrayal of Liberty on America’s Campuses* (1998).

⁹ *Guidelines on Open Expression*, UNIV. OF PA. (Aug. 4, 2024), <https://catalog.upenn.edu/pennbook/open-expression/open-expression.pdf> [<https://perma.cc/F2Y2-2M6M>].

¹⁰ *Id.*

¹¹ *Id.* at Open Expression in Electronic Media and Cyberspace.

¹² *Id.*

¹³ Letter to J. Larry Jameson, *supra* note 6.

¹⁴ Fitzpatrick, *supra* note 6.

While Penn is not explicitly bound by the First Amendment, First Amendment jurisprudence informs Penn’s commitment to expressive rights and faculty’s reasonable expectation of what those rights encompass. The Supreme Court has repeatedly, consistently, and clearly held that free speech principles protect expression others find offensive, or even hateful.¹⁵ For example, in *Rankin v. McPherson*, a police officer was fired after hearing of the failed assassination attempt on President Reagan and remarking that “If they go for him again, I hope they get him.”¹⁶ The Court found the firing—again, of a *police officer*—to be unconstitutional, noting that whether listeners found the statement of “inappropriate or controversial character” was “irrelevant” to its constitutional protection.¹⁷ The parallels between the comments in *Rankin* and Alekseyeva’s posts could not be more obvious.

Penn’s policies protecting freedom of speech encompass Alekseyeva’s posts. As a form of sociopolitical commentary, they represent the very type of expression that Penn’s policies exist to protect. Nothing in the posts indicate that Alekseyeva is unfit to continue with her professorial duties. Social media remarks on subject matter entirely unrelated to the speaker’s professional obligations have no bearing on one’s ability to educate students in the classroom and provide no justification to launch an investigation into Alekseyeva that, given the circumstances, can hardly be anything other than a politically motivated witch hunt.

We therefore urge Penn to honor its commitments to free expression to its faculty by refusing to capitulate to calls for Alekseyeva’s termination. Given the urgent nature of this situation in the face on increased pressure, we request a substantive response to this letter by December 20 confirming Penn will end its investigation and not discipline Alekseyeva for her protected posts.

Sincerely,



Aaron P. Corpora
Program Officer, Campus Rights Advocacy

¹⁵ See, e.g., *R.A.V. v. City of St. Paul*, 505 U.S. 377 (1992) (striking down an ordinance that prohibited placing on any property symbols that “arouse[] anger, alarm or resentment in others on the basis of race, color, creed, religion or gender”); the Court has refused to a limitation on speech viewed as “hateful” or demeaning “on the basis of race, ethnicity, gender, religion, age, disability, or any other similar ground.” *Matal v. Tam*, 137 S. Ct. 1744, 1764 (2017).

¹⁶ 483 U.S. 378, 381 (1987).

¹⁷ *Id.* at 387. See also Thomas. A. Schweitzer, *Hate Speech on Campus and the First Amendment: Can They Be Reconciled?*, 27 CONN. L. REV. 493, 514 (1995) (“[M]ore than twenty cases were brought by whites accusing blacks of racist speech; the only two instances in which the rule was invoked to sanction racist speech involved punishment of speech by a black student and by a white student sympathetic to the rights of black students, respectively; and the only student who was subjected to a full-fledged disciplinary hearing was a black student charged with homophobic and sexist expression.”) (citing Nadine Strossen, *Regulating Racist Speech on Campus: A Modest Proposal*, 1990 DUKE L.J. 484, 557–58 (1990)).