

Statement Opposing the Proposed Expressive Activity Policy

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The process that is being engaged to bring this proposed policy into effect by August 1, 2024 does not honor the spirit of shared governance, while exacting a broad reach. It is being rushed with the appearance of viewpoint bias. I ***strongly recommend*** following our regular, and accepted, process for the debate, editing, and passing of policy during the terms when the BFC and the UFC are holding meetings and setting committees. Policies are difficult to change once enacted, thus much care must be taken up front. Moreover, given the attempts of this administration to squelch the peaceful Pro-Palestinian protest by nearly all means (11th hour policy change, Indiana State Police with AK47s and Snipers, fear, conduct violations and more), it would be impossible not to interpret the policy as biased against a particular viewpoint with the expressed goal of trying to squelch Pro-Palestinian views.

Free speech policies are generally aimed at protections, which this policy fails to put forward. The rights and responsibilities for free expression are not practically protected in this policy and, instead, too much control over expression (for example, signage) is vested to administrators. The policy is punitive in nature rather than educative. Extreme sanctions are listed in the policy regardless of type of breach, number of infractions and so forth. This makes the policy enforceable in ways that subject it not to fairness, but to the whims of administrators who meet out the sanctions.

The policy should limit the use of force and punishment, particularly eliminating the unprovoked use of Indiana State Police in riot gear with heavy weapons and snipers. Such limits should be clearly spelled out in the policy. The policy places way too much leniency and trust on administrators without setting limits on the manner and extent to which force can be used in response to expressive activity. In other words, the right to bodily safety to peaceful expression is not ensured by the policy. It is important to note that even though the existing policy restricts over night structures, such as shanties and tents, the policy has not in practice been enforced. IU has supported peaceful overnight protesting for decades without safety issues. This spring, the greatest risks to safety were brought to Dunn Meadow by the President herself. The policy does not control administrative risks and responsibilities to protect and defend free expressive activity. We have seen first-hand an untrusted administration with whom most of us lack confidence will recklessly and needlessly bring harm to our precious campus in the form of state force.

Lastly, in terms of over-arching comments, the policy reaches too far in scope and is inconsistent with already existing policy and state mandates. First and foremost, it casts global and political expressive activity (including, but not limited to, protests) as fundamentally non-educational and destructive. This is just simply counter-factual and unproductive. Expressive activity protected as free speech should be cherished by public universities.