

*Free Speech
Principles
and Policies
in the Protest
Era*

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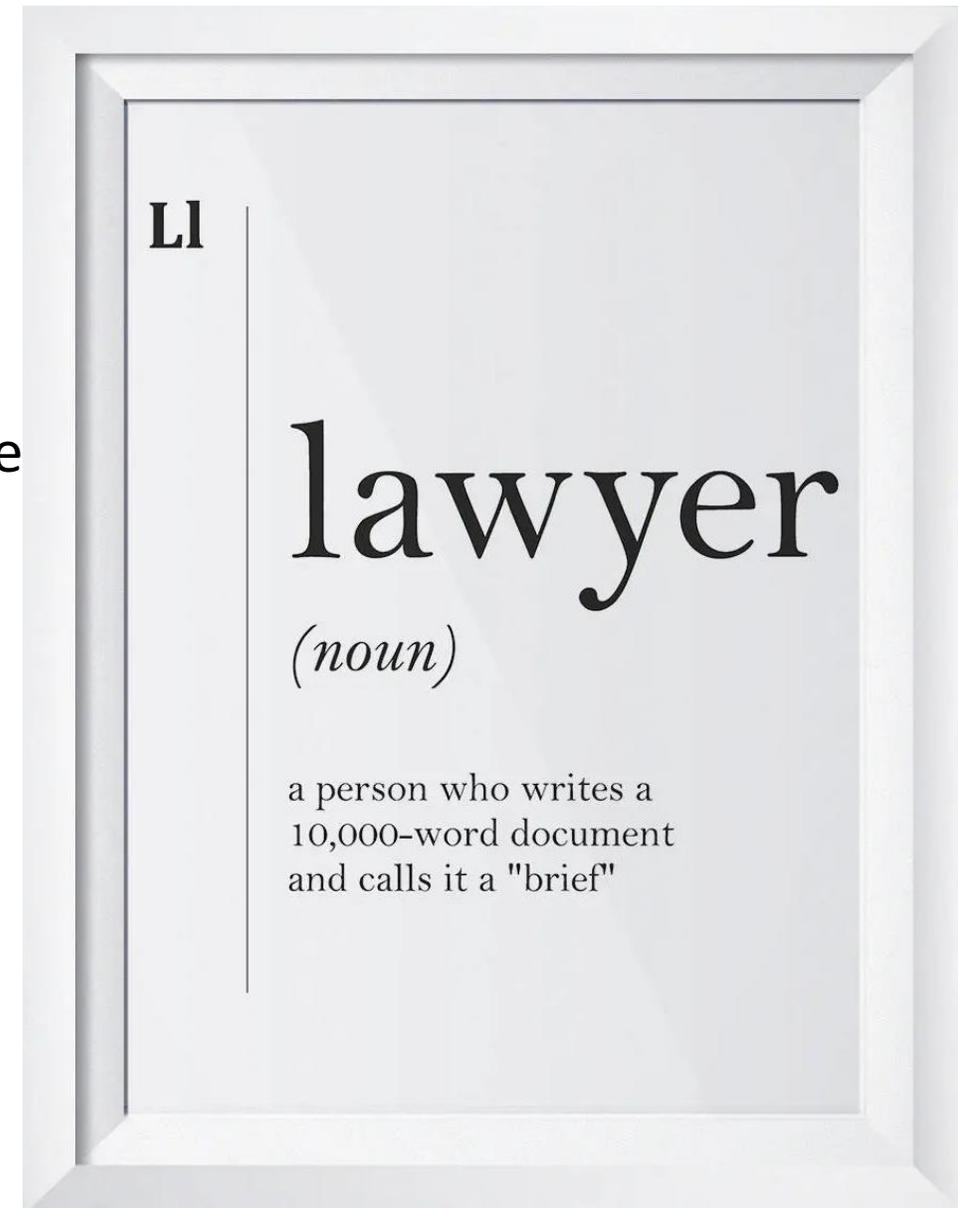
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Speak Now

Long Story Short – Discussion Overview

- **Brief** free speech/free expression refresher
- Applicable UNC Charlotte Policies
- Understanding emergency preparedness and response
- Discussion scenario



Begin Again – Free Speech/Expression Refresher

● First Amendment

...and UNC Charlotte ^{or} Policy!

- “Congress shall make no law . . . abridging the freedom of speech . . .”
- The Supreme Court has called freedom of speech and expression “the matrix, the indispensable condition, of nearly every other form of freedom” that occupies a “preferred place” in our constitutional system.
- “Before the debate even starts, speech has an advantage, even against some very good reasons to limit it.”
- Why?
 - Freedom of Thought
 - Democracy
 - History



Stay Stay Stay – Free Speech/Expression Refresher (cont.)

● Content/viewpoint-neutral restrictions (*no inherent freedom from*)

- Forum analysis
 - traditional public forum
 - designated public forum
 - limited public forum
 - nonpublic forum
- Reasonable time, place, and manner restrictions
 - Narrowly tailored/government interest
 - Ample alternative means of expression

● Unprotected speech (*no inherent freedom to*)

- True threats
- Inciting or producing an imminent lawless action
- Fighting words
- Obscenity
- Defamation (libel and slander)
- Unlawful discrimination/harassment
- Disruption/interference with operations



I Know Places – Where to Find Applicable University Policies

- legal.charlotte.edu/policies
- University Policy 406, Code of Student Responsibility
- University Policy 601.5, Use of Student Residence Facilities
- University Policy 601.6, Use of University Space
- University Policy 601.9, Camping
- University Policy 601.13, Interference with University Operations
- University Policy 721, Personal Identification Policy
- University Policy 802, Conduct at Speech Events

Ready for It? – Understanding Emergency Preparedness

● **Demonstration Activity Resource Team (DART)**

- Serves students, visitors and employees.
- Led by NiCole Lynch and pulls from volunteer deputies from all divisions.
- Connects with event organizers ahead of planned events or approach organizers of unplanned events on the day of to ensure both understand the role of DART during their event.
- Resources are online at dart.charlotte.edu

● **Safety and Security**

- The Office of Emergency Management (OEM) and Police and Public Safety (PPS) actively engage in preparedness activities to ensure that campus safety and operations are maintained
- Pre-event planning w/ campus partners and stakeholders for known events (e.g., football, commencement)
- Monitoring the campus and surrounding areas for potential threats to safety or hazards that could impact operations (e.g., weather events)

Safe & Sound – Understanding Emergency Response

- **Demonstration Activity Resource Team (DART)**

- Monitor event activity for safety and policy compliance.

- **Safety and Security**

- During an event/incident response offices that make up safety and security play distinct, but complementary roles
 - PPS: First responders and go to the “scene” to address the issue and establishing Incident Command (IC)
 - OEM: Operational coordination entity looking at bigger picture across the entirety of campus from the Emergency Operations Center (EOC)
- Dependent on the situation, other safety and security entities may also assist in response, from environmental health and safety to the threat assessment unit

The Story of Us – Discussion Scenario



State of Grace – Early Morning

Time: 8:00 AM

- During a reading day before final exams, a group called **End Puppy Mills Now (EPMN)** converges all at once upon UNC Charlotte's West Quad. They raise tents and banners without reserving the space. Many of the EPMN protestors are wearing different types of masks, including medical masks and puppy masks covering their faces. Staff and faculty from various departments are also present at the encampment, acting as “neutral observers.”
- Simultaneously, an anti-abortion group called **Crusaders For Life (CFL)** begins setting up for a protest for space they have reserved in Belk Plaza with large graphic signs. They compare abortion to ethnic cleansing, using provocative language and imagery. As part of their demonstration, they bring children who approach passersby—especially young women—who ask, "Do you support policies that harm children like me?" The first incident report regarding this behavior is filed by a student heading to the library at 8:05 AM.

You Need to Calm Down – Mid-Morning Escalation

Time: 10:00 AM

- After DART engagement, many EPMN protestors begin to pack up. However, a group of EPMN protestors wearing masks march across campus, chanting slogans into a bullhorn and holding up large signs (including one depicting the General Counsel punting a puppy).
- Some EPMN members head to Belk Plaza to hold banners among the CFL protestors. CFL demands that DART remove EPMN since they have reserved the space.
- At 10:15 AM, a group of faculty releases a statement accusing the university of treating the two protest groups differently based on their messages. They claim the university is unfairly targeting EPMN while allowing CFL to continue despite the discomfort caused by their tactics.
- Prominent politicians begin posting on social media, calling for the immediate arrest and expulsion of the protestors and the firing of the faculty who released the statement. One influential legislator posts on X:
 - Rep. Chuck Norris (@RepChuckNorrisNC): *Unbelievable! UNC Charlotte allowing anti-capitalist radicals to take over campus. FIRE extremist faculty and EXPEL extremist students. If they hate puppy mills so much, maybe they should adopt all the puppies themselves!!!*

Sparks Fly – High Noon Crescendo

Time: Noon

- Tensions escalate as EPMN members marching across campus join the group in Belk Plaza, reestablishing their tents among the CFL protestors. The two groups clash verbally, and the General Counsel receives a demand letter from an attorney representing CFL.
- Some CFL protestors begin roaming around campus carrying their graphic signs to other high-traffic areas. They approach students and staff with pointed questions about abortion, generating multiple complaints and a few shouting matches. One group of students follows CFL protestors with a bedsheet to shield their signs from view.
- Faculty and staff continue to observe as tensions rise. Social media intensifies with prominent political figures posting incendiary messages calling for police intervention. A follow-up post by Rep. Chuck Norris at 1:30 PM reads:
 - Rep. Chuck Norris (@RepChuckNorrisNC): *These Marxist Mutt-Lovers are enemies of the state. It's time for concealed carry to be allowed on UNC campuses so that people will be afraid to commit treason on public property. Hopefully there are still some heroes left in this country.*

End Game – Wrap-Up and Questions



Express Yourself