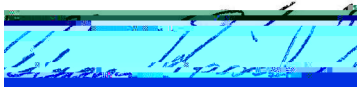


On October 29, Acting Superintendent/President Nicholas C. A. Alioto sent a memorandum to the “College Community” denying that SWC’s actions, including having placed the professors on “administrative leave,” amounted to a suspension or any disciplinary action at all. Alioto added in his memo that the professors are under investigation for

- a) Incitement of students to move outside the free speech area and to violate College policies
- b) Disregard for warnings and directives of police officers
- c) Physical confrontation with police officers[.]

California Penal Code Section 626.4 permits a college’s chief administrative officer to ban someone from campus “whenever there is reasonable cause to believe that such person has willfully disrupted the orderly operation of such campus or facility.” FIRE has seen no evidence whatsoever that the peaceful assembly of the students and faculty members, both in the free speech area and near your office, was anything close to “a substantial and material threat” or disruption to the campus. Nor can the repeated requests to meet with you on October 22 and 23 legitimately be called disruption or a threat of disruption. Moreover, Section 626.4 demands that “[c]onsent

only to confuse students attempting to ascertain their speech rights at SWC. How is a student to determine, under this provision, what types of hate speech are protected at SWC and what types



Jeanne Roesch, Southwestern Community College District Governing Board
Yolanda Salcido, Southwestern Community College District Governing Board
Terri Valladolid, Southwestern Community College District Governing Board
Chris DeBauche, Student Trustee, Southwestern Community College District Governing Board
Andrew J. MacNeill, Acting President, Southwestern College Education Association,
Southwestern College
Valerie Goodwin-Colbert, President, Academic Senate, Southwestern College
Patricia Flores-Charter, President-Elect, Academic Senate, Southwestern College
Richard Fielding, Vice President, Academic Senate, Southwestern College
Virginia Martinez, Secretary, Academic Senate, Southwestern College
Michael Kerns, Vice President for Human Resources, Southwestern College
Jackie Osborne, Director of Human Resources, Southwestern College
Mark Meadows, Vice President for Academic Affairs, Southwestern College
Anjelica Suarez, Vice President for Student Affairs, Southwestern College
Gilbert Songalia, Executive Vice President, Associated Students Organization, Southwestern
College
Valentine Ah Fook, Secretary, Associated Students Organization, Southwestern College
Brent Chartier, Chief of Police, Southwestern College