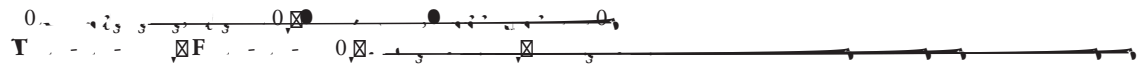
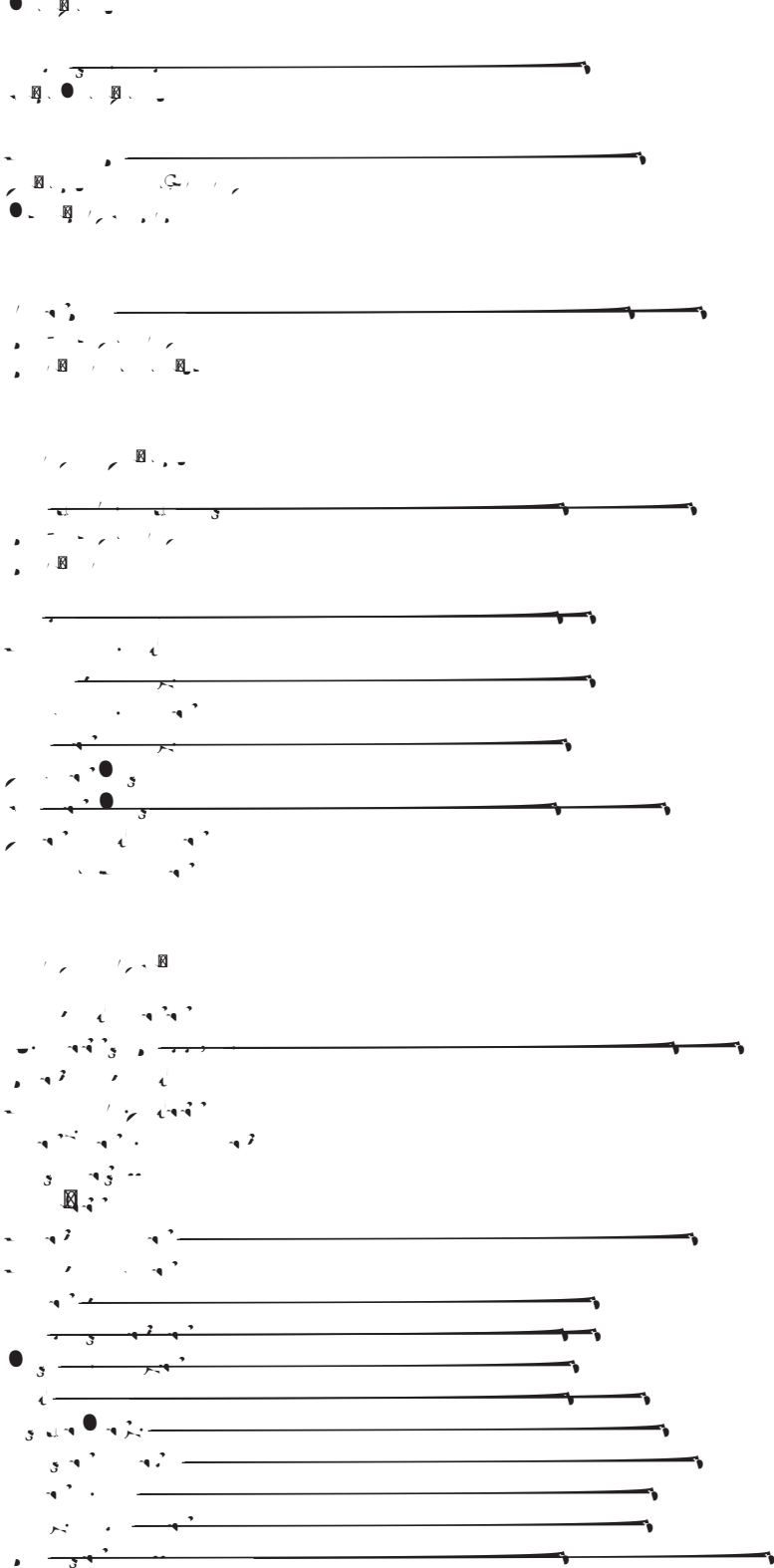


F... I... R... E...



December 14, 2009



FIRE first wrote to former LSSU President Betty J. Youngblood on July 23, 2007, expecting that she would understand that LSSU had severely overreached and would quickly correct this issue. Unfortunately, LSSU handed the matter to an outside law firm, Vercruyse Murray & Calzone, which in turn fundamentally misunderstood the university context. Although it is likely that *none* of Crandall’s postings—for example, political cartoons that had already been published in newspapers—ever came close to satisfying even a *single* element of the applicable legal standard governing “hostile environment” harassment, the law firm supported LSSU’s efforts to chill Crandall’s political speech by characterizing his posts as such.

As a result, Crandall has no way of knowing whether even such innocent postings as “Land of the FREE Because of the BRAVE,” one of his banned postings, might generate a complaint and lead to punishment. Meanwhile, his colleagues’ postings—for example, a posting that criticized “organized religious fanatics and clerical fascists” for the election of George W. Bush—include expressions of personal beliefs on matters of public concern that are not germane to the subjects those professors teach, and these remain unhindered.

I have enclosed a copy of Professor Crandall’s case file (in hard copy only), including the banned postings and our correspondence. While you or I might not have chosen to post these materials, the First Amendment and the principles of academic freedom do not depend on subjective feelings or judgments, and these principles do not permit such overbroad limitations as those that have banned postings such as this one:



LSSU has entirely failed to explain whether and how any specific posting or group of postings by Crandall rises to the level of unprotected speech. A regulation is said to be unconstitutionally overbroad if, in addition to whatever else it may appropriately prohibit, it significantly restricts protected First Amendment expression. As the Supreme Court has stated, to avoid overbreadth, a



cc:

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