

Sent Via Email Only

October 24, 2019

Adam B. Steinbaugh
Director, Individual Rights Defense Program
Foundation for Individual Rights in Education
510 Walnut Street
Suite 1250
Philadelphia, PA 19106

Re: Letter to The University of Connecticut (“University” or “UConn”)

Dear Mr. Steinbaugh:

Your letter to UConn President Katsouleas and UConn Police Chief Rhynhart was forwarded to my attention for response.

UConn wholeheartedly shares FIRE’s steadfast defense of free speech principles. Our policies, procedures and practices make clear that UConn is committed to maintaining a non-discriminatory learning, living and working environment. The University has a commendable record of acknowledging and protecting the free speech rights of all of our community members, even in the face of criticism and protest.

As you likely appreciate, UConn cannot comment on individual student matters. While the records of law enforcement may be public records subject to the state’s freedom of information laws, records maintained by the University directly related to students are prohibited from disclosure pursuant to the Family Educational Rights and Privacy Act (FERPA).¹ Accordingly, this response does not address your inquiries about the University’s actions or intentions related to the two students identified in your letter.

We can share with you that, like most of the state’s laws, section 53-37 of the Connecticut General Statutes was enacted by the Connecticut legislature. The UConn Police Department,

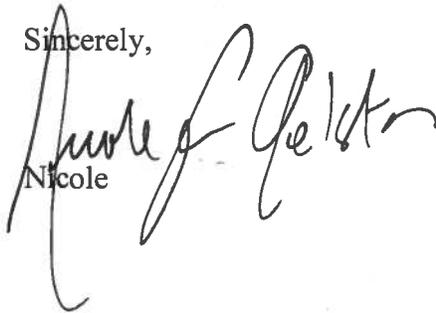
¹ Absent consent or an applicable enumerated exception.

like all law enforcement officials, is obligated to investigate potential criminal matters and present the results of their investigations to the chief prosecuting official. The chief prosecuting official determines whether there is probable cause to charge an individual with violations of existing law. Before an arrest warrant is executed, it must be approved by a judge. That process was followed in this case.

The criminal matter is in the hands of the state of Connecticut. Neither the UConn Police Department, nor the University itself, has the authority to “drop the charges” as you have requested. Further, any claim concerning the constitutionality of any of the state’s laws should be directed not to the University, but rather to the Connecticut General Assembly or the court, by someone with standing to assert that claim.

We can assure you that UConn will continue to take all reasonable steps to recognize and protect the rights of all members of the UConn its community moving forward.

Sincerely,



Nicole