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OFFICE OF GENERAL COUNSEL

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**Via Email [charlotte.arneson@thefire.org](mailto:charlotte.arneson@thefire.org)**

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RE: Turning Point USA UMD Chapter October 22, 2025, Event

Dear Ms. Arneson:

I am writing in response to your letter to Darryll Pines, President of the University of Maryland, College Park (UMD or the University), dated October 17, 2025. Please direct any future correspondence regarding this matter to my attention.

In your letter, you object, on behalf of the University's Turning Point USA chapter (TPUSA), to the University's requirement that TPUSA engage and pay for Contemporary Services Corporation (CSC) to conduct entry screening, including weapon detection wand and bag checks, for guests attending a lecture on campus which TPUSA is hosting on October 22, 2025. The speaker for this event is Cabot Phillips. You allege that the University's requirement that TPUSA incur this security cost is an impermissible content-based restriction on TPUSA's freedom of expression. The University disagrees with your contention.

Contrary to your allegations, the security arrangements which the University of Maryland Police Department (UMPD) is requiring, resulting in a relatively nominal cost of less than \$150, are entirely reasonable in light of the objective assessment of the referenced event and the security risks associated with it. Moreover, the University imposes the same type of screening requirements and associated costs on other event hosts holding similar types of guest speaker events, regardless of the content or viewpoint of the event organizer, speaker or their respective messages. In short, the requirement that TPUSA pay the security costs associated with a third party vendor to provide basic screening services is not based on TPUSA's or Mr. Phillips' anticipated message and is in no way unique to TPUSA.

As an initial matter, the University of Maryland is a staunch defender of the free speech and expression rights of all members of the campus community, including in particular its students. See, e.g., *Statement of Free Speech Values*, <https://policies.umd.edu/statement-free-speech-values>; *Freedom of Speech on Campus*, <https://ogc.umd.edu/freedom-of-speech>. Indeed, FIRE has, appropriately, given the University a Speech Code Rating of "Green," the highest rating available, in its recent assessment of the University's free speech policies and procedures.

The University has incorporated and effectuated these values into the *University of Maryland Policy and Procedures for the Use of Facilities and Outdoor Spaces* (the “Policy”), which provides for content neutral policies and procedures governing the use of University facilities and outdoor spaces for free expression events.<sup>1</sup> Rules specifically governing the reservation and use of University facilities are set forth in the University’s Event and Guest Services *Event Management & Policy Manual* (hereinafter, the “Event Guidelines”).<sup>2</sup> The University’s commitment to allowing and fostering free speech and free expression events is affirmed throughout the Policy and Event Guidelines. For example, the Policy states, as its fundamental purpose, that “It is the policy of the University ... that its physical facilities and outdoor spaces be used to support the University’s central mission as a land grant institution and its goals of achieving excellence in teaching, research, and public service within a supportive, respectful, and inclusive environment that honors freedom of expression and complies with the First Amendment.” *See* Policy, §I. Moreover, the Policy and Event Guidelines explicitly provide that the use of University facilities for free speech events be without regard to the content of the speech expressed at such events. *See* Policy, Appendix A, §§ IV.A.5 and V.A.3; Event Guidelines, Rules for Scheduled Expressive Activity for External Users, ¶5; Event Guidelines, Rules for Scheduled Expressive Activity for Internal Users, ¶3.

I appreciate the fact that, in your letter, you recognize that the University campus regularly hosts events and speakers representing a wide variety of viewpoints, without bias or regard to the content of such speakers’ messages. For example, you accurately noted that TPUSA has held two events on campus in the past month without issue. You also recognized the recent event held by the UMD chapter of Students Supporting Israel, on October 7, 2025, which was just one of multiple free expression events held on that day by various groups expressing a wide range of divergent viewpoints. You also accurately noted that these events had significant security protections in place, including UMPD presence and CSC security personnel who conducted bag checks. These security measures are intended to protect the participants in these events, not to repress their ability to engage in free speech.

The University generally requires event organizers to pay all associated security costs. *See* Event Guidelines, Security section; Policy §IV.F. You acknowledged in your letter that this is permissible, writing “UMD may charge reasonably determined security fees,” although it may not “impose *excessive* fees because of expected protests.” (emphasis in original).

As you also accurately noted in your letter, all events are subject to a security review by UMPD when deemed necessary by the Event and Guest Services Office. *See* Event Guidelines, “Security” section. In assessing the security requirements of such events, UMPD considers a number of factors:

1. The type of event and number of anticipated attendees/participants;

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<sup>1</sup> *See* UMD Policy VI-4.10(A), found at <https://policies.umd.edu/general-administration/university-of-maryland-policy-and-procedures-for-the-use-of-facilities-and-outdoor-spaces>.

<sup>2</sup> *See* [https://stamp.umd.edu/meeting\\_events/event\\_guest\\_services/policies\\_procedures#security](https://stamp.umd.edu/meeting_events/event_guest_services/policies_procedures#security).

2. Event venue, including the venue size, location, number of entrances and exits to be staffed, maximum occupancy requirements, and ticketing/check-in procedures;
3. The day and time of the event;
4. The history of similar events and/or of performer/speakers at other locations;
5. Whether the event is open and/or advertised to the entire University community and/or non-affiliates of the University, or restricted to guests of the event sponsor;
6. Whether the proposed event involves activity that poses inherent risk of personal injury or property damage;
7. Whether alcohol will be served;
8. Whether there will be sales of food, beverages, or other items and whether cash handling will occur;
9. Whether event performers/speakers come with personal security teams or details;
10. Whether event sponsors request additional security measures;

See Event Guidelines, “Security” section. As you specifically acknowledged in your letter, these factors are “reasonable, viewpoint-neutral criteria used to determine security” requirements for events.<sup>3</sup> Moreover, as you also acknowledged, the Event Guidelines specifically provide that, “in determining whether security costs shall be imposed, and the amount of any such costs, the University may not consider the content or viewpoints of the speech expressed or intended to be expressed by the event sponsors, speakers, guests, or attendees.” *Id.*

Despite your acknowledgement that the University has a right to pass through reasonable security costs to event organizers, and that the factors utilized by the University are “reasonable [and] viewpoint-neutral,” you nonetheless contend that, as applied in this case, the requirement that TPUSA retain CSC to provide wand/metal-detection services for guests attending the lecture is an impermissible content-based security fee, which cost the University is required to bear rather than pass on to TPUSA. Your contention is inaccurate for several reasons:

1. There is no dispute that some level of security is required for this event.

First, and most importantly, there is no dispute that some level of security is appropriate for this event. Indeed, in your letter, you do not appear to question UMPD’s assessment that having CSC provide screening of guests attending the event is an appropriate security measure, given the totality of the circumstances.

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<sup>3</sup> As you may know, Jay Rossello, the University’s Vice President and General Counsel, exchanged in an email dialog with FIRE’s Mary Griffin in July 2024 regarding these factors. At that time, the University was in the process of reviewing and updating the security assessment factors set forth in the Event Guidelines, and Ms. Griffin suggested a number of content-neutral factors that could be considered. After reviewing the University’s security factors in the revised draft guidelines (which factors were ultimately adopted and are now set forth in the Event Guidelines), Ms. Griffin wrote on July 16, 2024, that “[t]he [then] draft policy is in great shape and we very much appreciate you hearing our concerns and incorporating many of the suggestions from my email,” although she suggested a slight tweak to the fourth factor.

Moreover, TPUSA itself recognized the importance of security, including specifically in connection with attendees' bags, for the event. For example, on October 2, 2025, Mr. Connor Clayton, TPUSA's representative, advised UMPD Lt. Suthard that TPUSA planned to "enforce a strict no/clear bag policy" and proposed directing attendees to leave bags at the door or in another room. On the same day, Lt. Suthard responded that leaving bags unattended is not a viable security option.<sup>4</sup> Mr. Clayton seemed to understand these concerns, as he replied on the same day and asked if a TPUSA or UMPD Officer could check the bags instead. UMPD's determination that CSC be retained to provide wand/metal-detection services was the logical, and standard, solution to this issue. Mr. Clayton also asked for confirmation that UMPD officers would be present, further indicative that he understands the need for some level of security at this event.

It should also be noted that Mr. Clayton is not the only representative of Turning Point to recognize the need for security for the event. On October 17, Mr. Phillips' representative reached out to UMPD to find out the cost of having a UMPD officer personally escort Mr. Phillips from the UMPD police station to the classroom where his lecture will be given, and back again to the UMPD station after the event. This outreach was unsolicited by UMPD.

In assessing the security needs for this event, one of the factors that UMPD considered was that the event will be open to the public, without an advance guest list or RSVPs. It is unknown how many people, or who, will attend the event, even though only 45 people or so will be allowed to enter due to the selected classroom's size. In UMPD's professional opinion, this factor increases the security risks associated with the event, and distinguishes it from some other speaker events held on the University campus. This is a content neutral security consideration based on the type of event TPUSA wants to hold, not based on the content of the message it plans on presenting.<sup>5</sup>

2. The University is not singling TPUSA out by requiring CSC to screen event attendees.

While you do not appear to question the reasonableness of the requirement that screening be performed at the classroom entrance, you appear to assume that TPUSA is being singled out for the requirement that it pay for such costs. This assumption is incorrect. In fact, requiring such security screening, which the host organizers pay for, is a standard practice at similar events held at the University. This requirement is imposed without regard to the content of the message of the event organizers or their invited speakers.

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<sup>4</sup> The reasons for this are obvious. First, there is a risk that unattended bags could be stolen or lost. Second, an unattended bag with a device in it adjacent to the room where the event is to be held poses virtually the same risk as allowing the bag in the room where Mr. Phillips is to give his lecture.

<sup>5</sup> If TPUSA is interested in reconsidering this aspect of the event, then the security assessment and the requirements arising therefrom may be different. To be clear, however, the University is *not* prohibiting TPUSA from hosting this event or making it open to the public; I merely point out that this fact is a content-neutral factor in the security assessment, as specifically reflected in the fifth criteria listed above.

Following is a non-exhaustive list of recent non-athletic events in which similar screening services have been required and paid for by the event hosts:

- 03/11/25 – 03/13/25 – Bitcamp Hackathon
- 04/12/25 – J’ouvert, Caribbean Student Association
- 09/11/25-09/12/25 – NextNOW Fest, Clarice Performing Arts Center
- 09/24/25 – Deputy Secretary Faulkender Speaking Event, Smith School of Business
- 09/26/25 – Peter Sagal Speaking Event, ARHU Dean’s Lecture Series
- 09/28/25 – Capitol Battle of the Bands
- 10/03/25 – Raas Garba Ramzat Event
- 10/14/25 – 10/15/25 – Eradicating Anti-Black Racism Conference, Social Justice Alliance

There are several additional events scheduled for the next few weeks with the same requirements. As you can see, this type of security is required for a wide range of events, including events with guest speakers, without regard to the viewpoints of the event organizers or invited speakers.

In your letter, you state that the additional security fees are specific to TPUSA, and in particular as a result of the tragic assassination of Mr. Kirk. It is true that in one of his emails to Mr. Clayton, on October 7, Lt. Suthard referenced the assassination and the heightened risks for Turning Point events.<sup>6</sup> To do so is consistent with the fourth factor considered in UMPD security assessments, as noted above. Moreover, UMPD’s security assessment of risk factors since September 10, 2025, is not limited to TPUSA, however. The sad fact of the matter is that *all types* of events are subject to a heightened risk in the current environment, risks that UMPD must take into account for any gathering where such risks are present.

Therefore, the University is not engaging in viewpoint discrimination in assessing the CSC screening costs to TPUSA. To the contrary, these are standard and reasonable security costs which are passed on to all similarly situated event hosts.

3. The University strives to enable student groups to host free speech and free expression events without being unduly burdened by security costs.

Consistent with its Statement of Free Speech Values, the University makes every reasonable effort to facilitate free speech and free expression events by its student groups, notwithstanding the substantial security costs often associated with such events. The University often bears much of these costs, knowing that its student groups do not have the financial resources to pay such costs. For example, as you recognized in your letter, in the past month TPUSA had two outdoor events for which UMPD provided a police presence to ensure security, without charging TPUSA. Similarly, as you also recognized in your letter, UMPD and other

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<sup>6</sup> TPUSA is acutely aware of these risks. Just last week, it voluntarily canceled an internal meeting due to an on-line threat of violence, which it reported to UMPD. UMPD had already learned of and investigated that threat.

University resources provided substantial levels of security at multiple, competing events on October 7, 2025. The provision of security for some events, such as on October 7 and the annual “Israel Fest” and “Boycott Israel Fest” events, reportedly cost the University hundreds of thousands of dollars, costs which were born by the University. *See* <https://dbknews.com/2025/10/15/october-7-2024-security-costs-data/>.

The University has undertaken substantial efforts to assist TPUSA with its October 22 lecture event. For example, it agreed to assign UMPD officers to the event, without cost to TPUSA. It also determined that entrance screening should be handled by CSC rather than UMPD officers, as the cost to TPUSA will be significantly less using that company than if UMPD officers performed such services, as Lt. Suthard explained to Mr. Clayton in his October 7 email.

In your letter, you ask why TPUSA would not be charged for its two outdoor events but it is required to pay costs associated for the October 22 lecture. By policy and in practice, outdoor expressive events are treated somewhat differently than guest speaker events which are held in indoor spaces. For example, the University has designated four specific outdoor locations for “Scheduled Expressive Activities” by registered University students: McKeldin Mall; Hornbake Plaza; Stamp Student Union South East Plaza; and Nyumburu Amphitheater. *See* Policy, Appendix A, Part V. Legally, the Fourth Circuit has specifically recognized these outdoor spaces as “limited public forums.” *See ACLU v. Mote*, 423 F.3d 438, 444 (4<sup>th</sup> Cir. 2005). As noted above, the University has frequently worked with student groups to enable them to host expressive events even when the resulting security costs were substantial, without passing such costs on to the student groups, so as to enable such events to occur. By contrast, University classroom and other interior spaces are non-public forums. As indicated above, when organizers reserve indoor space to hold events, such as guest speakers, the University charges the event organizers for any resulting security costs. TPUSA has previously complied with this requirement, such as when it was assessed the security costs for a guest speaker, Riley Gaines, event last year.

FIRE does not dispute that the University is entitled to pass on reasonable security costs to event organizers so long as it does so without regard to the content of the speech at such events. The fact that the University often bears such costs directly, especially for “Scheduled Expressive Activities” in designated outdoor spaces, as a way of supporting its student groups is not inconsistent with that right.

4. The CSC costs are reasonable.

Finally, in your letter you expressed concern about “exorbitant” and “excessive” security fees. The security fees in this case are neither. The total cost quoted by CSC, according to your letter, is less than \$150. UMPD is *not* charging any fees for its presence at the event.<sup>7</sup> TPUSA has recognized the need for a security arrangement for checking attendees’ bags. While the event will be limited to approximately 45 people in the classroom, because this is an open

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<sup>7</sup> This statement does not apply to any fees which may be charged directly to Mr. Phillips pursuant to his October 17 request to have a police escort to and from the event at his expense.

invitation with no guest list and no RSVPs, it is impossible to know beforehand how many people may actually appear. In light of these factors – which are clearly content-neutral – it is not unreasonable to assess the host of the event direct out-of-pocket costs of less than \$150 for CSC’s screening services, just as UMD does for other similar events.

As FIRE itself has recognized, the University of Maryland has a staunch commitment to the rights of its students to engage in free speech and free expression. The security of its students, other members of the campus community, and campus visitors, is also of paramount importance. In this case, security costs of less than \$150 for baggage screening and metal-detection services are both reasonable and standard for events of this type, and therefore the University is appropriately passing such costs on to TPUSA.

Please do not hesitate to contact me should you have any questions regarding the foregoing.

Sincerely,

*/s/ Christopher B. Lord*

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