



April 6, 2026

Jackie Lochrie
Division of Student Affairs
St. John's University
8000 Utopia Parkway
Queens, New York 11439

Sent via U.S. Mail and Electronic Mail (student@my.stjohns.edu)

Dear Vice President Lochrie:

FIRE, a nonpartisan nonprofit that defends free speech,¹ is concerned by St. John's University's Demonstration Policy, which infringes on students' and faculty's free speech rights by requiring pre-approval for *all* demonstrations. As a university that "supports the right of all members of the University community ... to discuss and to advocate any issue and to express any opinion,"² St. John's must revise this sweeping pre-approval requirement and make clear that individuals can spontaneously speak their minds.

St. John's Demonstration Policy reads, in relevant part:³

Members of the community wishing to hold a demonstration must complete the Demonstration Registration Form and submit it to the Dean of Students office no less than three (3) business days prior to the event. The Dean of Students or designee will review all submissions and meet with Organizers to discuss responsibilities, any safety or security requirements and to evaluate any special needs or provisions to ensure that the academic mission of the University is not disrupted.

FIRE appreciates that St. John's has an important interest in ensuring that demonstrations "do not disrupt the educational process or working environment taking place at the University or

¹ For more than 25 years, FIRE has defended freedom of expression and other individual rights on America's university campuses. You can learn more about our mission and activities at fire.org.

² *Demonstration Policy*, ST. JOHN'S UNIV. (revised Nov. 27, 2018), <https://www.stjohns.edu/who-we-are/leadership-and-administration/administrative-offices/office-senior-vice-president-and-chief-operating-officer/human-resources/policy-1008-demonstration-policy> [<https://perma.cc/YW8C-37RC>].

³ *Id.*

interfere with the rights of any members of the University community.”⁴ However, it may not assert this interest in a manner that flies in the face of the free speech rights St. John’s has committed to protecting.

St. John’s policy appears to apply to all activities that could theoretically be labeled a “demonstration,” with no exception for small demonstrations, silent protests, spontaneous demonstrations, or small, friendly gatherings. For instance, a single student holding a sign or wearing a t-shirt in silent protest, or a small group passing out pamphlets to raise awareness about a social issue, is subject to the same bureaucratic hurdles as a large, potentially disruptive event. Requiring a lone student to provide at least three business days’ notice if he or she wishes to stand around quietly wearing a t-shirt is a wildly disproportionate “prior restraint” on campus speech.⁵ Likewise, were St. John’s students to attempt to hold a candlelight vigil on the evening of September 11, 2001, to memorialize the victims of that terrorist attack, this policy would ban them from doing so any earlier than the evening of September 14.

These stark examples of how prior restraints function to restrict speech explain why the law has long considered them to be “the most serious and least tolerable infringement” on expression.⁶ Courts have therefore deemed them permissible only in the most severe circumstances, such as in the event of a demonstrated threat to national security.⁷ Specifically, courts have made clear that broad restrictions on spontaneous expression—like requiring students to obtain permits for outdoor protests—violate First Amendment principles due to “the significant burden that [advance notice and permitting requirements] place on free speech.”⁸ St. John’s policy has failed to meet the “heavy burden” of justifying these restraints.

By failing to distinguish between large, potentially disruptive demonstrations and small, peaceful, or time-sensitive forms of expression, the policy risks suppressing exactly the kind of engagement and dialogue that institutions of higher education are meant to foster. St. John’s should revise its Demonstrations Policy to remove its pre-approval requirement for small, spontaneous, or otherwise nondisruptive demonstrations. FIRE would be pleased to assist St. John’s in revising its policies, free of charge in accordance with our charitable mission. We respectfully request a substantive response to this letter no later than close of business on April 13.

Sincerely,

⁴ *Id.*

⁵ *Neb. Press Ass’n v. Stuart*, 427 U.S. 539, 556 (1976) (“prior restraint” is an administrative action that stops speech before it happens).

⁶ *Id.* at 559.

⁷ See *N.Y. Times Co. v. United States*, 403 U.S. 713, 714 (1971).

⁸ *Berger v. City of Seattle*, 569 F.3d 1029, 1037 (9th Cir. 2009) (advance notice and permitting requirements are presumptively invalid) (citing *Watchtower Bible & Tract Soc. of N.Y. v. Village of Stratton*, 536 U.S. 150, 166 (2002)); see also *Roberts v. Haragan*, 346 F. Supp. 2d 853, 870 (N.D. Tex. 2004) (invalidating two-day advance notice requirement for students to speak in designated campus areas as “sweep[ing] too broadly in imposing a burden on a substantial amount of expression that does not interfere with any significant interests of the University”).

A handwritten signature in black ink, appearing to read "Haley Gluhanich". The signature is written in a cursive, flowing style.

Haley Gluhanich
Senior Program Counsel, Campus Rights Advocacy

Cc: Joshua Hurwit, Deputy General Counsel