



Representative Stephen D. Hambley, Chairman  
House Civil Justice Committee  
77 S. High St  
Columbus, OH 43215

Dear Chairman Hambley Vice Chair Patton, Ranking Member Brown, and Members of the Civil Justice Committee:

Our society relies heavily upon the institution of higher education to foster personal growth, intellectual development, pursuit of truth, and prepare young men and women for adult life. These are good objectives for a university, and every one of them are impeded when we insulate or coddle students from ideas they dislike.

I am here today because of my own first-hand experience of the tragic erosion of the first amendment on Ohio's college campuses. During my twenty years of speaking at universities around the state, my educational materials are routinely stolen; my team of activists, who conduct themselves professionally and compassionately, are often threatened and sometimes assaulted, and I often battle university administrations for rights which are constitutionally protected. For example, this past fall semester, we kept our attorneys busy beating back draconian speech codes on several universities. We have been subject to mob rule at the hands of a small percentage of students who've been allowed, even emboldened, by campus administrators to dictate what are and aren't acceptable ideas. You can go to our YouTube page to watch videos of these types of incidences.

Additionally, in the past several few years, our organization, Created Equal, has also faced increased attempts at censorship on Ohio's colleges and universities. For example, publicly funded state institutions like Wright State University send out "trigger warnings" in the form of emails to the entire faculty and staff alerting people to avoid the area of campus in which we are located. What makes these "trigger warnings" most concerning is that Created Equal is the only one targeted.

What is even more very disturbing is what the actions by college administrations communicate to our young people.

Brookings Institution fellow and UCLA professor John Villasenor defined this phenomenon quantitatively when he published a survey he conducted indicating that only 39 percent of American college students believe that the first amendment protects offensive statements. Fifty

percent of respondents believe it's acceptable to shout down offensive speakers, and a horrifyingly 19 percent of students endorse the use of violence to suppress speech they consider offensive.

How can students refine their own views if they have nothing to compare them to? How can teenagers become adults if they are sheltered from introspection and adversity? How can truth be pursued if uncomfortable answers to important questions are dismissed?

As George Orwell put it, "If liberty means anything, it means the right to tell people what they don't want to hear." Our democratic republic cannot endure if closed-minded cowardice is normalized and violent suppression of constitutionally protected speech is enabled.

If campus administrators, or administrators of any public, taxpayer-funded institution for that matter, do not consider it worth their time and effort to uphold their constitutional obligation to protect free speech, then it becomes the appropriate role of this legislative body to ensure they do so.

President Trump has even chimed in recently on this subject by issuing an executive order directing his administration to protect the first amendment on college campuses or possible risk losing federal funding.

Allow me to be clear, we don't need to amend the First Amendment. However, because of the climate of increased hostility towards certain messages on university campuses across Ohio, it is necessary for the state government to demonstrate oversight over publicly funded universities and colleges so that everyone's rights are protected.

For these reasons, I support the Campus Free Speech Act (HB 88) and urge its swift passage into law.

Sincerely,

Mark Harrington  
President, Created Equal