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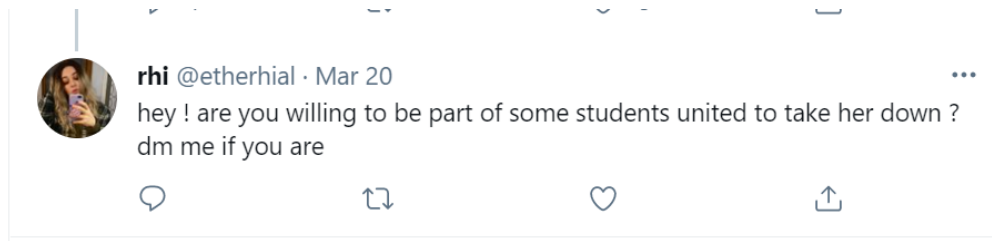
Peter Harrington
Interim General Counsel
University of Rhode Island
Green Hall
Kingston, RI 02881

Via Electronic Mail (pjhlaw@uri.edu)

Dear Mr. Harrington:

I am writing once again concerning my client Donna Hughes, who since I last wrote you has become the target of an organized online “cancellation campaign” over two articles she authored — one arguing that the recent Atlanta spa murders were motivated by gender bias rather than racial bias, and the other arguing that a person cannot change his or her sex. These articles were expressions of opinion made by Dr. Hughes as a private citizen on matters of public concern, and are wholly protected by the First Amendment.

Following the publication of these articles, some URI students began first to express their anger online and then to organize a campaign to, in the words of one URI student, “take [Hughes] down”:



Others shared instructions on how to report Hughes through URI’s Bias Resource Team, saying “we need written accounts from students being reported to the school, so that she can be held accountable.”

Unfortunately, I have represented enough clients in nearly identical situations to have observed a very predictable pattern. First, students and/or alumni express outrage over a faculty member’s protected speech online, often – as in this instance – tagging the faculty member’s employer and asking what they plan to do about it. Then, they organize a campaign to destroy that faculty member by soliciting others to file bias reports against

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them with their university. Often, these bias reports will claim that the faculty member's alleged bias has spilled over into the classroom. Next, the university launches an investigation into the bias reports. Whether or not any discipline is ultimately imposed, the faculty member's life is significantly disrupted by such an investigation, and their reputation permanently damaged. The process itself becomes the punishment—and the abusers of the process know that and take full advantage of it. This sends a crystal clear message to other faculty and students who might hold unpopular opinions: you had better censor yourself, because when the pressure is on, your university will capitulate to the demands of thought and speech police rather than support you. It is no wonder that so many of the faculty members I represent receive countless letters from other, often more junior, faculty around the country who express support for them behind the scenes but say that they are too terrified to share their own views.

A public university like URI cannot, consistent with its First Amendment and academic freedom obligations, allow its disciplinary process to be commandeered by students seeking to penalize a faculty member for expressing views that some others don't like. The university must resist the demands that it investigate Dr. Hughes for "bias" based on the fact that she holds views on sex and gender that may not align with the views of some of her students, and perhaps of the university itself.

It is my hope that we can work together to prevent URI from becoming the next institution to capitulate to would-be censors in this increasingly predictable way. Please be advised, however, that we view any investigation into Dr. Hughes as retaliation for her exercise of her free speech and academic freedom rights, and will protect her rights vigorously, including by litigation if necessary.

Sincerely,



Samantha K. Harris