

## **The Maine Heritage Policy Center Testimony to Support LD 665 “An Act To Enact the Campus Free Expression Act”**

Senator Millett, Representative Kornfield, and distinguished members of the Committee on Education and Cultural Affairs, my name is Adam Crepeau and I serve as a policy analyst at The Maine Heritage Policy Center. Thank you for the opportunity to speak in support of LD 665, “An Act To Enact the Campus Free Speech Act.”

The Maine Heritage Policy Center supports LD 665 because it would prevent colleges and universities in the state of Maine from creating “free speech zones.” This bill would also promote free speech on campuses across the state and would ensure that students and speakers are not censored. There have been enough cases around the nation to illustrate that this legislation is necessary to keep public universities in line with the First Amendment of the United States Constitution.

We do not need to look any further than Maine to find an example of free speech being squelched on college campuses. Last month, the University of Maine created a “designated free speech area” in a parking lot on campus for individuals that wanted to protest the New England Clean Energy Connect project. Janet Mills, who openly supports the project, was scheduled to visit the campus and the school anticipated protestors.<sup>1</sup> Nonetheless, First Amendment protections cannot be confined to a specific zone, especially at public universities that receive major government subsidies.



It is important to note that the right to speak freely is currently allowed at all outdoor areas of campus, despite public institutions’ lack of recognition. Public institutions of higher education are using these zones to promote the false concept that free speech is only allowed in a free speech zone. This legislation would prevent these institutions from using confined zones as a way to control speech, and hold them accountable if they try to do so.

According to the Foundation for Individual Rights in Education (FIRE), nine out of ten public institutions in the United States have policies that clearly restrict or could be interpreted to

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<sup>1</sup><https://www.facebook.com/pg/universityofmaineYAL/photos/>

restrict freedom of speech on campuses.<sup>2</sup> The American Civil Liberties Union recently wrote, “while it may sound like these [free speech] zones are designed to promote speech, they actually do the opposite by confining political expression to designated areas, often in out-of-the-way locations on campus.”<sup>3</sup> These abuses of power by colleges and universities need to be reined in to protect freedom of speech and students.

This bill gives the Attorney General the authority to enforce compliance with the Campus Free Expression Act, which will hold public institutions accountable for their actions if they do not allow individuals to speak freely. This language is necessary to enforce the act and is fair to protect students from misguided policies used by public institutions of higher learning.

I ask the committee to please imagine your children being confined to a “free speech zone” when protesting or supporting a cause. These policies say one thing to students: The school does not care about your opinions and if you try to express them, they will confine you. Frankly, it is egregious that this bill is a necessity in the first place.

Because The Maine Heritage Policy Center believes students should have the ability to express their views freely on campus, we urge the committee to vote, “Ought to Pass” on LD 665. Thank you.

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<sup>2</sup> <https://www.thefire.org/spotlight/reports/spotlight-on-speech-codes-2019/>

<sup>3</sup> <https://www.aclu.org/blog/free-speech/student-speech-and-privacy/when-colleges-confine-free-speech-zone-it-isnt-free>