Vincent Munoz:

I think what we need to do is explain how our principles of free speech, free inquiry will help serve the cause of justice.

Betty Friendan:

The First Amendment, the constitutional freedom of speech and freedom of conscience that is the bulwark of our democracy.

Bettina Aptheker:

There was a passion in what was being said, affirming what people considered a sacred constitutional right: freedom of speech and freedom of association.

Michelle Deutchman:

From the UC National Center for Free Speech and Civic Engagement, this is Speech Matters, a podcast about expression, engagement, and democratic learning in higher education. I'm Michelle Deutchman, the Center's Executive Director and your host.

It's hard to believe that we've reached the tail end of summertime. Many colleges and universities head back to campus in the coming weeks, and with that reentry comes some trepidation about what to expect, especially from an expression perspective. As the upcoming presidential campaign launches into higher gear, some anticipate an increase in dialogue and dissent on campus. This is why today's guests, Dr. Alice Yau, a Sergeant with the Chicago Police Department, and Dr. Jill Dunlap, Senior Director for Research, Policy and Civic Engagement at NASPA, are the perfect pair to address issues related to speech, campus law enforcement, and student affairs administrators.

But before I tell you more about Jill and Allie and their important work, let's turn to Class Notes and look at what's making headlines.

As we discussed in last month's episode, the use of diversity statements in hiring at universities continues to be a contentious issue. As the debate and litigation on the subject grows, Arizona's public universities have decided to discontinue their use of diversity statements in job applications. The Arizona Board of Regents announced the change in policy last week following a report from the Goldwater Institute, which referred to the diversity statements as "political litmus tests." Public university systems in other states, including Texas and North Carolina, have also banned the use of diversity statements in hiring.

Last week, six professors and two faculty unions in Idaho sued the state for its No Public Funds for Abortion Act, claiming that it violates First Amendment rights. The law prohibits state funds from being used to "promote" or "counsel in favor of abortions," and professors argue that the law is too vague to interpret. Unclear about where the line is between permissible and prohibited speech on promoting or counseling in favor of abortion, some professors are just avoiding the topic altogether for fear of being prosecuted.

University leaders at Texas A&M are facing backlash as details emerge about the temporary suspension of professor Joy Alonzo in response to her alleged comments about the Texas Lieutenant Governor. During a lecture on the opioid crisis, Alonzo, a leading opioid expert, criticized Texas Lieutenant Governor Dan Patrick's role in managing the crisis. According to the Texas Tribune, after Patrick learned about the alleged comments, he contacted a Texas A&M University system chancellor and asked him to investigate Alonzo. This case is yet one more that raises serious concerns about political interference in

the academic affairs of public universities across the country, one of the gravest threats to higher education.

Now, back to today's guests. Dr. Alice Yau has been with the Chicago Police Department, CPD, for 17 years and has attained the rank of Sergeant. Alice started her career on patrol and is currently at the CPD Academy overseeing the physical skills unit. Alice trains recruits from CPD, campus law enforcement, Chicagoland area law enforcement, Amtrak, Metra, and hospitals on control tactics, use of force, and deescalation tactics. She holds a PhD in psychology from the Chicago School of Professional Psychology.

Dr. Jill Dunlap is a Senior Director for Research, Policy and Civic Engagement at NASPA, Student Affairs Administrators in Higher Education. Prior to her current role, Jill worked at three different higher education institutions for more than 14 years. Jill's current role involves translating a range of federal and state policy changes impacting higher education for campus administrators. Her most recent published research involves exploring the differences between student and administrator perspectives on advancing racial climate on campus. She holds a PhD in political science and public administration from Northern Illinois University.

In addition to all of this, I am proud to share that Jill and Allie were co-fellows at the center during 2020-21 and have been working on their fellowship project, Mind the Gap: Administrator's Role in Reducing Tensions Between Campus Law Enforcement and Student Activists, since then. Not only are they both razor-sharp and super accomplished, but they are terrific human beings and it's my privilege to call them colleagues and friends. I'm so happy to have both of you on the show. Thank you for taking the time.

Jill Dunlap:

Thanks so much for having us, Michelle. I listened to every single episode and I couldn't be more excited to be here.

Alice Yau:

Thanks, Michelle.

Michelle Deutchman:

Super excited. So my first question, I feel like sort of sounds like a start of a joke, a student affairs administrator and a police officer walk into a bar. But if I remember correctly, I think this was sort of how the idea for your fellowship project began, and I'm wondering if I am remembering correctly, and if one of you could tell us about that first meeting of the minds when you conceived of this project.

Alice Yau:

Thanks, Michelle. That is how we love to introduce ourselves because what does a student affairs person and a police officer have in common? And we both like to say free speech.

Our project started one cold night in Chicago in 2019. I called Jill up and asked to meet for a drink at the closest bar to both of our places. We started talking about protests and Jill asked, "Why do cops need to be at protests?" I responded and said, "I agree. Why do cops need to be there?" If things go peacefully, there's no criminal activity, there is no need for cops to be there. Our conversation led to talking about the tension and the rub between students and cops when there are protests. Given that we both love the pedagogy, Jill went one step further and said, "We need to do research on this."

We ordered another drink, came up with a hypothesis, reviewed some literature, and this is where most of our ideas about research kind of go and stop. But this night, Jill started writing some stuff on a paper

napkin and said, "We have to do this." I said, "I'm not so sure about that. I just successfully defended my dissertation. I'm not sure I want to read more peer-reviewed articles. I haven't read a book in a very long time for pleasure. So, I don't know." And if you know Jill, she's really good at making you go to places where you're uncomfortable, and she convinced me to do more research with her and she not only convinced me, she found a place where we can do the research and I think Jill can take it from that point.

Michelle Deutchman:

I think I'm going to have to get Jill a button that says, "Takes you to uncomfortable places." So Jill, I'll let you respond to that telling of the story before I ask Allie another question.

Jill Dunlap:

It's so funny the way that different stories unfold when different people tell them. I love the idea of that button.

Yeah, so we just started talking and we ended up applying for the fellowship, and like you said, in the 2020 cohort and really started to dig in on thinking about where the tensions are on campus. And that was the genesis of the project. I think the beauty of it is that we come from very different backgrounds, and so we both came into it with our own set of assumptions about what we might find, and then the project really unfolded in a really beautiful way and brought us to where we are today with it.

Michelle Deutchman:

So before we dig a little more into what you actually were studying and who you were interviewing, I want to ask Allie one more question, which I mean for Jill, I think when you work at three different colleges and universities, people understand the nexus between your interest in this topic in particular. But Allie, I want to circle back to you to why a municipal police officer became sort of compelled to research campus law enforcement issues.

Alice Yau:

Well, I train campus officers as part of my role for CPD. I prepare them for scenarios, use of force, and in cases of campus protests so that they know the limits of what they can and cannot do in those circumstances.

I also have been part of protests where I was standing shoulder to shoulder with other officers during a protest where I thought about why the officers needed to be there. So I saw a protest from the very, very beginning to the very, very end. I saw how it was prepared, the roles of the officers when they were there, what they did, and was actually a part of it. So those are some conversations that Jill and I have all the time about officers and how campuses use officers and how students respond to officers during protests.

Michelle Deutchman:

And this is one of the things I love about this project and talking with both of you is that it isn't always what one would expect, right? Because if I'm going to be honest, I think I would probably expect that law enforcement officers feel like they need to be at protests.

And so let's talk a little bit about that first year. What were you hoping to learn? Who did you talk to? And then of course, there's the context, the framework, which is that you applied before the murder of George Floyd, but then did your research in the aftermath of that. And maybe you could talk also about

how that impacted who you selected and how you went about gleaning the information. Maybe that's too big of a question, so break it down however you want.

Jill Dunlap:

Sure, I can start. I think our goal when we first started out, again, it goes back to Allie's telling of the bar story, but I came into it thinking, "Why do law enforcement always insert themselves into situations where there's protests when they're meant to be peaceful? Why do they need to be there?" And Allie, coming from the law enforcement perspective was like, "I don't think that law enforcement want to be there unless there is something that they need to be there in terms of protecting someone's rights or if something goes sideways and things go violent to be on hand." And yet we knew that all these tensions were arising. And like you said, Michelle, this was happening before George Floyd and all of the protests that subsequently followed across the country and on campuses. And so we really were looking at the history of protest movements and thinking about all the ways that law enforcement, their various roles in those protests.

And so I think what we were, I think, hoping to accomplish was that we really thought if we can hit at what the tension is here, then we can identify what the factors are that are leading to greater tensions that bubble up to, I think, flare-ups between student protestors and campus law enforcement, and thinking through, if we can identify those factors, then we can sort of address them and then lead to less tension between those two populations on campus when there is protest.

And so I think I came into it thinking, "Well, law enforcement just needs to be better trained. They need to know when they need to be somewhere and when they don't need to be somewhere." And I think maybe, and I'll let Allie respond, but she might've been like, "Actually, I think students might need to know a little bit more about what are the bounds of free speech on campus and when do their free speech rights stop and when does it boil over into breaking the law?" And so like I said, the real beauty of it is that we came with really different perspectives on who might need more education or training, and what we found was something totally different.

But Allie, did you want to add anything to that?

Alice Yau:

I think when we first talked about it, we also mentioned that a lot of times when decisions are made, the people that are actually doing the work are not talked to and not asked about their opinions. So what we did was we made sure we talked to students from various campuses, we made sure we talked to law enforcement from various campuses so that we would have a good idea from the people that actually do the work about how they felt about it. Did they really need more training? Did they really need more education? And in order to answer our hypothesis, those were the people that we had to talk to. We couldn't just read articles about it or give our own opinion about it. We wanted to make sure we got the right people in place in order to make that decision.

Jill Dunlap:

And I might just add that we really had to adjust our approach as we went along. Our goal was to interview or to do focus groups with law enforcement and to do focus groups with student activists. So we asked if they identified as student activists when we were doing our recruitment at these institutions, and the focus groups of students, they fed off of each other and talked about different ways that they'd been engaged in protests and what they felt the role of law enforcement was in those

protests and that kind of thing. But we quickly realized that that same approach was not going to work when we were talking to law enforcement. I don't know if you want to speak to that, Allie.

Alice Yau:

Well, the students, they have less risks than law enforcement does because when we say, "So..." When we talk to them, we already know what department they are from. So like for any organization, it's very hard to speak freely about your organization, as opposed to if you are paying to go to school in a certain place, your risk is a little bit less. So because we found that there is more risk, we did interviews instead of focus groups so that we can get more information from the officer.

We got a lot of very good information from these very smart students, but it was much harder to get information from officers. We had to ask the right question. And it was a little bit easier because I was an officer asking another officer this question. I think that there was a little bit of a rapport already established.

Michelle Deutchman:

Oh, that's great. And going back to the kind of George Floyd, the murder and then the summer of 2020, going into a year after those protests, but also at a time when people weren't on campus because of COVID, how did any of that play into either how you posed your questions or the way that you approached the issue, or maybe it didn't have an impact?

Jill Dunlap:

I think we did hear from a lot of students that we did focus groups with that they had been involved in protests. I will say that because it was in the middle of COVID, they weren't necessarily, if they weren't involved in protests around the murder of George Floyd, that it wasn't necessarily that they were doing that on campus. So many of them were taking to protesting in their local communities just because they felt like there was fewer or maybe less opportunities, fewer opportunities to protest on campus or that there were fewer students living on campus at that point. But many of them said that they had participated in protests.

And I think it's interesting because I don't think students make a distinction between their right or opportunity to protest on campus versus being in the campus community. And so I think that's an interesting distinction that could warrant its whole other own research project.

But the students wholeheartedly, and Allie, you can correct me if I'm wrong, but overwhelmingly said when we asked them, what do you think law enforcement's role is when these protests are happening? And they were like, "To shut it down." And I think that was heightened by the fact that in this particular set of instances, the students were protesting the very existence of law enforcement, so their presence was unwelcome just because that was the nature of the protest. They were not protesting a different issue and law enforcement were there. They were protesting the existence of law enforcement in those cases.

But I will say we press students and challenge them to think about, okay, well, when you've been involved in protests on campus before, is it possible that law enforcement was called out just to make sure that everything goes smoothly or to protect you from counter protestors? And I will say just again, on the whole, students said no, they did not see law enforcement in a protective mechanism. They consistently said that either law enforcement wanted to be there to shut them down and to shut down their voices, or that they also very clearly identified that administrators use law enforcement as a middleman in those instances when administrators didn't want them to be protesting. And so they

indicated that they felt like administrators were calling law enforcement out to stifle their protest efforts.

Michelle Deutchman:

Well, I would be interested, I think that's fascinating and I would be interested to hear from Allie about what law enforcement said when pressed about that issue. I'm guessing that law enforcement does not see their role as their goal to stifle the voices of dissenters, but I want to let you speak to that from the evidence.

Alice Yau:

This is an interesting question because we developed our research prior to the George Floyd murder. It was, I want to say, at least six months prior, and we didn't do much changing with the questions when we conducted it during the riots. I want to say that when we talked to officers, they wanted students to protest. I believe an officer said that, "I have a daughter in school, I want her to protest, but I want her to do it the right way. I want her to understand what the consequences are if she breaks the law. I want her to protest in a way where it's safe and I don't want to stifle her free speech."

So we heard a lot from officers that want students to engage in their First Amendment rights, they want them to protest, they want them to do all these things. They even went as far as to say that, "We are developing," I want to get this right, but it was on the lines of, "students are protesting on campuses now and they will, in the future, protest outside of campuses, so we want to make sure they understand there are consequences and they might not have the same protection if they are on campus if they were to protest off campus."

Michelle Deutchman:

Well, I think that ultimately, universities are a place of education, and I think that is sort of beautiful that even in that context, law enforcement is saying, "Even though the law applies the same here, we might not enforce things the same way in a campus community as you will on the city streets, and that you need to be aware of that."

So I think you get to the end of all of this amazing conversation and discussion, and we have to go back to this initial hypothesis, and I think maybe one of you can talk about how things held up against what you originally thought would be your conclusions and then what happens next?

Jill Dunlap:

Yeah, I can start. We went into this thinking students needed to be better educated about what their free speech policy says on campus, and also that I thought maybe law enforcement needed better training about what the free speech policy was and when they should and shouldn't be at a protest or what their role would be in that protest.

And I think what we really found was that students do need more education about what their campus policy says. And I can tell you from having worked at three different campuses, that we throw a lot at students in orientation, and probably what's happening, and we heard this from students in the focus groups, is that they're like, "Yeah, I think someone maybe on the second day of orientation might've mentioned free speech, but I don't really remember." So they remember sort of hearing about it in the background, but because they're getting overloaded with every bit of information we want them to take with them for four years and all of the phone numbers and people that they need to remember, it was a vague recollection of having heard free speech mentioned.

So we did find that they needed more education, I would say, and ongoing education. I don't know a lot of students who go into their, and maybe some do, but I don't know a lot of students who go in and sit in their first year orientation program and think, "Man, I can't wait to get out and protest." And so these are things that you decide as you're developing and learning about the things that you are upset about or want to protest. And so it's like your second, third year, fourth year where you are really getting engaged in some of these issues and you don't remember what that free speech 10-minute spiel was from orientation. So ongoing education, I think, was another thing that we found that was really important.

Also, what we heard ultimately, which I think is leading us to where we are now, is that we heard from students that they felt like law enforcement were being used as a tool to stifle their protest. And also, we heard from law enforcement that they felt like administrators didn't have a key sense of when law enforcement needed to be involved and when they didn't so that law enforcement sometimes gets used as an intermediary or a, I'm trying to find the best word to use, but sort of the mediator of an issue that doesn't involve a violation of the law. So they sometimes felt like, "Why are we here?"

And so we can talk about this later, but I don't want this to come across as though I am bagging on administrators. I was a campus administrator for 14 years, but I do do think when we went back and circled back and talked to administrators, they agreed with us that what our findings were is that we don't do a great job of training new professionals coming into student affairs roles specifically around what the campus free speech policy is, how they can best support students who do want to protest, and what the bounds and limitations of those rights to protest look like.

Michelle Deutchman:

One of the things that I love about your story is that it role models intellectual humility so well, which I think is something I wish there was more of in academia. So your initial hypothesis was partially flawed, but you didn't throw up your hands; you pivoted. And I think sometimes for people, the completion of their fellowship year and project is an ending point, but for the two of you, it was a jumping off point, and your next step was to create a curriculum and workshop for administrators based on what you learned that you've now piloted at two large public institutions with a third pilot coming up at the end of this month at a mid-sized private institution.

And I'd love for you to tell us what some challenges are that you've encountered, maybe some surprises, maybe things that you found exciting, and then after that, we'll share with our listeners how they can be part of learning from both of you.

Jill Dunlap:

The genesis of where we're at currently in doing some workshops at different institutions around the country was based on the conversations that we had with student affairs administrators, and we specifically took that sort of gap in where these tensions are and went back and spoke with, I think it was 10 vice presidents of student affairs from different types of institutions, different sizes, public, private, two-year, four-year across the country. And we said, "Hey, what we heard from students was this, and what we heard from law enforcement was this," and they nodded an agreement on the whole and said, "That's absolutely right." And they were like, "A lot of people come into student affairs support roles having been student activists on campus." And so they carry forward that passion for working with students and working on student issues and really civic engagement and encouraging students to take full advantage of all of these opportunities, and yet they sometimes have a hard transition to rounding the corner and understanding that then they come in in a support role trying to help students understand what those limitations look like.

And so what we heard from vice presidents was, "Yeah, we really should do a better job of training our staff and the division of student affairs and all these people who have really important jobs supporting students, but really have a lot of the front-facing work of engaging with students and helping them maybe filter out what might be misinformation that they get from each other and really sort of honing in on how can we best support students who want to be engaged in this way?" And so what we did was take that information and develop a workshop for administrators.

But I will say that as far as the ones that we've done so far and the things that we've learned are that institutions do this in a really wide variety of ways. So we've been to institutions that are like, "Yeah, we don't really have a lot of protest activity here, so we don't really have to worry about it." And Allie and I push a little bit and we're like, "Okay, well, what if somebody wants to hang an offensive poster and you have a front desk staff person in Campus Activities that tells them they can't because they disagree with it?" So free speech issues on campus and supporting students who are engaging doesn't necessarily have to look like protest. And so I think helping administrators and staff turn the corner around this is everybody's job and it's not just one person or the Civic Engagement Office's job to help students understand what these sticky issues can look like and how they play out on campus.

We've also been to campuses that have really well-designed teams, interdisciplinary teams that respond instead of law enforcement when there is campus protest, but then sort of, again, working with those institutions to think about, are you all debriefing after you have critical incidents so that you're talking amongst yourselves about lessons learned and thinking through where is your policy accessible and those sort of other more technical issues? And I think what we're seeing is that there's just a really broad range, and some of it is, I think, campus culture-specific. Every campus looks different, every campus is going to do this differently, but I think trying to find some common ground where there's at least a base-level knowledge among campus administrators is something that I think we're finding is really important to the campuses or for the campuses that we're visiting.

Alice Yau:

After talking to all of these awesome administrators from various schools, I found out that campus administrators like to talk about their job as much as cops like to talk about their job and we all have our war stories and the commonality is you can't make some of this stuff up sometimes.

So when I started talking to them, I was like, "Wow, this is amazing." They were telling us these stories and we were able to use a lot of information that we got from these interviews with administrators and implement them into the curriculum. And I can't say how amazing that information is that we got from these administrators because that really, really shaped how we can better relay information to administrators.

Michelle Deutchman:

And it's so interesting because your research has spanned this sort of critical time period, which is both sort of the summer of 2020, George Floyd and COVID, I'm wondering, now as you are piloting things this summer as people are really back on campus, as we're in another election cycle where students still have really strong feelings about whether law enforcement should be there. We, as you may know, did an episode with some folks from Davis and Penn State who both had really challenging events. And one of the things the student president of Davis talked about was what do you do when law enforcement is there to help protect students, but students feel like having law enforcement there elevates the risk and how do you negotiate some of those things?

And I'm wondering what kinds of things you're thinking about saying to administrators because I imagine that these are the kinds of questions that you may be being asked, especially because now there's this confluence of back on campus, more political divisiveness. So I know there are no answers, but if you have any thoughts?

Jill Dunlap:

Yeah, I can let Allie talk about the role of law enforcement and some of the great ideas we've heard about campuses that are doing that in a way that feels less intrusive. But I would also say that one of the concerns that I think we have as we've been talking to campuses is that some campuses have gotten away with, in the past, avoiding having controversial speakers because they say, "They don't bring any educational value to the campus community, therefore we're not going to spend money on it," or whatever, "It costs too much money," and whether or not those are actual things that they should be doing is another story.

But I think one of the things that I am concerned about going into this election year and that we've had conversations with campuses about is it's really hard to say that a presidential candidate doesn't have educational value if they want to come to your campus. And I think some of the really offensive things, and not to be partisan, but some of the really offensive things that some of these conservative speakers have said that have fired up student protests that have gotten them really angry, and justifiably so, are now being espoused by presidential candidates, some of them. And so I think it's going to be a really hard sell to say, "You don't want to invite someone who doesn't bring educational value," if they're speaking from a platform of being one of the presidential candidates.

And so I think we're going to see a lot of protest around the visits of presidential candidates or presidential hopefuls on various campuses, and so I think campuses are going to have to think really strategically about action planning and do we have a team in place, and some of the things that we talk about during our workshop, but we have heard from campuses that I think do a good job of having a less intrusive law enforcement presence. But I can let Allie speak to that.

Michelle Deutchman:

And before Allie does that, I do want to just add in, just the First Amendment lawyer in me, which is whether or not something has educational value is, as you kind of alluded to, Jill, is a subjective inquiry. And that if you're a public university, that's not going to be a way that you are going to be able to decide whether or not a student group can bring a speaker. So that's kind of off the... If anybody's listening and thinking that's the way they're going to get around some of this, that's not going to work because you'll be lobbed with a lawsuit. I think the expectation has to be that a speaker or speakers will come to campus in different capacities with different ideas that someone on the campus may find offensive and upsetting and hurtful, and you need to be ready.

And so Allie, I think if you could address some of these issues, I remember just saying that it looked like a war zone when they were preparing for some of their speakers, and that was really scary.

Alice Yau:

In conversations that we've had with campuses about how to address various types of people coming to campus and various types of protests, it seems that law enforcement have plans on how to address those things. And different campuses have different plans, and some might be a softer look and some might be a more militaristic look. And in our workshop, we talk about what those different ways of addressing groups would look like on their campus. And so every campus is a little bit different given the

size of their law enforcement and given the size of the student population and the types of events that they will be having. So in that, we talk about what their policy looks like, how to make adjustments to their policies if they need it. And so when we talk to them, we give them different options.

Michelle Deutchman:

I think one of the themes is that there's no one-size-fits-all, which is, I think, a perfect segue into talking about the actual training. Maybe one of you can just give some highlights about how it works and who the audience is. And then what we'll be doing is launching information so people can sign up if they're interested in potentially being able to learn from Jill and Allie in your institutional setting. Give us some details.

Jill Dunlap:

Yeah, we're just really excited to be able to go out and work with campuses on this. It's definitely less a training and more a workshop because it's very hands-on, interactive. We're talking with them about their policy and thinking through who the various stakeholders to that policy are.

We hold the training over a period of two days. It's four hours on one day and four hours on the next day. And that's, again, just to give people time to digest in between and not to be overwhelming. And the format for that really was suggested to us by vice presidents of student affairs, and we were like, "Hey, if we were to think about doing some workshops, what would be the most feasible for busy administrators?" And they said that the two four-hour days works best, and so we split it into two days. That seems to have worked really well.

It's designed for, I would say, mid to senior-level administrators on a campus who would have a need to train their staff and also who might have either authority or some sort of role to play in policy, either development or revision or implementation when there are protests on campus.

But we've also found it really helpful to have law enforcement in the room because I think it's interesting because as I'm saying some things, then Allie chimes in, and then the law enforcement nods when Allie speaks. And so having her there and saying things, law enforcement, I think, sometimes doesn't feel like they can push back against administrators when they're like, "Actually, we don't need to be called out for that." But when Allie says it and then you have the law enforcement in the room nodding, I think it's a real validation of the fact that we're sort of, I wouldn't say unearthing, but sometimes we're able to speak into the world some of the things that they may be feeling and be restrained by in terms of hierarchical structures on a campus. So that has felt really good to have them in the room in some of these trainings.

And so it's limited typically to about 15 people, but that's, again, just sort of because we really want people to be digging in on the content of what we're talking about and specifically with their campus policy and what that looks like.

And one of the things that I had wanted to mention before, and I forgot, Michelle, but I don't want this to seem like we're doing this for a compliance purpose, but I will say that as we've been going to different states, we talk about the state-specific context with them. So the training in that way is really customized for the state and the institution that we're going to, public or private, and what sort of outside factors might be impacting their policy or the implementation of that policy. But there are now 14 states that have passed the FORUM Act, and there's a lot in the FORUM Act, and we unpack that a little bit in the workshop as well. But as far as if you're a campus administrator, one of the things you should know if you are in a state that has passed the FORUM ACT is that one of the provisions is that you have to train students and administrators about your free speech policy.

So again, while I don't want to sort of blast it out there that what Allie and I do is a compliance mechanism, I do think there is a piece of that to it, that if you're looking to train folks, that this is one way to get at that provision. And so if you live in Montana, Alabama, Arkansas, California, Georgia, Iowa, Louisiana, Maryland, Mississippi, Ohio, Oklahoma, South Carolina, Washington or West Virginia, we're happy to come visit you. And even if you don't have us come to your campus, that we really do hope that you'll be thinking about that because it's, I think, both the right thing to do as we've found when we talk to students and administrators in law enforcement because there's a lot of confusion around this and it gets sticky pretty quickly, but that you're required to if you're in those states.

Michelle Deutchman:

Well, and I'm going to jump in and say two things. First of all, I love that you mentioned the FORUM Act because we, in fact, have another pair of fellows who just started their fellowship on July 1st who are researching actually the impact of the FORUM Act, which is also really exciting. I can already see the four of you doing a conference panel together about it.

And then the second thing, I just wanted to go back to something you said, Jill, about the power dynamics in the room. It's so interesting to hear about a situation where law enforcement is in a situation where they maybe feel uncomfortable speaking out because I think usually people associate law enforcement being sort of at the top of the hierarchical structure, and so I think that's a really interesting perspective. I think your whole project is so layered and also, in some ways, kind of meta. You're researching how people respond to law enforcement in a moment when people are actually protesting the law enforcement. That's kind of meta.

Allie, did you want to add anything just about phase two before we turn to wrap things up?

Alice Yau:

I think that this workshop that we have brings a lot of people that aren't normally at the table talking about this, talking about this. And I want to say that there's a lot of eye-opening things that happen because not everybody understands all the stakeholders that need to be involved. And at the end, hopefully, there are more people talking together about how to address this so that less bad things happen in the future.

Michelle Deutchman:

I love that. I hate for our time to end. I think the last thing I'd like to ask is you're talking to a lot of people who are going to be going back to campus and back to class and back to the quad and the dorms in the next couple of weeks, and I guess I feel like if there was something you could leave them with per this conversation in terms of what they might be thinking about or doing as they get ready for what I think a lot of people are imagining might be sort of a rough-and-tumble protest and conversation academic year? And I'll let either of you jump in.

Jill Dunlap:

I think for me, one of the things that can be most beneficial, and it just dovetails really nicely with Allie's last point, is that you need a team of people to do this. It's not one person's job, it's not one Dean of Students who has to respond to all of these things. To have a brain trust developed in advance of these things happening is really essential. And that when you know what the boundaries are of when law enforcement needs to be there or if there's a classroom disruption or whatever, that if you have a team of folks who can respond who are not uniformed, as long as there's not a law violation happening, that I

think what you'll end up doing is building trust I think, hopefully, between campus protesters and law enforcement in that they don't think that they're there to shut them down or they're not being used inappropriately.

And that's also just sort of meta. When we better understand when and where and how law enforcement should be used, which we see happening in the conversation nationally, that we can mirror that on our campuses by not calling law enforcement all the time in free speech cases where there's not a law violation happening. So I think having a team of folks that gets together regularly to both proactively plan, but also to debrief after there's been a critical incident is really just one of the best practices that I've seen.

And there's a couple of campuses, and I can share the websites of those campuses, that have a good sort of landing page that says who's on the team. So if people have questions about protesting in advance, they can engage with the team and not just get sidetracked or sidelined, directed to a campus policy statement that sometimes is tens of pages long that is written in legalese. And so thinking through a team of folks that is forward and public-facing that students can engage with if they have questions, but also that is in a planning and a reactive capacity is really important.

Alice Yau:

I agree with what Jill said and I think that I'm going to echo what the officer said in our interviews. It's okay to protest, it's okay to exercise your First Amendment rights, and it's okay to go to places where it's uncomfortable, but you have to understand what the consequences are if you don't do it the right way. And I think I'm going to end there.

Michelle Deutchman:

I think that is an incredibly important piece of advice. I always say I don't really love the term free speech for a couple of reasons, and one of them is I worry that that phrase seems to imply that there's an absence of consequences and there aren't, that you can use those rights and hopefully you use those rights responsibly, but with the understanding that if you go beyond what is protected, that there will be consequences and that you have to be ready to face those, that the speech is not free in that way.

Is there anything else just generally you want to add that we maybe didn't get to before we officially, officially close?

Jill Dunlap:

I don't think so. I would just say this podcast has been both a delight but also really informative and educational and we point to it really frequently throughout the workshops because we've had conversations with students or with administrators linking back to the podcast episode that you mentioned, Michelle, about the war zone and the folks from Penn and Davis who were on and talked about the consequences of counter-programming as an option and how poorly that's being received on some campuses.

So I would continue to encourage people to use this podcast as an educational resource because I get a lot out of it every single time, and I know that we are encouraging administrators to circle back to some of those episodes that you've already aired because they're just really, I think, eye-opening and can help administrators who are trying to think through some of these sticky issues.

Michelle Deutchman:

Well, that's very kind of you and I'm just letting people know I did not pay her to say that. All right, Allie, you get the final word.

Alice Yau:

Well, I just want to say thank you, Michelle, for allowing us to do this research and it's been some years, and every single year when we do something new, I'm always excited because I haven't been able, I told Jill this, I haven't been really able to read anything outside of peer-reviewed articles since this started, which is great, which is fine. I haven't read Harry Potter or anything, which is on my list. And I want to thank Melanie for putting this together. This is quite an experience. Thank you.

Michelle Deutchman:

Well, we want to thank you. Obviously, when I was brought onto the Center, I think one of my visions was that there would be not just great research but research that had impact in the field and that the research would be carried beyond that one year, and you're sort of the poster children for that. Though I will just add, Allie, that Harry Potter was written long before you got this fellowship, but that's okay. I can loan you the copy of the first one.

All right, listen, I want to thank both of you. Obviously, you both have lots of things that you do in your day jobs, and so I'm really grateful that you gave up your time and we'll look forward to continuing the conversation.

Alice Yau:

Thank you.

Jill Dunlap:

Thank you.

Michelle Deutchman:

Next month for our Back to School episode, University of California President Michael Drake will be our guest. In the meantime, keep your eyes peeled for an email next week releasing the research of the Center's 2022-23 Class of Fellows, and be sure to register for our upcoming Fellows in the Field Interactive Workshops. And of course, enjoy those final fleeting moments of summertime.