

The *Chike Uzuegbunam* Case

Case Name: *Uzuegbunam v. Preczewski*

Significance: Whether government officials get a free pass when they change a policy they have already enforced to violate someone's constitutional rights.

Case Status: On Jan. 31, 2020, Alliance Defending Freedom filed cert petition before the U.S. Supreme Court.



Background: In 2016, a student at Georgia Gwinnett College, Chike Uzuegbunam (“CHEE’-kay Oo-zah-BUN’-um”), was standing outside on campus, handing out literature and sharing his Christian beliefs when an administrator stopped him. Without realizing it, he had not been standing in the two microscopic “speech zones” where the College allowed student expression. Open only about 10% of the week, the zones comprised one patio and one sidewalk—0.0015% of campus. To speak their views at all other times or places, students had to obtain a permit. Even to use the zones, students had to obtain a reservation by submitting a form and any leaflets in advance, and four officials would then decide, with no criteria to guide them, whether to allow it. Undeterred, Chike went through this approval process and began speaking in one of the speech zones, sharing the plan of salvation that Christians have taught openly for 2,000 years. But within minutes, campus security stopped him yet again because someone had “complained.” College officials said this converted Chike’s speech into “disorderly conduct,” which they defined as any expression that “disturbs the peace and/or comfort of person(s).” As a result, Chike was unable to speak about his faith anywhere on campus. Without a permit, he was banned from speaking in the over 99.99% of campus outside the speech zones. Even *with* a reservation in the zones, he could only say things that didn’t make anyone uncomfortable—an impossible task that is incompatible with the First Amendment. Responding to a lawsuit filed on behalf of Chike and another student, Georgia Gwinnett changed its policies. But it refused to do anything to address the way it repeatedly violated its students’ constitutional rights. More troubling, two federal courts have let these officials off scot-free, saying that since the college changed its policies and Chike has graduated, the officials did not have to accept responsibility. On Jan. 31, 2020, ADF asked the U.S. Supreme Court hear the case and reaffirm that governments officials shouldn’t get a free pass for violating the First Amendment.

Key Points

- Censorship doesn’t just shut down one speaker, it silences future speakers too. After the college twice stopped Chike from speaking, he and other students received the message: Shut up. Another student, Joseph Bradford, chose not to speak after hearing how officials mistreated Chike.
- Chike and other students have heard a message loud and clear from college officials who’ve trampled their freedoms: “Don’t bother defending your freedom; we know how to game the legal system.”
- The only permit a student needs to speak freely on a public campus is the First Amendment. That doesn’t go away just because someone claims to be offended. And when officials ignore this, they must be held to account or they will violate rights again.

The Bottom Line: Government officials shouldn’t get a free pass when they violate someone’s constitutional freedoms.