

My name is Katie Kretler and I am on the faculty of a small liberal arts college right next door to the House of Delegates – St. John’s College. As someone strongly committed to liberal education, **I am strongly opposed to SB 847 / HB 1462**. This bill seeks to nail into place restrictions on free speech akin to those already freezing public discourse throughout the US, Canada and Europe. It would make mandatory many technocratic procedures that run contrary to the educational mission. Rather than allow colleges the freedom to set their own policies in accordance with their own needs and educational frameworks, this bill sweeps up all of Maryland higher education into a rigid net of censorship. It sets a tone of distrust and even fear just when we need to free ourselves from our hyper-partisan cocoons to meet each one another “in real life” and with mutual respect.

First, to talk dollars and cents, it is no secret that higher education in the US is in financial trouble, especially now. This bill puts an undue burden on already strained budgets. Increased security is not what we need or what we can afford. Nor do we have any extra administrators with time on their hands.

More importantly: this bill presupposes or fosters an antagonistic relationship between students and other students and the students vis-à-vis the administration. It creates a disharmony that will be displayed right on the website as policy. It mandates that university administrators set themselves in a defensive stance toward students, faculty and staff who wish to express their political views. This runs contrary to the educational mission. We need to trust our students and not have the institution manage the conversations they are having amongst themselves and in the larger community.

At St. John’s, a college with about 400 students, it is not only contrary to the spirit of liberal education to preempt public “expressive activities” (what a phrase!), it is impractical. The grey zone between a large conversation on the quad and a protest is impossible to maintain, and preemptively burdening students with forms to fill out lest they be run afoul of technicalities would further chill the free speech atmosphere which, at our college as throughout the US, is in less than robust health. We cannot risk shutting down healthy dialogue by constructing onerous rules for assembly. If individuals are singled out for intimidation, there are already laws in place for that. Anticipating what will happen at an assembly smacks of pre-crime.

If colleges are encouraged – nay, required – to accept anonymous complaints about “expressive activity,” this moves us further along the line toward East Germany or other highly surveilled societies. Anyone who has lived in Eastern Europe of a certain era knows that anonymous complaints are not designed to protect individuals, but the power of the state. If we make anonymous complaints a normal response to political expression, are we not discouraging students from having a civil discourse about the issues? This bill is a way of saying to university students – adults -- “You don’t have to talk to people about your issues, you can complain to mommy or daddy about it and put your opponent in a time out.”

Should universities and colleges, even private colleges, become extensions of the State, becoming places where the state can extend its legal power to control free expression – legal speech? Or should colleges and universities be as they once were,

places for the unfettered exchange of speech and thought, free from worry about ideological purity, and free to criticize the society around them?

I am already worried about the effect of social media and artificial intelligence on my students' ability to think for themselves. I worry that with this bill, automated processes, modeled behaviors and modeled responses will step in for the live, in the moment thinking and spontaneous, face-to-face conversation that is what I cherish about my college.

Students, like everyone else these days, are afraid to say the wrong thing in and out of class. But this is just what liberal education is: freely exposing our own opinions for examination. The St. John's college mission states: "the college seeks to free human beings from prejudice and unexamined opinion, and to help students make thoughtful choices in public and private life." The freedom of assembly and of "expressive activity" of all kinds is a vital part of public life, at least in a democracy. Let us preserve the robustness of our First Amendment, most of all at our colleges and universities, where students are often first exposed to views other than their own. That is what my own mother cherished most about her University education, and it is what I hope to uphold at my own institution.