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April 3, 2019

President Donald J. Trump  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

President Trump:

I would like to thank you for issuing an Executive Order last month that helps protect free speech on college campuses. Like you, I am concerned about how universities are tacitly allowing radical groups to use violence and intimidation to suppress the free speech of others with whom they disagree. The University of California in particular has a reputation for doing nothing to protect the speech rights of certain groups.

For the past month, I have been calling on UC Davis to terminate a tenured college professor who has publicly advocated for the killing of police officers. I see the Professor's comments as a continuation of this type of speech suppression as he incites violence against those with whom he disagrees, namely police officers. Coincidentally, these officers are the very same people we rely upon to keep order and allow peaceable assembly so that everyone can exercise their speech rights on school campuses.

By way of background, Professor Joshua Clover made public statements that he thinks cops "should be killed" and that it's "easier to shoot cops when their backs are turned." When given the chance to recant in light of the recent ambush and murder of Davis police officer Natalie Corona, Mr. Clover responded that the best way to end police shootings is to abolish the police altogether. Corona was a 22 year-old young woman who followed her father into law enforcement. She had her whole life in front of her and it was snuffed out when she was shot in the back just as Mr. Clover has advocated.

Mr. Clover is free to say whatever he may like, but it does not mean that his speech is protected by the First Amendment; and it certainly doesn't entitle him to employment at a taxpayer-funded university. As you know, incitements to violence are not protected speech under the First Amendment. Calling for the death of a group of people is not a contribution to a discussion; it is the ultimate abolition thereof — to silence the other side forever. We are living in a time where our officers are literally being targeted for death.

Last week I received a formal response from UC Davis Chancellor Gary May notifying my office that the University will not terminate Professor Clover. They will not even conduct an investigation. In the letter, the Chancellor references your Executive Order on Improving Free Inquiry, Transparency, and Accountability at Colleges and Universities:

*In addition to existing state and federal Constitutional requirements, the university is subject to President Trump's March 22, 2019 executive order directing federal agencies to take steps to ensure that institutions receiving federal research or education grants promote free inquiry in a manner consistent with applicable law, including the First Amendment. Failure to protect the First Amendment rights of university faculty could not only lead to legal consequences for violating the Constitution, but also could result in a loss of federal funding which is critical to the university's research and teaching mission. Accordingly, the university will not proceed with review or investigation of concerns regarding Professor Clover's public statements.*

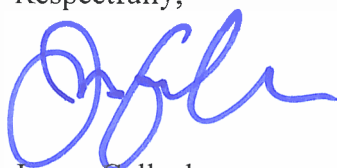
To say that I am disappointed with the University's conclusion would be an understatement. As an alumnus of UC Davis myself, I find their leadership to be spineless. Once again by their inaction they continue to tacitly support intimidation and speech suppression.

Accordingly, I have the following questions for your Administration:

1. Is the intent of your Executive Order to shield Professor Clover from any and all discipline for these kinds of statements?
2. Is not the call to terminate Professor Clover consistent with the intent of your Executive Order to stop violence and intimidation on college campuses?
3. By terminating Professor Clover, is the University at risk of losing any federal funding?

I sincerely appreciate your time and attention to this matter.

Respectfully,



James Gallagher  
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