

## Flag-Stomping Rabble Rousers Found Not Guilty

### ASI Recinds Condemnation, GOP Still Weighs Possible Lawsuit

by [Marin Perez](#), Special Projects Editor

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The SF State College Republicans will not face sanctions for allegedly breaking the student code of conduct when they stepped on homemade flags with the Arabic symbol for Allah.

The Student Organization Hearing Panel, or SOHP, unanimously ruled Friday that there were no grounds to punish the club for "inciting violence and of actions of incivility" for its members' actions during an anti-terrorism rally Oct. 17, 2006.

Also, Associated Students Inc. abruptly rescinded their Nov. 15, 2006 resolution condemning the College GOPs by unanimous vote last Wednesday. Though ASI President Maire' Fowler was originally a strong proponent of condemning the GOPs, she was not present for the vote.

The College GOPs have not ruled out suing the university for defamation and violating their civil rights, according to College GOP President Leigh Wolf.

The decisions are seen as a triumph of free expression on college campuses by the college GOPs, as well as free-speech advocacy groups.

"We stuck to our guns, we fought back, and we won because we knew we were right," said Leigh Wolf, the president of the College Republicans at SF State. "I think this is the formation of a snowball to protect the free speech of conservative students on campuses all over the state."

Wolf said he was glad the SOHP came to its decision. He said the club would have eventually won in court, but the possible sanctions could have severely damaged the College Republicans. The sanctions ranged from a forced apology to removal of the club from campus.

The decision came after months of investigation. The ASI passed a resolution condemning the club Nov. 15 after receiving complaints about the flag-stomping incident. The resolution, which was rescinded March 14, led to an investigation by the Office of Student Programs and Leadership Development, or OSPLD, and then passed to the SOHP to determine if the club would be punished.

Throughout the process, the College Republicans cited the constitutional right of free expression and sought the aid of groups like the American Civil Liberties Union and the Foundation for Individual Rights in Education, FIRE. Both organizations wrote letters to SF State President Robert Corrigan defending the College Republicans.

In a Jan. 23 letter to Corrigan, FIRE said the university "has a duty to uphold the First Amendment rights of all of its students, even if their expressive activity offends the religious sensibilities of some. The First Amendment not only protects students' right to free expression, but prevents SFSU from forcing its students to abide by the decrees of any faith."

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"Just as SFSU could not punish students for taking Jesus' name in vain or for driving a car on the Jewish Sabbath, it cannot punish students for stepping on a makeshift flag bearing the word 'Allah,'" the letter said.

Samantha Harris, the director of legal and public advocacy for FIRE, said it should have never come to this.

"This is a cut-and-dry case of constitutionally-protected speech," she said. "It's outrageous that the College Republicans had to be dragged through the investigations and hearings."

Interview requests to the university's president and OSPLD Director Joey Greenwell were referred to Ellen Griffin, the university's spokeswoman.

"I think all along that SOHP exists to look at the merits of student complaints and uphold the value and principles of the campus," said Griffin. "The president has expressed an interest to look at the SOHP policy, particularly the time that lapsed between the complaint and the hearings."

While the College Republicans said they would take legal actions if the group were sanctioned, Wolf said the club would not dismiss the possibility of a lawsuit.

"All options are on the table in correcting this unconstitutional persecution," he said. "We got ourselves in a position to make change, and now we'll do it."

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