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The Nation

Student Plans Lawsuit Over Tipper Gore Video Flap

By Jessica Cantelon

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(CNSNews.com) - American University, which boasts in a statement of its "proud tradition of support and defense of free speech, civil discourse and personal rights and freedoms," is being targeted for a lawsuit for allegedly providing a "textbook example on how to violate students' rights."

Earlier this year, an American University (AU) administrative court found student Ben Wetmore guilty of, among other things, possession of stolen property and trespass after videotaping a speech by Tipper Gore, wife of former presidential candidate Al Gore.

The public speech by Mrs. Gore was delivered on the Washington, D.C. campus of the university in April. AU officials argued the videotaping was "unauthorized," therefore constituting stolen intellectual property.

Wetmore was placed on disciplinary probation for one year and forced to attend a conflict resolution workshop, perform 40 hours of community service and was stripped of a student-elected position.

But the Foundation for Individual Rights in Education (FIRE), the non-profit organization helping Wetmore in his case, contends that only flash photography was prohibited at the event and that there was no announcement regarding videotaping.

Greg Lukianoff, director of legal and public policy at FIRE, said the controversy initially revolved around a student "being kicked out of an event for videotaping it and ... being roughed up by the [campus] police," but escalated when the university refused to back down from its prosecution of Wetmore.

Wetmore claims that after being confronted by three unidentified plainclothes security officers who demanded that he stop taping, he was pulled outside of the auditorium and physically assaulted.

"They threw me to the floor, bent my index finger on my right hand back in an act of pure malice, and kept me on the ground as they put handcuffs on me,"

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reported Wetmore in a written statement \nnone published on his website. He maintains the only thing he refused to do was relinquish the videotape, which the officers confiscated anyway and continue to possess.

Attorney Solomon Wisenberg, a partner with the Ross, Dixon & Bell law firm in Washington, D.C., is currently working with FIRE on Wetmore's case, and said the lawsuit would seek to "restore to Ben his rights as a journalist and as a student."

"The university has handled this very poorly. First, they grossly violated a student's rights and they've been in a denial mode ever since," stated Wisenberg. "It's a textbook example of how to violate students' civil liberties."

But in a statement released July 26, Gail Short Hanson, vice president of campus life at AU, said Wetmore and others "have attempted to distort the facts of the April incident by making claims that he has been singled out for harsh and arbitrary treatment because of his journalistic activities on campus."

Wetmore has also raised questions about the administrative hearing that punished him, but Hanson defended the process, saying it was neither a trial nor a court of law.

"It is an educationally driven process that has been tested over time to ensure a thorough review, fair treatment, and adherence to the Student Conduct Code," Hanson wrote.\b

Wetmore said he has successfully enrolled for the fall semester at AU, despite having been placed on disciplinary probation for a year, and plans to return when classes begin Aug. 26.

The university "holds no animus" toward Wetmore, said Hanson.\b

Telephone and e-mail inquiries to Tipper Gore's office were unreturned.

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