

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 July 9, 2020, the U.S. Supreme Court agreed to hear the case.



Background: In 2016, Georgia Gwinnett College officials stopped Chike Uzuegbunam (“CHEE’-kay Oo-zah-BUN’-um”) not once, but twice, from sharing his Christian faith with fellow students in public, outdoor areas on his college campus. First, officials said to continue his conversations about his faith, he had to get advance permission to use one of two tiny speech zones that made up far less than 1% of the campus—the equivalent of a piece of paper on a football field—and were only open 10% of the week. Chike did what they asked. He reserved a time and went to the speech zone to speak about his faith. But this time, within minutes, two campus police officers approached Chike and demanded his ID card, which they took back to their patrol car while he waited in full view of other students. When they returned, the officers ordered him to stop and threatened him with discipline if he continued to speak about his faith. 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, his speech was subject to the whims of government officials—a policy that is incompatible with the First Amendment. Another student, Joseph Bradford, self-censored after hearing how officials mistreated Chike.

ADF challenged the college’s unconstitutional policies in court. In response, Georgia Gwinnett argued that Chike’s speech sharing his religious beliefs should receive no constitutional protection. Then the college changed its speech policy and claimed it should be able to avoid any penalty for violating Chike’s free speech rights. After waiting a year to rule, until after Chike graduated, the court said that because the college changed its policy and because Chike graduated, he could not get any relief. The Eleventh Circuit agreed. On July 9, 2020, the Supreme Court took Chike’s case. We hope the Court will reaffirm that governments officials shouldn’t get a free pass for violating the First Amendment.

Key Points

- Chike’s story highlights the bigger threat. When courts don’t step in and hold government officials accountable for trampling someone’s constitutional rights, it enables the government to violate someone else’s rights in the future.
- College officials told Chike where and when he could speak. He followed their directions, but they still shut down his speech and campus police threatened him because they didn’t like his message.
- Universities are supposed to be places where future leaders are free to explore and debate ideas. But students aren’t free to inquire and learn when college officials censor speech they don’t like.

The Bottom Line: Courts should hold government officials accountable when they violate someone’s First Amendment rights. The government is supposed to protect freedom, not take it away.