

Judge Fails to Punish Georgia College for Impeding Student's Constitutional Rights

A federal judge is letting a Georgia college off the hook after it was accused of censoring its students and impeding on their constitutional rights.

Chike Uzuegbunam sued Georgia Gwinnett College back in 2016 after campus police forced him to stop evangelizing on campus, even in the designated free-speech zones, and charged him with “disorderly conduct.”

Last fall, the Trump administration got involved in the case when the Justice Department filed a statement of interest in favor of Uzuegbunam.

The department agreed that the students’ First and Fourteenth Amendment rights had been violated.

“A national recommitment to free speech on campus and to ensuring First Amendment rights is long overdue,” Attorney General Jeff Sessions said in his statement.

Now, nearly a year and a half after the initial incident, the College Fix reports a federal judge has dismissed Uzuegbunam’s lawsuit.

U.S. District Judge Eleanor Ross said that a court order against the school would no longer help the student, who graduated almost a year ago, stating, “There is no reasonable expectation that he will be subjected to the same alleged injury again, such that the Court could grant him declaratory or injunctive relief.”

She also pointed to the fact that the school revised its policies after receiving the lawsuit and put its employees through training. Judge Ross stated that there was “no reasonable basis” to think the college would revert back to its old practices.

“Discounting the effect of letters warning of unconstitutional policies is likely to lead to more, not less litigation—which universities can then avoid by changing their policies,” Adam Steinbaugh, a senior program officer with the Foundation for Individual Rights in Education, said in an opinion piece on the FIRE website.

Steinbaugh points to a college in California that rescinded its free speech zone policy a month after being sued and then slowly instituted a similar policy after public attention faded.

“Officials with a demonstrable record of knowingly enforcing unconstitutional policies should face a high hurdle in demonstrating that they’re not recidivists,” Steinbaugh writes.

He also points out that it would appear students are now required to file a lawsuit in order to secure rights already guaranteed them under the First Amendment. {eoa}

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