

President Joyce McConnell
Colorado State University
Office of the President
0100 Campus Delivery
Fort Collins, CO 80523-0100

Via certified mail and email [presofc@colostate.edu]

November 6, 2019

Dear President McConnell:

I write on behalf of People for the Ethical Treatment of Animals (PETA), the world's largest animal rights organization with more than 6.5 million members and supporters, including 92,947 in Colorado.

I have recently learned that Colorado State University is deleting or hiding the comments and visitor posts of PETA and its members and supporters from the university's official Facebook page. For example, visitor posts made by PETA dated September 19, 26, and October 3, 2019, have all been deleted. So have several visitor posts and comments made by PETA members and supporters across September and October, 2019. This evinces a university pattern and practice of deleting comments and visitor posts critical of the university's laboratory, in which black crows and other birds are infected with the West Nile virus.

The interactive spaces of a public institution's social media pages are public forums subject to the First Amendment to the U.S. Constitution. *See, e.g., Knight First Amendment Inst. v. Trump*, 928 F.3d 226 (2d Cir. 2019); *Davison v. Randall*, 912 F.3d 666 (4th Cir. 2019); *Robinson v. Hunt Co.*, 921 F.3d 440 (5th Cir. 2019) Deleting comments and visitor posts critical of the university's experiments on wild-caught crows and other birds—some of whom were illegally trapped—constitutes impermissible content- and viewpoint-based discrimination and must immediately stop.

Please confirm to me in writing no later than November 20, 2019, that the university has stopped deleting, hiding, or otherwise restricting comments or visitor posts made by PETA or its members and supporters to the university's Facebook page. Failure to so confirm will force PETA to consider further action to protect its rights, all of which PETA reserves.

Thank you for your attention to this matter.

Very truly yours,



Gabe Walters
Manager of Litigation

cc: Kathy Guillermo, Senior Vice President, PETA, kathyg@peta.org
Emily Lewis, executive assistant to the President, emily.lewis@colostate.edu
Jason Johnson, General Counsel, jason.johnson@colostate.edu

PEOPLE FOR
THE ETHICAL
TREATMENT
OF ANIMALS
FOUNDATION

Washington, D.C.
1536 16th St. N.W.
Washington, DC 20036
202-483-PETA

Los Angeles
2154 W. Sunset Blvd.
Los Angeles, CA 90026
323-644-PETA

Norfolk
501 Front St.
Norfolk, VA 23510
757-622-PETA

Berkeley
2855 Telegraph Ave.
Ste. 301
Berkeley, CA 94705
510-763-PETA

PETA FOUNDATION IS AN
OPERATING NAME OF FOUNDATION
TO SUPPORT ANIMAL PROTECTION.

AFFILIATES:

- PETA U.S.
- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Netherlands
- PETA Foundation (U.K.)