

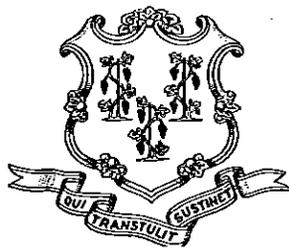
SENATOR GARY D. LEBEAU

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SENATE

DEPUTY PRESIDENT PRO TEMPORE

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Commerce Committee

*Member*

Finance, Revenue & Bonding Committee

Legislative Management Committee

Transportation Committee

March 6, 2009

I would like to thank Senator McDonald, Representative Lawlor and members of the Judiciary Committee for having a public hearing on SB 1056 AN ACT CONCERNING STUDENTS' RIGHT TO FREE SPEECH.

I want to speak in favor of the bill. It creates a positive right to free speech which is a strong approach. By taking a positive approach and then saying what is not protected you are establishing a "bright line" for schools and school administrators to use in determining their reactions vis a vis students exercising their free speech rights. This line is needed as demonstrated in a recent case where the school reached outside the school onto a student's blog and punished her for remarks that they considered offensive. In doing so, I believe that the school infringed upon her constitutionally guaranteed right to free speech.

This right is fundamental to our democracy and our way of life. Free speech is inextricably linked with free thought. You can not have one without the other. Free thought and diversity of thought are the building blocks of free choice. Democracy cannot exist without choice.

I do not believe that speech being "offensive" is adequate grounds for prohibiting it. This is dangerous ground we are walking when we do so. This does not mean that threatening or harassing speech can not be prohibited, or indeed speech that could incite disruption or even riot.

I thank the committee for raising this important concept for discussion. I wish you well with your work.

Sincerely,

A handwritten signature in cursive script that reads "Gary D. LeBeau".

Gary D. LeBeau