

July 29, 2023

Eric Rasmusen, [erasmuse61@gmail.com](mailto:erasmuse61@gmail.com)

Via: <https://www.washingtonpost.com/doonesbury/media/contact>

Dear Gary (if I may),

I'm [Eric Rasmusen](#), Yale '80, Branford. I always appreciated your Yale Doonesbury strips. I had Kingman Brewster as president for my freshman year and remember how we marched the deflated Bladderball to his house and he came out, slogged, and accepted it. You might be interested in the [Daily Themes](#) webpage I just put up.

I'm writing now because I'm chairing a committee of the [Alumni Free Speech Alliance](#) (AFSA) in charge of putting together material for a lawyer to write up as an amicus brief to the Supreme Court asking them to accept a case called Speech First v. Sands for their docket to decide this coming year. Speech First has represented students suing about Bias Response Teams (BRT's) and bias response databases. In 3 of the 11 circuit courts of appeal they've won; in 2, including in this case, they lost. The issue is whether any student is harmed if a university has software for accepting anonymous reports of students saying things protected by the 1<sup>st</sup> Amendment and sometimes asking the student to come to a voluntary meeting with university officials, if no student has actually been punished other than by that process. If the BRT's have no punishment power, how can they chill speech?

This immediately made me think of one of my favorite Doonesbury strips:



I am writing now to ask you to help. If you were to rewrite that strip in the context of a Bias Response Team it would be hugely valuable. The strip conveys our argument better than mere words could. It is totally legitimate as part of a legal brief, even though it would be unusual, perhaps unprecedented. Really, just posting the rewritten cartoon as an amicus brief by itself would be a fun thing to do. If you'd like to, I can find a lawyer to package it up with the necessary 6 pages of front and end material and print it in official font for \$1,000 or so. But I'm really thinking of having it at the start of our AFSA brief, as an epigraph. What do you think?

I'm also thinking of asking Scott Adams if he'd redo your strip as a Dilbert, with the intern being asked to come meet with the pointy-haired boss and having an x chalked onto his cubicle and freaking out. That could be at the end of the brief. I don't know Adams, though I used [quite a few of his cartoons](#) for the book of edited articles, *Readings in Games and Information* that accompanies [my game theory book](#). Do you know him?

Here's the kind of thing I'm thinking of. You could probably think of something better.

Instead of Cal: Doug Neidermeyer, or Greg Marmalader or Chip Diller (best) as Dean Wurmer's messenger (*Animal House* characters)



PANEL 1. "Hi, ya, Chip. What can I do for you?"

PANEL 2. "Dean Wurmer says he'd like to meet with you. He said to give you this:."

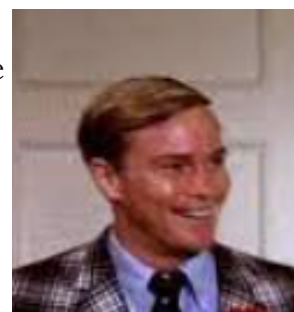
PANEL 3. (NEW) A typed note:

"July 23, 2023

I invite you, Mr. Doonesbury and Mr. Dowling, to engage in a voluntary conversation. If you decline to meet with our office, no further action is taken and you face no consequences of any kind."

Signed,

Vernon Neidermeyer, Dean of Students



NEW PANEL 4. (pretty much the same picture as PANEL 2):

“Whaddaya think?”

“Sorry, Chip, I’m kinda busy with midterms.”

“Me, too.”

PANEL 5. Chip puts an X on the door.

PANEL 6. “I don’t like the look of this.”



The note is an allusion to this statement by Virginia Tech’s lawyer about how no student suffers any harm and hence they have no standing to sue:

Speech First, Inc. v. Sands 7:21cv203 7/9/21

1 MS. SAMUELS: At the very bottom of that page, the  
2 relevant section is that he says, "Invite them to engage in a  
3 voluntary conversation."

4 And if you go to the top of the next page, it says,  
5 "If a student fails to respond to this message or declines to  
6 meet with our office, no further action is taken and the  
7 student faces no consequences of any kind."

We have until about until September 15 to submit our amicus brief (court deadlines not set yet).

If you'd like to find out more about the case, I set up a website with all the documents at:

[https://www.rasmusen.org/rasmapedia/index.php?title=SpeechFirst\\_University\\_Database\\_cases#The\\_Appellate\\_Court](https://www.rasmusen.org/rasmapedia/index.php?title=SpeechFirst_University_Database_cases#The_Appellate_Court)

IHS,

Eric

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