

Declaration of Clayton Smith

1. My name is Clayton Smith. I am over the age of 18 years and I am competent to make this declaration, which is based on my personal knowledge, and my statements are true.
2. I am a resident of Fort Worth, Tarrant County, Texas. I graduated from L.D. Bell High School.
3. During the Spring semester 2009 I attended, and I currently attend, Tarrant County College Northeast campus. I am in my second year of college, and I plan to attend Tarrant County College in the Spring semester of 2010.
4. I participate in Students for Concealed Carry on Campus ("SCCC). SCCC is a nationwide organization asserting the position that licensed, law-abiding adults who carry a concealed firearm for personal protection should be allowed the right to carry their concealed firearms when on a college campus, and its purpose is to effect legislative and policy changes in support of that position. I support SCCC's position and wish to advocate for it.
5. On April 10, 2009, in my capacity as SCCC campus representative, I emailed Tarrant County College Northeast Campus's administrators a "Notification Letter for Campus Administration and Campus Police." A copy of my email and the college's response is attached to this declaration. SCCC asks that the campus representatives give the college's administration and police notice of our intent to demonstrate.
6. The event, entitled the "Empty Holster Protest," was part of a coordinated national peaceful protest planned for April 20-24, 2009, in which students and faculty peacefully attended class and performed other daily tasks while wearing empty holsters. As I explained in my e-mail, the empty holsters were to communicate protestors' belief that because of concealed carry prohibitions, "students, faculty, and guests are left defenseless on college campuses" and to signify my opposition to state laws and school policies denying concealed handgun license holders the same rights on college campuses that they are granted elsewhere. My e-mail emphasized that the protest was entirely peaceful and that the holsters were to be completely empty, without containing anything even resembling a firearm. Further, the e-mail communicated my intent to hand out flyers to interested parties on campus explaining the protest and my beliefs regarding carrying firearms on campus. I also informed the College and its officers that protestors would be wearing T-shirts communicating similar sentiments.

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7. The college e-mailed in response, that the College and its policies forbade me and other protestors from wearing empty holsters anywhere on campus. The College restricted the holster-less protest to the Northeast Campus's "Free Speech Zone," identified on the permit form as the "east front porch of the Student Center Building." I and other demonstrators were forbidden from handing out flyers anywhere except behind a table in the assigned section of the Free Speech Zone. The College informed me that I was required to request permission to use the Free Speech Zone at least 24 hours prior to the protest.
8. I decided not to participate in the demonstration because of the College's restrictions. I believe that because of the College's restrictions my demonstration in the Free Speech Zone would not be effective. Most students and faculty do not pass by the Free Speech Zone, which is out of the way.
9. The College's ban on the empty holsters stopped me from being able to demonstrate my message of defenselessness against crime and my opposition to the college's and the state's policy.
10. I want to be able to participate in SCCC's Empty Holster Protest during the week of November 9-13, 2009, and in the one scheduled for April 2010. I want to be able to hand out flyers around campus to students and faculty who are on their way to and from classes. I do not want to participate if I am limited to the Free Speech Zone because I think it is a waste of time when very few people come by there. I prefer to use the public streets, sidewalks and common areas. And I want to be able to demonstrate my beliefs symbolically by wearing the empty holster around campus and to classes during that week. The empty holster shows the problem with the state's and college's policy most effectively by showing how we are unnecessarily defenseless on college campuses. I hope that interested students can participate on all the Tarrant County College campuses.
11. On October 30, 2009 I emailed TCC to notify them of the upcoming Empty Holster Protest, on November 1, 2009, I received a response from Chancellor Hadley stating that the campuses have specific requirements for protests. A copy is attached. I took that statement to mean the TCC's policies had not changed and that I would be prohibited from wearing an empty holster, limited to the Free Speech Zone and not allowed to hand-out leaflets outside of the Zone. I am concerned that if I violate those restrictions TCC would suspend me from school or take some other action against me.

Signed under penalty of perjury on this 3rd day of November, 2009.



Clayton Smith

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DE LA TEJA, MAGDALENA

From: DE LA TEJA, MAGDALENA
Sent: Thursday, April 16, 2009 12:28 PM
To:
Cc: DARLAGE, LARRY; VASTINE, PAULA; ORINGDERFF, LENNIE; JOHNSON HADLEY, ERMA
Subject: FW: Notification Letter for Campus Administrators and Campus Police

Dear Clayton,

As Vice President for Student Development Services of the TCC Northeast Campus, I've been asked by Dr. Darlage, President, to respond to your email inquiry below.

Thanks for letting us know of your interest in having a peaceful protest at the Northeast Campus. You may wear T-shirts but you may not have empty holsters on college property. If you want to hand out fliers, you may do so only within our Free Speech Zone. As per college policy, please contact Dr. Paula Vastine, NE Campus Director of Student Development Services, to complete a form to request use of the Free Speech Zone as the form must be completed and submitted for processing at least 24 hours prior to use.

If you have any questions, please email or contact me by phone at 817-515-6203.

Thank you.

Magdalena H. de la Teja, Ph.D.
Vice President for Student Development Services
Tarrant County College
Northeast Campus
817-515-6203

Please note.

Larry

From: Clayton ;
Sent: Friday, April 10, 2009 12:24 AM
To: MELANIE.KLINE@TCCD.EDU; ORINGDERFF, LENNIE; DARLAGE, LARRY; VANFLEET, PEGGY
Subject: Notification Letter for Campus Administrators and Campus Police

To Whom It May Concern:

During the week of April 20-2, students on the campus of Tarrant County College will be joining college students across the nation in peacefully protesting against state laws and campus policies that prohibit concealed handgun license holders from carrying their concealed firearms on college campuses. We believe that licensed individuals legally permitted to carry concealed handguns virtually everywhere else in the state of Texas, from office buildings to movie theaters, should be allowed the same measure of personal security on college campuses.

This will be a peaceful protest. The nature of the protest will be limited to students wearing T-shirts and EMPTY holsters and handing out flyers. The significance of the empty holsters is to symbolize that students, faculty, and guests are left defenseless on college campuses; therefore, no protestor will carry anything

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resembling a firearm in his or her holster. Protestors will not carry signs or banners, and nobody will make any attempt to disturb the peace. Protestors will simply go about their daily routines while wearing holsters, which, in both appearance and function, differ only slightly from cell phone holsters.

You may learn more about this protest by visiting www.ConcealedCampus.com. If you have any questions or concerns, please feel free to contact me. Thank you for your time.

Sincerely,

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DE LA TEJA, MAGDALENA

From: VASTINE, PAULA
Sent: Thursday, April 16, 2009 3:44 PM
To:
Cc: DE LA TEJA, MAGDALENA
Subject: Gun Law Protest

Clayton, you will need to complete the attached form and fax it back to us tomorrow, Friday, 4/17. Our fax # is 817-515-6369. We will have a table set up for you, but you will need to come by my office, NSTU 1704, to find out the area you will be in.

You cannot walk around campus and pass out flyers. This is not allowed by TCC. Students will come by your table and you can talk to them and hand them your flyer.

Thanks for your cooperation in this matter and we will be looking for your fax.

*Dr. Paula Vastine
Director of Student Development Services
Tarrant County College-NE Campus
828 Harwood Rd.
Furst TX 76054
817-515-6456*

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From: "JOHNSON HADLEY, ERMA" <ERMA.JOHNSONHADLEY@tccd.edu>
Date: November 1, 2009 1:18:25 AM CST
To: Clayton
Cc: "CARRIER, JUDITH J." <JUDITH.CARRIER@tccd.edu>, "DARLAGE, LARRY" <LARRY.DARLAGE@tccd.edu>, "FULKERSON, TAHITA" <TAHITA.FULKERSON@tccd.edu>, "LEBLANC, ELVA" <ELVA.LEBLANC@tccd.edu>
Subject: RE: Defense Education Week

Mr. Smith

Thank you for letting me know about your Defense Education Week activities. I am copying each campus president because the campuses have specific requirements for those who wish to protest on campus.

We appreciate your interest in TCC.

Erma Johnson Hadley
Interim Chancellor
Tarrant County College District
1500 Houston Street
Fort Worth, TX 76102
Office: 817.515.5200
Fax: 817.515.0975
E-Mail: erma.johnson-hadley@tccd.edu<<mailto:erma.johnson-hadley@tccd.edu>>

From: Clayton
Sent: Friday, October 30, 2009 9:33 PM
To: JOHNSON HADLEY, ERMA
Cc:
Subject: Defense Education Week

Dear,
Chancellor

TCC students will be participating in Students for Concealed Carry on Campus's Defense Education Week. I am sending you SCCC' notice that it requests we send to administration and campus police. TCC should know that no SCCC student members will be using amplification or large displays. You need to let me know if TCC's policies and procedures have changed since the Spring 2009 Empty Holster Protest.

1/1/2009

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During the week of November 9th through November 13th, students at Tarrant County Community College will be participating in Defense Education Week, an outreach of Students for Concealed Carry on Campus (SCCC) designed to increase awareness of crime, safety and self-defense.

SCCC recognizes that education is key in the goal to allow defensive concealed carry on campus, and will be engaging in events such as (Empty Holster Protest, Pamphlets, etc.) to educate and inform the public about concealed carry on campus, and self-defense in general. Participants will be wearing empty holsters throughout the week in protest of the defense-free zones mandated by state laws and college policies.

SCCC believes that all citizens licensed by their state, whether student, faculty or staff member, should have the same fighting chance on campus as they do in the hundreds of other locations such as shopping malls, grocery stores, restaurants and movie theaters.

Sincerely,
Clayton Smith
SCCC Campus Leader for TCC

ABOUT STUDENTS FOR CONCEALED CARRY ON CAMPUS – Students for Concealed Carry on Campus is a national, non-partisan, grassroots organization comprised of over 41,000 students, faculty members, parents, and concerned citizens who believe that citizens licensed by their state to carry a concealed weapon should not be deprived of the right to self-defense on a college campus that current laws afford them virtually everywhere else. SCCC is dedicated to educating the public and advocating state change in state laws and campus policies to grant all licensed citizens the right to carry their concealed handguns on college campuses. SCCC is not affiliated with any political party or other political organizations.

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