



1 February 2018

Via U.S. Mail & E-mail
President John J. DeGioia
Office of the President
Georgetown University
204 Healy Hall
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Washington, D.C. 20057
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Re: Misappropriation of Donations to Love Saxa

Dear President DeGioia,

Alliance Defending Freedom represents Love Saxa, a recognized student group that Georgetown University has subjected to sustained mistreatment throughout the 2017–18 academic year. In the fall, our client had to defend its right to exist when its advocacy of teachings consistent with the Catholic faith sparked histrionic complaints and a lengthy investigation. Now, Georgetown officials have misappropriated its donations, either funneling them to different groups or just losing them completely. We insist that you investigate this matter fully, restore the donations to Love Saxa immediately, and hold accountable the individuals responsible for this misconduct.

By way of introduction, Alliance Defending Freedom is an alliance-building, non-profit legal organization that advocates for the right of people to live out their faith freely. The ADF Center for Academic Freedom is dedicated to ensuring that religious, conservative, and pro-life students and faculty enjoy rights to speak, associate, and learn on campus on an equal basis as those of other perspectives so that everyone can freely participate in the marketplace of ideas.

FACTUAL BACKGROUND

I. Investigation for Advocating Views Consistent with Catholic Teachings

Love Saxa exists “to promote healthy relationships on campus through cultivating a proper understanding of sex, gender, marriage, and family among Georgetown students.”¹ Last September, its president, Amelia Irvine, published an op-ed in *The Hoya*, describing the group’s dedication to “healthy relationships and sexual integrity,” including its view on premarital sex, gender complementarity, and same-sex marriage.²

Love Saxa’s defense of an understanding of marriage, sexuality, and family consistent with the Catholic faith sparked an immediate and vitriolic response. Several students filed a complaint with the Student Activities Commission. They claimed that the group violates the Student Organization Standards by “foster[ing] hatred or intolerance of others because of their . . . sexual preference.” They insisted that Love Saxa’s

¹ Love Saxa, *About*, available at https://www.facebook.com/pg/georgetownlovesaxa/about/?ref=page_internal (last visited Jan. 30, 2018).

² Amelia Irvine, *Confessions of a College Virgin*, THE HOYA, Sept. 6, 2017, available at <http://www.thehoya.com/viewpoint-confessions-college-virgin/> (last visited Jan. 30, 2018).

stance on marriage, which mirrors the Vatican's, constitutes "unquestionable intolerance" and "clearly excludes same-sex couples," which in turn "fosters hatred." The complaint went on to label the group's views as "archaic," "cissexist," "homophobic," "transphobic," "queerphobic," "oppressive," "dehumanizing," "hateful," and "dangerous." It labeled Love Saxa's reliance on Catholic teaching for its views as a "disgrace." *The Hoya* joined the fray, imploring the Commission to de-recognize Love Saxa.³

Bowing to this pressure, the Commission opened an investigation, which culminated in an almost four-hour inquisition in late October. Three days later, it rejected the calls to derecognize Love Saxa. That is, it used some common sense and refused to punish a group for advocating teachings consistent with the Catholic faith at "the oldest Catholic and Jesuit institution of higher learning in the United States."⁴

II. Misappropriation of Donations to Love Saxa

But almost immediately, Georgetown officials began mistreating Love Saxa in a different, more insidious way: by misappropriating donations.

On November 1, 2017, an individual sent Love Saxa a check for \$50.00. Miss Irvine promptly deposited that check with the Center for Student Engagement, but the funds were never placed in Love Saxa's account. Instead, on December 8, 2017, this donor received a receipt from Georgetown University, showing that his \$50.00 donation was allocated to the "LGBTQ Resource Center Reserve."

On December 11, 2017, another donor contributed \$100.00 to Love Saxa through Georgetown's Phonathon. But his receipt from Georgetown showed that his donation had been allocated to the Saxatones. Curiously, this group has partnered with the Sexual Minority Youth Assistance League.⁵

In December 2017, Miss Irvine also deposited a \$250 check from another donor with the Center for Student Engagement. Once again, those funds have not appeared in Love Saxa's account.

During Georgetown's recent Phonathon, one student involved in that effort told Miss Irvine that Love Saxa was "making bank" through this university-wide fundraiser. Apparently, Love Saxa's bold defense of values consistent with the Catholic faith excited many donors. Yet to date, our client has not received any funds from that event whatsoever.

ANALYSIS

Georgetown is famous for being "the oldest Catholic and Jesuit institution of higher learning in the United States."⁶ Naturally, its ethical standards reflect this heritage, prompting it to include in its ethos statement a "commitment to the highest standards of honesty and personal integrity both inside and outside the classroom."⁷

As a result, this misappropriation of funds raises multiple, obvious, and serious concerns. Most importantly, this sort of continued misappropriation can hardly be dismissed as coincidence and appears to be just another form of theft. Christian teaching has prohibited this for millennia, since at least the day that Moses descended from Mount Sinai with tablets that read: "Thou shalt not steal."⁸ But an

³ Editorial Board, *Defund Intolerance*, THE HOYA, Oct. 20, 2017, available at <http://www.thehoya.com/editorial-defund-intolerance/> (last visited Jan. 30, 2018).

⁴ Georgetown Univ., *Jesuit & Catholic Identity*, available at <https://www.georgetown.edu/about/jesuit-and-catholic-heritage> (last visited Jan. 30, 2018).

⁵ The Georgetown Saxatones, *About*, available at <https://www.saxatones.com/about> (last visited Jan. 30, 2018).

⁶ Georgetown Univ., *Jesuit & Catholic Identity*, *supra* note 4.

⁷ GEORGETOWN UNIV., DIV. OF STUDENT AFFAIRS, CODE OF STUDENT CONDUCT 2017-2018 at 4, available at <https://studentconduct.georgetown.edu/code-of-student-conduct> (last visited Jan. 30, 2018).

⁸ Exodus 20:15 (DRA).

institution cannot exist “*ad majorem Dei gloriam*” (i.e., “for the greater glory of God”)⁹ when its officials ignore God’s handwritten commandments.

Furthermore, upholding a donor’s intent should be a high priority for Georgetown. Those who support a student group that has come under attack for supporting a Catholic understanding of sexuality, marriage, and the family have no intention of supporting groups that seek to undermine those values every day, like the LGBTQ Resource Center. But if Georgetown can so blithely and repeatedly misdirect donated funds, alumni and supporters will soon lose confidence in its integrity and direct their contributions elsewhere.

Nor can Love Saxa’s recent experience be chalked up to a mistake. After all, the donations came through various avenues, each of which Georgetown would have processed differently. Some went through the Center for Student Engagement, the entity that oversees the Student Activities Commission. Some were processed by phone. This suggests that the problem is systemic, not limited to one bad actor. This conclusion is confirmed by the fact that Love Saxa was told that it was “making bank” during the Phonathon, but weeks later, it has received no proceeds from the fundraiser, and at least one \$250 donation is just “missing in action.”

Even worse, Georgetown officials have funneled money intended for Love Saxa to its ideological opponents and those who partner with them. Of course, this has happened immediately after the recognition controversy, suggesting that Georgetown officials have found a more secretive way of expressing their animosity towards Love Saxa and of punishing the group for its traditional views. Such conduct is hardly consistent with Georgetown’s commitments to serious and sustained discourse among people of different . . . beliefs,” to “justice,” and to “intellectual openness.”¹⁰

DEMAND

In light of the sustained mistreatment of Love Saxa throughout this academic year, now is the time for transparency and accountability. While we desire to resolve this matter amicably, Georgetown needs to demonstrate its commitment to integrity through its actions. Hence, we insist that you (1) investigate this misappropriation of funds fully; (2) provide a complete and accurate accounting of all donations made to Love Saxa by any donor since the group’s inception, including copies of all original documents evidencing the donations; (3) restore all funds donated to Love Saxa to that group’s account immediately (including the \$400.00 detailed above and any other Phonathon donations); and (4) hold all individuals responsible for this widespread misappropriation of funds accountable for their misbehavior. In so doing, you would be upholding the finest elements of Georgetown’s heritage and sending the unmistakable message to the campus community that Georgetown is serious about tolerating differing opinions and debating even controversial ideas on their merits.

Please inform my office by the close of business on February 9, 2018 whether you will be willing to take these steps. Otherwise, we will be forced to advise our client as to other avenues for recovering its misappropriated donations.

Sincerely,



Tyson Langhofer
Director, ADF Center for Academic Freedom
ALLIANCE DEFENDING FREEDOM

⁹ Georgetown Univ., *Spirit of Georgetown Values*, available at <https://missionandministry.georgetown.edu/thespiritofgeorgetown/values> (last visited Jan. 30, 2018).

¹⁰ Georgetown Univ., *University Mission Statement*, available at <https://governance.georgetown.edu/mission-statement/> (last visited Jan. 30, 2018).