

Valley Courier



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Ledonne motion against ASU denied in U.S. District Court on Thursday

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By KEITH R. CERNY Courier Publisher

DENVER The U.S. District Court of Colorado denied a motion for a preliminary injunction Thursday filed by Daniele (Danny) Ledonne of Alamosa against Adams State University President Dr. Beverlee McClure and ASU Police Chief Paul Grohowski.

The preliminary injunction order would have temporarily lifted a persona non grata order against Ledonne, essentially banning him from the ASU campus. The order still stands after Thursday's ruling. After hearing testimony from Ledonne and his witness , David Mazel, Judge Raymond P. Moore denied his request for the preliminary injunction. Ledonne was represented by N. Reid Neureiter and the ASU defendants by Patrick Sayas, according to court documents.

A number of documents were presented as evidence including emails between Ledonne and McClure, Grohowski and ASU board of trustees president Arnold Salazar. Also presented was a draft of the persona non grata issued against Ledonne, a "no trespass" order to Ledonne by President McClure and a Nov. 7, 2015 article in the Valley Courier citing safety concerns related to Ledonne being banned from campus.

According to the November article in the Courier:

"Danny Ledonne, a former Adams State University adjunct professor who has spent more than a year contesting what he calls a problematic hiring process that left him out of a job, is now contesting the university's declaration of him as persona non grata a legal designation that prohibits him from setting foot on campus.

Ledonne alleges that the declaration, issued on October 14, was retaliation for a website he created, WatchingAdams.org, that posts university records such as salary data, and articles alleging corruption in the university's administration. The website published its first article on October 11, three days before the persona non grata order.

ASU President Dr. Beverlee McClure sees it differently . "McClure said that campus officials have compiled a list of events and behaviors that added up to a picture of a dangerous individual who represented a safety threat to the campus community."

The ACLU of Colorado filed suit in Federal District Court March 10th on behalf of Ledonne, citing a 1973 Colorado Supreme Court decision finding that "a non-student's right to access Colorado public university functions and facilities which are otherwise open to the public-at-large , is a valuable property or liberty interest entitled to constitutional protection."

In an ACLU news release, it was stated, according to the court, access to a public university cannot be denied without first providing adequate notice of charges, reasonable opportunity to prepare to meet the charges, an orderly hearing, and a fair and impartial decision.

"We bring this lawsuit to protect the rights of not just Mr. Ledonne, but all Coloradoans," said ACLU of Colorado cooperating attorney N. Reid Neureiter of Wheeler, Trigg, O'Donnell LLP. "As the Colorado Supreme Court has recognized, public universities are important public resources. Members of the public should not be barred from otherwise public college campuses without being given notice of what they have supposedly done, and being given an opportunity to challenge the allegations."

The ACLU had asked the court to immediately stop Adams State from enforcing the campus ban, as well as to rule that Ledonne's constitutional right to free speech and due process were violated.