



CLIMATE SCIENCE LEGAL DEFENSE FUND

WHAT SCIENTISTS SHOULD KNOW ABOUT WRITING OPEN LETTERS

You may be inspired to send an open letter or create a public petition because of efforts to marginalize or suppress science. While the possibility of these activities resulting in legal action against you is small, there are things you can do to avoid putting yourself at risk when you advocate for science.

First and foremost, we urge you to always distinguish your personal activities from your professional activities.

› Know your institution's rules for communicating with the public and the press, and understand what the implications may be for talking to them. The First Amendment's protections only relate to government restrictions on free speech. The protections do not apply to private-sector employers, but may relate to you if you work for or receive money from government-funded institutions. Be aware that the Supreme Court has held that there are not always First Amendment protections for federal employees who speak out against the government.

› Be cognizant of your online presence. If your letter or petition receives public attention, there is a good chance that critics will scour the web for anything that could be used to contradict your claims or incriminate you.

If your letter or petition is not part of your official role, it's best if you can demonstrate that your communication was created away from work:

› If possible, keep communications to your off hours.

› Only communicate about your letter or petition from your personal email account.

› Do not list your institution on the letter or petition. If you do, follow it with, "for identification purposes only."

› If you must include an email address, use your personal one. We strongly advise against listing your phone number or mailing address.

› Do not post the letter or petition, or any references to it, on your institution's website or social media feeds.

This guide concerns only U.S. laws. It does not constitute specific legal advice for dealing with the particular situation of any individual.

If you find yourself the victim of an attack, call the Climate Science Legal Defense Fund at (646) 801-0853 or email lawyer@csldf.org to receive a free consultation with an attorney who can discuss the specific laws and options that pertain to your situation.