



Outlook

Re: A Message to the Penn State Dickinson Law and School of International Affairs Communities

From Blackman II, David W [REDACTED] >**Date** Tue 1/27/2026 8:28 AM**To** Conway, Danielle M [REDACTED] >; PSDL Students [REDACTED];
PSDL Staff [REDACTED] >; PSDL Faculty [REDACTED] >; PSDL Emeritus Faculty
[REDACTED]; PSDL Adjunct Faculty [REDACTED]; SIA Students [REDACTED]
[REDACTED]; SIA Faculty & Admin Staff [REDACTED] >

My Friends, Colleagues, Professors, and PSDL/SIA faculty:

I have spent most of my snow day reflecting on the email sent out yesterday by Dean Conway, and its potential positive and negative impacts on our community. While I hold the Dean and her decades of legal experience in the highest regard and respect, I feel like a dignified, yet poignant response needed to be sent for review and reflection by everyone here at Dickinson Law.

Firstly, to Dean Conway, thank you for your email addressing the recent events in Minneapolis and for facilitating tomorrow's discussion. As future lawyers, grappling with constitutional questions in real time is invaluable, and I appreciate the effort to create space for reflection. I share the commitment to constitutional principles, including robust protections under the First, Fourth, and Fourteenth Amendments. However, I am concerned that the framing in these communications presents a one-sided view of deeply contested events, which risks deepening polarization and eroding trust in Dickinson Law's commitment to viewpoint diversity.

The opening paragraphs of the message, with their vivid imagery of a "blanket of snow" contrasting a "conflagration enveloping the rule of law" and personal reflections on patriotism and service, set a powerful emotional tone. While these elements effectively highlight grave constitutional concerns, they also risk amplifying division by portraying the events in stark, almost apocalyptic terms that may feel inflammatory to those who interpret the facts differently or support the federal actions in context.

Leadership communications, as the public-facing voice of the law school, carry special weight; when they align strongly with one perspective on divisive issues, they can make some members of our law school community feel marginalized. Certain rhetorical choices, such as describing federal actions with terms like "killing" citizens, "assaulting" protesters, or agents "descending" on cities, can further contribute to a divisive "us vs. them" tone, even when the intent is to underscore serious constitutional concerns. A more balanced context might include:

- Released videos and independent reviews have raised legitimate questions about the use of force in the deaths of U.S. citizens Renee Good and Alex Pretti, contradicting some initial federal accounts and fueling calls for accountability.
- At the same time, federal officials described the incidents as responses to perceived immediate threats (a vehicle allegedly accelerating toward agents in Good's case; an armed individual in a chaotic environment in Pretti's case), amid an operation targeting non-citizens with serious criminal records and reports of risks/assaults faced by agents. As former members of the law enforcement community know well, split-second decisions in such confrontations cannot be

judged solely through a "hindsight is 20/20" lens; under the objective reasonableness standard (Graham v. Connor, 490 U.S. 386 (1989)), it can be reasonably inferred that both Good and Pretti may have been perceived on scene as presenting a life-threatening danger to the agents.

- These operations are being conducted under the authority of the Immigration and Nationality Act (8 U.S.C. §§ 1101 et seq.), which provides the statutory framework for federal immigration enforcement, including the identification, arrest, and removal of deportable non-citizens. While challenges to the scope and execution of Operation Metro Surge are pending in federal court, the underlying legal authority for such enforcement actions remains grounded in federal statute.

Additionally, while many protests rightfully invoke First Amendment protections, the line between acceptable peaceful assembly and actions that escalate into unlawful confrontation has blurred over the years in heated environments. The Department of Homeland Security, which oversees the agencies and agents involved in both incidents, bears primary responsibility for conducting a thorough investigation. It is not in the best interest of the law school, or our educational mission, to appear to prematurely assign blame before such an investigation is concluded and all facts are fully established.

Future lawyers, whether pursuing careers in defense, prosecution, or other fields, will need strong working relationships with both state and federal law enforcement branches to serve clients effectively and uphold the rule of law. These relationships must be nurtured through balanced education and dialogue, not poisoned early on by divisive language that risks portraying law enforcement as inherently adversarial before we've even begun to grow into our roles as advocates.

This particular concern extends beyond one email, some students have perceived a pattern in institutional programming (e.g., REPL courses) that emphasizes critical perspectives on law enforcement without equivalent exploration of counterarguments or operational realities. When such patterns appear, they can undermine confidence in the school's neutrality. I hope tomorrow's discussion, and all future communications, models inclusive dialogue that welcomes and encourages diverse viewpoints. This approach best prepares us to advocate effectively in a pluralistic profession.

Thank you for considering this perspective, and I look forward to our conversation tomorrow.

Respectfully,

David Blackman

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Penn State Dickinson Law

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