

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

<p>PEN AMERICAN CENTER, INC., et al.,</p> <p style="text-align: center;">Plaintiffs,</p> <p>vs.</p> <p>ESCAMBIA COUNTY SCHOOL BOARD,</p> <p style="text-align: center;">Defendant.</p>	<p>CASE NO.: 3:23-CV-10385- TKW-ZCB</p>
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DECLARATION OF SUMMER LOPEZ

I, Summer Lopez, declare as follows:

1. I am over the age of 18 and have personal knowledge of the facts in this declaration.
2. I am Chief Program Officer, Free Expression Programs, at PEN American Center, Inc. (“PEN America”).
3. PEN America is a nonprofit membership organization dedicated to ensuring that people everywhere have the freedom to create literature, to convey information and ideas, to express their views, and to access the views, ideas, and literatures of others. PEN America’s membership is made up of approximately 5,000 novelists, journalists, nonfiction writers, editors, poets, essayists, playwrights, publishers, translators, agents, and other writing professionals.
4. PEN America operates Free Expression Programs that serve to defend writers and journalists and protect free expression rights in the United States and around the world. Initiatives of these programs include research and reports, public advocacy, and campaigns on behalf of particular policy issues or

individuals. Topics for these initiatives have included campus free speech, online harassment, and writers and artists facing political persecution abroad.

5. One of PEN America's core functions is protecting the free expression rights of authors, including those of its author members.
6. Laurie Halse Anderson, the author of *Speak*, is a PEN America member.
7. As a consequence of efforts in Escambia County and elsewhere to remove or restrict books based on political or ideological objections, and as described further below, PEN America has (1) hired full-time staff to work on (a) tracking and reporting on book removals and restrictions in Escambia County specifically and elsewhere, (b) supporting author members who have concerns about what is happening to their own books, and (c) responding to a consistent onslaught of inquiries and notifications from parents, teachers, students, and media who were concerned about book removals and restrictions made by the Escambia County School Board and elsewhere and looked to PEN America for insight and guidance; and (2) diverted existing staff away from its other priorities of free speech education for youth and free speech issues on college campuses to focus on the work enumerated herein. The scale of the restrictions in Escambia County specifically resulted in the need for more staff time and resources to address the rising book bans.

Full Time Staff Hired

8. As a result of efforts to remove and restrict books from Escambia County Public School libraries and elsewhere, PEN America hired four new staff members for PEN America's Freedom to Read program, dedicating resources and funding that were needed for other programs to address the rising number of book bans across the country. Much of this work and the need to hire staff members was born specifically from the wave of book bans in Escambia County, which took up a substantial amount of time for the Freedom to Read staff and diverted PEN America's resources from other projects and needs. These new staff members hired in response to book bans in Escambia County and elsewhere include a Program Director (hired October 17, 2022), Program Consultant and Manager (hired February 10, 2022 as a consultant and permanently as manager on January 2, 2024), Program Consultant (hired February 8, 2022), and Program Assistant (hired August 14, 2023), all for the Freedom to Read program.

9. PEN America's Freedom to Read staff, including the new hires, spent a substantial amount of time in 2022 and thereafter working to monitor and address the removals and restrictions of books in Escambia County school libraries as books were continuously pulled off the shelves based on discriminatory objections. PEN America's Freedom to Read staff was forced to devote large amounts of their time to addressing this crisis of book banning in Escambia County, working to support grassroots organizations in tracking the bans and informing our members about the impact on their work and voices.
10. Specifically, the Freedom to Read program's work in Escambia County has included engaging in research and tracking book removals and restrictions since at least 2022, engaging in outreach and education with community members and the greater public, media communications, advocacy efforts directed at the Escambia County School Board, local partner coordination, and coordination and communications with authors directly impacted by book removals and restrictions in Escambia County school libraries.

Diversion of Existing Staff

11. Also, with the rise of book bans in Escambia County, at least seven employees were diverted from their ordinary work at the organization relating to free speech issues on college campuses and free speech education for youth to address the book removals and restrictions in Escambia County school libraries.
12. By way of example only, the Director of the Free Expression & Education program diverted time away from tracking of and advocacy and commentary on campus speech stories, as well as PEN America's on-campus free expression workshops, in order to monitor Escambia County book removals and restrictions, and engage in research, advocacy, and public education related to book banning in Escambia County.
13. Similarly, the Chief Communications Officer and Communications Team at PEN America spent significant time on efforts to raise awareness about what was happening in Escambia County through advocacy letters, press statements, and social media, which drained time and resources from other communications work.
14. Additionally, the Program Assistant for Free Expression and Education, who was hired to work on PEN America's fellowship program for college students, college essay competition, and a public programming series on free speech,

diverted time away from this work to conduct an analysis of the book challenges in Escambia County.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on the 27th day of June 2024.

/s/ Summer Lopez

Summer Lopez