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Colorado Soldier Files \$10 Million Lawsuit Against Commanders for Violating His Free Speech Rights

Suit claims commanders punished and smeared 21-year decorated citizen-soldier as a racist for off-duty, civilian political speech

Denver, CO., January 23, 2024 /Protestia News/ -- Colorado Army National Guard (CONG) soldier Sergeant First Class (SFC) David Morrill has filed a pro se federal civil rights lawsuit against several members of his chain of command for violating his constitutional rights to free exercise of speech and religion. Morrill seeks declaratory and injunctive relief, as well as 10 million dollars in compensation for the damage done to his reputation, earning potential, and emotional turmoil caused by commanders labeling him as a racist in official documents.

SFC Morrill was punished in December 2022 by the Colorado National Guard because officials disagreed with the content of a Polemics Report podcast published by Protestia Ministries in March of the same year. The podcast was produced in a private-sector context and while Morrill was not on military duty, was at his home, and was not in uniform. Punishment for Morrill's expression of disfavored views included a demotion in rank (suspended pending good behavior) and the issuing of a Letter of Reprimand memorandum labeling SFC Morrill as a racist who cannot be trusted to treat his fellow soldiers equally - a devastating and irreparably harmful claim against a soldier with a 21-year impeccable record and reputation in the Colorado National Guard.

SFC Morrill's service includes representing his unit and the CONG at numerous high-profile public affairs missions (National Anthem vocalist for dozens of professional sporting events, featured performer for National Disabled Veterans Winter Sports Clinic), volunteering for COVID emergency hospital duty, and security for the 2021 Marshall Fire in Boulder County. SFC Morrill's technical qualifications are at the top of the military music field, and he has never been the subject of military disciplinary action before being targeted for the content of his off-duty, constitutionally protected speech.

Morrill says he intends to use proceeds raised for his legal action and from judgment in his favor to establish a legal defense fund for reserve component service members whose proper exercise of constitutional liberties is similarly targeted by military leaders. Morrill said, "Sadly, we have a generation of military leaders who swear an oath to defend the Constitution, yet do not believe in the Constitution's moral necessity. As long as I wear the uniform, I intend to fulfill my oath to support and defend the Constitution, even if I am forced to do it alone. In this case, it means standing up for my and other citizen-soldiers' rights to speak freely when off duty and apart from the military context. Service members should not be stripped of the constitutional rights they swear to defend."

An [op-ed](#) written by Morrill details the events leading up to legal action.

Media inquiries can be emailed to freespeech@protestia.com.

Financial support for this litigation effort can be provided via [Giving Fuel](#).