

UNIVERSITY OF CALIFORNIA, BERKELEY

BERKELEY • DAVIS • IRVINE • LOS ANGELES • RIVERSIDE • SAN DIEGO • SAN FRANCISCO • SANTA BARBARA • SANTA CRUZ

588 MINOR HALL
SCHOOL OF OPTOMETRY
BERKELEY, CALIFORNIA 94720

Ms Angela R. Miller
2600 Ridge Rd
Berkeley, CA 94720

January 15, 2010

Dear Angela:

The following report covers the hearing held on Wednesday, January 13, 2010, to review the interim suspension placed on you, pursuant of Section VI. 105.08 of the Berkeley Campus Code of Student Conduct, and supporting evidentiary material.

The hearing panel comprised myself as Chair (Christine Wildsoet, Professor in the School of Optometry), H. Faye Lawson, Student Advocate, Office of the Dean, Haas, and Chen Ling, undergraduate student. Jeff Woods, Assistant Director of the Center for Student Conduct and Community Standards Campus Life and Leadership (CSCCSCLL) represented the University, with Susan Trageser, Assistant Dean of Students and Director of CSCCSCLL, in attendance for advice on procedures. Alexander Black, also a UC Berkeley student, served as your advisor.

An interim suspension was put in place by Harry Le Grande, Vice Chancellor for Student Affairs, after you were arrested on the night of December 11, and charged with multiple violations of the Codes, in relation to a disturbance of the peace at University House that included property damage, attempted arson and burglary, threats and assault. The conditions of the suspension prohibited you from contact, by any means, with all University faculty, staff and students, and from entering the University campus or any facility of the University, with the exception of the CSCCSCLL office and its staff. The concurrence of George Breslauer, Executive Vice Chancellor and Provost had been obtained for this suspension.

Information available to the panel about the events outside University House on the night of December 11 included a copy of a news report of the attack on the Chancellor's home, part of a package of material provided to both you and panel members by Jeff Woods, representing the University, as well as evidence presented by Detective Nicole Miller, UCPD, who was working on the night in question and called to University House when the disturbance broke out. She provided a personal perspective of her experience that night and also reported on photographic evidence extracted from a camera confiscated from a protestor that showed you carrying a lighted torch on the night in question.

While your report to the panel on the events of the night in question included many inconsistencies, the committee's best understanding is that you joined the protest at the Chancellor's House but may not have participated in the preceding march, that you were holding a lighted torch when in the vicinity of the Chancellor's house although you were not wearing head covering, that at some point you were standing at the bottom of the stairs leading to the Chancellor's house, and that you ran away in the direction of the nearby creek, when alerted to the arrival of police by other protestors. You indicated that you were not specifically involved in acts of vandalism although you did witness the breaking of one light. You also claimed not to have seen or witnessed other acts of vandalism, despite your apparent close proximity to University House. You indicated that the torches were to provide light, because it was dark, although this claim seems inconsistent with the presence of at least one standard light, which was broken during the

protest. It is also not clear why lighted torches were used and not some more standard and safer lighting, e.g. flashlights, for this purpose. In describing your activities since the imposition of the interim suspension, it also became clear to the committee that you breached its conditions in 2 different ways: 1) by continuing to reside at Cloyne House, which represents University property, and 2) attending meetings at International House. Although the former building was not specifically mentioned in the document describing the conditions of your suspension (and supplied to you while you were still under arrest), the latter building was named. You did volunteer any information about the impact of the current suspension of your academic progress, although when asked, you reported not being unable to take two final examinations in the Fall.

The committee took into account in arriving at its decision, three additional factors: 1) your commitment to your studies at UC Berkeley was not clear, as judged by both your apparent lack of concern that the existing sanction had prevented you from completing two final exams in the Fall semester and your poor academic record, 2) that you provided little evidence of positive contributions to the campus community, and 3) that you showed no remorse for your own involvement in this protest, and furthermore, refused to consider that the action of the protestors (mostly wearing head covers, you being one of small number not doing so), armed with lighted torches, as reported by Detective Miller and not refuted by you, could have scared the Chancellor and his wife. Panel members had difficulty marrying your attitude, as just described, with your claims to be against vandalism and violence. It was also unclear how protesting ("claiming the streets"), would address the current financial problems of UC Berkeley, although it seemed to be the only mechanism considered by you up to the time of the hearing.

Based on the above information, the panel decided to leave in place the suspension imposed on you, as described in the document already supplied to you. Specifically, as relayed verbally to you at the close of the hearing:

- 1) All restrictions of associations with University faculty, staff and students will remain in place; you are not permitted to interact with UC Berkeley faculty or students on campus, with the exception of staff of the CSCCSCLL, through which you are permitted to seek advice from Student Advocacy representatives; you are also not permitted to otherwise participate in UC Berkeley student campus activities;
- 2) All restrictions on electronic communication as described will remain in place;
- 3) The restrictions that preclude you from entering and using any University property, including Cloyne House, with the exception of the Office of CSCCSCLL, will remain in place; to meet these conditions, you were given a deadline of 5 pm on Monday January 18, to find alternative accommodation, to meet this condition of your suspension.

You were advised to consult with Susan Trageser in the CSCCSCLL, for information and advice on the follow-up formal hearing of the University charges against you.

Sincerely,



Christine Wildsoet OD, PhD, FAAO
Professor in Optometry/Vision Science