

UNIVERSITY OF CALIFORNIA, BERKELEY

BERKELEY



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

ROBERT J. BIRGENEAU  
Chancellor  
Professor of Physics

200 California Hall #1500  
Berkeley, CA 94720-1500  
TEL: 510-642-7464  
FAX: 510-643-5499  
E-MAIL: [chancellor@berkeley.edu](mailto:chancellor@berkeley.edu)

July 17, 2008

Mr. Carlos Villarreal  
Executive Director  
National Lawyers Guild  
San Francisco Bay Area Chapter  
558 Capp Street  
San Francisco, CA 94110

Dear Mr. Villarreal:

Thank you for your thoughts, which I have shared with the Dean of the Law School, Chris Edley. I substantially agree with the statement he released in April, which I enclose.

The University's Board of Regents and the faculty Academic Senate have carefully regulated the circumstances under which faculty members may be subject to disciplinary proceedings. For behavior occurring outside of the University setting or community, the predicate is very restrictive. You assert that Professor Yoo's actions violated various ethical or legal violations. The long-standing rules are designed to safeguard First Amendment, Due Process, and Academic Freedom principles. For outside activities, these principles require far more than assertion or allegation. They require a "conviction," presumably by a legally competent legal authority rather than the court of public opinion.

I believe that these principles are consonant with the origins and mission of the National Lawyers Guild itself.

Yours sincerely,

A handwritten signature in blue ink that reads "Robert J. Birgeneau".

Robert J. Birgeneau