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August 26, 2008

The Honorable Gene Mullin
Member of the Assembly
State Capitol, Room 2163
Sacramento, California 95814

Dear Assembly Member Mullin:

On behalf of the University of California (UC), I am writing to express our support for your bill, the Researcher Protection Act of 2008 (AB 2296), which seeks to protect university researchers, including those who work with animals. The 10-campus UC system operates many of the nation's pre-eminent health and life sciences research and education programs. We believe it is of critical importance that meritorious and humane research involving the use of animals can take place without threat of violence to researchers and their families. This legislation is an important step toward preventing increasingly threatening and destructive tactics employed by extreme animal rights activists, without jeopardizing legitimate and lawful expressions of free speech.

Many UC researchers who work with animals have found themselves subject to frightening and prolonged campaigns of intimidation by extreme animal rights activists. While traditional targets have included research and biomedical laboratories, extremists are now taking direct action against researchers and other staff, as well as their families, at their homes. These increasingly aggressive and violent acts put the researchers, their families, and their neighbors in grave danger.

- Firebombings at the homes of two UCSC faculty members appear to be the latest in a series of incidents targeting scientists whose research involves animals. In one case, a firebomb ignited the front door of a faculty member's home, filling the house with smoke. The faculty member, his wife, and two small children escaped the house on a fire ladder from a second-story window. Around the same time, a vehicle parked in another UCSC faculty member's driveway was destroyed by a firebomb.
- On three occasions since June 2006, firebombs have also been left at or near the homes of UCLA faculty members who conduct or oversee research involving animals.
- Researchers at UCSF have been subject to death threats, and in one instance, a burning effigy was left on the front lawn of a faculty member's home.

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- The home of one UCLA researcher sustained over \$20,000 in damages after being flooded by animal extremists who inserted a garden hose into the house and left a note threatening to burn the house down next time.
- Wearing masks to conceal their identities, animal rights extremists have appeared at the homes of scientists in the middle of the night, used megaphones to shout threats, and vandalized property. In recent months, there have been more than 20 reports of damage to UC Berkeley researchers' homes, including broken windows and vandalized cars.
- In one recent attack, masked protesters disrupted a child's birthday party at the home of a UC Santa Cruz faculty member and confronted her husband at the door, striking him on the hand.

This problem is not unique to UC. Researchers at other colleges and universities across California have endured sustained campaigns of vandalism, violence, and intimidation against them and their families. In the face of such actions some scientists have suspended their promising and valuable research.

The University has long valued open discussion and the free exchange of ideas; however, we condemn any tactic to advance a political view that involves physical threats, violence, or destruction of property. Such tactics are unacceptable and should not be tolerated.

If enacted, AB 2296 would provide for more comprehensive and effective protection of researchers, including those who work with animals, without jeopardizing legitimate and lawful expressions of free speech. As amended on August 21, the bill declares that unlawful acts that threaten and intimidate researchers or their families at their personal residences are not protected by the First Amendment and are a direct threat to the academic researcher's constitutional right to academic freedom. The legislation would help protect researchers and their families by enacting a new misdemeanor prohibiting any person from publishing information describing or depicting an academic researcher or his or her immediate family, or the location of an academic researcher or his or her immediate family, with the intent that another person imminently use the information to commit a crime involving violence or a threat of violence. AB 2296 would also enact a new misdemeanor trespass law, which would make it a violation for any person to enter the residential real property of an academic researcher for the purpose of chilling, preventing the exercise of, or interfering with the researcher's academic freedom. Enacting State law will help fill gaps in federal prosecution of animal rights extremists. In response to the increasingly aggressive tactics employed by extremist animal rights groups, the federal Animal Enterprise Terrorism Act (AETA) was signed into law on November 27, 2006. Enacting California law as a counterpart to the AETA would facilitate local prosecution of offenses that may not rise to the level of federal prosecution.

Animal research is subject to strict federal and State regulation designed to ensure humane and ethical treatment of animals. Proposed research projects must undergo a rigorous review process; once approved they are subject to ongoing and stringent oversight. Highly-

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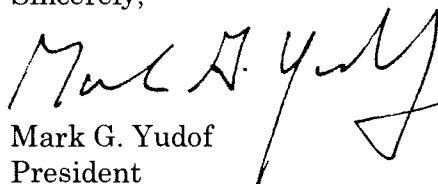
trained and dedicated veterinarians at each UC campus work with researchers and with the campus Institutional Animal Care and Use Committee to oversee the welfare of research animals. The robust review and oversight structure in place at UC ensures that animals are treated humanely and that research involving the use of animals is conducted ethically.

Research involving the use of animals has contributed significantly to the discovery and development of critical scientific breakthroughs and medical therapies. Animal research can be an important step in determining whether a promising therapy might be safe for human use. Radiation therapy and other cancer treatments, the development of vaccines, organ transplantation, and many mental health treatments have all resulted in part from work done on animals. When such work is disrupted by the actions used by extreme animal rights activists, the deleterious impact on important research can be significant and can delay the development of greatly-needed and potentially lifesaving therapies.

On behalf of the University of California community, I strongly support the passage of AB 2296.

With best wishes, I am,

Sincerely,



Mark G. Yudof
President

cc: Interim Provost Robert D. Grey
Executive Vice President Katherine N. Lapp
Senior Vice President Alan Hoffman
Associate Vice President Steve Juarez