

“A chilling effect on the exercise of free speech rights”: University of California issues vindictive interim suspensions to student protesters

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On Tuesday at 7 p.m. Eastern/4 p.m. Pacific, the WSWWS and International Workers Alliance of Rank-and-File Committees (IWA-RFC) are holding an online public meeting, “From Wayne State to University of California—industrial workers must oppose protest crackdowns.” Register for the meeting [here](#).

Thousands of students across the country and world have participated in protests on college campuses against the US-backed genocide in Gaza. The Biden administration has led a bipartisan police crackdown on campuses, which has resulted in more than 3,000 arrests nationwide. Meanwhile, universities have carried out academic interim suspensions as part of a two-pronged strategy to exert the maximum pressure and make an example out of protesters.

Interim suspensions are severe measures traditionally reserved for students who are a threat to the safety of others on campus. A student is academically suspended and immediately banned from all university property and facilities. Receiving an interim suspension often results in a domino effect that entails the loss of access to dorms, causing homelessness; loss of access to campus health centers and pharmacies; cutting off healthcare and prescription medication. In the case of foreign students their academic visas can be revoked, which may result in deportation since their immigration status is dependent upon being actively enrolled in a specific university.

The number of interim suspensions have skyrocketed in the last two months and are coupled with the denial of due process. While there have been dozens of campuses carrying out the punishing suspensions, there is a particular large concentration in the University of California system, where the crackdowns provoked strike action by academic workers. Walkouts are currently taking place at UC Santa Cruz, UC Davis, and UCLA, with campuses in San Diego, Santa Barbara and Irvine joining the strike this week.

Last month, UC San Diego began issuing interim suspensions to students for simply being seen at the encampments. According to the *UCSD Guardian*, student and Assistant Vice President of the Office for Equity, Diversity, and Inclusion, Leticia Guzman, received notice of an interim suspension on May 2. The previous person who held that position, Cristian Fuentes Hernandez, received notice of interim suspension soon after, on May 5.

The email notifying them of their suspensions explained that the university had obtained information that they were present at “the encampment that violates university policy,” and that, “The information described above, if true, provides cause to believe that your continued presence at UC San Diego is reasonably likely to lead to physical harm to any person or property, threats of violence, conduct that threatens the

health or safety of any person, or other disruptive activity incompatible with the orderly operation of the campus.”

The following day, on May 6, around 200 police officers aggressively raided the encampment using pepper spray and arresting more than 60 people, 40 of whom were students. In making clear their endorsement of this police crackdown, UCSD Chancellor Pradeep K. Khosla said, “UC San Diego encourages and allows peaceful protests, but this encampment violated campus policy and the law, and grew to pose an unacceptable risk to the safety of the campus community.”

Immediately following this attack, UCSD announced that every one of the 40 students that were arrested would face an automatic interim suspension, in addition to the other interim suspensions quietly handed out to students for simply being present at the encampment. In contrast, only 16 interim suspensions were handed out all of last year.

The 60 arrested faced charges of unlawful assembly, with 39 charged with unauthorized encroachment on public land, 34 charged with resisting arrest, 17 charged for violating UC San Diego curfew laws, and four with camping on university property.

Sukham Sidhu, with The Office of Student Advocacy at UC San Diego, told the *Los Angeles Times*, “You very rarely see these interim suspension cases...The only times I’ve seen it imposed are in cases of physical assault.” Sidhu noted that a number of interim suspensions did not relate to any arrests. “The very first one I heard about, the student was just seen entering the encampment and there’s no evidence they stayed there... When I heard they were interim suspended for that, I was like, ‘What?!’”

University of California, Irvine (UCI)

On May 8, UCI issued their first round of interim suspensions that banned students from all campus facilities including housing. The suspension notices referred to generic violations of university policy such as “disruption,” but none of them contained any specific allegations about any individual students behavior, according to a letter issued by the American Civil Liberties Union (ACLU) last Friday to UCI Chancellor Howard Gillman.

The letter outlined the punitive issuance of interim suspension issued to students for having only administrative associations with clubs involved in the protests.

“The University, on May 8, also imposed administrative holds upon recipients of the interim suspension notices for the student organizations,

i.e., authorized “signers” for those organizations whose names appeared on student organization paperwork, casting doubt on their ability to continue in their academic programs and receive a degree until the holds are lifted.”

On May 15, the UCI encampment was raided by police and more than 30 students and faculty were arrested. According to the ACLU letter, following this “the University issued Penal Code § 626.4 ‘withdrawal of consent’ orders against some, but not all, of the more than 30 students, staff, and faculty who were arrested. Those orders banned students from returning to campus, including to their University housing, for either 7 or 14 days. On May 21, the University then issued another round of interim suspensions against students who were arrested on May 15, 2024.”

Elliot Yu was among the dozens of UCI students arrested on May 15. In a video posted to the United Auto Workers (UAW) social media page, he described: “For about six hours my wrists were cuffed in zip ties that were so tight they dug into my flesh and cut off circulation. My hands swelled up so much that when the police eventually tried to cut them off they struggled to fit the scissors in between my wrists and the cuffs.”

Yu went on to describe his interim suspension, “After I got out of jail I was told that I was banned from campus and my apartment. Since I live on campus, a campus ban acts as a same day eviction notice. I’m not the only person who lost both their housing and the full function of their hands. This is only one example of how the UC’s brutal response to peaceful protests has harmed hundreds of students and workers across the state.”

The ACLU letter makes clear the interim suspensions are a dangerous attack on the democratic rights of students. “Because the interim suspensions took effect prior to any hearing or other opportunity for students to respond to allegations against them, they fail to comport with the most basic due process requirements,” the civil liberties organization states. “This premature punishment is therefore likely to have a chilling effect on the exercise of free speech rights on campus.

“The University compounded the potential chill when it decided to rely upon the criminal legal system in addition to its own disciplinary mechanisms, by initially subjecting some students who were present at a May 15 protest to Penal Code § 626.4 ‘withdrawal of consent’ orders that ban them from every area of campus including even their own University housing before interim suspensions were issued. Finally, we are concerned by reports that several students have received administrative holds merely because their names were on student organization paperwork, and not because there are any allegations against them specifically. If true, these holds are punishing students for their association with student organizations and the viewpoints expressed by those organizations, in violation of federal and state free speech protections.”

UC’s integration with the military intelligence apparatus

The assault on democratic rights is being directed by the Biden administration with the full support of the Republicans who are leading a witch-hunting campaign in the House Education Committee to smear protestors as “antisemitic” and pressuring officials to bring the full weight of the law against protestors. The universities have had no issue complying as the institutions serve the interests of Wall Street and are deeply integrated in the military intelligence apparatus.

The UC Regents and chancellors themselves represent administrators across all campuses who have longstanding and clear ties to military contractors, weapons manufacturers and intelligence agencies. Richard Leib, the current Chair of the UC Board of Regents, is a businessman with a long history in charter schools, consultancy, and military and intelligence agencies. He was an executive at US Public Technologies,

which was acquired in 1999 by defense contractor Lockheed Martin, where he continued as an executive.

The UCSD Jacobs School of Engineering boasts the Contextual Robotics Institute, which is sponsored by Northrop Grumman, General Atomics, General Dynamics, SPAWAR (Space and Naval Warfare Systems Command), Air Force Office of Scientific Research, US Army Research Laboratory, Defense Advanced Research Projects Agency (DARPA), US Department of Defense, US Defense Threat Reduction Agency, Los Alamos National Laboratory, Office of Naval Research and Lockheed Martin.

Pradeep Khosla, UCSD’s chancellor, previously worked with DARPA on the Senior Advisory Group for Joint Unmanned Combat Air Systems—also known as drones. In 2016, Khosla joined the executive board of Avigilon Corporation of Vancouver, a leading company using facial recognition and body movement technology to help police identify suspects.

In 2016, the UC Board of Regents, which at that time was led by Janet Napolitano, ex-chief of Homeland Security under Obama, sanctioned a secret spyware system capable of monitoring and collecting data from all individuals within the networks of the ten UC campuses and five medical centers throughout California.

At the time, the WSWs warned, “Napolitano and the UCOP insist that the aggregated data [from the spyware system] will not be used for “non-security purposes.” However, it is not difficult to imagine a situation in which student protests and strikes for higher wages are easily categorized as “security purposes” by the UC administration. Additionally, the security policy makes an exception to disclose the personal data for those considered to be engaged in “illegal activity.”

The university system is a key player in the military intelligence apparatus and Wall Street. UC’s deep connections to war abroad and repression at home explains why they have played such a central role in the political assault on free speech and democratic rights.

Student demands for university divestment from the US and Israeli war machines are certainly legitimate. But the fact remains that protests isolated to the campuses and appeals to the powers that be cannot stop the genocide in Gaza and the even more horrific wars for global domination by US imperialism, including with nuclear armed Russia and China.

For that the working class must directly intervene. The UC strike is an important step forward in the entry of the working class as political force to stop war and repression. But the strike is being sabotaged by the United Auto Workers bureaucracy, which is aligned with the Biden administration and is doing everything it can to isolate and wear down the UC strikers.

Academic workers, graduate, undergraduate students and faculty must build their own Rank-and-File Strike Committees to shut down the entire UC system, and appeal to all UAW members and all workers to carry out collective action to halt the assault on students and stop the war. This includes strike action by members of the UAW, the International Association of Machinists and unions at automotive, defense and other industrial factories.



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