

United States Senate

May 8, 2026

Dr. Julio Frenk
Chancellor
University of California, Los Angeles
Box 951405, 2147 Murphy Hall
Los Angeles, CA 90095

Prof. Michael Waterstone
Dean
UCLA School of Law
385 Charles E. Dr. East
Los Angeles, CA 90095

Dear Chancellor Frenk and Dean Waterstone:

I write in my capacity as Chairman of the Senate Judiciary Committee’s Subcommittee on the Constitution—which has oversight responsibility for constitutional rights, civil-rights enforcement, and the Department of Justice’s Civil Rights Division—regarding serious First Amendment and civil rights violations at the University of California, Los Angeles, including most recently at the School of Law (UCLA Law).

On April 21, the UCLA Law student chapter of the Federalist Society hosted an event. Left-wing student-activists disrupted the event multiple times through shouting, heckling, playing loud noises on cellphones, and staging several mid-event walkouts.¹ UCLA Law’s failure to stem those disruptions violated the First Amendment rights of the students who hosted the event.²

Rather than remedy that First Amendment violation and punish the students who violated school policy to disrupt their fellow classmates’ event, UCLA Law instead compounded its First Amendment violation when Assistant Dean Bayrex Martí sent a threatening email to the Federalist Society students. That email to the Federalist Society students threatened them with “campus [disciplinary] process” if they released the names of the student-activists who disrupted the event.³ That email further violated the Federalist Society students’ First Amendment rights because it was an attempt to impose a prior restraint on them through a viewpoint-discriminatory threat of retaliation if they engaged in constitutionally protected speech.

First, UCLA Law’s email threatened retaliatory punishment for First Amendment-protected speech. The First Amendment prohibits governmental actors from punishing someone for

¹ Fox News (@FoxNews), X (Apr. 22, 2026, 2:02 PM), x.com/FoxNews/status/2047013158838300958; Greg McNeal (@GregoryMcNeal), X (Apr. 22, 2:57 PM), x.com/GregoryMcNeal/status/2047026935436640614.

² See, e.g., *In re Kay*, 464 P.2d 142, 149–50 (Cal. 1970) (explaining that “the state retains a legitimate concern in ensuring that some individuals’ unruly assertion of their rights of free expression does not imperil other citizens’ rights of free association and discussion,” meaning it can regulate conduct, such as “prolonged, raucous, boisterous demonstrations,” that “substantially impairs the effective conduct of a meeting”); *Bible Believers v. Wayne Cnty.*, 805 F.3d 228, 252–53 (6th Cir. 2015) (“When a peaceful speaker, whose message is constitutionally protected, is confronted by a hostile crowd, the state may not...sit idly on the sidelines—watching as the crowd imposes, through violence, a tyrannical majoritarian rule....”).

³ Letter from Jessie Appleby, Program Counsel, Campus Rights Advocacy at the Foundation for Individual Rights and Expression, to Michael Waterstone, Dean of UCLA School of Law (Apr. 27, 2026) (FIRE Letter), www.fire.org/research-learn/fire-letter-university-california-los-angeles-school-law-april-27-2026.

publishing truthful information related to an event of public importance.⁴ Releasing the names of the students who disrupted this public event would undoubtedly qualify as protected speech under that standard. By threatening to punish the Federalist Society students if they engaged in constitutionally protected speech, UCLA Law again violated the First Amendment.⁵

Second, UCLA Law’s threat was an attempt to impose an unconstitutional prior restraint on protected speech. The First Amendment generally prohibits prior restraints—*i.e.*, governmental actions that prohibit constitutionally protected speech before it occurs.⁶ By threatening students with disciplinary process if they engaged in protected speech, UCLA Law attempted to impose a prior restraint on their speech in violation of the First Amendment.

Third, UCLA Law’s threat was viewpoint discrimination because it threatened the Federalist Society students for engaging in the same type of speech it allowed from left-wing students. Because “[i]t is axiomatic that the government may not regulate speech based on its substantive content or the message it conveys,” “government regulation may not favor one speaker over another.”⁷ Yet UCLA Law’s threat did exactly that: it permitted left-wing law students to engage in certain speech while prohibiting conservative students from engaging in exactly the same type of speech. Namely, after the event, UCLA Law student-activists posted pictures identifying the Federalist Society students who organized the event.⁸ But UCLA Law then threatened to “subject[]” those same Federalist Society students “to campus [disciplinary] processes” if they revealed which students disrupted the event.⁹ That is unconstitutional viewpoint discrimination.

UCLA and UCLA Law’s civil and constitutional rights violations are not limited to this incident. The University is currently subject to an injunction to prevent it from further violating its students’ religious freedom rights.¹⁰ It is currently being sued for cancelling a conservative student group’s event due to threats of left-wing violence.¹¹ And another lawsuit alleges that mobs of left-wing student groups engaged in a conspiracy to deprive other UCLA students and professors of their civil rights.¹²

⁴ See, e.g., *Smith v. Daily Mail Publ’g Co.*, 443 U.S. 97, 101–03 (1979); *Florida Star v. B.J.F.*, 491 U.S. 524, 530–41 (1989); *Cox Broad. Corp. v. Cohn*, 420 U.S. 469, 495 (1975).

⁵ See, e.g., *Speech First, Inc. v. Schlissel*, 939 F.3d 756, 764–65 (6th Cir. 2019) (holding that that a university’s threat of disciplinary “process, which itself is chilling even if it does not result in a finding of responsibility or criminality,” constitutes a First Amendment injury).

⁶ See, e.g., *Bantam Books, Inc. v. Sullivan*, 372 U.S. 58, 70 (1963).

⁷ *Rosenberger v. Rector & Visitors of Univ. of Virginia*, 515 U.S. 819, 828 (1995) (citations omitted).

⁸ FIRE Letter, *supra* note 3, at 1–2 (collecting examples).

⁹ *Id.* (quoting UCLA Law’s email).

¹⁰ Consent Judgment and Permanent Injunction, *Frankel v. Regents of Univ. of Cal.*, 24-cv-04702 (C.D. Cal. Aug. 29, 2025).

¹¹ Complaint, *Young America’s Foundation v. Block*, No. 24-cv-08507 (C.D. Cal. Oct. 3, 2024) (First Amendment lawsuit after UCLA cancelled a student organization’s event due to threats of left-wing mob violence)

¹² *Weinberg v. Nat’l Students for Just. in Palestine*, No. 2:25-CV-03714, 2026 WL 184302 (C.D. Cal. Jan. 20, 2026) (detailing a “civil rights conspiracy” by left-wing mobs on UCLA’s campus in case brought “under the deprivation and hindrance clauses of 42 U.S.C. § 1985(3)”).

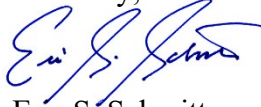
United States Senate

These incidents all share the same basic structure as the April 21 disruptions. Each time, a politically disfavored group of students attempts to engage in regular behavior, such as walking on campus or hosting a guest speaker. Each time, a mob of leftist UCLA student-activists violates UCLA’s student-conduct rules—and federal civil rights statutes—by preventing those other students from engaging in that protected activity. And each time, UCLA tries to disclaim responsibility by shifting blame to the leftist student-activist mob. But as a federal court recently reminded UCLA, federal civil rights laws reject exactly this attempt to disclaim responsibility and allow left-wing mobs to harass and violate the rights of other students.¹³

In light of UCLA’s pattern of First Amendment and civil rights violations, I request responses to the following questions by May 22, 2026, to inform my legislative process:

1. In a statement after the April 21 event, UCLA Law stated that it “is reviewing all policies and will take necessary steps to ensure student groups can host speakers in an environment of civil engagement.”¹⁴
 - a. What is the nature of this “review”?
 - b. What “necessary steps” will UCLA Law take to ensure that student groups can exercise their First Amendment rights to freedom of speech and association?
2. UCLA Law sent a follow-up email suggesting it could punish students for publishing the names of the disrupting students.¹⁵ Does UCLA Law continue to assert it can punish students for the protected speech of releasing the names of the disrupting students?
3. Will UCLA Law investigate whether Assistant Dean Martí or other administrators have engaged in other violations of the First Amendment, such as viewpoint discrimination?

Sincerely,



Eric S. Schmitt

Chairman

Subcommittee on the Constitution

¹³ See *Frankel v. Regents of Univ. of Cal.*, 744 F. Supp. 3d 1015, 1020 (C.D. Cal. 2024) (“UCLA claims that it has no responsibility to protect the religious freedom of its Jewish students because the exclusion was engineered by third-party protesters. But under constitutional principles, UCLA may not allow services to some students when UCLA knows that other students are excluded on religious grounds, regardless of who engineered the exclusion.”); see also 42 U.S.C. § 1986 (providing a cause of action for neglect to prevent a third-party conspiracy against civil rights).

¹⁴ Statement by Michael Waterstone, Dean of UCLA School of Law (Apr. 23, 2026), newsroom.ucla.edu/ucla-school-of-law-statement-on-recent-campus-events.

¹⁵ Micaiah Bilger, “Attorneys say UCLA apology not enough after Federalist Society event disruption,” The College Fix (May 1, 2026), www.thecollegefix.com/attorneys-say-ucla-apology-not-enough-after-federalist-society-event-disruption/.