



OFFICE OF THE CHANCELLOR  
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BERKELEY, CA 94720-1500

December 13, 2004

Alan Kalmanoff  
Attorney at Law  
2613 Hillegass Avenue  
Berkeley, CA 94704

Dear Kal:

You have asked me to write this letter summarizing two investigations you have done for the University and my reactions to those. I am happy to do so.

The first investigation was undertaken in 1985 at the request of Chancellor Ira Michael Heyman. The campus was experiencing heated protests over matters related to divestment in South Africa. In one incident, a police car bumped peaceful protesters during a march following a rally on this subject. The bumping of the protesters led to a confrontation between the police and the protesters that received considerable media coverage.

The second investigation was done in the past year at my request. A criminal and administrative investigation was done by our police department of a matter involving petty theft and the falsification of time sheets by staff in the police department. The University auditor raised concerns about a possible conflict of interest and you were asked to make an independent determination as to the validity and reliability of the internal police investigation.

In both of these matters, I have learned first hand how sensitive police personnel are to any investigations of them. Because of your extensive experience, you were particularly helpful in pointing out seemingly innocuous administrative decisions about dealing with the police during the investigation. In a very real sense, you acted as a counselor to me and Chancellor Heyman, reminding us of our role in dealing with push back from the police on the investigations that were undertaken. This required a nuanced understanding that only you could have provided us.

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Page 2

The care and thoroughness of your work was also very impressive. You were clear with the police chief, officers and administration about how you would conduct the investigation, how confidentiality would be protected, and what the scope of your investigation was. This is not an easy task because of the heightened concern within police ranks that any investigation arouses. You were also very deliberate in pursuing all possibly related matters. This was something that we would negotiate together and all the pros and cons were laid out professionally by you.

Thank you again for being of such assistance to us.

Sincerely,

A handwritten signature in black ink that reads "John Cummins". The signature is written in a cursive, flowing style.

John F. Cummins  
Associate Chancellor