

From: **Jenny S. Martinez** <[jmartinez@law.stanford.edu](mailto:jmartinez@law.stanford.edu)>  
Date: Fri, Mar 10, 2023 at 3:59 PM  
Subject: yesterday's events  
To: Jenny Martinez <[jmartinez@law.stanford.edu](mailto:jmartinez@law.stanford.edu)>

Dear SLS -

Most of you have likely heard about an event on March 9, 2023 at the Stanford Law School hosted by the chapter of the Federalist Society and featuring Judge Kyle Duncan of the United States Court of Appeals for the Fifth Circuit. A video of a small portion of the event has been circulating online.

The law school advised students who announced that they planned to protest the event of university standards and policies on freedom of speech, including the [specific university policy prohibiting disruption of a public event](#). It is a violation of the disruption policy to “prevent the effective carrying out” of a “public event.” Heckling and other forms of interruption that prevent a speaker from making or completing a presentation are inconsistent with the policy. Consistent with our practice, protesting students are provided alternative spaces to voice their opinions freely. While students in the room may do things such as quietly hold signs or ask pointed questions during question and answer periods, they may not do so in a way that disrupts the event or prevents the speaker from delivering their remarks.

In the past few years, we have had a number of events with controversial speakers proceed without incident. Other than someone who hoped to create a meltdown for the cameras to capture, no one can be happy about what happened yesterday. In this instance, tempers flared along multiple dimensions. In such situations, an optimal outcome involves de-escalation that allows the speaker to proceed and for counter-speech to occur in an alternative location or in ways that are non-disruptive. However well-intentioned, attempts at managing the room in this instance went awry. The way this event unfolded was not aligned with our institutional commitment to freedom of speech.

The school is reviewing what transpired and will work to ensure protocols are in place so that disruptions of this nature do not occur again, and is committed to the conduct of events on terms that are consistent with the disruption policy and the principles of free speech and critical inquiry they support. Freedom of speech is a bedrock principle for the law school, the university, and a democratic society, and we can and must do better to ensure that it continues even in polarized times.

Sincerely,  
Jenny Martinez

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