

## **No Dr. Thomson, I Won't Apologize to You! Quite the Contrary**

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For the past 5 months I have been subjected to an investigation of ASU's office of Equity and Inclusion, which had previously dismissed the claims of a woman from Australia that she had witnessed me touch the breast of another woman while taking a selfie at a banquet reception associated with the Australian Skeptics Conference in Melbourne Australia in Nov 2016. In October of 2017 they concluded that there was no substantiation for any such claim based on the photograph sent to them by the complainant, and the fact that no complaint was made to the University or to the Conference Organizers by the attendee I was alleged to have groped. The Provost of ASU wrote to me after the investigation had concluded that this was done for my own protection as if anyone else now harassed me with this same claim the University would indicate that their investigation had been concluded with a finding of no violation. A similar claim was made by the same complainant to another University I was affiliated with, the Australian National University, and after an investigation that lasted over a month, they too dismissed the claim.

Nevertheless, in spite of the assurance from the Provost, under public pressure after the online tabloid BuzzFeed published this allegation about me in Feb of 2018 from the same woman, with a claim of two other witnesses to the event, the University reopened their investigation.

Following a new internal investigation by the Office of Equity and Inclusion, the Provost issued a new finding about the same complaint with a different conclusion: that I had violated University Policy at this event. As I shall describe below, this reversal of decision, and violation of the Provost's earlier stated assurance regarding double jeopardy, was done in spite of the fact that the woman who I was alleged to have groped who had been contacted about the allegation again refused to issue a complaint. The new process was highly flawed, biased and I am appealing process internally to the University—a process I was led to believe was confidential.

While I at various times I have been frustrated, angry, and shocked by the inappropriate nature of the proceedings, to the point of wanting to speak out publicly, I decided to respect the confidentiality of the process, not only out of consideration for ASU, but also for the privacy of those involved including, yes, even the complainant. However, on July 31, ASU made the documents related to the University's finding effectively public by emailing them to to this complainant and that she immediately distributed them to the media, with a demand for a public apology. This action and her demand force me to respond publicly now regarding the issues that I will be addressing internally in the appeals process. I believe these issues impugn the veracity, integrity, and motivations of this woman, as well as the OEI's new interpretation of events at the Australian Skeptics meeting in Melbourne in November 2016.

First, to frame the events in question, I was in Australia, in Nov 2016 to visit the Australian National University (ANU) in Canberra, where I held a visiting appointment in the Research School of Astrophysics at Mt. Stromlo, and while I was there I agreed to speak at a number of atheist and skeptics events in the country. I spoke at the Australian Skeptics Skeptics in Melbourne as part of this trip. This meeting was not a professional scientific meeting, but I view speaking at such events as an important public service that I am privileged to do because of my profile as a public advocate for science, skepticism and reason. In any case, during this meeting, there was a private banquet held at the Melbourne Zoo, which I attended. As the Zoo was closed when we arrived we remained in a private banquet hall for a 2 hour reception before the dinner. I stayed long enough to do a taped interview with a journalist, meet and greet, and do some selfies and autographs before I left to find dinner elsewhere.

Almost nine months later I learned that the woman in question had made the allegation to both ASU and ANU that I had intentionally groped an acquaintance of hers at the banquet. To support her claim, she provided a photograph of a selfie which showed a woman (whose face was redacted) leaning back with her arm up in the air, presumably to hold her camera, and me behind her, also leaning backward, with my arm moving sideways above the woman's arm.

I was naturally skeptical at the time, shocked in fact, when first ASU and then ANU contacted me about this claim. I have done perhaps in excess of 5,000 selfies over the past decade. Not only has no one else complained to me, or to my University, about these interactions, but, as I have stated in a previous public document in response to the BuzzFeed story that was initiated as a result of this woman's claim, I consciously make a great effort to make people feel safe and comfortable during these vulnerable experiences, as a host of people have written to me with kind offers to speak out on my behalf after the BuzzFeed article appeared.

Moreover, what I indicated to the first investigator at ASU when I saw the photograph, and what I thought would have immediately popped into anyone's mind when they saw it was this: If I had the intention of suddenly groping someone in a selfie line for the first time, why would I choose to do it in full view of many others, during the taking of the selfie photograph? Moreover, why would I choose to do it so blatantly and clumsily, reaching up and over the raised outstretched arm of a woman leaning backward? I remain surprised that the Provost did not address this question, nor of course the OEI investigators, who throughout the process made it clear to me that they unskeptically accepted all claims, regardless of their nature or plausibility, while systematically disregarding exculpatory claims by others. But I shall have more to say about that in other contexts at a later time.

Since I had no memory of any mishap, my first response after seeing the photograph was that was innocuous. It showed my arm moving sideways above the outstretched arm of a woman whose face was redacted during the taking of a selfie. We were both leaning backward as she reached upward with her camera, so I suggested that it was also possible that I, or the woman in question, lost their balance, and I reached out to steady either her or myself. A few days later, when thinking about the photograph (which I no longer had access to) again, and because I knew I had not groped anyone, I also reflected on the possibility that I was reaching out to block a potential flash, which I often do during such events if I anticipate such, as these blind me for other selfies.

Now to come to the current situation:

The woman who it was alleged that I had groped had continued to refuse to launch a complaint at the time, or later to ASU or ANU, or to the BuzzFeed reporters. Some time later, almost 2 years after the event, and after other pressures that I can only presume were brought to bear on her by the complainant, who put the ASU investigators in touch with her, she did agree to speak to an ASU Investigator. While I was subsequently informed that she had spoken to the ASU Investigator, I only a general summary of what she had said when I received the Investigator's report. I also learned from this that I apparently knew the woman and had met her numerous times in the past. (I still don't know her identity, and I happy for her sake that her identity not been revealed to anyone.)

Based on what I can discern from this, I must have bumped this woman in some way during this woman in the process of the selfie. From what I have read, her report of

the event is completely consistent with my original view that in the process of steadying her or myself I may have unintentionally touched her, especially since we apparently knew each other before this event. Her description of the event was “A clumsy interpersonal interaction”, during which she states she did not feel victimized, and which she also states she and I resolved the issue on the spot, as two people who know each other would likely do. Had she reacted adversely, she would have let me know, which she said she did, I would have apologized and done what I could to help her feel comfortable afterwards. I cannot recall saying “Don’t put that on facebook”, since I don’t even recall the event, but it is not unimaginable that I would have said this to ease any discomfort for an acquaintance with whom I took an awkward photograph.

Since I have not had the opportunity to talk to the woman in the selfie or hear any further details from her, this is all I can say. But most importantly: (a) she agrees that we resolved whatever awkwardness occurred between us at the time, which would explain why the event would not have stuck in my own mind; (b) she did not issue a complaint to the organizers of the meeting (nor did anyone else for that matter), and did not discuss it later on with me—an individual with whom she was apparently already familiar—and refused to substantiate Dr. Thomson’s complaint when she issued it to ASU, ANU, and BuzzFeed; (c) Finally, according to her statement to ASU, she specifically asked Dr. Thomson not to make any complaint against me, a request that her ‘friend’ violated.

Now to the relevant facts associated with the complainant, Dr. Melanie Thomson, who I was not familiar with until after I learned about her claims to BuzzFeed and ASU and ANU. Again, I stress that although I became aware of most of these before today, I had refrained from publicizing them until Dr. Thomson publicly invited comment from me after distributing the ASU document to the media.

First, according to her statements to BuzzFeed, and her tweets she was on the lookout and “watching me like a hawk’ in advance, looking for bad behavior, as she expressed distrust and dislike of me—more on this shortly. Looking at Dr. Thomson’s public tweets and posts both before and after the events it is clear that, apparently due to treatment she believes she has received during her career, she has a great dislike of successful, high profile, male scientists, who she has referred to derogatively as ‘Silverbacks’. She tweeted derisively about Stephen Hawking’s nursing requirements, and following the BuzzFeed article she tweeted that Steven Pinker could ‘get in the same bin as I just put Krauss in’.

Dr. Thomson is a prolific tweeter and even a cursory examination of her tweets suggests not only a strong hatred of senior male academics, but also a willingness to strike out strongly at friends and acquaintances of hers who disagree with her claims and arguments, calling them “femborgs” and describing them as having ‘Stockholm Syndrome’ or “internalized misogyny” for example. She tweeted that “those of you defending Krauss right now, need to flip your current defective thinking” She also refers to Skeptics who disagree with her numerous times as “Septics” I feel for the individual in question as a result, who must have received

strong pressure from Dr. Thomson, who finally put her in contact with the ASU investigator. I also find it quite plausible that the 3 claimed witnesses were not independent. In the original complaint to ASU, more than 6 months after the fact Dr. Thomson did not name any other eyewitnesses, even though she was in twitter communication as friends with the two who later appeared in the BuzzFeed article, and as she notes, who came forward only after the University had dismissed her original complaint. After the BuzzFeed article she specifically tweeted another individual asking her to contact her privately by Direct Message so she could discuss reaching out to make a report to ASU investigators.

Dr. Thomson also has a history of making claims related to me that are not supported by the facts. On April 1 of 2017 she tweeted in reference to me that “the conference organizers who brought him here have beentold never to let him darken the doors of Oz again”. As I describe in detail later, the conference organizers on numerous occasions testified to investigators at ASU and ANU that they had not received at any time complaints about me. Moreover, at the same time she tweeted about me (referring to me as an asshole) that “He’s not being invited back”. In fact the same conference organizers helped promote an event by me in Melbourne in May of 2017. I don’t think that Dr. Thomson tweeted these incorrect claims as an April Fools joke.

Dr. Thomson also displays a craving for publicity. After enthusiastically crowing about the BuzzFeed story, she actually publicly complained that “the most interesting thing about the #Krauss story? The fact that no Yankie Twitterati have responded to my tweets”. Following the release of the current news story that prompted this response, she has already bemoaned that not enough people are emailing to her about it.

So much for motivation, and credibility in the twittersphere. Returning to the specifics of my case, her complaint to ANU in October of 2017 involved two specific claims which later turned out to be clearly and objectively false: that (a) reiterating the incorrect complaint had been lodged to the organizers of the Skeptics event, and (b) that another photograph existed which showed me explicitly touching her friend’s breast. I emphasize again that both ASU and ANU discerned from speaking to the organizers of the meeting that no complaint against me was lodged associated with that event or any other event that took place during the 3 days of the Australian Skeptics conference. (On the contrary, the overall reaction to my visit and lecture appeared to be universally positive. ) And even after repeated efforts by ANU to obtain the alleged second photograph, Dr. Thomson could not produce it. These appeared at the time to me to be fabrications which, given the vehemence with which Dr. Thomson aggressively attempted to impact first upon my career and then upon my reputation, appeared to be done with malice.

Perhaps the most surprising and striking additional exculpatory factor however, is contained in the OEI report, but to my amazement, the OEI investigators did not acknowledge its falseness (although the Provost later did), and neither the OEI investigator nor the Provost seems to have recognized has significant impact upon

the credibility of Dr. Thomson and her claims. Apparently not satisfied that her initial claim had enough merit on her own, she later contacted ASU with a second claim that the day following the incident in question, I had 'photobombed' a picture with her and another acquaintance of hers shortly after she had publicly kissed her friend leaving a clear lipstick mark on her cheek. She claimed during interaction I remarked "Girl on Girl action", which is not something I would generally say, but which would not have been inaccurate given her public display. That OEI would even consider 'photobombing' any sort of crime would itself be surprising, were it not for the fact that they have showed little desire to critically examine any claims during this process. The ASU OEI apparently received permission from Dr. Thomson and the other woman in the photograph to disseminate the photograph, and forwarded it in an email, so I assume it is available elsewhere on the web. Because the description of it is given in the documents sent to the media it is appropriate to present it here. It is presented at the beginning of this article.

This is the photograph that alleges to demonstrate further harassment by me! I would suggest that if this photograph was shown to random individuals and they were asked who was harassing whom, they would universally come to a different conclusion. (Try it. I have.) Moreover, to make matters worse, ASU investigators talked to the other woman in the photograph who, as described in the document distributed to the media, not only had NO recollection of my saying anything untoward at the time, but moreover DID recall that Dr. Thomson remarked afterward that she hated me.

The implications of this photograph to me seem significant, even if the significance seems to have been lost on the Provost and the OEI. This is manifestly NOT an example of photobombing, as was claimed. Her friend clearly has her arm around me in a way that demonstrates that she is not only aware of my presence in the photograph, but has invited it, and is happy about it. This goes to credibility. More than this, remember that this photograph was taken the day after the alleged incident at the private banquet. Not only did Dr. Thomson allow her friend to appear in a selfie with me, but even after she mentioned that she explicitly hated me, she did not choose to tell her friend that I had groped another friend the night before, a fact that Dr. Thomson otherwise has suggested had a strong impact upon her at the time. Finally, neither woman appears agitated or recoiling in any way that would suggest fear, or manifest repugnance. Rather this looks like an innocent selfie.

What I find absolutely amazing is that the OEI investigator who sent the photograph and who adjudicated the ASU finding described in the now public document, actually found that this photograph substantiated a violation of University policy by me (a finding only later overturned by the Provost)! She did NOT question that this was photobombing, and did not take the word of the woman standing closest to me that I did not utter the words claimed by Dr. Thomson as exculpatory. In fact, by the end of the investigation she was referring to Dr. Thomson not as Melanie, but as Mel. This remarkably uncritical unquestioning bias was characteristic of a process that I am now appealing at the University.

So, in short, Dr. Thomson, I believe it is you who owes an apology to numerous people:

1. You should apologize to your friend for violating her specific request to you, and for attempting to make her a victim in an event she did not feel victimized by.
2. You should apologize to others you have demeaned for merely disagreeing with various venomous statements.
3. You should apologize to ANU and ASU for making claims against me that are either unsubstantiated, or later turned out to be incorrect.
4. You should apologize to the conference organizers for misrepresenting their lack of action after the event.
5. You should apologize to me for so aggressively and preemptively trying to destroy my reputation and career by your claims for making defaming comments about my reputation with the organizers of the Sektpics Events, and for making similar efforts and claims to tarnish the reputation of other scientists.

Dr. Thomson, has achieved many of her goals. Her public comments repeatedly appear to reflect someone who is on a vendetta to destroy various careers in an apparent attempt to gain popularity as a defender of women. In the process she has managed to trash my professional and personal reputation among many people, and has managed to lead what appears to be a strongly biased internal investigation at ASU to come to an inappropriate conclusion about one awkward moment at a private dinner (although she failed to do so at ANU, which dismissed her claim after an extensive investigation), and she has gotten her 5 minutes of fame. But one thing she will not get is an apology from me.