

TO: Carla Mehnke, OEI

From: Lawrence M. Krauss, Aug 27, 2018

Reopen Investigation into Australian Skeptics Meeting allegation

I am writing to ask you to reopen your investigation yet again, on the basis of new evidence. At least three crucial new pieces of evidence now exist:

1. An analysis of the photograph that Melanie Thomson submitted with her claim, which she stated occurred moments before I allegedly touched the breast of the woman in the photograph, actually shows my hand and arm *moving away from the woman*, not toward her. Notice the ghost images to the right of my fingers, and also the ghost image of my jacket on my arm. (A ghost image is what happens when a picture is taking when someone is moving—the image trails a moving object and appears as a “ghost” that trails behind the object.) It would be impossible to create these if my hand and arm were moving to the right—because the ghost images trail the movement, they don’t go in front of it! This is thus not a photograph of me reaching toward the woman’s body, but rather moving it *away* from her. Look at how my fingers appear longer than they shoot because they’re trailing away). If I were moving toward her, my wrist would appear longer, and my fingers would appear shorter—because again, the ghost image trails the movement; it doesn’t precede it. I have now shown this to other colleagues who have confirmed this analysis—I would be happy to give you the names of those people if you would like. The photo itself is not evidence of my reaching to grab anything on the woman. **It thus provides no evidentiary support for Melanie Thomson’s claim that I grabbed this woman immediately after this photo, and moreover demonstrates this is a false claim.** ~~It thus provides no support at all for the claim of accidental or intentional touching.~~ The only evidence it does provide is:

- a. The woman in question was leaning ~~toward-back against~~ me at the time ~~taking a selfie~~ she took the selfie  
Melanie Thomson ~~lied-was wrong~~ about what happened immediately after the photo was taken. Quoting from the ASU Investigative Report:  
“Thomson described that she witnessed Respondent, “reach over her [anonymous female’s] right shoulder and clamp his right hand firmly on her right breast moments *after* she [the anonymous female] took the photograph” (emphasis mine).”
- b. As you can see, that’s not true—at the time the photo was taken, my hand was not touching her, and it was moving away, towards me. This suggests that I may have accidentally touched her when she bumped into me to take the picture, likely because she made me stumble, and then taken the photo when I wasn’t ready, as I tried to steady myself. It does not show—the laws of physics make clear that it cannot show—that I touched her after the photo was taken—Melanie Thomson was wrong when she said that—and she expressed so much certainty about it that it is hard to believe that this was an honest mistake, rather than an intentional effort to mis-use this photo to make me look as bad as possible.

**Commented [JD1]:** I think it’s a mistake to say there was no accidental touching. Remember, she was upset after. You definitely touched her. I realized that you’re making a more refined point (this shows no touching at all), but you can’t silo your arguments like that. Keep the attack on Melanie’s version, not on whether you touched her at all.  
Justin Dillon  
2018-08-28 08:01:00

**Commented [JD2]:** Here’s the thing: like many people who aren’t used to dealing with witnesses, you are too quick to assume that an innocent misrecollection is a lie. I don’t think Melanie was lying about when the photo was taken. I think she just doesn’t remember. It all happened very quickly, and human memory isn’t a video recorder. So I actually don’t think using this to accuse her of lying about this is very effective. I think you might better use it to attack her memory, or something like that. But going as far as to say she’s lying about the timing of the photo seems less effective to me. Her concern is the fact of the grope, not when it happened in relation to the photo. That’s what she would have been focused on.  
Justin Dillon  
2018-08-28 08:09:00

- b.c. If any accidental touching did occur, it was likely when she presumably leaned up against me to take the photograph, which I had not even yet readied myself for at the time the photograph was taken.
2. Melanie Thomson recorded a podcast after ASU released the results of your investigation, which she subsequently forwarded to the press. Here is the link. (<http://files.secretagencies.com.au/Episode112.mp3>) **On that podcast she lies repeatedly about various aspects of her claim compared to the information she either gave to you, BuzzFeed magazine, or in numerous other public statements about this event and also contradicts the testimony of the other witnesses in your investigation. In particular:**
    - a. She reiterates that what prompted her complaint to ASU was not the event in question but other concerns she had about me as a result of both objections to something she thought I said on the radio, and to cajoling by a woman at Case Western Reserve University in the US who contacted her in April, who coached and framed what she should say. She admits to colluding with other witnesses to “send a message,” not simply to report an incident. As she points out that in preparing the claim to ASU, “WE managed to get people together with BuzzFeed.”
    - b. She states the other witness quoted by ASU, Michael Marshall *did not* witness the breast touching itself, countering his claim made to you. She says explicitly she was the *only* eye-witness to the event. Either she is lying, in which case this further impugns her testimony, or Michael Marshall was lying, which impugns his. Either way, they cannot both be credible witnesses.**
  3. b. Melanie Thomson confirmed in the interview that her blog post in April 2017 is what initiated the complaint process. This post, which is defamatory, makes other false claims for which there is no evidence—including that there is a photo with my hand on the woman in question’s breast—a claim she repeated to the ANU investigators but could not produce such a photo even after repeated requests from them. This blog further demonstrates willingness to embellish or lie. <https://drmelthomson.wordpress.com>
  4. A witness contacted after Melanie Thomson submitted a second selfie to Erin Ellison at ASU which she claimed was evidence of photobombing, and taken one day after the event in question, reported that Melanie said of me at the time “I hate that man,” suggesting malicious motivation for making a complaint. Note that she did not refer at all to any selfie when making that statement, and it confirms a deep prejudice against me that as far as I am aware, was not adequately taken into account in your earlier investigation.
  5. In the interim I have received further email from someone at the event claiming to see no inappropriate behavior at the banquet that evening, (which confirms the statement of the conference organizer regarding his observations of the evening) claiming I was a perfect gentleman who tried to meet and greet as many people as I could in the short time I was there. I submitted a copy of that email to the President in my appeal of the proposed University disciplinary action as a result of this complaint.

5.

This new information should increase your reliance on the two actual participants in the event: myself and the anonymous woman in the photograph. The woman essentially corroborates my claim that ~~the-whatever~~ interaction ~~may have, if it occurred at all,~~ occurred associated with the selfie was a clumsy accident, for which she did not feel victimized or worth reporting to you.

I believe that this new evidence is cause to re-open the investigation, and can change your conclusion about the likelihood of a possible violation of University Policy. Having already done this once before there is already a precedent for this.

**As a result of this new evidence, a reasonable conclusion would be that “it is more likely than not” that any possible touching that may ~~or may not~~ have occurred associated with the selfie in Australia was at worst an accident, and not intentional, and clearly not sexual in intent.**

I look forward to hearing from you or the Provost at your earliest convenience e-with-a new determination in this matter regarding whether you will reopen your investigation about this matter.

Lawrence M. Krauss

**Commented [JD3]:** I'd go a little softer here.  
Justin Dillon  
2018-08-28 08:12:00