

Lawrence M. Krauss  
*Professor, SESE and Physics*  
*Co-Director, Cosmology Initiative*

October 12, 2018

Michael Crow  
President, Arizona State University

Dear Michael

I am writing to inform you of my decision to retire from my position as Professor in the School of Earth and Space Exploration and Physics Department at ASU at the end of this academic year, May 16, 2019. Following my retirement I will take advantage of all standard retirement benefits.

As this may be my last opportunity to correspond with you before I retire, I want to relate to you my thoughts and perceptions following my decade at the University. I am doing this with the hope that these reflections might positively impact on the future actions of the University. I have been quite proud of what we had been able to accomplish together, with the creation of the Origins Project, the establishment of a flourishing Cosmology Initiative, and the recruitment of numerous distinguish faculty including 2 Nobel Laureates to ASU. These successes make the disappointments of the past year particularly discouraging.

Following the allegations published online by BuzzFeed, I felt that the University completely abandoned my interests and their obligations to protect me as well as others. In addition, I feel the University did great damage to a number of our accomplishments and did a disservice to what I have always felt was the mission of the University.

I had made the University aware of the BuzzFeed allegations well before the story appeared, talking to the Dean and General Counsel, who at the time indicated their support for me. The University launched an investigation of some of the allegations before the story broke and I had met with one investigator. Shortly after the BuzzFeed story appeared the University shifted gears and reacted quickly both publicly and privately in way that damaged not only me, but the Origins Project.

I was informed on March 7<sup>th</sup> at 430 pm by the Dean that I was being put on administrative leave, and at the same time that the Origins Project 10<sup>th</sup> anniversary celebration was going to be cancelled. I informed the Dean that my staff had anticipated the BuzzFeed story and had taken steps to insulate the program from me if a story broke. Of the 80 or so participants as of that time, only two people had backed out—a journalist, and one of the Origins board who cited a timing conflict—as of that point. In particular, a panel with 8 Nobel Laureates had been organized at North High School for up to 1200 inner city students. We had contacted the School Board and informed them that the panel would go on without my moderation and that seemed to be satisfactory.

Without consulting me further I was informed that all events associated with the 10<sup>th</sup> anniversary celebration were cancelled. It is particularly tragic that a University which prides itself on reaching

underserved populations would have cancelled the Origins events, and in particular the North High School event, which could have literally changed the lives of a number of young people, without further consideration.

Within minutes of informing me of my administrative leave, the University produced a Press release informing the media of this situation, along with the fact that I was apparently restricted from being on campus (a fact that conflicted with what the Dean had informed me at the time). Almost immediately following the various news stories that appeared numerous organizations cancelled my lecture appearances, boards asked me to resign, book contracts were cancelled. All on the basis of mere allegations, compounded by the University decision to place me on administrative leave. Beyond what may be the irreparable damage to my reputation of that, combined with the cancellation of the Origins events, the University actions were problematic.

Why was I put on leave at that point even though I hadn't been put on leave when the University received the BuzzFeed allegations weeks earlier? Of greater concern was the violation of my rights under ABOR 6-201. It is specifically stated that a faculty member cannot be put on administrative leave without the opportunity to respond to allegations. Even in the case of emergency, the faculty member must be given that opportunity within 15 days of the leave decision. Instead, the University announced to the world that I was being put on leave without any opportunity for me to respond to any allegations at all, and certainly did not give me any opportunity to respond to allegations within 15 days. This was the beginning of a series of University procedures that I feel violated my rights and demonstrated little interest in providing me the protections that I would expect the University to provide for all of its employees.

I outline major concerns below:

1. My experience with OEI was Kafka-esque. The process can be characterized at best as unprofessional, biased, incompetent and uncooperative.
  - a. Information about allegations was withheld from me until I contracted an attorney to represent me.
  - b. False statements were made to me.
  - c. Evidence was withheld.
  - d. Inappropriate and hostile questions were addressed to my staff and me, and little or no attempt was made to substantiate or refute allegations, especially hearsay allegations.
  - e. Throughout the process my due process rights were violated.
  - f. The director of the office Erin Ellison was uncooperative and hostile during many interactions with my counsel, my staff, and me. She seemed to never have met an allegation she didn't like. Trivial and absurd claims, involving a range of things from childish drawings, to jokes, to simple and accurate statements of fact were treated as violations and explored with same intensity as more substantial items that should have been explored properly. I was lied to on numerous occasions. Ms. Ellison specifically indicated that her office did not go on a 'fishing' expedition, and did not reach out to seek complainants who did not contact her office, but the evidence shows that she contacted BuzzFeed to ask for contact information for just such individuals. I later discovered that she also presented me with partial information about various complaints, presumably with a hope to somehow trip me up. Her biases were clear. Guilt was presumed, not innocence. Otherwise unsubstantiated allegations from individuals were accepted as fact, even if those individuals had otherwise provided false information. Exculpatory information by



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- others was discounted. Ms. Ellison ultimately started referring to the complainant from Australia not by her first name, but by a nickname 'Mel'. I was always Dr. Krauss. Ms. Ellison confronted not only me, but one of my staff with the allegation that we were having an affair, which we were not. She actually asked my staff member what the sleeping arrangements were for her during an Origins event in Mexico! No complaints could have come from our staff about this, as (a) no other staff were at the event, (b) the hotel rooms for all of us participants was organized by our Mexican hosts, and (c) the staff member attended the event with her partner.
- g. I was held accountable for things about which I had no knowledge. And in this regard a double standard was enacted regarding accountability. I was held accountable for not reporting apparent harassment of a staff member about which I was unaware. However one of the claims against me involved a staff member who claimed she had been told I had violated University policy, but she was not held accountable for not reporting this to the University until she was interviewed by OEI, eight years after the fact. (As it turned, her claim was false in any case).
  - h. There was no evidence throughout that there was a presumption of my innocence in the absence of evidence.

The fact that I was not able to respond to claims and evidence, which were only provided to me after the OEI had reached their determination, about which I could not appeal, gives totalitarianism a bad name. It is a severe violation of due process. I urge you to launch a University investigation into Ms. Ellison, and the running of her office. I believe that the University standard of single investigator-run investigations into Title IX violations has led to abuses which need to be addressed, for the sake of everyone at the University. As you are aware, both case law, and Department of Education standards for such investigations are changing. It is important that ASU attempt to provide equal protections for accused as well as accusers.

- 2. Only after the conclusion of the investigation, and only after the Provost made his determination based on their conclusions, was I able to gather and present new evidence to counter the conclusions of the investigation. Yet neither the Provost nor the OEI reopened their investigation, and the OEI never even responded to my request to them to do so. This was contrary to the precedent set by OEI regarding one of the claims against me. In that case the OEI reopened an investigation of a claim against me which had been dismissed previously, even when no new complainants had contacted the University (and in fact the alleged victim herself never issued a complaint). Instead they did so, after reading an online tabloid report, and ultimately changed their determination. There seemed to be little interest in discerning the truth.
- 3. During the subsequent Conciliation process I was informed, after buying plane tickets for my wife, and myself that the meeting the committee was going to have with the Dean and

me was canceled. The reason given was that the Provost had determined that Conciliation was possible, but that the Dean was not empowered to negotiate the details. Two days later the Dean contacted me asking to discuss Conciliation. I had not received the Conciliation Committee report at that time. I contacted you and asked for the report. You sent me the report 6 days after you received it, giving me one day to come to agreement with the Dean. The next day Dean and I subsequently discussed possible terms based on the terms described in the Conciliation Committee recommendations. The Dean indicated he would get back to me. Then, at 2:16 pm that day, the Dean forwarded a contract to me that did not incorporate the suggestions described in the Conciliation Committee recommendations, and I was told I had 2 hours to sign it, even though it was now after business hours in Washington DC, where my lawyer resides. I had to get my lawyer to contact the University's counsel to get an extension to allow any meaningful discussions of terms. The disrespect shown to me and my family during this process was, in my opinion not worthy of you, or the University.

4. It was inappropriate of you to publicly speak to the State Press, and reveal features of the employee review process before it was completed. In particular by announcing that the Dean had recommended my dismissal you unnecessarily compromised the Conciliation process and further damaged my reputation, following the conclusion of Conciliation. The lack of discipline and disrespect you showed me this week disappointed me tremendously, as you know I have always previously held you in high regard.

After a process during which university passed up numerous opportunities to behave responsibly, humanly, and fairly towards me, with little or not interest in protecting my rights or my dignity, perhaps you can understand my feeling that I have no interest in actively remaining on the faculty at ASU after this academic year. In spite of all that we have done, and a decade over which I can look back and feel proud to have played a significant and active role in the ASU community I feel it would be unsafe for me to continue my active teaching, research and service activities on campus past the end of this academic year even if my other concerns were not significant.

Sincerely,



Lawrence M. Krauss