

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 current and future University community.

I have been quite proud of what we have accomplished together, with the establishment and subsequent leadership of the Origins Project—now internationally recognized as one of the preeminent educational, research, and public initiatives in the world, with over 20 public events, scientific workshops with leading scholars and the creation of a unique educational portal—and the establishment of a flourishing Cosmology Initiative that has become a center of scholarship that has had a dramatic impact on the field. These programs, and the recruitment of numerous distinguish faculty including 2 Nobel Laureates to ASU have all raised the profile and status of ASU among Universities worldwide.

These successes make the disappointments of the past year particularly discouraging. Following the allegations published online by BuzzFeed, I think that the University abandoned its implicit obligations to uphold the truth and maintain a safe, free, and open environment for the whole University community. In addition, I think the University did great damage to a number of our accomplishments and did a disservice to 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 willingness to stand up to unreasonable claims and pressure in the absence of evidence, and to uphold my rights as a valued employee. 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 a way that damaged me, the Origins Project, the institution, and the broader community.

I was informed on March 7th at 430 pm by the Dean that I was being put on administrative leave, and at the same time that the Origins Project 10th 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. In particular, a panel

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with 8 Nobel Laureates had been organized to appear at North High School for up to 1200 inner-city students. As part of our contingency plans 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 or my staff further I was informed that all events associated with the 10th 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 claim that I was restricted from being on campus (This statement 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, and book contracts were cancelled. All this occurred on the basis of mere allegations, compounded by the University decision to place me on administrative leave. Beyond the irreparable damage to my reputation and the cancellation of the Origins events, the University actions were problematic for other reasons.

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 violated my rights and demonstrated little interest in providing the protections that for all of University employees should expect.

The following points reflect the most disturbing issues that come to mind:

1. My experience with OEI was Kafka-esque. The process can be characterized at best as unprofessional, biased, incompetent and hostile.
 - 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. My due process rights were violated.
 - f. The office was unresponsive.. missing deadlines, remaining silent.. curt and incomplete explaining, current and what to expect.

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- g. The director of the office Erin Ellison was uncooperative and hostile during many interactions with my counsel, my staff, and me, often imposing unrealistic deadlines only to agree to delay when confronted by my legal counsel. Moreover 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 the 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. Unsubstantiated allegations from individuals were accepted as fact, even if those individuals had otherwise provided false information. Exculpatory information by others was discounted. Ms. Ellison ultimately started referring to the complainant from Australia with inappropriate familiarity, while I was always formally addressed as Dr. Krauss. Ms. Ellison inappropriately confronted me one of my staff with the allegation that we were having an affair, which we were not, in the process manufacturing allegations that were not brought forward by anyone else.
- h. I was held accountable for things about which I had no knowledge. And in this regard a double standard was applied. 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.)
- i. There was no adherence to the common principles of presumption of innocence in the absence of evidence, unbiased examination of evidence, and the opportunity to cross-examine complainants.

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, and the fact that I could not appeal the process or conclusions or confront my accusers, is reminiscent of Stalin's Soviet Union. These are severe violations of due process. I urge you to launch an independent investigation into Ms. Ellison, and the running of her office. The University use of a single investigator model for Title IX violations has led to abuses that 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.

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2. After my removal as Director of the Origins Project, I understand the eventual necessity of ending the program. However the manner it was done was particularly disingenuous and unfortunate. With no warning to me, or those followers of Origins, it was announced that Origins had now morphed into something completely different. This simply isn't true. The Interplanetary Initiative bears little or no relationship to the mission and goals of the Origins Project. Moreover, the Origins Project had built up a remarkable storehouse of material of great interest and relevance for researchers, students, teachers, and the general public on its website. Again with no notice that website was simply removed. All evidence that Origins existed was erased from ASU, along with the resources that should have been kept available for all. Why? I assume it because my presence infused much of the material? Shame on you for deciding that public image is more important than substance and benefit.
3. Only after the conclusion of the investigation, and only after the Provost made his determination based on their conclusions, was I in a position to present relevant 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 that 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.
4. During the subsequent Conciliation process, I was given little and inaccurate guidance, and the sense I got was that the University was trying to railroad me into accepting unreasonable conditions without the ability to adequately assess them. 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. During the process the press approached us both. I respected the process by adhering to confidentiality. You didn't. Two days later, after the State Press reported comments by you, 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

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discussions of terms. The disrespect shown to me and my family during this process was, in my opinion beneath anything anyone should expect from a great institution of learning.

5. Throughout this process I was admonished to adhere to confidentiality, yet the University ignored such restraints. In particular, it was inappropriate and unfair of you to publicly speak to the State Press, and reveal features of the employee review process while it was ongoing. You let down the community as a result. By announcing that the Dean had recommended my dismissal you unnecessarily compromised the Conciliation process and further damaged my reputation. I had always held you in high regard. The undisciplined disrespect you showed this week disappointed me tremendously.

After a process during which the university passed up numerous opportunities to behave responsibly, humanely, and fairly towards me, with no apparent interest in protecting my rights or my dignity, perhaps you can understand my desire to retire at the end of this academic year. Please reflect on how you would wish yourself and your family to be treated in similar circumstances, and allow these reflections to help shape ASU's policies regarding its employees. Even as I reflect on all 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 it is unfortunate that I now 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.

Sincerely,



Lawrence M. Krauss