http://www.buzzfeed.com/azeenghorayshi/famous-astronomer-allegedly-sexually-harassed-students

## **BuzzFeednews**

## Famous Berkeley Astronomer Violated Sexual Harassment Policies Over Many Years

A university investigation into astronomer Geoff Marcy, exclusively obtained by BuzzFeed News, has determined that he violated sexual harassment policies at UC Berkeley. Marcy has written a public apology, though he denies some of the investigation's findings.

posted on Oct. 9, 2015, at 2:40 p.m.



**Azeen Ghorayshi** BuzzFeed News Reporter



Geoffrey Marcy in 2002. Getty Images / Via gettyimages.com

One of the world's leading astronomers has become embroiled in an increasingly public controversy over sexual harassment.

After a six-month investigation, Geoff Marcy — a professor at the University of California, Berkeley, who has been mentioned as a potential Nobel laureate — was found to have violated campus sexual harassment policies between 2001 and 2010. Four women alleged that Marcy repeatedly engaged in inappropriate physical behavior with students, including unwanted massages, kisses, and groping.

As a result of the findings, the women were informed, Marcy has been given "clear expectations concerning his future interactions with students," which he must follow or risk "sanctions that could include suspension or dismissal."

As word has spread that Marcy was not more severely disciplined, some fellow astronomers have begun speaking out about his behavior, asking for stronger sanctions and even telling him that he is not welcome at his field's biggest annual gathering. On Wednesday evening, Marcy posted an apology letter on his faculty page.

"While I do not agree with each complaint that was made, it is clear that my behavior was unwelcomed by some women," Marcy wrote. "It is difficult to express how painful it is for me to realize that I was a source of distress for any of my women colleagues, however unintentional."

The letter was a rare public spillover from an investigative and disciplinary process that is usually conducted in secret. The proceedings of the investigation, which have not been made public, were obtained by BuzzFeed News. Marcy did not respond to requests for comment, instead forwarding them to his lawyer.

"We consider this to be a very serious matter and the university has taken strong action," the university said in a statement.

David Charbonneau, a professor of astronomy at Harvard University, said the matter has broad implications.

"Geoff Marcy is undeniably the most prominent exoplanet researcher in the U.S.," he said, referring to the study of planets beyond our solar system. "The stakes here couldn't be higher. We are working so hard to have gender parity in this field, and when the most prominent person is a routine harasser, it threatens a major objective nationally."

With the biggest exoplanet conference of the year coming up at the end of next month, Charbonneau told BuzzFeed News, he called Marcy on Wednesday. Charbonneau says he told Marcy that, given the concerns that some attendees would have following the investigation, Marcy shouldn't go. Charbonneau said Marcy agreed not to attend and also stepped down from the meeting's scientific organizing committee.

"After all of this effort and trying to go through the proper channels, Berkeley has ultimately come up with no response," said Joan Schmelz, who until recently led the American Astronomical Society's Committee on the Status of Women in Astronomy. (Schmelz was not a complainant in Berkeley's investigation.) "I've seen sexual harassers

get slaps on the wrist before. This isn't even a slap on the wrist."

BuzzFeed News spoke to three of the four complainants in the investigation. One of the women, known as Complainant 3, studied astronomy as a graduate student. She spoke on the condition of anonymity because she did not want her involvement in the matter to affect her current job.

According to her account to Berkeley's Office for the Prevention of Harassment and Discrimination, she was at a post-colloquium dinner with her graduate department at the University of Hawaii when Marcy placed his hand on her leg, slid his hand up her thigh, and grabbed her crotch.

She didn't register an official complaint until eight years later, by which time she'd left astronomy — in part, she said, because of the sexual harassment she and other female astronomers experienced. "When you're a student and you see every complaint being ignored, and every male professor who has violated that have zero consequences, it really makes you not want to step forward," she said.

In the investigation documents, Marcy stated that Complainant 3's accusation was "totally absurd" and "plainly false," and that he "would never touch the knee of someone I didn't know."

In the documents, the investigator wrote: "Based on the preponderance of evidence, I find it more likely than not that [Marcy] acted as reported by Complainant 3."

Harvard astronomy professor John Asher Johnson was a graduate student in Marcy's lab from 2000 to 2007. During his first few years in the lab, Johnson told BuzzFeed News, he directly witnessed Marcy giving an undergraduate a back massage, with his hand underneath her shirt, alone and after hours in the lab.

Marcy, through his lawyer, denied this incident.

"What's really infuriating about this is that anybody of my generation in the field of exoplanets knows that Geoff does this," Johnson said. "Everybody is so afraid of doing anything about it that they are afraid of speaking out, but everybody knows it."

Jessica Kirkpatrick, Complainant 4 in the investigation, was not herself harassed by Marcy, but told BuzzFeed News that she saw him get "inappropriately touchy" with an undergraduate one evening during the American Astronomical Society's 2010 meeting in Washington, D.C. As the evening wore on, according to investigation documents, several people saw Marcy become more persistent.

"It's plausible," Marcy told the investigator regarding the allegations of inappropriate touching. "It would have been a friendly touch if I did it at all," the investigation documents quote him as explaining. "But I would never do it again."

Several people told BuzzFeed News that the incident is well-known among astronomers and that it was largely responsible for spurring the ensuing campus complaint.

"He's had a long history of behaving inappropriately, especially with undergraduates," said Kirkpatrick, who at the time was a graduate student at Berkeley studying astrophysics. "Women discouraged other women from working with him as a research advisor. It was just something that was talked about pretty frankly among the women in the department."

Kirkpatrick, who has since left academia, continues to run the *Women in Astronomy* blog, through which she says three other women have approached her with accounts of their experiences with Marcy.

Sarah Ballard decided to talk about her experience with Marcy after hearing that many other women had been through something similar, she told BuzzFeed News. Ballard, known in the Berkeley investigation as Complainant 2, participated anonymously in the proceedings.

She was an undergraduate in Berkeley's astronomy department when her roommate organized a rally against sexual assault and sexual violence, according to investigation documents. Marcy went to the rally, and Ballard, who was a student in his class, later emailed him to thank him for attending. Marcy responded saying Ballard should call him at his home, but she declined.

At a coffee shop during her junior year, Marcy told Ballard about having sex outdoors with a woman he once dated, the documents say. In another instance, during the summer of 2005, Marcy gave Ballard a ride home from a cafe. Parked outside her home, she opened the car door and stuck her legs out to leave. Then he began to rub the back of her neck. "I felt fearful and uncomfortable," she told BuzzFeed News.

Marcy, through his lawyer, declined to comment to BuzzFeed News on Ballard's accusations, and Marcy's response in the report is redacted.

Ballard says she carried the confusion and shame of the event with her for years, until she heard about other women's experiences and "realized it was a pattern — it wasn't just me."

Marcy studies planets orbiting stars outside our own solar system, or exoplanets. Thousands have been discovered in recent years, and a few have Earth-like properties, suggesting that they could sustain life. Marcy's is the rare ilk of scientific research that is capable of both reaching the peak of his field and capturing the public imagination.

He's won all sorts of awards and has risen beyond the confines of academia to become a kind of intellectual celebrity. In person, he's described as charismatic, approachable, and "aggressively empathetic." He's been dubbed a "finder of new worlds" by the *New York* 

*Times*, a "brave thinker" by *The Atlantic*, and a "natural showman" by *Wired*. He has even appeared on *The Late Show With David Letterman*.

"Not only is it the case that he is very senior and very well-respected, it's also the case that he's a collaborator on a lot of large projects," said Ruth Murray-Clay, a former UC Berkeley graduate student who is now an assistant professor of physics at UC Santa Barbara. As a theorist, she does not rely on his data. But many others do. "You don't want to make an enemy with someone who has access to data you might need," she said.

Murray-Clay was not harassed by Marcy. But in her capacity as student representative to the Berkeley astronomy faculty, she says, she spoke with him several times in December 2004, directly confronting him with complaints from undergrads and graduate students.

After speaking to her in person, he wrote her an email. "Thanks for all those thoughts and hopes," he wrote. "I feel lucky that you're helping me see myself better from the outside, and from the inside too."

But over the next year, Murray-Clay says, more women came forward with complaints. So in September 2005, she went to the department chair, Don Backer. She says Backer, who died five years ago, defended Marcy and told her he could not respond to anonymous accusations.

After another undergraduate came forward with a complaint a year later, Murray-Clay, along with three other female graduate students and postdocs, tried to register an official complaint at the university level. But there, too, they were told they could not do so on someone else's behalf.

"There was nothing that we could do short of trying to convince an undergraduate to subject herself to what was likely to be a humiliating and professionally damaging experience," Murray-Clay told BuzzFeed News by email. "I didn't feel comfortable doing that."

The issues around how universities treat sexual harassment and sexual assault cases in the face of a constantly matriculating student body are already being hotly investigated at the federal level. UC Berkeley is currently under federal investigation for its handling of dozens of sexual violence complaints on campus.

"Problems shouldn't need to get this bad for the commonalities among victims' stories to be recognized," Murray-Clay said. "He's caused a lot of harm to a lot of people, and in doing so he's caused a lot of harm to our field."

Late on Thursday night, Johnson, Murray-Clay, and other astronomers started an online petition to "support the people who were targets of Geoff Marcy's inappropriate behavior."

Marcy has submitted his apology letter to the Committee on the Status of Women in

Astronomy newsletter, a weekly email that goes out on Fridays to many astronomers. The statement is still under review by the editors.

#### **UPDATE**

On Friday afternoon, UC Berkeley sent Sarah Ballard the documents pertaining to her portion of the investigation. This post has been updated with information from those documents, including two separate incidents of alleged harassment. Oct. 9, 2015, at 3:29 p.m.

#### **UPDATE**

This post has been updated to include a response from the University of California, Berkeley. Oct. 9, 2015, at 2:01 p.m.

### **BuzzFeednews**

# Famous Astronomer Has Resigned After Sexual Harassment Investigation

Geoff Marcy has resigned from his tenured position at the University of California, Berkeley, the school confirms. Facing criticism, the university defended its decision not to fire him.

Originally posted on Oct. 14, 2015, at 2:39 p.m. Updated on Oct. 14, 2015, at 4:22 p.m.



Azeen Ghorayshi
BuzzFeed News Reporter



Geoff Marcy Stuart C. Wilson / Via gettyimages.com

Geoff Marcy has resigned from his tenured position as astronomy professor at the University of California, Berkeley, the school has confirmed.

The announcement comes in the wake of a BuzzFeed News story that revealed a university investigation finding that Marcy had violated Berkeley's sexual harassment policies in several cases between 2001 and 2010.

More than 2,500 academics have signed an online petition to "support the people who were targets of Geoff Marcy's inappropriate behavior and those who have spoken publicly about it." Late on Monday, dozens of Marcy's colleagues published statements calling for him to leave.

"It's a relief to know that Geoff Marcy will no longer have access to UC Berkeley students," Jessica Kirkpatrick, one of the complainants in the sexual harassment investigation, told BuzzFeed News. "I hope the university is using this opportunity to reevaluate it's process and policies so that vulnerable students have better protections in place to guard against sexual harassment from faculty moving forward."

Many academics are upset that Berkeley didn't take stronger disciplinary actions against Marcy after the investigation concluded that he had violated sexual harassment policies. He was given a "strict set of behavioral standards" to follow, and was told that if another complaint was filed, he could be sanctioned or fired.

In a statement issued Wednesday afternoon, the university defended its decision not to fire Marcy, citing University of California policy.

"UC Berkeley's reaction to the finding that Professor Geoff Marcy violated the University's sexual harassment policies has been the subject of understandable criticism and anger," Berkeley Chancellor Nicholas Dirks and Executive Vice Chancellor and Provost Claude Steele, said in the statement.

"We want to state unequivocally that Professor Marcy's conduct, as determined by the investigation, was contemptible and inexcusable."

Marcy has also resigned as principal investigator of the \$100 million Breakthrough Listen project, a large scientific research program aimed at finding life beyond Earth.

Marcy has not responded to a request for comment.

This is a developing story. Check back for updates and follow BuzzFeed News on Twitter.

#### Full statement from Berkeley Chancellor Nicholas B. Dirks and Executive Vice Chancellor and Provost Claude Steele:

This morning Professor Geoff Marcy resigned from the Berkeley faculty. We believe this outcome is entirely appropriate and have immediately accepted his resignation.

UC Berkeley's reaction to the finding that Professor Geoff Marcy violated the University's sexual harassment policies has been the subject of understandable criticism and anger.

Before describing the disciplinary options that were available to us, we want to state unequivocally that Professor Marcy's conduct, as determined by the investigation, was contemptible and inexcusable. We also want to express our sympathy to the women who were victimized, and we deeply regret the pain they have suffered.

It is important to understand that as Berkeley's leadership considered disciplinary options, we did not have the authority, as per University of California policy, to unilaterally impose any disciplinary sanctions, including termination. Discipline of a faculty member is a lengthy and uncertain process. It would include a full hearing where the standards of evidence that would be used are higher than those that are applied by the Office for the Prevention of Harassment and Discrimination (OPHD) in the course of its investigations. The process would also be subject to a three-year statute of limitations.

Our objective was to protect our students by immediately preventing any re-occurrence of the behavior described in the investigative report. We thus chose to establish, in writing, a strict set of behavioral standards that went beyond what is specifically proscribed by the University's rules and regulations. In addition, the agreement authorized the administration to by-pass the lengthy, uncertain disciplinary process by stripping the professor of a faculty member's usual due process rights.

We recognize and share the frustration that many have expressed, and we are committed to work with the Office of the President and the Academic Senate to reform the University's disciplinary processes, criteria and standards so that in the future we have different and better options for discipline of faculty.

We also want our campus community to know that we fully support new efforts now underway in a number of departments and colleges to address cultural issues and standards related to sexual harassment. We must do everything in our power to create the conditions necessary for quick and confidential reporting of suspected violations of our rules and standards of conduct.

### **BuzzFeednews**

## Here's How Geoff Marcy's Sexual Harassment Went On For Decades

Colleagues looking the other way, dysfunctional sexual harassment policies, and a "culture of quiet" in science enabled Geoff Marcy's harassment to go on for so long.

posted on Nov. 11, 2015, at 9:01 p.m.



Azeen Ghorayshi
BuzzFeed News Reporter



Alex Garland—Demotix / Corbis

In the first few days after Geoff Marcy, one of the world's most famous astronomers, resigned from his tenured position at UC Berkeley, many people wondered if the sexual harassment rulebook in academia was finally changing.

Maybe the era when a star professor could kiss, massage, and grope female students; when multiple complaints could go nowhere; when a six-month university investigation could find violations and yet issue no disciplinary sanctions; when in the first few hours after a scandal broke, a department chair could say it was hardest on the perpetrator himself — maybe those bad old days were finally over.

But now, a month later, as the extent of Geoff Marcy's decades-long behavior comes into clearer view, the conversation has grown considerably less euphoric. Berkeley faculty, other scientists, activists, and pissed-off observers are asking: How could this possibly have gone on so long?

Janet Napolitano, the president of the University of California, said that the Marcy case "has highlighted the urgent need to review University policies that inadvertently made the investigation and resolution of this case more difficult." She has convened an emergency committee that has until February 2016 to review how investigations are conducted and punitive measures doled out.

Other changes are also afoot. Science departments across the country have gathered in town hall meetings to discuss how to handle the problem of sexual harassment in their fields, and several major conferences have set up panels on the issue. The American Astronomical Society is revising its ethics code to have its own mechanisms for investigations and sanctions relating to misconduct among its members.

But more potent solutions may not be easy to find. A cynical take is that the forces that allowed Marcy to harass women for so many years — his prestige; his ability to bring in funding; the employment protections he enjoyed as a tenured professor; the outdated, onerous, and secretive nature of sexual harassment investigations — are not anomalies of an outlying department, but in many cases defining traits of academia. Undoing these advantages, some experts say, will spur the next big wave of legal battles on college campuses.



Katie Mack @AstroKatie

Raise your hand if you know of at least one serial harasser/bully in science who's never been publicly named or reprimanded because academia 3:59 PM - 14 Jun 2015

**Sexual harassment in** science is not rare. Last year, a survey of 666 scientists found that nearly two-thirds had experienced some form of verbal sexual harassment while doing field research, while 1 in 5 had experienced sexual assault. Overwhelmingly, those experiencing harassment were students or postdocs.

In the early stages of their careers, young scientists are entirely dependent on access to expensive instruments, to vast data sets, and to well-funded research projects — which

means they are entirely dependent on the favor of senior faculty members.

"You need to step into their world in order to succeed," Christina Richey, the chair of the Committee on the Status of Women in Astronomy, told BuzzFeed News. "It leads to this huge power imbalance when you're heavily reliant on that individual being a decent person."

Superstar professors create their own centers of gravity. Geoff Marcy was a frequently cited contender for the Nobel, at a university that proudly boasts its 22 laureates. With \$900,000 in federal grants and \$100 million in a private research effort to find "civilizations beyond Earth," Marcy brought in the kind of money that most institutions only dream about.

Marcy, through his lawyer, declined to comment. A Berkeley spokesperson told BuzzFeed News that they "categorically reject any suggestion that the process was, at any point, influenced by his status, prominence or research funding."

But according to many former students, Marcy's outsize reputation reinforced a culture of silence in Berkeley's astronomy department.

"Grad students and postdocs had heard about this, and they'd heard about people filing complaints before and nothing happening," said Therese Jones, a former graduate student in Berkeley's astronomy department who started in 2009 but left after four years to pursue a career in space policy. "There was a lot of reluctance to try to go through the faculty to do anything else."

The current co-chair of the department, Gibor Basri, knew about allegations of Marcy's harassment as far back as 2006, when a graduate student informed him of many instances of sexual harassment that students had shared with her.

Basri has been a close friend of Marcy's since they first collaborated in the mid-1990s. (He was the author of the department-wide email saying the scandal was "hardest for Geoff.") He says he was shocked to hear about the sexual harassment allegations in 2006 and immediately went to the Title IX office, a required action for any faculty member who hears such a complaint. But he says he was told the same thing the graduate student who brought the matter to his attention had been told when she went to that office: The women who said Marcy had harassed them needed to come forward themselves to file a formal complaint.

"They told me that without a formal complaint both they and I were quite limited in how we could respond," Basri told BuzzFeed News. He said he spoke to Marcy, "read him the riot act" about how this type of behavior was "absolutely inappropriate and illegal," and told the graduate student to let him know if she heard about any more cases. Even as the department chair, he said, he couldn't do much more than that.

"My hands were tied, and it's not without some reason that they were tied," Basri said.

"You can't just say, 'Oh, I hear you're a bad guy, I'm going to do this to you.' That's why it was very important that formal complaints be filed."

Basri left his position as chair in 2007 to assume the campus-wide position of vice chancellor of equity and inclusion, then returned as interim chair in July of this year, just before the investigation broke. In the intervening years, the chair was Imke de Pater, one of the department's few female faculty members.

According to Berkeley's spokesperson, an anonymous complaint about Marcy's behavior — an allegation from a third party that "involved Marcy providing professional encouragement to a student and possibly taking her photograph during class" — was officially filed with the Title IX office in 2011. Department chairs are always notified of these complaints, the spokesperson said. (De Pater did not respond to a request for comment.) But because there was only that one formal complaint, the spokesperson added, it "severely limited disciplinary options at that time."

While Basri says he did his due diligence, others are now asking whether he and others in the astronomy department did enough.

"Their hands may have been tied as far as using formal disciplinary measures, but nobody says, 'The only way I can get my kid to clean his room is when it gets so bad I can call the health department," Michael O'Hare, a professor of public policy at UC Berkeley, told BuzzFeed News.

"They didn't do what they had to do as colleagues and as friends, in the interest of the field of astronomy and their students."



Geoff Marcy Wikipedia / Via en.wikipedia.org

**For Berkeley, Marcy's** reputation may have been a double-edged sword. His celebrated accomplishments reflected positively on Berkeley as a whole. But as whisperings of his misdeeds spread far beyond the Berkeley campus, they had the opposite effect, hampering his department's ability to recruit and retain talent.

A public incident at the American Astronomical Society's 2010 meeting in Washington, D.C., for example, raised wide alarm about Marcy's inappropriate behavior with undergraduate students.

"I know female postdocs were refusing to apply to faculty positions at Berkeley because of this perceived reputation," Avi Loeb, the chair of Harvard's astronomy department, told BuzzFeed News. "When a situation like that persists there is other damage that happens to the department that is very real. If this persists, it suppresses diversity on many levels." Marcy's fame was also responsible for his swift downfall, Loeb noted.

When change did eventually come, it did not come from the top. After hearing about Marcy's behavior on an astronomy Facebook group dedicated to diversity in the field, an untenured faculty member named Aaron Parsons decided he had to act.

Parsons alerted two other perceived allies in the department to the issue, telling them that outside of Berkeley, people were encouraging several women to file an official Title IX gender discrimination complaint with the university. They needed the help of people from within the department to shepherd the process. Another, tenured professor, Eugene Chiang (who has since replaced Basri as chair), submitted the first two complaints to the Title IX office last summer.

"On the one hand, it feels like more should have been done," Parsons told BuzzFeed News. "Why was I one of the first to actually try to go and find other complaints? Why wasn't more done to put together a case earlier? I think that is a legitimate question. I acted as soon as I had an inkling. Others had more than inklings."

But in September, when the investigation concluded and Marcy was found in violation of the university's faculty code of conduct from 2001 to 2010, only seven people — Basri, Marcy, the dean, and the four complainants — were informed. What's more, the complainants were not told what his consequences would be, other than noting that if he broke the rules again, he would be subject to immediate disciplinary sanctions.

(A Berkeley spokesperson subsequently told BuzzFeed News that Marcy was barred from physical contact with students, other than handshakes. He was also prohibited from socializing with students, providing them with alcohol, entering their living spaces or inviting them to his own, and discussing sex with them.)

After the investigation was complete, the university told Basri to keep an ear to the ground for any future violations, he said. "That struck me as very untenable. The department is unanimous in the feeling that that's a completely broken policy."

Basri says he was told not to tell anyone about the case or its results. Instead, many of the faculty members claim they found out about the investigation from the BuzzFeed News story.

"We did work within the system," Parsons said, "but the system failed us too."



Justin Sullivan / Getty Images / Via gettyimages.com

**That the Marcy** investigation happened at all owes a great deal to activists who have been shouting loud and clear about the problem of sexual assault on college campuses.

Although Title IX was for decades known as a law concerning college athletics, in 2011 the Department of Education's Office of Civil Rights sent universities a letter reminding them that the law also covered cases of sexual harassment and violence. College campuses scrambled to update their sexual misconduct rules, but in many cases it was too little, too late: More than 100 universities, including Berkeley, are currently under federal investigation for violating Title IX in their handling of sexual violence cases.

More recently, the dozens of women coming out with allegations against Bill Cosby gave a clear picture of what can happen when victims of sexual misconduct decide to end their years of silence.

By 2014, the women in the Marcy case came forward knowing there were others like them. And when they saw how the investigation panned out, they and others were able to amplify their protests on Twitter and Facebook, sign petitions, and write blog posts saying that it was time for change.

"Universities have been able to rely on the lack of institutional memory that's created by having students cycle in and out every four years or so," said Sofie Karasek, one of the three women currently suing Berkeley for its handling of her sexual assault case while she was an undergraduate.

"That means that students that are coming in and are having the same problems as women before them don't necessarily know the infrastructure of how the university works, haven't realized that certain tactics are better than others, don't know who the good allies are," she said. "With student movements you've often had to start fresh. But social media has helped mitigate that."

But Title IX policies are especially complicated when it comes to faculty protected by tenure and various other employee rights. Unlike harassment between two students, in which case both are governed by the student code of conduct, when a faculty member harasses a student, the separate policies can sometimes act against each other.

"What you're seeing here is employment culture butting up against the system of public justice — and swift justice — under Title IX," said Peter Lake, a law professor at Stetson University. "Universities are being forced to ask how all these pieces fit together in a way that no one was really asking prior to 2011."

Meaningful policy changes will also require a deep re-evaluation of the culture of science that has so far served as the status quo, said Katie Hinde, an associate professor in the School of Human Evolution and Social Change at Arizona State University, who led the survey of sexual harassment among scientists. Change requires more than just the most vulnerable speaking out.

"The culture is changing — I have no doubt the culture's changing for the better," Hinde said. "But we're going to have to see systematic protections that make it no longer a 'culture of quiet,' but a culture of accountability."