

July 9, 2016

Letter to the Editor:

I would like to offer the following clarifications to Noah Remnick's article "After a Professor Is Cleared of Sexual Harassment, Critics Fear 'Cultural Silence' at Yale".

1. "After she graduated, he invited her to work as a translator at a conference in Chile, and arranged for them to stay in the same room." In fact, I asked a Chilean graduate student, who would be joining us in Chile, to book for Ms. Lopez a nearby hotel room, which I had promised to pay for. As Ms. Lopez confirmed, she declined this room, saying that she was fearful to stay by herself in a Latin American city.
2. The "single hotel room" we shared was not a single room but a large room with two beds spaced wide apart.
3. In the instant message conversation between Ms. Lopez and her then boyfriend, right after the alleged groping incident, she is said to have "arranged for her boyfriend to call periodically to ensure her safety." This is what one would expect her to do if she had indeed been assaulted as alleged. And one would expect her to ask her boyfriend to be continuously reachable. In fact, Ms. Lopez does neither. She asks her boyfriend to call her at the end of the next day, at 5 pm.
4. Ms. Lopez' gchat with her boyfriend immediately after the alleged groping incident discredits this incident not only by containing no suggestion of such an incident and no concern about spending the night in the same room with me, but also by expressing much doubt about whether I had really developed any "Lolita-like sentiments" for her. Thus the gchat, which she shared with the Yale inquiry and the media, qualifies: "Maybe I'm misreading everything. ... maybe it's misunderstanding ... maybe it's nothing ... I'm not sure it is anything at all and it probably is not ... the thing is that I may be entirely imagining things right? and not giving him the benefit of the doubt ... maybe he's just an extremely friendly guy and I think he is, but a one percent suspicion ... look he's just reading very sweetly at his desk now I think it's probably nothing ... probably through no fault of his own...." Had she been groped, she would not have been in any such doubt.
5. Ms. Lopez wanted to stay in the US after graduation for a year of optional practical training (OPT). I agreed that, should she not find a proper job, I would give her an OPT affiliation and some work with enough pay for her to be financially independent of her parents. But she did find and accept a well-paying OPT job elsewhere. With this new circumstance, missing from the article, there was no longer a reason to give her paid work while the other fellows were volunteering their time.
6. "administrators ... did, however, offer to pay her \$2,000 if she signed a nondisclosure agreement and dropped the matter." This was just the same \$2,000 she had demanded for her

summer work. I was reluctant to pay this because we had not agreed on summer pay, I had already paid for all her Chile travel expenses and she had an ample salary.

7. "many wondered whether Yale could fairly adjudicate such cases when its process relied upon school personnel who may have had a stake in maintaining the university's reputation." The University-Wide Committee was dominated by faculty (17 of 29), with 7 students and only 5 managerial and professional staff. Faculty overwhelmingly believe that the University's reputation is better served by being tough on sexual misconduct than by trying to sweep it under the rug. The panel I encountered was definitely tough and, while it did not find that I had sexually harassed Ms. Lopez, it did offer serious criticism of my conduct which I have taken to heart.

8. About the 1995 case at Columbia. A student had accused me of a verbal sexual advance, which I denied. As far as I was told, the student had not alleged any physical interaction. Remnick writes: "Professor Pogge said in an interview that his punishment was not quite that severe [being forbidden to enter the Philosophy Building], but he was unable to provide any supporting documentation." As I tried to explain, the Columbia case was resolved through mediation, without investigation, judgment or punishment. I was asked, and I agreed, to make a number of commitments: not to seek contact with the student, not to seek access to her records, not to retaliate against her, not to participate in departmental deliberations about her, not to tell others that she had filed the complaint, and to keep my office door closed. I was never asked to avoid the building. The commitments were written down but I was not given a copy.

9. "'It's about a lot of things,' he said. 'But really it's about ethics.'" I don't recognize this quote. My scheduled courses are an introduction to political philosophy and a seminar on justice and taxation.