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21 July 2017. Kroodsma to ABS OFFICERS. SCIENTIFIC AND ETHICAL MISCONDUCT BY PRESIDENT PODOS. I RESIGN AS FELLOW

21 July 2017

To: Officers of the Animal Behavior Society (except the President¹ⁱ)

From: Donald Kroodsma, Fellow, ABS

Re: My Resignation as a Fellow of ABS

It is deeply troubling when a scientific society elects to its highest office someone who cannot abide by that society's own ethical guidelines (see "Ethics in Publishing," <https://www.elsevier.com/journals/animal-behaviour/0003-3472/guide-for-authors#5001>), which states the following:

Professional integrity in the conduct and reporting of research is an absolute requirement of publication . . . , as is a willingness to share information with other members of the scientific community.

Equally troubling is the current ABS president's dismissal of NSF's policy on *Dissemination and Sharing of Research Results* (see <https://www.nsf.gov/bfa/dias/policy/dmp.jsp>):

Investigators are expected to share with other researchers, at no more than incremental cost and within a reasonable time, the primary data, samples, physical collections and other supporting materials created or gathered in the course of work under NSF grants. Grantees are expected to encourage and facilitate such sharing.

Rather than comply with these basic principles, Jeff Podos has threatened me with criminal harassment charges, delivered by the University of Massachusetts Police, if I inquire about how he conducts his research. Such behavior is unacceptable by anyone in the ABS (or in any scientific discipline, of course), but especially unacceptable by its elected leader (someone wondering how these threats arose can read all the evidence in the attached file "Criminal Harassment").²ⁱⁱ

¹ Per order of the University of Massachusetts Police, I am not allowed to communicate with Podos, a faculty member in my own Department of Biology at UMass

² And there's so much more: 1) *My attempt at a public dialogue in Biology Letters about Goodwin and Podos (2014), for example, was quashed by a confidential letter from the University to the journal. All I have been able to glean from Biology Letters is that this secret letter was submitted by Podos, from the dean of the graduate school. "Per university rules," wrote the dean, I was not allowed to know the contents of this letter (in contrast to how I encouraged Biology Letters to forward any of my correspondence with them on to Podos, because I could not do so directly). Although Biology Letters believed that the dean wrote the letter, the dean had "no idea" (quotes from his email to me) who wrote the document, had "no idea" who submitted the document, and had no role ("none") in preparing or writing the document. (Nor was he interested in finding out.)* 2) Or consider how lobbying by Podos et

As I write in my commentary for Animal Behavior (attached), these kinds of behaviors can persist only as long as the benefits outweigh the costs. I realize that it is no great cost to the ABS to erase me as a Fellow, but resigning as a Fellow is what I as an individual can do, however small the cost imposed. For me, “Business as Usual” is not an option, nor should it be for the Animal Behavior Society, especially given the parallels that are transpiring on the national scene.

Sincerely . . . Donald Kroodsma

31 July 2017. ABS to Kroodsma. WE ACCEPT YOUR RESIGNATION

July 31, 2017

To: Dr. Donald Kroodsma

Re: Resignation as ABS Fellow

Dear Dr. Kroodsma,

We received your letter of July 21st, 2017 requesting that your name be removed as a fellow of the Animal Behavior Society. We have granted your request, and have removed your name from the list of Society fellows.

Best wishes,



Patricia Brennan, PhD.
ABS Secretary
secretary@animalbehaviorsociety.org

15 August 2017. Kroodsma to ABS. POST-RESIGNATION THOUGHTS. THREATS TO ABS AS A SCIENTIFIC SOCIETY.

15 August 2017

al. (including two former ABS presidents) led a former editor of the Journal to reject my proposed Forum article before it was even submitted. . . . All this effort has been an attempt to suppress an open discussion of the research that I have now addressed in my published Forum (Kroodsma, 2017—see commentary).

To: Officers of the Animal Behavior Society (except the President)

From: Donald Kroodsma, ex-Fellow, ABS

Re: A few post-resignation thoughts

Erasing my name from the Fellows list was easy. Ignoring the consequences of all that has led to my resignation will not be so easy.

Since being threatened with criminal harassment charges, I have kept detailed notes on everything involving this sorry saga since June 2014, partly to protect myself, but mostly in disbelief (all information is accumulating at http://donaldkroodsma.com/?page_id=1596). These three years are the story of everything that can go bad in science, and I mean *everything* (the least of which is incompetence), and is destined to become a very public documentary (e.g., just for starters, see <http://andrewgelman.com/2017/08/13/bird-fight/>).

That's inconvenient, to say the least, for those of us who take some pride in calling ourselves scientists, though it may be healthy in the long run for science in general, especially given increasing efforts to identify self-promoting bullshit and root it out. In the short (and, depending on your response, possibly the long) term, it is certainly not good for the Animal Behavior Society, because the primary perpetrator of all this mischief is now your President (not mine!), supported by two past presidents who have been his mentors. How's all this going to play out, especially for the ABS?

I thought I'd ask a senior scientist in another discipline for an opinion. I asked two questions: 1) What's your reaction to all of the documents I have accumulated? 2) If you were an officer of the Animal Behavior Society, what would you do? Here's her response:

Holy shit! Unbelievable. Criminal harassment? You've got to be kidding, but I know you're not clever enough to make this stuff up. I've never seen a field of study so demolished in the way you took on the performance ideas. This kind of thing is unthinkable in my field. Bird song must be so small a field and so ingrown that no one challenges each other, or thinks twice about accepting whatever is published as true. Everyone can't be that stupid, can they? Reminds me of Trump's alternate realities and Fantasyland, given how many groups (though with big conflicts of interest) have dismissed your claims as "just another disagreement of the kind that commonly occurs among scientists," or something like that. It's a pity that your words on marketing and science to Podos weren't heeded over a decade ago; would have saved a lot of people a lot of grief.

That Marc Houser [sic] case intrigues me. Apparently he was exiled from academia for fabricating data, but some defend him because they feel he still got

some right conclusions. Podos has obviously cooked everything in lots of other ways, and come up with lots of sexy stories that are probably all wrong. He duped in the process a whole generation of others into believing him. Using federal money for it all, you'd think that would get him into lots of trouble, if not for the research publications themselves then the extreme measures of coverup afterward (think obstruction of justice; maybe the presidents can pardon themselves). What's worse for science, the Howser or the Podos method? Both are really bad, but if I had to choose one, I'd choose Podos. A Howser in sheep's clothing maybe.

What would I do as an officer of that group? If I thought that nobody would find out, I'd be tempted to keep it quiet, and hope it all passed unnoticed. That's easiest. If it's not kept under wraps, and that seems to be the case, I'd take whatever measures I'd need to protect the members of the society. I'd ask that the president resign. Maybe he'd realize that it would be in the best interest of the society if he resigned. I'd be the "zero tolerance" officer when it comes to the kinds of things you've described that have gone on. That's the message that every graduate student entering this field should hear. Otherwise they should just go into creative writing.

You owe me. Took me a whole morning to read your stuff, though I have to admit that it was captivating. Like a good thriller, I couldn't put it down. Couldn't believe all the ways they tried to shut you down. Hope you've retained movie rights. It's certainly a great teaching device for graduate students entering any field of science (and their advisers).

I quit. I've devoted all too much time over the last three years to this effort of trying to "right the ship." Maybe all the effort was worth it. Maybe not. In a sense, you officers of the Animal Behavior Society get to write the ending to the documentary. If I were an officer, I know what I'd have to do in order to maintain the integrity of research on animal behavior and the reputation of my "scientific society." The ending would have to be one I'd be proud of.

I'm headed out to pasture.

Sincerely . . . Donald Kroodsma

Post 15 August 2017. ABS to Kroodsma. SILENCE. NO REPOSE.

**28 January 2018. Kroodsma to ABS officers. SILENCE IS COMPLICITY.
TAKE A STAND ON SCIENTIFIC AND ETHICAL MISCONDUCT.**

28 January 2018

To: Officers of the Animal Behavior Society (except the President—per UMass police)

First president-elect: John P. Swaddle, College of William & Mary

Second president-elect: Jennifer Fewell, Arizona State University

Past-president: William Searcy, University of Miami

Secretary: Patricia Brennan, Mount Holyoke College

Treasurer: Gil Rosenthal, Texas A & M University

Program Officer: Jonathan Pruitt, UC Santa Barbara

Program Officer-elect: Alison Bell, University of Illinois, Urbana-Champaign

Parliamentarian: Tamra Mendelson, University of Maryland

Historian: Zuleyma Tang-Martinez, University of Missouri-St. Louis

Member-at-large: Emily DuVal, Florida State University

Member-at-large: Melissa Hughes, College of Charleston

Member-at-large: Christopher Templeton, Pacific University

From: Donald Kroodsma, Ex-Fellow, ABS

Re: The Future of the ABS

Inevitably, it will at some time be asked, “What did they know?” and “When did they know it?”

The answers are easy: *Everything* (as detailed on <http://donaldkroodsma.com/performance>), and *if not 21 July 2017 or 15 August 2017* (see below), *then definitely today, 28 January 2018.*

Silence is complicity. Inaction is complicity. Complicity is collusion and collaboration. Complicity by the elected leadership undermines the credibility of the ABS as a scientific society and undermines the credibility of every ABS member. More broadly, complicity in the matters I raise erodes the public trust in all science and all scientists, *and rightfully so.*

From where in the ABS does leadership come? One would think from its elected leaders, from the top down. On the issues that I raise, perhaps graduate students will be better leaders, demanding change from the bottom up, because the very top is in trouble.

Try exposing your graduate students to the mess that I have uncovered and you will probably receive one of three responses:

- 1) If that is the ABS, and that is how one rises to the top, I want nothing to do with it.
- 2) If that is the ABS, I can do that, and do it even better. Looks like fun to me. I'm all in.
- 3) [Abundant expletives] I'm going to help fix that!

The third choice, of course, is the only healthy response for the ABS.

What is the fix? It's not silence and inaction and complicity. With the integrity of the ABS at stake, what fix is there other than the immediate resignation of Jeff Podos as president, requested unanimously by its (other) elected leaders. Aspiring students will quickly learn that science reigns at the ABS. The longer Podos remains at the top of the Animal Behavior Society, without any apparent concern by its officers, the more extensive and long-lasting will be the damage to the Society (unless you can keep it all covered up, of course).

More explicitly, for flouting the ethical guidelines of the ABS over which he presides, for flagrantly violating NSF demands that NSF-funded research be open and not secretive, for general scientific fraud, and for training students in this culture, President Jeffrey Podos must be asked to resign.

I ask for a professional response from the collective, elected leadership of the ABS by Monday, February 5. If that time frame cannot be managed, please send me your schedule.

Sincerely . . . Donald Kroodsma

P.S. Having set this letter aside for a few days, I've thought some more about it. The elected leadership of the ABS has been spectacularly silent on this topic after two messages from me in the last half year. Why should I expect anything different on a third attempt? Perhaps including a few graduate students in this communication could lead to some productive discussions on what constitutes science, scientific fraud, ethical misconduct, as well as leadership. In fact, that just might be a worthwhile discussion at this point for every ABS member.

31 January 2018

31 January 2018. Kroodisma to ABS officers. ABS OFFICER TUTORIAL: SCIENTIFIC FRAUD, COVER-UPS, AND THE CONSEQUENCES OF FAKE SCIENCE

To: Officers of the Animal Behavior Society

From: Don Kroodisma

Re: Given that Jonathan Pruitt seemed to have some difficulty identifying the main issues, I'm going to spell a few of them out here. I want it to be abundantly clear both what the issues are and what is at stake.

SCIENTIFIC FRAUD

1. **A history of deception by Podos**, identifiable in every paper that I have studied, generating appealing stories that have no scientific substance. The deceptions are spelled out in detail in item #3 on my relevant web page (<http://donaldkroodisma.com/performance>), in the manuscript entitled "BULLSHIT³ is SCIENTIFIC FRAUD" (<http://donaldkroodisma.com/wp-content/uploads/2018/01/Bullshit-is-Scientific-Fraud-A-Response-to-Podos-1.pdf>). For discussions of these deceptions, scan the table of contents for that manuscript. The resulting literature is simply false. One can only conclude that this pattern of deception is done intentionally for personal and professional gain, at the expense of all else.

If you want to explain these issues away, here are three reasons that have been used before, all, I might point out, by those with a serious conflict of interest, given their close personal and professional ties to Podos (more on conflict of interest below):

Here's Biology Letters' interpretation (after consulting Podos, perhaps even written by Podos—see below): "We note that the authors' institution have conducted a thorough independent investigation into this matter and deemed this to be a difference of scientific opinion, of the kind that is very common in this field and across all scientific research."

Association of Field Ornithologists, after consulting graduate school office mate of Podos: "normal disagreement among scientists in methodological approaches and the interpretation of results"

A similar interpretation, published by another graduate student of Nowicki, and her student (see more on cultural transmission of publication strategies below): "there are

³ By definition, BULLSHIT is "... speech [or literature] intended to persuade ... without regard for truth" On Bullshit (2005), by philosopher Harry G. Frankfurt, ... Frankfurt determines that bullshit is speech intended to persuade ... without regard for truth. The liar cares about the truth and attempts to hide it; the bullshitter doesn't care if what they say is true or false, but rather only cares whether or not their listener is persuaded ... (Wikipedia)

differences in the methodological approaches . . . presenting some unanswered questions” (Phillips and Derryberry, 2017).

And if you want to just call this sloppiness in wording by Podos et al., then you need to consider his own statement: “The original wording had been chosen with care” (item #13 in BULLSHIT). The published stories are not carelessly done. And read how the Podos’ method of doing “science” “fails spectacularly not only in science but also in everyday life” (item #32 in BULLSHIT).

2. Scientific fraud: “Distortions of the research process,” reporting only results or conclusions that generate good stories, concealing simple alternative explanations for data that distract from or undermine the main story, and more—all this is dishonesty and deception and, simply put, scientific fraud, resulting in fraudulent literature with no truth in it. You can read about that on pages 1-10 in the above-referenced manuscript. See definitions of scientific fraud in the BULLSHIT manuscript, copied here in the APPENDIX to this document.

Here’s a sample definition of scientific fraud, from Encyclopedia.com:

reporting only part of their findings, while omitting to report data or experimental results that do not support their conclusions. By today’s standards, omission of data that inexplicably conflicts with other data or with a scientist’s proposed interpretation is considered scientific fraud

THE COVER-UP

3. Flagrantly violating the “Ethics in publishing” guidelines of the Animal Behavior Society, by refusing routine inquiries about how research was done: see <https://www.elsevier.com/journals/animal-behaviour/0003-3472/guide-for-authors#5001>. If you want to agree that I was harassing Podos, and he was fully justified in refusing to respond (and instructing his students to do the same), then you need to consult the list of emails that I sent to Podos and his students (section #1 on my web page). My first (gentle, I might say) inquiry was in July 2014. No response. You can read all the emails there, but the ethics violation occurs on the first request, and certainly by the second request in October, after giving plenty of time for a response.

4. Flouting NSF’s policy on “Dissemination and Sharing of Research Results” by refusing to communicate about NSF-funded work: <https://www.nsf.gov/bfa/dias/policy/dmp.jsp>

5. The preposterous use of a police escort for Podos through the world of science, threatening me with criminal harassment charges if I ask questions about his research (item #1 on <http://donaldkroodsmas.com/performance>). Then there’s the ridiculous demand by the UMass police that I also tell an international audience that none of them are allowed to talk to Podos either about his research either. I was too embarrassed for the police and Podos to follow through on that demand.

6. **The (almost) laughable secrecy of it all!** OK, this may not rank with the above, but just look at how I was thwarted at Biology Letters; see section #2 on my web page. Biology Letters received a letter from the Dean of the UMass Graduate School, spelling out how everything had to be secret according to University rules, and so I couldn't know the contents of the letter, and that Podos was fully exonerated by a UMass committee, so Biology Letters could not publish a critique by me. But here's one not-so-small problem: The dean admitted that he never wrote any letter, never knew anything about it. So who wrote the letter? This is laughable, almost, but if Podos impersonated a UMass committee and the Dean of the Graduate School, sending this top-secret letter exonerating himself, that is a serious breach of ethics. Go ahead and ask the President of the Animal Behavior Society how all this could have happened. I can't get answers from anyone.

TRAINING GRADUATE STUDENTS IN THIS CULTURE

7. **The training of graduate students in this culture.** See item #2 in BULLSHIT manuscript, for specific discussion of the following four papers: 1) Podos, Peters, & Nowicki 2004; 2) Goodwin and Podos 2014 (together with the strong defense of that paper by Goodwin and Podos 2015); 3) Moseley, Lahti, and Podos 2013; 4) Lahti, Moseley, and Podos 2011. See three generations listed here, with Nowicki training Podos, who in turn has trained Goodwin, Moseley, and Lahti. Yes, you read that correctly: I do include Steve Nowicki here, a previous past-president of the ABS. For me, that Podos, Peters, & Nowicki 2004 paper, with advisor Nowicki signing off on this paper by his graduate student Podos, offers a raw insight into how good stories have all too often trumped science in this lineage.

8. **Cheating to get ahead.** A dishonest advisor gets ahead by deception. He in turn trains his graduate students in how to tell good stories, i.e., in the art of deception. These well-coached students go to scientific meetings and win best-student paper awards, as did both Goodwin and Moseley at the ornithological meetings I attended during 2014 (the event that set this all off). Podos on his website boasted of a clean sweep of all the graduate student awards. I have not studied the paper by Moseley, but see Moseley, Lahti, and Podos (2013) discussed in BULLSHIT; if that paper is any indication, then the Moseley and Podos paper at the meeting was also just a good story. The paper by Goodwin is entirely false, and I knew it immediately upon hearing it (no one else in the audience knew the literature as I did)—I have spelled out why it is false (i.e., fiction) in my Forum article (http://donaldkroodsma.com/wp-content/uploads/2017/02/Kroodsma_2017_forum.pdf, pages 1-5).

Honest graduate students who were doing real science and who competed for the best-student paper were swindled. Who gets to post on their CV that they won best-student paper? Who is going to have the edge in getting future employment? The cheaters, that's who. What does that do for the integrity of the scientific process and the future of research in animal behavior? Now consider the consequences when the honest students learn that they had been swindled. What's next? Let the best stories win—substance does not matter, anywhere, because there's no

accountability, especially so if all this misbehavior has been brought to the attention of the ABS officers and they remained completely silent, doing nothing about it.

MORE DECEPTION AND DISHONESTY, AND ITS CONSEQUENCES

9. **Duping the entire scientific community.** I sat in that conference room listening to Goodwin and my heart sank, even more so when I learned she and Podos had won best paper. Think of all those in the wider scientific community who have been duped by the idea that “deviation” has relevance to birdsong performance, as promoted in all of the Podos papers; the list of citations is considerable. I have a hunch that a thorough study of other Podos papers, such as on Galapagos finches, would reveal that they also contain their share of deception, all for the sake of a good story.

10. **Undermining the public trust in science.** Dishonesty and deception by scientists destroys public trust in scientists, in every endeavor we undertake, and rightfully so. We know all about that. Nothing more need to be said.

THE CHARGE TO THE OFFICERS OF THE ABS

To preserve the integrity of the Society as a *scientific* society, the elected officers of the Animal Behavior Society have only one choice: Zero tolerance for these kinds of behaviors, openly condemning these behaviors, and unanimously demanding the resignation of an officer who would engage in these activities (i.e., your president).

Any other choice on your part is unthinkable, as it would send a message that has the potential to destroy the scientific integrity of the ABS; it certainly would tempt any honest young investigator to cheat as well. That’s not a pretty thing to have on one’s conscience.

CONFLICT OF INTEREST

By the way, can I assume that the ABS officers are well aware of the extreme conflict of interest by Podos, Searcy, and Hughes, and especially Nowicki should he get involved, and Beth Jakob of UMass if she should be involved? Any influence by close confidants of Jeff Podos (Secretary Brennan?), which would include anyone in the Nowicki lineage, destroys the legitimacy of your deliberations (see above examples under item #1). If those with a strong conflict of interest have not recused themselves and have already weighed in, then what? Unless you respond with strong condemnation of all that has transpired, and unless you demand the resignation of Podos, your efforts will be judged as partial, unacceptable, and unprofessional. The eloquent silence of the ABS officers to my communications of last July and August probably also reflect the influence of those with strong conflicts of interest.

APPENDIX: SCIENTIFIC FRAUD, DEFINED

Scientific Fraud, National Institutes of Health: “an act of deception or misrepresentation of one’s own work . . .” Scientific research typically has been founded on high ethical standards established by researchers in academia and health care research institutions. Scientific fraud, *an*

act of deception or misrepresentation of one's own work, violates these ethical standards. It can take the form of plagiarism, falsification of data, and irresponsible authorship. Scientific fraud has been attributed to misdirected attempts to attain high levels of personal and professional success. Researchers so prone commit scientific fraud in a search for promotion, status, tenure, and the obtaining of research grants. <https://www.ncbi.nlm.nih.gov/pubmed/2061524>

US National Academies of Sciences: “*manipulating . . . results such that the research is not accurately represented in the research record . . .*” Falsification is manipulating research, materials, equipment, or processes, or changing or *omitting data or results such that the research is not accurately represented in the research record*.

Encyclopedia.com: “. . . Intentional misrepresentation of the . . . results of scientific research . . .” The term “scientific fraud” is used to describe *intentional misrepresentation of the methods, procedures, or results of scientific research*. Behavior characterized as scientific fraud includes *fabrication, falsification*, or plagiarism in proposing, performing, or reviewing scientific research, or *in reporting research results*. Scientific fraud is *unethical* and often illegal. When discovered and proven, fraud can end the scientific careers of researchers who engage in it. Nonetheless, *the substantial financial and reputational rewards that can accrue to scientists who produce novel and important research or who obtain certain desired results have induced some scientists to engage in scientific fraud*. More prevalent and more vexing than outright fabrication is the “fudging” or “massaging” of data A related offense occurs when researchers “cook” or “finagle” data by *reporting only part of their findings, while omitting to report data or experimental results that do not support their conclusions. By today's standards, omission of data that inexplicably conflicts with other data or with a scientist's proposed interpretation is considered scientific fraud.* <http://www.encyclopedia.com/history/dictionaries-thesauruses-pictures-andpress-releases/scientific-fraud>

Wikipedia: “. . . Intention or gross negligence leading to *fabrication of the scientific message . . . distortion of the research process . . .*” Scientific misconduct is the *violation of the standard codes of scholarly conduct and ethical behavior* in reporting or performing professional scientific research. . . . • Danish definition: “Intention or gross negligence leading to *fabrication of the scientific message or a false credit or emphasis given to a scientist*” • Swedish definition: “*Intention[al] distortion of the research process* by fabrication of data, text, hypothesis, or methods from another researcher's manuscript form or publication; or distortion of the research process in other ways.” *The consequences of scientific misconduct can be damaging for perpetrators and journal audience and for any individual who exposes it.*⁴

⁴ That's me, the individual who exposes it. The only reason I can pursue these matters is that my livelihood no longer depends on the good graces of a scientific community that would review my publications and grant proposals. No one who actively studies birdsong and would be reviewed for publication or grant proposals could afford to take a stand against the fraudulent behaviors that I

1 February 2018. ABS officers to Kroodsma. SEE NO EVIL; NONE OF THIS IS OUR RESPONSIBILITY.

Dear Dr. Kroodsma:

We received your letter of January 27, 2018. There are established processes for investigating allegations of scientific misconduct at the journals you refer to, with the relevant funding agencies, and with the home institutions of those accused. Anyone involved in allegations of scientific misconduct deserves due process. The Executive Committee of the Animal Behavior Society is not aware of any official adjudication from any process that finds that Dr. Podos or his colleagues have acted inappropriately. If you are aware of official rulings (as described above) that find against Dr. Podos please forward them to us, otherwise we consider the matter currently closed and our involvement appropriately terminated.

Sincerely,

John Swaddle (on behalf of the Executive Committee of the Animal Behavior Society)
First president-elect, Animal Behavior Society

1 February 2018. Kroodsma to ABS officers. CONFLICT OF INTEREST IN YOUR DECISION?

Is it fair to say that this is the collective decision of all of the officers?

[Implied question, without giving my real question away: In other words, did Podos, Searcy, and Hughes really participate and not recuse themselves? As I wrote to the officers just yesterday, “Any influence by close confidants of Jeff Podos . . ., which would include anyone in the Nowicki lineage, destroys the legitimacy of your deliberations . . .”

1 February. ABS officers to Kroodsma. YES, LOTS OF IT.

Yes, it is. I wrote on behalf of the Executive Committee.

[Note added later in response: As I wrote to the officers yesterday, if Podos, Searcy, and Hughes at the very least do not recuse themselves, then the efforts of the executive committee “will be judged as partial, unacceptable, and unprofessional” (putting it somewhat mildly).

expose. In fact, when I engaged in this kind of reckless behavior some years ago, the consequences were significant, contributing to my leaving academics at the tender age of 57.

3 February 2018. Kroodsmas to ABS officers. SEVERE CONFLICT OF INTEREST RENDERS ABS OFFICERS IRRELEVANT ON ISSUES OF SCIENTIFIC AND ETHICAL MISCONDUCT

To: Officers of the Animal Behavior Society

From: Don Kroodsmas

Re: Due process derailed

My, that was a quick group decision. I thought you'd need at least the full week I was giving you. Not so!

Your words have a familiar ring to them: "we consider the matter currently closed and our involvement appropriately terminated." I've heard variants of those words at least seven times now (see below). My favorite is from Provost Newman at UMass Amherst⁵:

Having thoroughly considered your concerns, read the files from cover to cover, and examined in detail the findings coming out of the University's review process. I have sustained those findings. From the University's perspective, this matter is closed.

But, I have to tell you, this ain't over until it's over. I am terminating your involvement as a group, as you've had three chances, but I could very well imagine all of this being the primary topic of discussion at the annual meeting this year.

And I'm glad that you like due process. I think of all the processes in the world, it's my favorite process. And over the past few years, I've come to know it especially well, so I think of myself as something of an expert on the topic. I know it when I see it. For example . . .

False due process (seven examples—science loses)

1) Due process is **NOT** what I experienced when Podos, Nowicki, Searcy, and some of their students successfully lobbied then AB editor Michelle Scott to reject my Forum article before it was even submitted (December 2014; Section #3, <http://donaldkroodsmas.com/performance>).

2) I am told by you officers to pursue due process with the journals where fake science has been published. Yes, I did that, once: Due process is **NOT** what happened when I attempted to address scientific misconduct with Biology Letters (Section #2, website above). In capsule form, you officers had the following (quoted below), in the 31 January 2018 letter to you, posted in Section #6 on website. And knowing full well the corrupt process that occurred, you tell me that I must

⁵ For clarification, a few footnotes added after 3 February. Mind you, this final decision by the highest administrative officer at the University of Massachusetts, Amherst, came after all matters were thoroughly evaluated and nothing found amiss by two Departmental Chairs, the Dean and Associate Dean of the College of Natural Sciences, the Vice Chancellor for Research and Engagement, and the Vice-Provost for Graduate and Education and Dean of the Graduate School. Each of them, in turn, closed the matter, until I said "not quite," eventually taking it to the Provost, who concurred with everyone else.

take this up with Biology Letters, when the journal has been deceived by a communication directly from Podos so that they will no longer communicate with me? Rather disingenuous of you, I would say, and a cop out, putting it gently. (Also, I think each of you knows of the conflict-of-interest that a journal has in retracting papers that it has published; I needn't elaborate.)

Biology Letters received a letter from the Dean of the UMass Graduate School, spelling out how everything had to be secret according to University rules, and so I couldn't know the contents of the letter, and that Podos was fully exonerated by a UMass committee, so Biology Letters could not publish a critique by me. But here's one not-so-small problem: The dean admitted that he never wrote any letter, never knew anything about it. So who wrote the letter? This is laughable, almost, but if Podos impersonated a UMass committee and the Dean of the Graduate School, sending this top-secret letter exonerating himself, that is a serious breach of ethics. Go ahead and ask the President of the Animal Behavior Society how all this could have happened. I can't get answers from anyone.

3) Due process is **NOT** what happened when I suggested to the Association of Field Ornithologists that they retract a best student paper, because it was fiction. After consulting a long-time friend and colleague of Podos, a Nowicki graduate student and an office-mate of Podos at Duke, my request was dismissed as “normal disagreement among scientists in methodological approaches and the interpretation of results.” That's almost the same thing that Biology Letters had to say: “We note that the authors' institution have conducted a thorough independent investigation into this matter and deemed this to be a difference of scientific opinion, of the kind that is very common in this field and across all scientific research.” Probably both came directly from Podos.⁶

4) Due process is **NOT** what honest graduate students experience when competing for best-student paper awards at Society meetings, when well-coached students present slick, appealing, but false stories, and walk away with top honors. In my last letter to you officers, entitled SCIENTIFIC FRAUD, COVER-UPS, AND THE CONSEQUENCES OF FAKE SCIENCE, see sections #7 and #8, on “The training of graduate students in this culture” and “Cheating to get ahead.” The consequences of this pattern for science and the Animal Behavior Society are dire.

5) Due process is **NOT** what happens when university administrators ask the charged if they're guilty, and they say “no,” and the case is then closed (section #5 on website).⁷ As NSF says,

⁶ Here's the response from UMass administrators, all sounding familiar, as if from the same source: “Upon full review of the materials, I believe that allegations . . . are simply disputes about the interpretation of results and the appropriateness of methodologies, and do not rise to the level of misconduct.” –Sally Powers, College of Natural Sciences Associate Dean for Faculty and Research

⁷ As written by Associate Dean Powers: “Dr. Podos believes the emails constitute harassment.” Case closed. [You can read the emails for yourself](#) and decide whether they constitute harassment, but at any rate the Associate Dean was not about to offer an independent assessment on her own when she could rely on Podos for a conclusion.

university administrators are the first in line to deny any possible wrongdoing by their faculty; universities are big business, an NSF lawyer said, and big business will protect its own, especially “its stars.”

6) **NOT** some more. You ABS officers continue the pattern. A day after I point out the serious conflict of interest by several of your officers,⁸ I receive a statement from your first president-elect dismissing my concerns, seemingly proud that this is the conclusion of all of the officers. It takes a person with supernormal abilities (or simple conflict of interest) to look at this litany of corruption and say “It’s not our responsibility. There’s nothing we can do.” Which, of course, is not true, because you officers can do anything you choose to do. It’s a matter of resolve to do what you think is the right thing to do, and you have chosen. History will judge you.

And just what do the ABS officers do with Podos’ obvious violation of the ABS Ethics in Publishing? ABS is where this item has to be addressed, no place else; you can’t shift the responsibility to anyone else. So, you officers just ignore that? Well-done, I must say. Very effective **NOT** due process. And, in the same breath, I must also say I am embarrassed for you. This is **NOT** what is meant by due process. You cannot shelter behind due process excuses and then fail to offer due process yourselves. That’s called hypocrisy.

7) More **NOT**. How could any of the ABS officers possibly be conflicted? Oh, let me tell you (for an example besides Podos, who apparently, and astonishingly, was fully involved in writing your response). I’ll go back ten years for this example, with Bill Searcy serving as an editor for *Animal Behavior*. In our submitted manuscript, Bruce Byers and I challenged the cherished and widely held belief that song repertoire size in songbirds had evolved largely as a result of female choice, with females preferring large over small repertoires. Let me excerpt from the letter I wrote to Searcy on 25 January 2008. I think it’s self-explanatory how Searcy’s acceptance of our manuscript would devalue much of his own research; with no concern for his conflict of interest, he wrote I “*regretfully must decline to accept [i.e., reject] your paper for publication by Animal Behaviour.*” The entire letter will be included as an appendix to this document.

The editorial process. Frankly, Bill, I am surprised that you would find it appropriate to serve as editor for this paper, for two reasons.

Reason #1. Conflict of interest. You and your close collaborator(s) have a substantial body of research that we challenge in this manuscript. Should this manuscript be published in the prominent (but appropriate, according to Beecher) journal of *Animal Behavior*, it would be widely read and if its conclusions are accepted, the consequences for you and your close collaborators could be professionally unpleasant.

⁸ Conflict of Interest. Hughes and Podos are both past graduate students of Nowicki. Searcy is a close colleague and collaborator (See Appendix). Input from the three of them compromises any due process that the ABS officers could have achieved.

Reason #2. Our history. You and I have a 20-year history of disagreement about what constitutes good science. [We can make that 30 years during 2018.] You submitted your rebuttal (Searcy 1989) to my pseudoreplication paper (Kroodsma 1989b) before it was even published, and I replied (Kroodsma 1989a). A subsequent international conference was held in England to sort out these issues (McGregor, Catchpole, Dabelsteen, Falls, Fusani, Gerhardt, Gilbert, Horn, Klump, Kroodsma, Lambrechts, McComb, Nelson, Pepperberg, Ratcliffe, Searcy and Weary 1992). Had your opinion prevailed, we would know even less about birdsong than we do today. To put it bluntly, I believe you are as wrong on this current issue as you were on the pseudoreplication issue.

Perhaps you feel that you could overcome any potential bias and remain impartial when deciding the fate of our manuscript, but I doubt that any outside observer think that humanly possible.

[In the end, I went over Searcy's head, to chief editor Breed. Searcy was summarily dismissed as editor for our paper.]

8) Want more examples? Write to me.

True due process (one example—science wins)

Just once did judgement on these matters pass outside the sphere of North American influence by Nowicki, Searcy, Podos et al. Kudos to editors Foster and Beecher for testing the merits of my claims by going to Europe for reviews of my proposed Forum. The results were very inconvenient for the North American team, with the eventual publication of my Forum article. You can read all of the laudatory comments by the referees in section #3 on my website. Did you ask what I'm hearing from the research community? Here's just one example: "*I want to say how much I enjoyed reading your Forum article in Animal Behavior. . . . Thank you for speaking out on this subject. Rest assured that there is at least one young ornithologist that hasn't bought the bullshit.*" Or how about this one: "*Hell hath no fury like an insecure scientist defending a career of assumptions!*" Want more? Write me. I need to stop here for now . . .



I find it difficult to believe that a few of you officers aren't squirming with the official response of the executive committee, especially given the extreme conflict of interest involved by all-too-many of the officers. I have (had?) high regard for Emily DuVal, for example. What say, Emily, are you really on board with the group statement? I find that difficult to believe.

I'm going to give each individual officer an opportunity to speak for himself or herself. This is the kind of decision that, some time down the road (probably no later than 2 August in

Milwaukee), each of you with a conscience will look back and say either 1) “I did the right thing, and I’m proud of it,” or 2) “I now regret the opportunity I had to do something and blew it.” (I suggest you review my 31 January “SCIENTIFIC FRAUD, etc” document before deciding; read, then reread the consequences for graduate student training.) Any comments sent to me will be part of a public record, posted here, available to anyone who consults this website, and I would hope be preserved for posterity by the ABS historian, as I believe this is a critical point in the life of the ABS. (Zuleyma, I also encourage you to gather from Swaddle the emails from officers that contributed to his letter to me.) Lack of a response from each of you will inevitably be interpreted that you concur with the group decision sent to me by John Swaddle, president-elect.

I’m going to provide an opportunity for a few graduate students to weigh in too. Their comments will be posted here anonymously, unless they choose otherwise. Oh, hell, I’ll open this up to anyone who wants to comment, though I’ll make them anonymous; I am all too aware of how candid assessments of research quality can lead to vindictive consequences (ask me why I left academics at age 57).

Updated comments from individual officers (pending) and others

| ABS officer | Comments from the officer |
|--|---------------------------|
|  <p><u>Jeffrey Podos</u> Department of Biology University of Massachusetts-Amherst Amherst, Massachusetts, US</p> | |
|  <p><u>John P. Swaddle</u> Biology Department College of William & Mary Williamsburg, Virginia, US</p> | |



Jennifer Fewell

School of Life Sciences
Arizona State University
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William A. Searcy

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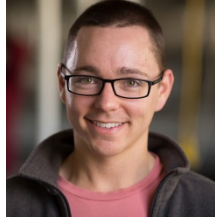
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| | |
|---|--|
|  <p>Emily DuVal Department of Biological Science Florida State University Tallahassee, Florida, US</p> | |
|  <p>Melissa Hughes Department of Biology College of Charleston Charleston, South Carolina, US</p> | |
|  <p>Christopher Templeton Department of Biology Pacific University Forest Grove, Oregon, US</p> | |
| | |
| <p>GRADUATE STUDENTS??????</p> | <p>Comments from graduate students</p> |
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| <p>OTHER CORRESPONDENTS?</p> | <p>Comments from anyone . . . I'll offer a few seeds . . .</p> |

OTHER CORRESPONDENTS

1. *I want to say how much I enjoyed reading your Forum article in Animal Behavior. . . . Thank you for speaking out on this subject. Rest assured that there is at least one young ornithologist that hasn't bought the bullshit.*
2. *I just read your Animal Behavior paper on 'performance' and birdsong. Well done, sir. Your message rings true across many disciplines. . . . Hell hath no fury like an insecure scientist defending a career of assumptions! Just know that you are right and that time and science will show that. Thank you for not giving up.*
3. *it was only yesterday that I stumbled upon the controversy between you and Podos. After having read through the key papers, replies, and having read some of the other papers being criticized in the past, I fully agree with your points of view. . . . Selling papers seems nowadays more important than doing good science. It is boring and infuriating to read so many "best-selling papers" based on poor scholarship. Speed over quality and fame over knowledge could well be a motto of many.*
4. *I read this through, and kept saying, "oh my Gosh" over and over . . . Keep me posted on how this flies. I will be curious to see if you hear from any of the officers.*
5. *Thanks for alerting me to this. In all my years, I've seen some pretty ugly stuff, but this is right up there at the top. You don't need to know a lot about birdsong to see to the bottom of it all. I agree. I'd call it outright fraud, and then all the coverups become almost hilarious, unless you take science seriously, which apparently few of these people do. You have to give the defendents credit for how they've been able to stop you at every turn. Except for that forum in the journal. Yes, kudos to the editors. What are those Europeans thinking? I don't think you're going to hear from any of those behavior officers. They are in over their heads. I don't know this behaviour group, but if they take themselves seriously, I doubt anybody else will if this all comes to light. If I were a member of this group and valued it I'd lobby the officers to take some drastic steps. If they didn't I'd probably ask for a recall vote by all members of the society. Once they get wind of how their officers have sold them out, they should be furious enough to throw them all out and start over with a new slate.*

APPENDIX—Bill Searcy (past ABS president) and Conflict of Interest

25 January 2008

Dr. William Searcy

Editor, Animal Behavior

Dear Bill:

I have before me your deliberations on our manuscript that we submitted to Animal Behavior. In that manuscript, we challenge the cherished and widely held belief that song repertoire size in songbirds has evolved largely as a result of female choice, with females preferring large to small repertoires. I'd like to think through your response to our manuscript, in hopes that you might help me understand how you came to your conclusion that you "regretfully must decline to accept [i.e., reject] your paper for publication by Animal Behaviour."

First, I would like to say that Bruce Byers, as first author and prime mover on this paper, should really be writing this response to you. I convinced him, though, that he should give me the task, as I know you (the editor) and both reviewers, and you and I have a 20-year history of disagreement on what constitutes "good science." In my opinion, that history is of considerable consequence here.

When we submitted our paper, we chose to recommend two reviewers. We recommended Mike Beecher because he is one of the field's preeminent scholars, well-respected, and we would especially value his input. We recommended Steve Nowicki because we were confident he'd offer the most negative review possible, and we would value the most rigorous challenge to every one of our points. We expected then that some editor would impartially sort through the comments and come to a wise, unbiased decision about the value of this manuscript to those of us who study animal behavior, and especially to those of us who want to understand birdsong.

We do not regret our recommendations for reviewers; we got the thoughtful review from Beecher and we got a most negative (though not very useful) review from the other reviewer. What we did not get was the kind of editor we expected. Let me address first the reviews and then the editorial process.

Reviewer #1. Signed by Michael Beecher. By all standards, this review rates our manuscript as excellent. It is the kind of thoughtful, thorough review that we'd expect from Beecher; he addresses major points and suggests that we might elaborate here and there, but concludes that those elaborations are not necessary. His first paragraph summarizes his reaction to our manuscript:

This is a very timely review. The trumpeting of the conclusion that bird song repertoires are an "aural peacock's tail" has far outstripped the support for that conclusion, and it is about time someone said so. Animal Behaviour has been perhaps the most common repository for these studies and this particular conclusion, and so it would seem to be a very appropriate place for this review.

The review is unusually well-written, and makes its points with great clarity. I think this paper will prove to be an extremely valuable addition to the literature, one that should have a very positive effect on future research in this area. I can find no significant problems with this paper . . .

Reviewer #2. Anonymous. [Clive Catchpole] And here is the most negative of reviews that we expected. We were hoping for a rigorous, point-by-point attempt to rebut our manuscript, but instead got something quite different. A friend I showed it to characterized it as an "emotional rant." Given that you seem to have taken this review seriously, let me consider here a few points from that review.

" . . . everyone else in the field disagrees with . . . " Byers and Kroodsma. Michael Beecher is thus a nobody, and I would wager that I could find a dozen other nobodies of considerable prominence in this field who would applaud Beecher's review. Furthermore, even if our view is in the minority, since when is having a minority view conclusive evidence of being wrong.

Reviewer claims that we have "taken female preference out of the context of sexual selection theory." Does he claim this because we don't give equal space to matters of intra-sexual selection? Our manuscript focuses on and challenges the widely held conclusion that song repertoires are an "aural peacock's tail." We can make no sense of this reviewer's point here.

Our careful, detailed, critical, case-by-case evaluation of the literature is "outmoded." This reviewer would seem to prefer an uncritical statistical analysis to see if there are any trends in the conclusions of authors. We disagree strongly with his approach. The kind of mindless statistical analysis advocated by the reviewer (and as performed by Read and Weary) yields only a mindless conclusion that does nothing to evaluate the quality of the data that have yielded that conclusion. Sadly, a critical evaluation of data does seem to be outmoded in today's literature. Even if 17 of 22 lab studies "found an effect," for example, we want to know if there are other explanations for the data, whether the authors were trying to "prove" their favorite hypothesis or whether the authors tested multiple hypotheses; in short, we want to know the quality of the data, not the quantity.

" . . . the authors have been very selective in their critique." Bruce, do you want to address this?

Anonymous Reviewer #2 declares that we fail to "a) address fundamental issues, and b) provide new insights into the subject." What could be more fundamental to research on birdsong and animal behavior in general than a logically argued challenge to a widely held belief that is most likely wrong. As Beecher states in his review, "repertoire size in fact seems an unlikely candidate as a target of female

choice." . . . "What new insights? No new ideas . . ." declares this anonymous reviewer. We would love to have this reviewer's thoughtful consideration of each of the points that we raise in the manuscript; until we have such a review from him, all we can say is "read the manuscript." When this manuscript is published, we would hope that it has the effect that Beecher predicts: "this paper will prove to be an extremely valuable addition to the literature, one that should have a very positive effect on future research in this area." That seems pretty fundamental to us.

The editorial process. Frankly, Bill, I am surprised that you would find it appropriate to serve as editor for this paper, for two reasons.

Reason #1. Conflict of interest. You and your close collaborator(s) have a substantial body of research that we challenge in this manuscript. Should this manuscript be published in the prominent (but appropriate, according to Beecher) journal of *Animal Behavior*, it would be widely read and if its conclusions are accepted, the consequences for you and your close collaborators could be professionally unpleasant.

Reason #2. Our history. You and I have a 20-year history of disagreement about what constitutes good science. You submitted your rebuttal (Searcy 1989) to my pseudoreplication paper (Kroodsma 1989b) before it was even published, and I replied (Kroodsma 1989a). A subsequent international conference was held in England to sort out these issues (McGregor, Catchpole, Dabelsteen, Falls, Fusani, Gerhardt, Gilbert, Horn, Klump, Kroodsma, Lambrechts, McComb, Nelson, Pepperberg, Ratcliffe, Searcy and Weary 1992). Had your opinion prevailed, we would know even less about birdsong than we do today. To put it bluntly, I believe you are as wrong on this current issue as you were on the pseudoreplication issue.

Perhaps you feel that you could overcome any potential bias and remain impartial when deciding the fate of our manuscript, but I doubt that any outside observer think that humanly possible.

Let me address two thoughts that you offered: "I do not see the logic of the argument that a preference for larger repertoires has to be universal for such a preference to play a role in the evolution of repertoires." We do not claim that preference by females for larger repertoires per se could not occur. We don't see the evidence that it exists, and we find multiple reasons why we don't think it will be found (none of those reasons being addressed by you or the anonymous reviewer, by the way). Let's suppose that there is at least one songbird species in which females have selected for large repertoire sizes. Considering all of the literature on this topic, perhaps you could tell me which one species best serves as a model for the effects of the female's directional selection on song repertoire size. Would it be the grackle? Or the song sparrow?

And your conclusion: "At any rate, I do not feel that the ratings your manuscript received reach the threshold necessary for acceptance by *Animal Behaviour*." So you

have taken the over-the-top ratings by Beecher and the negative-as-possible ratings by the other reviewer and, what, averaged them? Do you give any consideration to the relative quality of the two reviews? Never in my nearly 40 years of submitting papers for publication have I received two reviews that were such polar opposites, in both their quality of content and in their conclusions. Nor can I imagine an editor who would take these two ratings and say, in essence, that they cancel each other out and therefore the paper is not worthy to be published in *Animal Behavior*.

Sincerely,

Donald Kroodsma

Bruce Byers

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