

# Executive Summary

## *Background*

Approximately 70 percent of cases of alleged scientific misconduct that come to the attention of the Office of Research Integrity (ORI) result in exoneration. However, there have been no studies of the extent to which such cases result in adverse consequences for the accused, or the extent to which institutions comply with a PHS regulation (42 CFR Part 50, Subpart A) requiring them to protect the confidentiality of the accused or to restore their reputations if the accusations are not confirmed. Consequently, ORI contracted with the Research Triangle Institute (RTI) to conduct a survey to determine in a systematic way what types of actions were taken following allegations, what the direct outcomes of these actions were, and what efforts were made by the cognizant institutions to protect confidentiality and/or restore the reputations of those accused of misconduct

## *Study Methods*

Data collection was carried out in two phases. First, we used information from ORI's files to locate as many accused individuals as possible and to obtain up-to-date mailing addresses. Second, we mailed the survey and conducted follow-up procedures to maximize the response. Through these efforts, we achieved an overall response rate of 64%, obtaining completed questionnaires from 54 respondents. The cases included in ORI's files, from which we drew our sample, are not representative of any larger set of cases. They simply represent the set of closed cases about which ORI is knowledgeable.

## *Key Findings*

The main findings of this survey are best described under the following headings:

**Negative Consequences Experienced by Respondents.** Sixty percent of the respondents reported experiencing one or more negative consequences of being accused of scientific misconduct even though the allegation was unsupported; 17 percent reported severe consequences - loss of position, promotions, or salary increase; 42 percent reported less severe consequences - threatened lawsuits, additional allegations, ostracism, reduction in research or staff support, delays in processing manuscripts or grant applications, and pressure to admit misconduct. Forty percent reported no negative consequences.

Ninety percent of the respondents who reported negative consequences indicated that the negative actions began during the inquiry and/or investigation, and 65 percent reported these negative actions continued after the final determination. Institutional officials were cited as the major source of severe negative actions. Complainants were cited as the most frequent source of negative actions - severe and less severe.

### **Perceived Impact on Respondents' Careers, Professional Activities, and Personal Lives.**

The majority of exonerated respondents perceive an accusation of scientific misconduct as having a mostly neutral impact on their careers, professional activities, and personal lives. However, a sizeable minority perceive the impact as negative, especially when they experienced severe negative consequences.

The overall impact of the allegation on their career was viewed as neutral by 57 percent; negative by 39 percent, and positive by four percent. The most frequently mentioned career dimensions viewed as negatively affected by the allegation were professional reputation (46%); job mobility (30%), and networking (24%). Professional activities negatively impacted were presenting papers (39%); research (37%); chairing sessions (30%); and serving in elected offices (28%). In their personal lives, negative impacts were seen on mental health (78%); physical health (48%); self-esteem (46%); self-identity (39%); and spouse/partner (37%). Positive effects were seen primarily on self-esteem (11%) and friends (11%).

Nevertheless, almost all of the respondents (94%) reported they were still conducting research. Seventy-one percent were still working in the institution where they were accused of scientific misconduct. Seventy-five percent of the respondents who changed institutions thought the change was desirable. Nevertheless, 39 percent thought it was likely that there is a continuing stigma attached to being accused of misconduct; 54 percent thought it unlikely, and 12 percent did not know.

**Respondents' Perceptions of Institutional Efforts to Protect Their Confidentiality or Restore Their Reputations.** Less than half of the respondents were satisfied with the handling of their cases, the maintenance of confidentiality, and the restoration of their reputations.

As many respondents were satisfied (44%) as dissatisfied with the handling of their cases. Major sources of dissatisfaction were the opportunity to review reports, protection against conflicts of interest, length of

investigation, length of inquiry, confidentiality of proceedings, opportunity to defend themselves, and notification of allegations.

Less than half of the respondents (48%) believed that their institution did all it could to maintain confidentiality. One-third of the respondents (33%) stated that institutions failed to maintain confidentiality. Breaches in confidentiality were primarily attributed to the duration of the inquiry and/or investigation and information leaks.

Only 25 percent of the respondents were satisfied with the efforts made by their institution to restore their reputation. Thirty respondents reported that their institutions did nothing to restore their reputations; four at the request of the respondent. Only nine respondents reported that their institution consulted with them about measures that could be taken to restore their reputations.

More than two-thirds of exonerated respondents who incurred costs of any type (including legal costs) reported themselves to be dissatisfied with the handling of their cases. Conversely, more than half of those who incurred no costs of any type reported themselves satisfied with the handling of the case. For those who incurred costs, the more costs they incurred, the less satisfied they were with the handling and outcomes of their cases.

Two-thirds of respondents who hired attorneys were dissatisfied with the handling and outcomes of their cases, and only a little over one-fourth were satisfied. For those who did not hire an attorney, the pattern is reversed: three-in-five were satisfied and one-in-four dissatisfied with the handling and outcomes of their cases.

## *Conclusions*

This set of findings supports the conclusion that effective institutional actions likely to protect the reputations of respondents include: (1) acting promptly to conduct and conclude an inquiry and, if necessary, a thorough investigation of the allegations; (2) limiting the number of people

who have information about the allegations or who are involved in the inquiry/investigation process to those who have a need to know; (3) deferring notification of outsiders to the extent feasible and consistent with existing laws and regulations and requirements of a thorough inquiry/ investigation; (4) and limiting access to information about the case and monitoring information flow to minimize leaks. They also point out that it appears important for institutions to consult with those exonerated of research

misconduct to develop a plan for restoring their reputations and to take action, unless specifically requested not to by respondents, since inaction appears insufficient to assure that respondents are not hurt by unsupported allegations. Among the most important actions an institution should consider is officially notifying all pertinent officials within the institution that the finding of scientific misconduct was not confirmed in respondent's case.