

## [Purdue University Changes Rules for Misconduct Investigations](#)

Monday, October 20th, 2008

### **Purdue University Changes Rules for Misconduct Investigations**

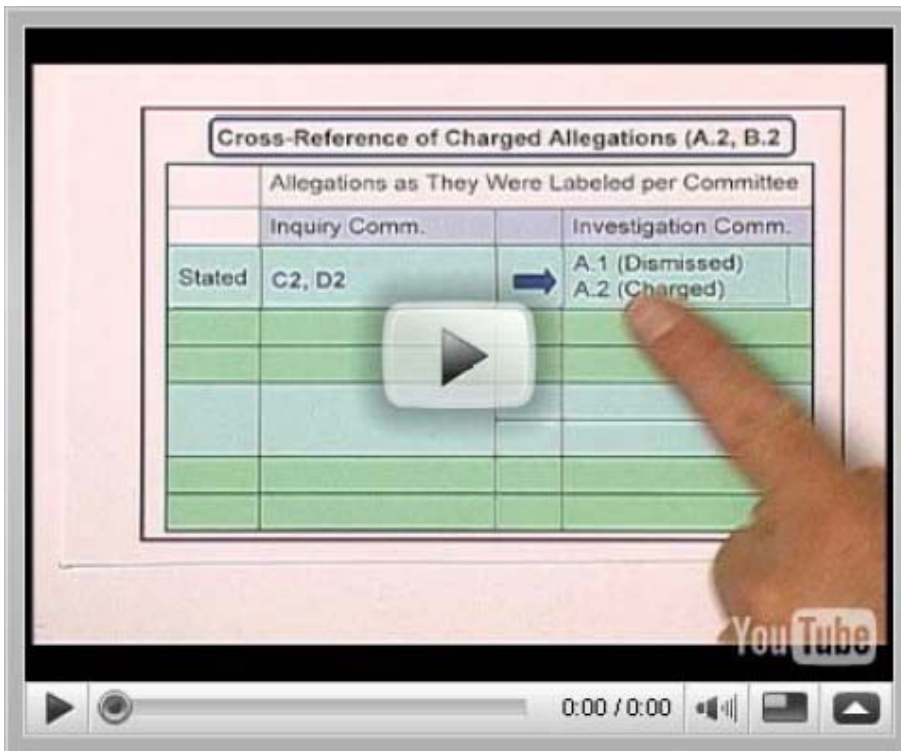
By Steven B. Krivit  
Editor, New Energy Times

Purdue University has changed its rules for misconduct investigations.

The new rules allow investigation committees to make their own accusations against people whom the committee is investigating.

*New Energy Times* learned of the new rules last week, after it reported that the investigation committee reviewing allegations against Taleyarkhan had [fabricated its own allegations](#), in violation of a previous policy on research misconduct.

A [four-minute video](#) (also shown below) explains how the Purdue Investigation Committee broke its own rules and violated Taleyarkhan's right to due process in its state-mandated policy and federally mandated investigation by the improper insertion of the two charges against Taleyarkhan.



[http://www.youtube.com/v/kPZ0H4wZj04&rel=0&border=1&color1=0xb1b1b1&color2=0xcfcfcf&hl=en\\_US&feature=player\\_embedded&fs=1](http://www.youtube.com/v/kPZ0H4wZj04&rel=0&border=1&color1=0xb1b1b1&color2=0xcfcfcf&hl=en_US&feature=player_embedded&fs=1)

On July 28, 2008, Taleyarkhan had notified the Purdue administration of its violation of the C-22 policy on research misconduct in which the administration fabricated the allegations against him.

Purdue professor Mark A. Hermodson, chairman of the Purdue Investigation Committee that charged Taleyarkhan with research misconduct, and France A. Córdoba, Purdue president, failed to respond to multiple requests for comment on our Oct. 14 article and were afforded a chance to review a draft before publication.

Hours after *New Energy Times* requested comment from Hermodson and Córdoba, Peter Dunn, Purdue's research integrity officer, contacted Taleyarkhan regarding a new investigation, requested by UCLA, according to Dunn.

The request concerns Taleyarkhan's involvement in a Defense Advanced Research Projects Agency-sponsored replication attempt of Taleyarkhan's bubble fusion experiment at UCLA. Several years ago, UCLA researchers failed to replicate Taleyarkhan's claim; however, they failed to perform the experiment correctly. They deliberately added noncondensable gases to the experiment, which kills the bubble fusion result. [[See pages 49-56](#)].

*New Energy Times* asked Dunn whether Purdue intended to file an investigation request with UCLA. *New Energy Times* received no response.

*New Energy Times* asked William Coblenz, the DARPA program manager responsible for the \$800,000 project, whether DARPA intended to investigate the UCLA attempt. *New Energy Times* received no response.

When Taleyarkhan was reviewing his rights and obligations concerning this new investigation, he discovered that Dunn recently revised the Purdue Policy on Research Misconduct.

The new rules, which do not apply retroactively to Taleyarkhan's investigation, confirm that Purdue violated its previous rules, which were in effect during Taleyarkhan's investigation.

The [Purdue Web site](#) now says that "Executive Memorandum No. C-22 has been superseded by the Policy for Research Misconduct, VIII.3.1." C-22 was the policy that guided the investigation into the allegations against Taleyarkhan.

Purdue's new Policy on Research Misconduct, called policy "VIII.3.1," was "originally issued and effective" on Oct. 1, 2008, according to the [Purdue Web site](#). That was five months after Taleyarkhan's C-22 investigation concluded.

The new policy contains a startling statement in the appendix. It states that the research integrity officer, in this case Peter Dunn, may "take custody of,

inventory, and sequester research records and evidence ... before commencing an inquiry or an investigation.”

Dunn’s new policy also erodes the integrity of the process by giving new powers to both the Inquiry Committee and the Investigation Committee.

As *New Energy Times* reported in “[Purdue Research Integrity Committee Fabricates Allegations](#),” C-22 had multiple, distinct phases that insured the integrity and independence of the process. C-22 separated the people making the allegations from the people on the inquiry and allegation committees.

That is no longer the case. Now, both the inquiry and [allegation](#) committees can make new allegations as well as charge them. All are the same: accuser, judge and jury.