

Gender equity

Dr Colleen Crangle's story

as told to Gary Burd
(Executive Editor)



"So, has everybody lied?" asked the attorney. He was addressing the jury in the closing arguments of the sex-discrimination case Colleen Crangle had brought against Stanford University from SMI [Stanford Medical Informatics] in a Federal Court in San Jose, CA. "If you accept Dr Crangle's statement of the facts," he continued, "you have to assume that everybody who got on the stand lied to you, lied to you under oath." The next day, after only hours of deliberation, the jurors found unanimously in Colleen's favour on all matters put before them. They awarded the maximum allowed under federal law for punitive and compensatory damages, finding that she had made a good-faith claim of sex discrimination and that, in response, her employers had retaliated against her, acting with malice, or a reckless disregard to her protected rights.

The story began in 1995 when Colleen was recruited to join a research group in Stanford's School of Medicine that needed her expertise in natural-language understanding. Since graduating and joining a research institute on campus, she had been working on the problem of getting machines to understand natural language.

The group she joined at Stanford specialized in medical informatics — an interdisciplinary field concerned with the theory and application of information science in biomedicine. Colleen very quickly established a reputation for excellence, both within her department and with collaborators in industry. She also received an award at the annual meeting of the American Medical Informatics Association, the premier scientific organization in the field.

But her life changed in late 1996 when a male colleague informed her of some restrictions that were to be placed on her, despite Colleen's bosses having commended her only a week earlier. Astonished, Colleen found that she was to be severely restricted in what she could do. These restrictions included

not submitting proposals for any large grants — to do so would be "like the tail wagging the dog" she was told. (The only way to keep her job was to write proposals for projects and get them funded.) She was also to understand that the work she had been doing with this colleague really fell within his research area. Because he had been in the lab for a long time, he felt he had the right to restrict her activities so that she would not be a threat to him. Subsequently, she discovered that all future proposals must include financial support for her male colleague, but she was not ever to expect reciprocal support. A final restriction meant that Colleen was effectively barred from working with collaborators, by restricting her research to her office.

All the senior men at that time had either worked together for close to 20 years or were each other's former students. A woman had never been on the faculty or senior research staff.

Colleen began to document some of the discussions that were taking place and followed up meetings with e-mail messages to avoid confusion. To her astonishment, she received replies

confirming her understanding of the situation. The entire situation seemed bizarre. A project that had been in trouble had been transformed by Colleen's work, and industry collaborators and principal sources of funding had begun to refer to her publicly as the person who had "rescued the floundering project". These very achievements were a problem to the men she worked with.

She decided to speak out. Thinking the day had gone when a woman would be asked to curtail her activities to avoid threatening a male colleague, Colleen told her male colleagues that it was inconceivable that the conversations would have taken place if she were a man. This only caused more friction. Not only were the restrictions imposed, she was to report to her male colleague, and think of herself as an assistant.

When her protestations were ignored, Colleen wrote saying that she did not accept the conditions of employment, that they were discriminatory and, she believed, in violation of the law. As soon as the letter was heard of, the men started discussing (by e-mail) what options they had simply to lay her off. This became known as the 'smoking gun' e-mail during the trial.

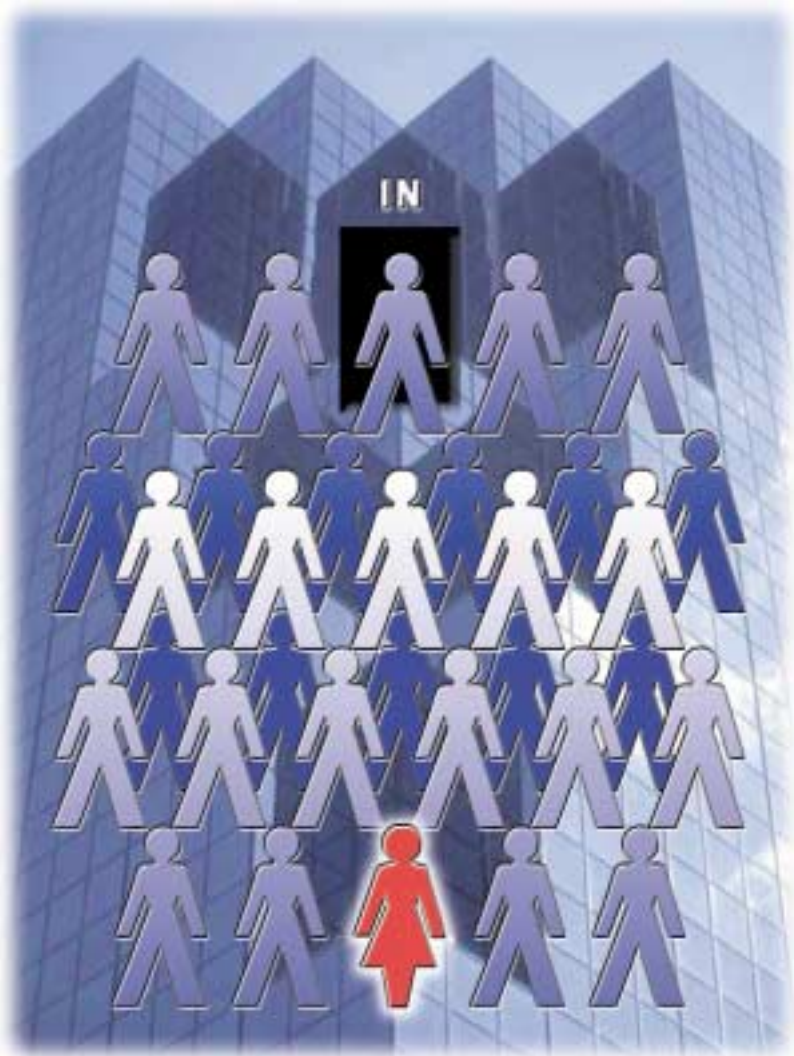
Colleen arrived at work one Friday to find a letter informing her that she was being 'laid off', effective from that day. The reason given was a lack of funding. She returned to her office that evening and worked until the early hours of the morning, trying to salvage several years of work. From that day to this, she has had no access to any of her research files.

Colleen was frightened that her academic career was over. The people she had challenged at Stanford were some of the most influential in her field. However, she knew that she could not walk away from this injustice.

In her first academic job, at the University of South Africa where she held a faculty appointment in the Computer Science Department, Colleen saw that passive condemnation of discrimination was not enough. This institution was unusual for its time in that it employed both black and white faculty members. Lott Mamabolo was a colleague and friend of Colleen at the university. One day in 1976, during a time of widespread unrest and general work boycotts called by Soweto student leaders, Lott Mamabolo stayed home to protect his life and his property.

The next day, he walked into his office, his arms overflowing with books and papers. He dropped them on Colleen's desk. "I've been fired," he said, "for not coming in to work yesterday. They told me to clear out my office today." She said to him, "That can't be — you have an employment contract. You have to be given notice, at the very least." She phoned the Human Resources Department to find out what was happening and was told bluntly to mind her own business. It turned out that all black professional staff were hired with contracts that allowed 1 day's notice of dismissal. Only the black staff, not the white, were hired on such contracts — and it was entirely legal in South Africa at the time. The country permitted and sanctioned this kind of discrimination and allowed no means of redress.

Thankfully, Lott Mamabolo's story does have a happy ending. He moved to Canada and was granted political asylum. He has a family and has settled, but his new life came at considerable personal cost.



Colleen had gone to the USA because she believed in a country built on the principle that all its people are created equal. The USA is a country in which you can challenge anyone who appears to be breaking the laws that protect individual rights. If she could not challenge these actions, it brought into question the very reasons for moving there with her family and becoming citizens in 1991.

The aftermath

It was 3 years and 3 weeks after being fired that the jury held the matter up for judgement and delivered their verdict in her favour. During much of those 3 years, Colleen had to work in her attorney's office as an 'honorary' legal assistant, along with a paralegal, to keep

the gruelling discovery process going. They had to go to court three times to retrieve withheld documents. She had to read and analyse thousands of pages of documents. She had to trace every piece of e-mail produced to identify the related pieces of e-mail the university was withholding. This was painstaking work that was emotionally draining: every day spent in her attorney's office was a day spent reliving her experiences and being confronted with the loss of her academic career all over again.

Standing up to a revered institution both locally and internationally was without doubt the hardest thing Colleen Crangle had ever had to go through in her life. Stanford University had huge resources at its disposal. "They used two outside firms of attorneys to defend

themselves against my charges, in addition to their in-house lawyers. By my count, they had nine attorneys working on the case at different times. That doesn't take into account the associates and paralegals working behind the scenes whom I didn't ever see. On most days it was just me and the wonderfully dedicated and capable paralegal, sitting on the floor of a spare room in my attorney's office, sorting piles of documents," says Colleen.

The main argument for the defence was that Colleen was simply laid off because there was no funding. Furthermore, they said that when she was offered another assignment by her employers, she turned it down. They said they had really been trying to "promote" her career and "assist" her, but she had "misunderstood" what they were doing and that misunderstanding had "turned into hostility".

However, the documents that Colleen submitted showed that funding existed, and that at the time she was fired she had not turned down the assignment offered. An e-mail trail illustrated undermining by her male colleagues of agreements Colleen had reached. Colleen's team produced documents that showed how she protested against the treatment she was receiving at work.

Dr Francis Conley, a neurosurgeon, was one of only two people from Stanford courageous enough to testify on her behalf. Dr Conley had come to the medical world's attention some years earlier when she had spoken about her experiences in her book *Walking out on the boys*. Dr Conley told the jury about a culture that she described publicly as "unfriendly to women," where women were not considered to be as good as their male compatriots and where a woman who excelled in a particular field would often find herself ostracised, isolated and in a situation where she would not

be allowed the resources needed to keep her career on track.

Colleen's was the first discrimination case against Stanford ever to go to trial. There are so many impediments to gaining your day in court: finding competent and trustworthy lawyers, affording the out-of-pocket legal expenses, and withstanding the assaults of the legal process. This ordeal is not for the faint hearted.

The verdict

The Court awarded, in full, fees of US\$492 925 requested by Colleen's attorneys. This award was in addition to the \$545 000 awarded to her by the jury at trial. A year after the jury verdict, Stanford and Colleen reached a settlement.

"My legal battle against Stanford University is over," says Colleen. "But other women still contend with inequities both subtle and blatant." The university last year joined with eight other top research universities in a President's Workshop on Gender Equity. In a unanimous statement issued by this workshop, the leaders said "We recognize that barriers still exist [for women faculty members]. Institutions of higher education have an obligation, both to themselves and to the nation, to fully develop and utilize all the creative talent available."

"What sustained me through the years of lonely struggle was the conviction that justice matters, and that women in academia are still denied justice in employment. Not every woman believes she is discriminated against. But everyone loses because of the barriers that still exist for women," says Colleen.

"My academic career did end because of my stand against Stanford. But I experienced a remarkable journey of faith. The Judaeo-Christian tradition that I am a part

of believes in a God who loves justice.

As I clung to the conviction that justice matters and that I had a part to play in bringing about change for women, I learned that it is possible to prevail even against the most powerful and elite of institutions. That knowledge is without price.

"I have also gone on to build a new career, taking the research I had been doing at Stanford and applying it to problems in business, particularly in healthcare and biomedicine. Through the start-up I co-founded, ConverSpeech LLC, I am undertaking some of the most fascinating and challenging work of my professional life.

"To my knowledge, not one of the people implicated in my unlawful firing has suffered any consequences from Stanford for their actions. The sad fact is that in many of our most prestigious academic institutions it does not really matter how you treat women. That is why I continue tell my story."

Further reading

1. www.gender-equity.org
2. Saldich, A. (2000) Bearing witness for a better workplace (editorial). *Palo Alto Weekly*, 15 March 2000
3. Chapel, C. (1999) LAF scientist is no 'Girl Friday'. *AAUW In Action*, Fall 1999
4. Stanford agrees to settle gender discrimination case. *Nature (London)* (2001) **411**, 401
5. Conley, F.K. (1999) *Walking out on the boys*; Farrar Straus Giroux, New York

Shortly after a Government investigation into Stanford University was made public, the number of complainants reached 30.

Colleen Crangle completed her PhD at Stanford University in 1984 in logic and the philosophy of language and science. She has a master's degree in computer science and is an internationally recognized expert in natural-language technologies for biomedical applications. Colleen Crangle continues to tell her story in a lecture series and through her work with the American Association of University Women (www.aauw.org). For more information, contact Colleen.

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