



THE FLORIDA STATE UNIVERSITY  
OFFICE OF THE PROVOST

March 10, 2023

Dr. Eric Stewart  
College of Criminology and Criminal Justice  
Florida State University

Dear Dr. Stewart:

This letter serves to officially notify you that Florida State University (FSU) intends to terminate you from your position of Professor on or after March 30, 2023 for incompetence and negligence in the performance of your duties. This action is based on the facts outlined below:

Beginning in May 2019, concerns were raised regarding data irregularities for several published papers for which you were either the lead author or co-author. When concerns about the papers were originally raised, they were accompanied with allegations of data manipulation, data fabrication and/or fraud. In October 2019, you and your co-authors voluntarily requested withdrawal of five research publications from the journals of *Criminology*, *Social Problems*, and *Law and Society Review*. These articles included:

1. Johnson, B. D., Stewart, E. A., Pickett, J., & Gertz, M. (2011). Ethnic threat and social control: Examining public support for judicial use of ethnicity in punishment. *Criminology*, 49, 401-441.
2. Stewart, E. A., Mears, D. P., Warren, P. Y., Baumer, E. P., & Arnio, A. N. (2018). Lynchings, racial threat, and whites' punitive views towards blacks. *Criminology*, 56, 455-480.
3. Stewart, E. A., Martinez, R., Baumer, E. P., & Gertz, M. (2015). The social context of latino threat and punitive latino sentiment. *Social Problems*, 62, 68-92.
4. Stewart, E. A., Johnson, B. D., Warren, P. Y., Rosario, J. L., & Hughes, C. (2019). The social context of criminal threat, victim race, and punitive black and latino sentiment. *Social Problems*, 66, 194-221.
5. Mears, D. P., Stewart, E. A., Warren, P. Y., Craig, M. O., & Arnio, A. N. (2019). A legacy of lynchings: Perceived black criminal threat among whites. *Law & Society Review*, 53, 487-517.

Your communications with the three journals regarding the withdrawals indicated that the decision to withdraw the five publications came from all the co-authors. You further indicated that because you were responsible for the data and analyses for the five publications you took the lead in responding to the allegations of data manipulation, data fabrication, and/or fraud. You ultimately drafted and signed the requests for withdrawals of the five papers: On October 24, 2019, you sent a request to *Criminology* retracting two articles and a request to *Law and Society Review* retracting one article and on October 25, 2019, you sent a request to *Social Problems* retracting two articles. In three withdrawal letters,

while denying any fraud, you admitted that numerous analyses errors had occurred, warranting withdrawal of the papers; specifically, you stated:

*“Contrary to assertions in social media and other online outlets, there was no falsification, fabrication, or other fraud associated with these papers or others that relied on the public opinion and contextual data. However, questions have been raised about the data and results reported in these papers. I have taken the lead in responding to these questions because I undertook the analyses, but this request for withdrawal comes from all of the co-authors. In the course of responding to the questions, it became clear that the analyses errors that included coding mistakes and transcription errors, exceed what the co-authors and I ultimately concluded as acceptable for a published paper. For this reason, on behalf of the co-authors, I request that the papers be withdrawn.”*

On January 21, 2021, the Editors and Publisher of *Justice Quarterly* retracted your sole-authored 2003 paper, published while you were at Georgia State University (GSU):

Stewart, Eric A. 2003. School social bonds, school climate, and school misbehavior: A multilevel analysis. *Justice Quarterly* 20:575-604.

The journal’s published retraction commentary explained the unilateral retraction as being based on errors in the article and the inability of referees to replicate the results, casting doubt over “the reliability of the results and conclusion” and specifically read, in relevant part: *“In response to concerns raised about this article, the Editors and the Publisher provided the author with the opportunity to respond to the questions raised about this article, and commissioned a review by three independent referees of the original article and the author’s response to the concerns.*

*The independent review concluded that some of the concerns raised about the article could possibly be attributed to analytic and coding decisions, but due to possible errors in select analyses, as well as the inability of the referees to replicate the article’s exact sample and models, there was doubt cast over the reliability of the results and conclusions in this study. For this reason, we have made the decision to retract the article. The author has been informed of this decision.”*

In addition to these six retracted articles, concerns were also raised regarding potential reporting of data in 11 additional papers authored by you. Per FSU Policy (7A-2) regarding misconduct in research, FSU charged an Inquiry Committee to conduct an initial review regarding these additional 11 papers to determine if a full Investigation was warranted. You informed the Inquiry Committee that the data for these papers had been either lost in a hard disk crash or that the data were no longer available because you routinely delete your data within two to three years because of its sensitivity. However, in the interview you also stated that on occasion you had kept some data nine years, which seems to contradict the other information you provided to the Inquiry Committee. Because of your negligence in backing up your data, that data were no longer available and, therefore, FSU was unable to provide a comprehensive review of the allegations regarding the 11 additional articles in order to determine if there were falsifications, misrepresentations, and/or fraud (see References for full citation of these

articles). Further, there was consensus from the members of the Inquiry Committee that someone sophisticated enough to routinely use a desktop computer, laptop computer and iPad understands that computer systems can periodically fail and, thus, that safeguards and backups must be implemented. Given the accusations you faced, failing to back up the data that was being questioned as part of a Research Misconduct Inquiry was extremely careless, and demonstrates gross negligence and incompetence.

To date, three separate Research Misconduct inquiries (2019, 2020, 2021) have been conducted by FSU over various allegations of fraud and falsification involving: (1) the five withdrawn publications, (2) the retracted 2003 publication that you authored while a faculty member at GSU, and (3) the additional 11 papers published between 2006 and 2020. GSU also conducted an inquiry relative to the 2003 publication. The FSU and GSU inquiries were limited in their effectiveness because you again indicated that the relevant data to evaluate the veracity of your data analyses were no longer available. As you know or should know, the undeniable and fundamental obligation of all researchers is to maintain data to allow third party replication. However, as you indicated repeatedly to questions about access to your data, you either (1) deleted data within two to three years because of its purported sensitivity, or (2) you lost the data because of a computer crash and your failure to have appropriate backup mechanisms in place to safeguard the data. Providing output and tables without the actual data from which the output and tables were derived prevents third party replication and is directly contrary to accepted scientific research standards (i.e., National Institutes of Health, Conduct of Research 7<sup>th</sup> Edition, 2021:10).

Regarding the six retracted papers (five withdrawn voluntarily by you and your co-authors and one by the publisher), to date the FSU Research Misconduct inquiries (2019, 2020 and 2021) have not led to a satisfactory resolution, as noted above. You have not been exonerated of wrongdoing, found to have engaged in misconduct, or recommended for a full investigation. The Inquiry Committees, composed of faculty members charged to look at specific instances of your retracted papers and any related misconduct, have been unable to reach a definitive outcome because they have not obtained from you (or elsewhere) the necessary data to make a final conclusion as to whether research misconduct has occurred. This uncertainty has placed you, the College of Criminology and Criminal Justice, its faculty, its students, FSU, and the broader Criminology research community in a problematic and uncertain position.

To reach closure, and to further investigate possible policy violations outside of the scope of the University's Research Misconduct policy, the Office of Human Resources reviewed the information and investigated whether or not you violated any other policies at the University. As part of this investigation, on April 11, 2022, you met with Rebecca Peterson, Sr Associate Director, Faculty Relations and Dean Thomas Blomberg, College of Criminology and Criminal Justice, for an investigatory interview. Following that interview, a review of your responses was conducted. In the review, it was found that your responses were often vague, inaccurate, misleading, and/or noncomprehensible. For example, when you were asked about your training in statistical analysis, you responded that it was pretty extensive. However, if that was true, then it seems implausible that you

would have created the mistakes that you did in your studies, such as the repeated errors in merging and coding data. Further, in attempting to explain your failure to properly maintain data, you noted that you had stored the data on a laptop. However, backing up data on a laptop is not backing up data. Standard research practice dictates that backing up data would include keeping data in multiple places such as a work computer, a cloud drive, and an external hard drive, if permitted. Also, you indicated that you often delete your data after two to three years because of sensitivity. Numerous researchers employ sensitive data that they do not delete but rather maintain following established or required protocol to protect the data. Moreover, most researchers keep data for decades in order to reanalyze or share the data. Further, you indicated that you provided the Inquiry Committee with information (namely output and tables), but you failed to provide the Inquiry Committee with the data for the output and tables. Therefore, the three Misconduct Committees could not reach a conclusion about the research misconduct allegations that were lodged against you as you failed to provide access to the data that the questioned studies were based upon.

Based on the totality of the information and the glaring demonstration of data mismanagement and the unprecedented number of articles retracted, I find that the evidence supports a termination for incompetence and negligence in the performance of your duties. As a published researcher and a tenured full professor, you are responsible for exercising competence in basic research processes, and competence in data management, and competence in the basic parameters of the statistical analyses you employed. You are fully responsible for the integrity of the results that are generated. Your conduct has adversely impacted and reflected poorly on the University, the College of Criminology and Criminal Justice, its faculty and students, and the discipline of Criminology. This includes numerous expressed reservations from persons who were considering joining the College, i.e., faculty and PhD prospects, questioning of our PhD students who are on the job market about the status of Stewart's research misconduct allegations and about the integrity of their own data, numerous inquiries and stated concerns from our criminological peers around the country, potential negative consequences to the careers of your co-authors and students, questioning from current students about your credentials to teach given the misconduct allegations against you, and an overall cloud over FSU and the College in relation to the negative social media responses to the unresolved allegations of research misconduct against you. As Provost, I must uphold the values and the mission of the university and, therefore, I have decided to proceed with the notice of termination.

Please be advised that within twenty (20) days of receipt of this notice, you may submit a response in writing for consideration before a final action is taken. You may also include in your response supporting materials from other individuals. You also have the right to request a meeting with me to refute the statements contained herein.

As an alternative, you may request a review by an appropriate faculty committee (hereinafter referred to as the "Peer Panel") prior to the issuance of the Notice of Termination. This Peer Panel would serve as the peer review panel specified in Article VI, Section B(8)(c)-(f) of the Florida State University Constitution and the Regulations of the Florida State University, FSU-1.004 (IV)(B)(8)(c)-(f). Any request for a meeting or a Peer Panel must be made, in writing, within ten (10) days of receipt of this

Notice of Intent to Terminate, to Rebecca Peterson, Faculty Relations, Human Resources, 6110 University Center, Florida State University, Tallahassee, Florida 32306. Ms. Peterson can also be reached at (850) 645-2202.

As an official representative of Florida State University, I assure you that it is our sincere desire to take only warranted disciplinary action against you, based on true and correct charges. Therefore, we are sincerely interested in receiving and considering your response before taking the disciplinary action to terminate you.

Sincerely,



James J. Clark, Ph.D.  
Provost and Executive Vice President  
Florida State University

**I understand and acknowledge receipt of this notification.**

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Eric Stewart

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Date

Cc: Employee Personnel File (Stewart, E.)  
Thomas Blomberg, Dean, College of Criminology  
Faculty Development and Advancement  
Faculty Relations

## References

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