



June 3, 2020

Dear Faculty Council,

The Climate Science Legal Defense Fund, the Project On Government Oversight, and Public Employees for Environmental Responsibility respectfully request that you intervene and call for an independent investigation into process violations at the University of Colorado-Boulder in the termination of Dr. Detlev Helmig.

Dr. Helmig is a world-renowned expert in atmospheric research and climate science. For the last 25 years, as an Associate Research Professor, he has been researching, teaching and publishing at the Institute for Arctic and Alpine Research (INSTAAR) at the University of Colorado-Boulder. Dr. Helmig has published more than 200 scientific publications in peer-reviewed journals. On April 7, 2020, Dr. Helmig was abruptly terminated, locked out of his office and email account, and removed from his research work.¹ To the best of our knowledge, the University still has not turned over his personnel files to him.

In 2017, Dr. Helmig, in cooperation with the University of Colorado, established Boulder A.I.R. LLC. He set up this company to continue his air quality research work for municipal and federal agencies that could not or did not want to contract this work through the University, following the University's refusal to reduce overhead costs.² These entities were often frustrated with the University's burdensome bureaucracy and the 60% University and INSTAAR added cost (overhead).

Multiple counties have seen the benefits of air monitoring, including the ability to assess pollution caused by the oil and gas industry in real time through web portals, and have reached out to Boulder A.I.R. for their own agreements. In operating

¹ Glick, Daniel. "Detlev Helmig Was Frugal with Tax Dollars. Then CU Fired Him for Misusing Funds." *InsideClimate News*, May 29, 2020. <https://insideclimatenews.org/news/28052020/outspoken-climate-scientist-was-known-tightwad-tax-dollars-then-cu-fired-him-misusing>

² *Id.*

Boulder A.I.R., Dr. Helmig made repeated, good-faith efforts to be transparent and believed he was cooperating with the University's requirements.³

Dr. Helmig's highly regarded work should be a feather in the cap for the University. **Dr. Helmig was not given the chance to respond to allegations of "blurring the lines" between these private and public contracts before he was terminated.** Coloradans suspect that special interest groups were breathing down the neck of President Kennedy that Helmig's University research needed to be shut down.

On May 11, 2020, Glen Gallegos, Chair of the Board of Regents responded to community inquiries,

"Prior to terminating his employment, the university asked the Department of Internal Audit to independently review Dr. Helmig's activities. Dr. Helmig is aware of this investigation, and once it is complete, he will be provided a copy. We expect the internal audit findings to confirm that we made the right decision at the right time."⁴

After-the-fact justification for termination is not fair process.

Oil and gas special interests may have influenced the process. The science is clear that oil and gas development is directly tied to pollution and climate change -- since the message cannot be disputed, the energy industry has begun attacking the messenger.

Most recently, and perhaps the instigation for the attack on Dr. Helmig, is his article, "Air Quality Impact of Oil and Gas Development in Colorado," published on February 10, 2020.⁵ This article compiled a review of the science of the last 12 years that has considered the impacts of oil and gas drilling pollution in Colorado.

New leadership at the Colorado Department of Health and Environment is relying on science to lead the way in setting new air standards. Dr. Helmig's research and monitoring data were key to the preparation SB 191, a new regulatory framework

³ *Id.*

⁴ See attached exhibit.

⁵ <https://www.elementascience.org/article/10.1525/elementa.398/>

for the state.⁶ Industry is already attacking the relevance of this work and using Helmig’s termination as a reason to dismiss this science.

The residents of Colorado first learned about the dismissal of Dr. Helmig in *Western Wire*, an energy industry trade publication. Though the University policy is to remain silent on personnel matters, they felt the need to be responsive to this outlet. The article attempts to politicize Dr. Helmig’s work, citing his “ties to activist groups.”⁷ Since that publication, numerous other articles have been published. **The politicization of an academic’s work can create a dangerous chilling effect on research and research funding.**

The public is offended by the University’s dismissal of Helmig. Elise Jones, Boulder County Commissioner, and Steve Fenberg, State Senate Majority Leader, published an op-ed in *The Daily Camera*, stating, “The oil and gas industry has never been a fan of Helmig or his conclusions, and has long worked to try and discredit his work. So industry representative wasted no time in exploiting Helmig’s termination from CU and using it to try and smear Helmig’s reputation and research.”⁸ 350 Colorado, a group dedicated to solving the climate crisis, immediately filed a records request with the University, seeking records because, “Legitimate questions and concerns that Dr. Helmig’s termination may have been spurred by interested parties outside of the University system must be resolved in the public interest.”⁹

An injustice has been done at the University of Colorado-Boulder and we are concerned not only for Dr. Helmig but for all of the faculty in the University of Colorado system.

Public Employees for Environmental Responsibility is a national organization that supports public professionals who seek scientific integrity and environmental ethics within their agency.

⁶ Sandoval, Michael, “BREAKING: CU Dismisses Prominent Atmospheric Researcher with Activist Ties Over Blurring of Public, Private Research.” *Western Wire*, April 17, 2020, <https://westernwire.net/breaking-cu-dismisses-prominent-atmospheric-researcher-with-activist-ties-over-blurring-of-public-private-research/>

⁷ *Id.*

⁸ Jones, Elise and Steve Fenberg, “Opinion: We Stand with Detlev Helmig.” *The Daily Camera*, April 28, 2020, <https://www.dailycamera.com/2020/04/28/opinion-elise-jones-and-steve-fenberg-we-stand-with-detlev-helmig/>

⁹ 350 Colorado Press Release, April 27, 2020, <https://350colorado.org/press-release-4-23/>

The Climate Science Legal Defense Fund is a national organization that protects the scientific endeavor by providing support and resources to scientists who are threatened or silenced for doing their jobs.

The Project On Government Oversight is a national, nonpartisan independent watchdog that investigates and exposes waste, corruption, abuse of power, and when the government fails to serve the public or silences those who report wrongdoing.

Please immediately call for an independent investigation into this injustice.

Sincerely,

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cc:

University of Colorado President Kennedy

University of Colorado Board of Regents

University of Colorado Faculty Council

Colorado State Legislature

Governor Jared Polis

Director Colorado Department of Health and Environment Jill Hunsaker-Ryan