

The Cloud Over The Grammys: Allegations Of Sexual Misconduct, Vote Rigging

 [npr.org/2020/01/24/799079236/the-cloud-over-the-grammys-allegations-of-sexual-misconduct-vote-rigging](https://www.npr.org/2020/01/24/799079236/the-cloud-over-the-grammys-allegations-of-sexual-misconduct-vote-rigging)

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Winners of the 62nd Grammy Awards will be announced Sunday night — but there's a cloud hanging over the ceremony. Last week, Deborah Dugan, the recently installed president and CEO of the Recording Academy — which hands out the awards — was placed on administrative leave. Earlier this week, Dugan filed a discrimination complaint with the Equal Employment Opportunity Commission that includes allegations of sexual misconduct and vote rigging.

The Recording Academy has been struggling for years with criticism that the Grammys were too male, too white, too old and too insular. In came Dugan five months ago, as the Academy's first female leader.

She pledged that the organization could do better, as she told NPR in an interview last month: "We've known as an industry for a long time that we have a monumental problem with gender issues."

Then, just over a week ago and only 10 days before the awards telecast, the Recording Academy abruptly announced that it had placed Dugan on leave pending an investigation into an allegation of bullying that came from a female assistant. But in an interview Thursday, Dugan claimed she was placed on leave as retaliation for accusations she made, and changes she proposed.

Specifically, Dugan says her suspension is the result of a memo she sent in December to the Academy's Human Resources director, which included an accusation that she had been sexually harassed by the Academy's general counsel, Joel Katz. (Katz is also a former Academy board chair.)

In her EEOC complaint, Dugan reiterated her accusations against Katz — and she said she learned that her predecessor, Neil Portnow, had been accused of raping a female artist. Both Katz and Portnow deny the accusations, and Portnow said in a statement that he was investigated and exonerated. In the complaint, Dugan also repeated and elaborated upon her accusations from the HR memo related to questionable financial expenditures, rigged Grammy voting and self-dealing at the public, non-profit organization.

In an interview with NPR on Thursday, Dugan reiterated her accusation against Katz as it is laid out in the EEOC complaint. She said that the incident occurred on May 18, 2019, before she had started officially working at the Academy in August. She had been invited to attend the first day of a three-day board session held at the Ritz Carlton hotel in Laguna Niguel,

Calif. She says Katz (an extremely high-profile attorney who recently negotiated the sale of Taylor Swift's former label home, Big Machine Label Group, to Scooter Braun's Ithaca Holdings Group) invited her to dine with him that evening.

"Under the guise of a work dinner," she told NPR, "I was propositioned by the general counsel — that is, Joel [Katz]. It started with calling me 'baby' and telling me how pretty I was. And then in the course of the dinner, after ordering a bottle of wine, I got a little more uncomfortable. He was talking about his private plane and trips that we could do and it ended with him leaning forward to kiss me. As I look back now, I think that there — the fact that they had me meet him and have dinner with him first — was sort of a test of how much I would acquiesce to."

In the moment, Dugan added, she had been "disgusted and bewildered," and that she immediately went back to her hotel room and called "quite a few people" to tell them what had happened.

In a statement sent to NPR on Wednesday, Katz's lawyer, Howard Weitzman, said in part: "Ms. Dugan's allegations of harassment and her description of a dinner at the steakhouse in the Ritz Carlton, Laguna Niguel are false, and Mr. Katz categorically and emphatically denies her version of that evening. Mr. Katz believed they had a productive and professional meeting in a restaurant where a number of members of the Board of Trustees of the Academy, and others, were dining. ... Mr. Katz will cooperate in any and all investigations or lawsuits by telling the absolute and whole truth. Hopefully Ms. Dugan will do the same."

"You hear about these things in entertainment and certainly for women in leadership," said Dugan, who immediately prior to coming the Academy had led the charity (RED) after roles as president of Disney Publishing Worldwide and as an executive at EMI Records Group. "But after so many years, and having such a track record of integrity and purpose, to have this happen — I was very disillusioned and to be honest, a little scared ... And there was a continuing pattern afterwards of whenever we had private conversations, he was calling me 'baby,' telling me how pretty I was."

Dugan and her lawyer, Douglas Wigdor, denied to NPR that she had bullied the Academy employee — a woman named Claudine Little, who had previously served as the executive assistant to Portnow. The Academy has said that Dugan is accused of creating a "toxic and intolerable" work environment and engaging in "abusive and bullying conduct."

In a statement sent to NPR via the Recording Academy on Wednesday, Little said: "Ms. Dugan's choice to litigate in the press and spread a false narrative about the Academy and me and my colleagues is regrettable, but it is also emblematic of Ms. Dugan's abusive and bullying conduct while she served as the Academy's president and CEO. I am proud of my career with the Academy—where, as a woman, I was able to work my way from secretary to director of administration in the executive suite, solely based on merit and while working for

and with leaders far more demanding and hard-charging than Ms. Dugan. It is disappointing that Ms. Dugan hopes to leverage public opinion along gender lines and expects not to be scrutinized for her inexcusable behavior simply because she is a woman; she should be held to the same standard."

In the Thursday NPR interview, Dugan said that she had found Little's work lacking, and that she had suggested moving the assistant into another role at the Academy rather than terminate her employment. (The situation with Little is also described in the EEOC complaint.)

Wigdor added: "Neil Portnow was accused of rape. Was he placed on administrative leave? No. So to place Deborah on an administrative leave over being bossy — and by the way, women are bossy, men are bosses — to put her on an administrative leave over something as innocuous and benign as being allegedly bossy to an administrative assistant just doesn't make any sense."

In the discrimination complaint, Dugan also repeated her allegations of irregularities and conflicts of interest in the Grammy voting process, as well as substantial payouts of fees to outside law firms and to individual board members.

These include payouts to Greenberg Traurig, where Joel Katz is an attorney. In 2017, according to the Academy's 990 forms, the firm was paid \$6.3 million, as well as \$1.75 million in 2016 and over \$1.1 million in 2015, with similar amounts in the two previous years. According to the EEOC filing, the Academy also pays Katz personally \$250,000 annually as a retainer.

On Thursday, Dugan also said that the board and executive committee reacted negatively to some urgent recommendations from the Academy's Diversity and Inclusion Task Force, a group formed in the wake of widely denounced comments made by her predecessor, longtime Academy president and CEO Portnow. (After the 2018 Grammy Awards ceremony was criticized for a lack of female nominees and performers, Portnow said that women in the industry would just have to "step up" to be recognized)

"There were some things I got pushback on like, 'Oh, we don't need a chief diversity officer,'" Dugan told NPR. She also described what she saw as conflicts of interest in the process of nominating artists for Grammys.

"There is a degree of corruption in that system," she said. "There is a problem when you have board members on those committees who have a vested interest in having certain artists winning."

She also reiterated in her EEOC complaint that the telecast's producer of 40 years, Ken Ehrlich, holds undue influence over the nominations for high-profile Grammy award categories, including Record of the Year and Album of the Year.

"Do I think that this system of him making it clear who he'd like on the show to the board members who are then in the room voting is not a correct one going forward?" she asked rhetorically. "I do. I think it should be changed."

In an email sent to *The New York Times* on Thursday, Ehrlich said, "There is no truth to what she alleges."

In a statement sent to NPR on Thursday afternoon, the chairman of the Recording Academy, Harvey Mason, Jr., and Bill Freimuth, the Academy's Chief Awards Officer, said in part: "Spurious allegations claiming members or committees use our process to push forward nominations for artists they have relationships with are categorically false, misleading and wrong. ... Because these committee members are at the top of their craft, and many members work with multiple artists, it is not unusual that some of the people in each room will end up with nominations from the first round. There are strict rules in place to address any conflict of interest."

(Up until about a decade ago, I was a Grammy voter, and also served on the "craft" committee for the Best Album Notes field, one of a small group of Grammy categories outside the "nomination review" process and not voted on by the general membership. In addition, my husband, Joshua Sherman, was also a Grammy voter, and served on Academy committees; he was also part of teams that created several Grammy-winning recordings, and he produced several other Grammy-nominated albums. In my own experience, it is certainly true that in certain Grammy categories, especially in smaller genres or for fields involving particular professional expertise, there is a limited universe of accredited Grammy voters willing to volunteer their time to serve on award committees.)

Mason, a Grammy-nominated songwriter, record producer and music executive, just became the chair of the Recording Academy's board of trustees in June. After Dugan was put on leave, he became its acting CEO. In a Thursday interview with NPR, he would not answer any specific questions about the Dugan situation or the conflicting narratives, saying that the behind-the-scenes struggle detracted from the awards ceremony.

"This is our biggest season for me," he said, "and this night is everything to our organization. What we are doing is really focusing on the show and the musicians, and trying to make sure that the spotlight doesn't get taken away from that."

When asked if he took Dugan's allegations — including sexual misconduct, significant financial improprieties, and vote rigging — as grave matters, Mason said, "Everything is taken seriously. Anything that somebody says, whether it's a guy at the coffee shop that I run into and says, 'You know, the Academy should do this...' I take all that stuff seriously."

In speaking to NPR, Mason also emphasized that the Academy has begun two separate investigations into the allegations by Little and Dugan; Mason said the investigations would be independent and transparent. But he declined to give any timeline for that work, and said repeatedly that he did not know what firm or firms were leading those investigations, adding that they were "people that we had no association with and no connection to."

According to Dugan's EEOC complaint, however, the investigators were selected by the law firm Proskauer Rose — a firm that charged the Academy over \$900,000 in 2017 and over \$870,000 in 2016, the most recent years for which financial information is available. (A partner at Proskauer Rose, Charles Ortner, serves as national legal counsel to the Academy, and is one of the most powerful lawyers in the entertainment industry; his client list has included Universal Music Group, Sony Music Entertainment, U2 and Madonna.)

On Thursday night, the Academy's Task Force on Diversity and Inclusion, (which is chaired by Tina Tchen, the president and CEO of Time's Up), issued its own statement. It reiterated its December recommendations, which Dugan had promised to implement almost in entirety.

Writing of its collective "shock and dismay," the 18-member volunteer group urged the Grammy organization to implement several concrete steps in particular, including hiring a dedicated diversity executive "to lead the deeper changes that are obviously needed." The statement continued, in part: "We are deeply disappointed at the level of commitment by some of the Academy's leadership in effecting the kind of real and constructive change presented in our report. We are confident that they can do better."

Mason told NPR on Thursday that he was still very committed to diversity improvements at the Academy, noting that they had been part of his own campaign for chair. "The plan is definitely to continue to push those through and make sure they all happen," he said.

But least one more member of the task force has spoken out even more forcefully as an individual. Ty Stiklorius, a prominent artist manager whose client roster includes singer John Legend and crossover violinist Lindsey Stirling, posted on Twitter Thursday: "I won't stay quiet on this. As an Academy Inclusivity Task Force member I saw the inner workings & lack of transparency. The board voted down our recommendation of Ranked Choice Voting. They have not implemented our recommendations but used us as a pawn."

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<https://t.co/Ty2eMDIsVN>

— ty stiklorius (@tystiklorius) January 23, 2020

As of now, however, no artists slated to perform at the Grammys telecast Sunday night have pulled out. *Billboard* magazine's executive editor West Coast and Nashville, Melinda Newman, has a theory.

"I honestly think this is so complex," she says. "Once you've heard one thing and you think you might have enough information to make your mind up, something else drops and you're like, 'Wow, hang on a second.' I think we haven't seen the reaction yet because people are shocked."

As Sunday night approaches, Deborah Dugan said that her short tenure at the Recording Academy illustrates three things.

"This has hit me about women CEOs and corporate America," she said. "This has hit me on how hard it is for women in the music industry. And it's hit me, and I can't believe it, that three years after the #MeToo movement... we still have this system of character assassination — dig up dirt on this woman and trying to trash her in the press. I'm deeply saddened and profoundly upset that I was slapped with all three of those issues."

That is, all of the issues she was hired to address.