



## Office of the Chancellor

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New Mexico State University  
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chancellor.gogue@nmsu.edu

April 27, 2023

The Honorable Stephanie Rodriguez  
New Mexico Higher Education Department  
2044 Galisteo St #4  
Santa Fe, NM 87505

Dear Secretary Rodriguez:

Thank you for the care and concern you have shown for New Mexico State University (NMSU), especially during this time. We are in receipt of your letter dated April 24, and enclosed are the responses to the items you highlighted. The Board of Regents and I look forward to continuing our collaboration with you and your department as we work through our current situation. Please know that New Mexico State University is committed to restoring integrity in our basketball program and to working together to ensure our entire university is moving forward.

Please find attached to this letter a memo that was sent to all NMSU students earlier this week, informing them of their rights and the processes for the various methods available for reporting matters involving hazing, violence, abuse, corruption and issues related to Title IX. For many years, this information has been included in the syllabus for courses taught at NMSU. From time to time, we also provide this information to our entire campus community, and we appreciate the opportunity to remind them of the resources the university has in place.

**1. What is the university doing to address and resolve this matter?**

- a. NMSU shares your sentiments in ensuring a safe environment for all students. Please see attached timeline that demonstrates actions the university has taken after being notified by the NMSU Police Department. This timeline also shows events that will occur over the summer and into the fall.

**2. The results of the new independent investigation of the Men's Basketball Program surrounding the recent alleged comments and decisions made by the new coaching staff that on their face appear to be retaliatory; and**

- a. As you may be aware, NMSU, through its University General Counsel office ("UGC"), has commissioned the Greenberg Traurig ("GT") law firm to conduct an independent and confidential investigation of the allegations of hazing occurring among student-athletes and other persons associated with the Men's Basketball Program (the "*Hazing Investigation*"). NMSU will also request that GT open a separate investigation specifically to look into the interaction

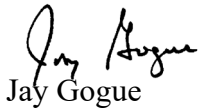
between Coach Hooten and the player. We will ask them to expedite their efforts in order to provide you with the information as timely as possible.

**3. A detailed plan for an independent investigation of the university's athletic program, including all university-sponsored athletic programs, current leadership, and personnel, in addition to a rigorous review of personnel at all levels, policies, documented complaints, and discipline within the athletics program.**

- a. The Board of Regents met on Tuesday, April 25 evening for the purpose of discussing pending litigation and limited personnel matters. The have charged me with securing a reputable firm/agency to complete a full investigation of our 16 NCAA sponsored athletic programs and all athletic personnel as noted above. We are in the procurement stages and I expect the firm to begin next week. I will meet today, April 27, with the entire coaching staff, athletics leadership team and student leaders to discuss this work. I will demand full cooperation from all of athletics staff and coaches. We will provide updates to you as soon as the work is complete. I anticipate the investigating agency to be on campus next week and complete their work within three weeks.

Please let me know if I can answer any questions.

Sincerely,



Jay Gogue  
Interim Chancellor

Attachments: Response to Point 1  
Memo to NMSU Students

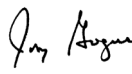


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DATE: April 25, 2023

TO: All NMSU Students

FROM: Jay Gogue, Interim Chancellor 

SUBJECT: Rights and processes for reporting

New Mexico State University is committed to an inclusive and welcoming environment for all students, faculty, staff and campus guests. As part of that commitment, we are providing this information to ensure all students are aware of their rights and the processes for the various methods available for reporting matters involving hazing, violence, abuse, corruption and issues related to Title IX.

NMSU does not discriminate on the basis of age, ancestry, color, disability, gender identity, genetic information, national origin, race, religion, serious medical condition, sex (including pregnancy), sexual orientation, spousal affiliation, or protected veteran status in its programs and activities, including employment, admissions, and educational programs and activities. Retaliation against an individual who in good faith reports allegations of discriminatory conduct or provides information in an investigation about behavior that may violate NMSU policy, rules or procedures is also prohibited. **Additionally, Title IX of the Civil Rights Act and NMSU policy prohibits sexual harassment, sexual misconduct (sexual violence/assault), dating and domestic violence, stalking and retaliation.**

If you experience issues with any of these areas, you may submit a report to the NMSU Office of Institutional Equity online at [equity.nmsu.edu/](https://equity.nmsu.edu/), by phone at 575-646-3635, via email at [equity@nmsu.edu](mailto:equity@nmsu.edu) or in person at the O'Loughlin House, NMSU Main Campus. If you have an urgent concern, please contact the Office of Institutional Equity at 575-646-3635.

NMSU has selected EthicsPoint to provide a simple, anonymous way to confidentially report activities that may involve criminal, unethical, or otherwise inappropriate behavior, including violations of university policies and procedures. To file a report, please follow the instructions here: <https://secure.ethicspoint.com/domain/media/en/gui/8345/index.html>. You can also call the toll-free number 1-866-384-4277 and speak with someone in English or Spanish.

Additional resources for reporting incidents, concerns or complaints can be found at <https://report.nmsu.edu/>. If you or the person you are reporting about is in immediate danger of harming themselves or others, please call 911 immediately.

## **Response to 1. What is the university doing to address and resolve this matter?**

February 10, 2023

University Police contacted the Office of Institutional Equity (OIE) and other campus leaders to discuss the need for a timely warning regarding a reported sexual assault. Lt. Graham shared information that a student came (with their father) to the police department to report a sexual assault and continued harassment.

February 11, 2023

Chancellor releases memo to campus community about the reported hazing incidents and the decision to cancel the men's basketball game in California. The team was called back to Las Cruces at this time.

Athletics leadership met with the basketball staff on their return and placed them on administrative leave with pay.

The Dean of Students and the Athletics Director also met with the student athletes upon their return. At that time, it was explained to the players what the situation was and that they would need to meet with investigators and be honest and cooperative. The Dean of Students reiterated the need to be honest and encouraged the students to ask questions if they had them.

The Office of Institutional Equity began interviewing 42 students and staff with an internal investigation.

February 12, 2023

The Dean of Students sent an email to men's basketball players expressing concerns for their well-being and safety and provided information about mental health resources on campus including Aggie Health & Wellness Center, YOU@NMSU, and a resource document entitled Taking Care of Yourself after a significant event, loss, or trauma.

The Dean of Students and Athletics leadership met with the Men's Basketball team to notify them the season was being cancelled. A mental health counselor was onsite when this meeting occurred.

February 13, 2023

Head Football coach addressed the entire football program regarding hazing.

Head Women's Basketball coach spoke to every member of the women's basketball team.

February 14, 2023

Head Men's Basketball coach, Greg Heiar, was notified he would be terminated.

February 15, 2023

Press conference was held announcing Greg Heiar was terminated as the head coach.

February 21, 2023

Athletics Director held monthly head coaches meeting and addressed hazing.

Athletics leadership met with the Men's baseball team regarding hazing.

February 23, 2023

Athletics leadership met with women's soccer team.

February 28, 2023

Athletics leadership met with all cleared (fall event) Men's basketball student-athletes to introduce them to Casey Owens, a former head coach with the LA Lakers who lived in Las Cruces, to help with workouts for those student athletes approved to return.

March 24, 2023

Jason Hooten was hired as the new men's' basketball coach.

March 26, 2023

Press conference was held naming Jason Hooten as the head coach.

April 18, 2023

The Office of Institutional Equity issued a 72-page draft investigative report following conclusion of 42 student/staff interviews.

On or about May 1, 2023

Receive final investigative report from outside investigator Greenberg Traurig law firm.

On or about May 1, 2023

NMSU to launch a full-scale investigation of the Athletics department including all NCAA sponsored sports and athletic department personnel.

Summer/Fall 2023

Senior Women's Administrator, Dean of Students, athletics representatives, and members of band, Student Life, and ROTC will attend the Hazing Prevention Symposium, June 11-12 in Indiana.

National speaker Kim Novak of Novak talks, a national expert on hazing, will come to campus and present to all student athletes.