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A Resolution -

- 2 To be known as "A Resolution Condemning the Standards Prioritizing athletic success over
- 3 Student Safety," which criticizes the university's decision to sign an accused sexual assaulter
- 4 onto the football team.
- 5 **WHEREAS:** The Student Government of Texas State University, on behalf of the student body,
- 6 would like to address the recent problems with accepting and signing Jayden de Laura to the
- 7 Texas State University football team; and
- 8 WHEREAS: Jayden de Laura, then a minor, was accused of sexual assault against another
- 9 minor in Honolulu, Hawaii in 2018. De Laura and former classmate Kamoi Latu committed a
- 10 multiple-perpetrator assault against a plaintiff involving forced oral and sexual intercourse. The
- plaintiff filed a civil lawsuit in 2021 which was settled on January 15, 2024, the same day that
- his signing to the football team became official; and
- WHEREAS: In the city and county of Honolulu, juveniles cannot be formally convicted of
- 14 guilty or not guilty. Instead, adjudication hearings are held "like a trial for adults; determines

whether the juvenile 'committed the offense,'" according to an official flowchart released by the

Department of the Attorney General Crime Prevention & Justice Assistance Division. All four

amended versions of the court documents (section 19, p. 9) state that "defendants Jayden and

Kamoi were charged with and pled guilty to Sexual Assault Two" meaning their official pleas

were admissions of guilt. Moreover, it was determined that as a "direct and proximate result of

defendants' wrongful conduct," the Plaintiff sustained severe injuries and damages, being

21 entitled to receiving medical, psychological, and psychiatric expenses, past and future wage loss,

and other special damages as allowed by law" (section 29, pp. 7-9); and

WHEREAS: In response to an opinion piece from *The University Star* criticizing the decision to sign De Laura and calling for the University to rescind his offer, the University stated that "the matter does not violate the Texas State University Code of Conduct or athletics misconduct policies" admitting that they were aware of De Laura's troubling past, and despite the Texas State Code of Student Conduct (Section AE) outlining sexual misconduct, including sexual assault, as a direct violation of said policies, signed him to the team anyways; and

WHEREAS: The response generated from the news of De Laura's signing prompted several oncampus organizations to release statements of dissent, protests on campus, and a petition calling for his removal with over 4,888 signatures as of January 26, 2024; and

WHEREAS: On January 24, 2024 at 3:20 P.M., Texas State Athletics released a statement announcing De Laura had "withdrawn as a student at Texas State University and will not be a part of the Texas State football program." This was the only announcement made on behalf of the university, with severe lack of acknowledgement or direct response from prominent leaders

- of our community such as President Kelley Damphousse or head football coach Gary Joe Kinne;
- 37 therefore,

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- 38 **BE IT RESOLVED:** The university should hold its constituents to the very policies they have
- 39 established, especially its student athletes as they become prominent "leaders" of the university
- as outlined by coach Kinne in a response to *The University Star*. The university should not
- 41 glorify those who are in direct violation of said standards that promote violence and places
- 42 athletic success above the safety and wellbeing of its students; and
- 43 **BE IT RESOLVED**: The abhorrent decision to sign De Laura is a violation of the morals and
- principles this university stands for. Violence should not be tolerated in any scenario, and by
- singing De Laura, the university is sending the image that said violence is normal and
- 46 perpetrators of it should be celebrated members of our community; and
- 47 **BE IT RESOLVED:** According to the 2023 Annual Security and Fire Safety Report, reports of
- rape have increased by 185% since 2020 alone (p. 64). Fondling has increased by 155% and
- 49 domestic violence cases by 42 percent (pp. 64-65). By promoting the image of someone accused
- of all three of these crimes, we are not only attributing to the growth of these numbers, but also
- reversing any and all change we have done to prevent these crimes from occurring in the future;
- 52 and
- 53 **BE IT RESOLVED:** The severe lack of response or recognition of blame for causing direct
- harm to members of our community shows a lack of compassion and understanding the
- university strives to maintain. The student body government demands that the university releases
- a formal apology to its staff and students and use this situation to set precedent to no longer value

- winning, and the monetary successes that arise from it, above the welfare of its students. Student
 athletes in particular should be held to the same standards set forth by the Texas State University
 System Sexual Misconduct Policy and Procedures (1.1) and the Student Code of Conduct to
- ensure that students feel safe and heard; and
- 61 **BE IT FURTHER RESOLVED:** This legislation be forwarded to the Student Body President
- 62 for further action.