



FLORIDA STATE UNIVERSITY  
OFFICE OF THE PRESIDENT

October 10, 2014

Jameis Winston  
[REDACTED]

Dear Mr. Winston,

On August 6, 2014, Florida State University received further information from the complainant, [REDACTED], including confirmation from the complainant that she wishes to cooperate with the University's investigation into the incident that occurred on December 7, 2012.

The authority for student discipline ultimately rests with the University President and Board of Trustees. The President and the Vice President of Student Affairs also possess the explicit authority under the Student Conduct Code to take direct jurisdiction of a Student Conduct Code matter when it is in the best interests of the University. We are exercising that authority here.

As such, as permitted by our Student Conduct Code, we will select a hearing officer from outside of the University to conduct a formal investigative hearing that will culminate with detailed findings of fact, a determination of whether provisions of the Student Conduct Code have been violated, and, if appropriate, arrive at a sanction.

Three individuals have been identified who have indicated their willingness to serve as hearing officers in this matter. It is our intention to allow the complainant and the respondent to each strike one hearing officer from consideration and the University will then appoint a hearing officer from the individual(s) who remain in consideration. The three individuals are former Florida Supreme Court Justice Charles Wells, former Eleventh Circuit Judge Joseph Hatchett, and former Florida Supreme Court Justice Major Harding.

The question to be referred to the hearing officer is whether your conduct on December 7, 2012, violated the following section(s) of the Student Conduct Code:

- 1.e.1(a):** Any sexual act that occurs without the consent of the victim, or that occurs when the victim is unable to give consent. Consent is defined as the willing and clear participation in the sexual act. Inability to give consent includes but is not limited to situations where the individual is:
- i. under the influence of alcohol, drugs or other substances (including but not limited to prescribed medications);
  - ii. unconscious, asleep, ill or in shock;
  - iii. under the age of eighteen and therefore legally incapable of giving consent; or
- [REDACTED]

iv. known by reason of impairment, mental condition or developmental or physical disability to be reasonably unable to give consent.

Consent is not freely given if no clear verbal consent is given; if the individual is not able to give consent or if consent is achieved through force, threat of force, or coercion. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent is not the lack of resistance; there is no duty to fight in order to indicate lack of consent. Consent can be withdrawn at any time, as long as the withdrawal is clearly communicated by the person withdrawing consent through words or actions.

**1.e.1(c):** Conduct of a sexual nature that creates an intimidating, hostile, or offensive environment for another person. This includes unwanted, unwelcome, inappropriate, or irrelevant sexual or gender-based behaviors, actions or comments.

**1.e.2(a):** Physical violence towards another person or group.

**1.e.2(b):** Action(s) that endanger the health, safety, or well-being of another person or group.

These allegations are based on the complainant's assertion that on or around December 7, 2012, you allegedly engaged in sexual intercourse with the complainant without her consent, as detailed in Tallahassee Police Department report 12-032758, Second Judicial Circuit State Attorney investigative report dated December 5, 2013, and the complainant's August 6, 2014, statement.

Please refer to the website <http://www.srr.fsu.edu/> for complete information about the University student conduct system. Although this hearing will be conducted by a hearing officer from outside of the University, that hearing officer will be charged with conducting a hearing utilizing the same University procedures that internal hearing officers and panels employ.

Within 5 class days of receiving this letter, you must contact the Office of Student Rights and Responsibilities [REDACTED] to schedule your information session and to indicate which of the three potential hearing officers you wish to strike from consideration. The University will then appoint a hearing officer and schedule a hearing to occur as soon as practicable. Also during the information session, you will be informed about the University's hearing process, may ask any questions you might have, and will be provided with the materials related to the case.

If you have any questions, please call the Office of Student Rights and Responsibilities at [REDACTED]. Please note that many communications related to this matter will be sent to your University e-mail address. Please monitor your account regularly.

If you need accommodations for a disability for the hearing, please notify Student Rights and Responsibilities three days in advance.

Sincerely,

Handwritten signature of Garnett S. Stokes in black ink.

Garnett S. Stokes  
Interim President

Handwritten signature of Mary B. Coburn in blue ink.

Mary B. Coburn  
Vice President for Student Affairs

cc: Wm. David Cornwell, Esq.  
[REDACTED] via John Clune, Esq.