

STATE OF NEW MEXICO
OFFICE OF THE ATTORNEY GENERAL



HECTOR H. BALDERAS
ATTORNEY GENERAL

May 25, 2017

President Chaouki Abdallah
Office of the President
MSC05 3300
1 University of New Mexico
Albuquerque, NM 87131

Dear President Abdallah:

I am writing in regard to the recent public disclosures related to the University of New Mexico (UNM) Vice President of Athletics, Paul Krebs, and a June 19, 2015 through June 25, 2015 golf trip to Scotland.

Pursuant to my enforcement authority under the Governmental Conduct Act (GCA), I have initiated a formal inquiry into the actions of public officials employed by UNM. *See* NMSA 1978, Section 10-16-14(E). The GCA requires all public officials to conduct themselves in an ethical manner in advancement of the public trust. As Attorney General, I am committed to ensuring transparency and accountability in state government.

It is clear by his public admission that actions taken by Vice President Krebs are contrary to the high ethical standards he and all university officials must uphold and implicate violations of the GCA. *See* NMSA 1978, § 10-16-3(A). Additionally, there appear to be violations of the anti-donation clause of the State Constitution. *See* New Mexico State Constitution, Article 9, § 14. Krebs' public statement indicates that he had full knowledge in 2015—when the trip was documented in a public record as a "Men's Bball Tourn"—that public funds were used to pay for the expenses of private individuals. This acknowledgement, in and of itself, demands swift and appropriate corrective action by the University. It should be noted that violation of the provisions of the GCA by any public officer is grounds for discipline, up to and including dismissal. NMSA 1978, § 10-16-14(D).

Upon the findings from the audit conducted by the Office of the State Auditor, I will act quickly and in a manner that reflects my continued commitment to the interests, not only of UNM and its students, but of New Mexico taxpayers. In the meantime, I appreciate the full cooperation of UNM and the Office of the State Auditor with our formal inquiry into the actions of UNM, specifically related to the following areas of concern:

- UNM used public funds for the 2015 golf trip, the purpose of which was publicly described by participants as a means “to promote private philanthropy” to “generate support for athletics”, “to appeal to a small group of people and use this as a forum to raise money for local athletics” and “to use [the trip] as a fundraiser and to generate a return on investment”. In essence, UNM used public funds for fundraising.
- A UNM transaction log inaccurately documents what has been admitted as a fundraising trip as a “Men’s Bball Tourn” to “Ireland”.
- The public funds used for this fundraising trip were initially disclosed as \$39,382.00 for a travel agent penalty fee and for travel expenses for Vice President of Athletics Paul Krebs, Men’s Basketball Coach Craig Neal, and UNM Development Office employee, Kole McKamey.
- In response to a local media request for information on April 17, 2017, requesting “documents showing the travel, lodging and other costs associated with (the Scotland trip) paid for by UNM”, UNM only provided expenses related to the three UNM employees who attended the fundraising trip and later admitted redacting all information related to the use of public funds to pay for the expenses of private individuals.
- It was later disclosed that an additional \$24,000.00 of public funds was used to pay the expenses of private, non-university employees, to participate in the fundraising trip.
- Vice President of Athletics, Paul Krebs’ public statement related to the use of public funds to pay for private individuals to participate in this fundraising trip was: “The original plan was for UNM to not pay for any donors, but due to some late cancellations because of unforeseen circumstances, we had three golf trips that were paid for but would have been unused.”

Thank you for your attention to these matters.

Sincerely,



Hector H. Balderas
New Mexico Attorney General

cc: State Auditor Tim Keller

University of New Mexico Board of Regents

University of New Mexico Vice President of Athletics Paul Krebs