



Safe Sport Fast Facts

The United States Center for SafeSport was established in 2017 to address abuse of amateur athletes, including bullying, harassment, hazing, physical abuse, emotional abuse, and sexual misconduct and abuse. The Center operates under the auspices of the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization of 2017.

Understandably, much confusion remains about this new organization and the law that led to its creation. Here are some fast facts to help provide clarification.

Question: Are Safe Sport and the U.S. Center for SafeSport one in the same?

Fact: The term “Safe Sport” generally is used to refer to the Safe Sport Act (Authorization) of 2017, which was signed into law as Public Law 115-126 on Feb. 14, 2018. The primary purpose of the Act is to prevent the sexual abuse of minors and amateur athletes by requiring the prompt reporting of sexual abuse. The Act amends the Victims of Child Abuse Act of 1990 to extend a duty to report child abuse to adults that are authorized to interact with minor or amateur athletes.

The U.S. Center for SafeSport is a separate entity that provides services on abuse prevention techniques, policies and programs, and provides a safe, professional and confidential place for individuals to report sexual abuse within the U.S. Olympic and Paralympic movements. The Center also adjudicates complaints when appropriate.

Question: Are amateur sports organizations that aren't part of the Olympics or Paralympics bound to Safe Sport?

Fact: Organizations that are not affiliated with the Olympics or Paralympics are not legally bound to the U.S. Center for SafeSport, but they are not exempt from the Safe Sport Act. Amateur sports organizations that are not affiliated with the Olympics/Paralympics must develop their own Safe Sport program and resources. Organizations who do not take responsibility for the safety of their athletes can face significant financial and legal challenges, as well as serious damage to their reputation.



Question: If one person calls the U.S. Center for SafeSport accusing you of abuse, you're going to be suspended immediately, right?

Fact: Not true. Since the Center's launch in March 2017, 3,256 total reports have been made to the Center across all sports. Of those cases submitted by all National Governing Bodies, 285 individuals are now permanently ineligible, and 552 violations have been found and sanctions issued.

Question: Then why is there so much concern about unfair suspension?

Fact: If there is enough evidence to support a finding that a participant violated the code, the Center will determine whether and to what extent a participant may participate in the sport and may impose one or more sanctions. Those sanctions include a written warning, probation, suspension, ineligibility, permanent ineligibility or other sanctions.

Question: Does the Center have any way to determine if someone is filing a false report, and are there any consequences for filing a false report?

Fact: The Center takes concerns about false reports seriously and has safeguards in place to prevent the system from being misused. Each report is assigned a trained investigator, interviews are conducted and all relevant information and evidence is gathered, and a formal investigation report is prepared for the director's decision. Filing a knowingly false allegation that a participant engaged in prohibited conduct may violate state criminal law and civil defamation laws. Any person making a knowingly false allegation in a matter over which the Center exercises jurisdiction shall be subject to disciplinary actions by the Center.

Question: Has every equestrian professional reported to the Center been immediately suspended by the Center and/or United States Equestrian Federation?

Fact: No. Between March 2017 and Aug. 29, 2019, 203 equestrian sports reports have been made to the Center. To date, 3 of those 203 people reported are on the interim suspension list, 5 of them are listed as temporarily ineligible, and 19 have been banned. Cases might be closed for various reasons. In some cases, there are anonymous reports without enough information to investigate. In other cases, the Center decides it does not have jurisdiction. In still others, there is a third-party report and the claimants don't want to proceed.

Question: Does the Center have a perfect system that needs no improvement?

Fact: The Center knows it has an important mission and has been actively seeking ways to improve. Many amateur sports organizations, including those under the Joint Leadership Council and the USEF, are working with the Center and legislators toward the safety of amateur athletes as well as the professionals who work with them.

Question: What, specifically, is the Joint Leadership Council doing to influence how the Center operates?

Fact: A great deal. All of the organizations under the Joint Leadership Council have not wavered from the position it stated earlier this year: “We strongly support what the Safe Sport Act represents for the protection of our junior exhibitors,” said ASHA Executive Director David Mount. “We also firmly believe the enforcement of this law through the U.S. Center for SafeSport can be significantly improved to better protect youth while providing fair processes to our members.”

The Joint Leadership Council working through ASHA and the UPHA continues to monitor federal legislation and has met with several influential U.S. officials to push for improvements in the Center for SafeSport, including aides for Rep. Diana DeGette (D-CO) and Sen. Richard Blumenthal (D-CT). DeGette and Sen. Corey Gardner (R-CO), are sponsoring legislation to establish a commission to further study and make recommendations for U.S. Olympics and Paralympics. Blumenthal is one of the lead co-sponsors of the bipartisan S. 2330 Empowering Olympic and Amateur Athletes Act. S. 2330, which is co-sponsored by Sen. Moran (R-KS), Sen. Ernst (R-IA), Sen. Shaheen (D-NH), Sen. Capito (R-WV), Sen. Harris (D-CA), Sen. Kennedy (R-LA) and Sen. Cortez Masto (D-NV), aims to increase athlete representation within National Governing Bodies and bolsters resources for US Center for SafeSport. This legislation seems to have the most momentum to move forward and may provide the best opportunity for our respective memberships to voice concerns and push for reform.

ASHA also has met individually with senior U.S Senator and Senate Majority Leader Mitch McConnell (R-KY) and U.S. Secretary of Agriculture Sonny Perdue to discuss the Center for SafeSport, as well as discuss other issues of importance to ASHA members.

The Joint Leadership Council continues to be proactive and work with legislators and others on behalf of our respective members to address their concerns while making our industry safe for all participants, both human and equine.

Question: Isn't it enough to get a criminal background check on adults who will be interacting with youths? If someone doesn't have a criminal record of child abuse, they should be OK, right?

Fact: Research has shown that about 10 percent of child predators have a criminal background that could be discovered by running a criminal background check. If you put most of your eggs into the criminal background check basket you are not protecting your kids against the other 90 percent, according to John M. Sadler, president of Sadler & Company and a nationally published and recognized expert on sports risk management. (www.sadlersports.com)

“You protect against the other 90 percent by implementing a written child abuse protection

plan that follows the recommendations from the US Center For Safe Sport, such as mandatory reporting of suspicions to law enforcement within 24 hours, prevention policies and procedures, adult prevention training, and youth prevention and reporting training,” Sadler said.

Question: *I don’t understand why we have to undergo training. What is the purpose?*

Fact: The older child abuse risk management plans keyed in on how to detect abuse once it had already happened, Sadler said. The new risk management template from the U.S. Center For SafeSport keys in on preventing child abuse from happening in the first place. The best way to do this is to prevent grooming behavior, which includes inappropriate use of social media.

Question: *If an organization under the Joint Leadership Council left the United States Equestrian Federation, would that organization’s members still be required to comply with the Safe Sport Act?*

Fact: Yes. The Joint Leadership Council working through ASHA has consulted with attorneys with expertise in this field who confirm the Safe Sport Act still applies to ASHA and the other organizations under the JLC. These organizations are all “applicable amateur sports organizations” under 36 USCA 220530. Because of this, they have to comply with that statute which requires that it (1) comply with the reporting requirements of section 226 of the Victims of Child Abuse Act of 1990; (2) establish reasonable procedures to limit one-on-one interactions between an amateur athlete who is a minor and an adult (who is not the minor's legal guardian) at a facility under the jurisdiction of the applicable amateur sports organization without being in an observable and interruptible distance from another adult; (3) offer and provide consistent training to all adult members who are in regular contact with amateur athletes who are minors, and subject to parental consent, to members who are minors, regarding prevention and reporting of child abuse to allow a complainant to report easily an incident of child abuse to appropriate persons; and (4) prohibit retaliation, by the applicable amateur sports organization, against any individual who makes a report.

In short, all of the organizations under the Joint Leadership Council still need policies that will comply with the Safe Sport Act requirements (the 4 items listed above).

Question: *Wouldn’t it be simpler – and better – for organizations under the Joint Leadership Council to just to comply with the law on its own, independent from USEF?*

Fact: The Joint Leadership Council has looked at this option, as have other USEF affiliates. At this time, it has been determined it would create an excessive burden on the organizations and its members to completely overhaul the association and establish it as a completely independent organization. Some of the deciding factors included:

- Each organization would have to develop its own Safe Sport program and resources. We also looked to organizations such as Michigan State, USA Gymnastics, and others that failed to keep pace with best practices in this area and now are suffering significant

financial, legal and reputational damage. USEF's participant safety policies represent the best practices in youth-serving organizations, saving our organizations the legal costs of drafting their own along with the assurance we are operating with best practices.

- Through USEF, our organizations have an established investigatory and resolution process for sexual misconduct and non-sexual misconduct claims, thereby saving us from developing and administering its own processes. Otherwise, we would be responsible for investigating and resolving all reports it receives – which would be very costly and expose the organization to liability.
- Best prevention training/education tools for youth, parents, adults, all approved by the Department of Justice, are available to us at no cost. Otherwise, we would have to develop its own.
- Association with a brand (US Equestrian) that not only says it values the safety of its athletes but it truly implements policies and programs to ensure safe environments.
- Being part of a family of equestrian sports that's well educated about recognizing and responding to abuse in sport.

The Joint Leadership Council remains committed to its membership and will continue to review best practices that provide the highest level of protection for its young amateur athletes as well as its adult membership, professional and amateur alike. If there are any questions about the Safe Sport Act, the U.S. Center for SafeSport, and our affiliation with USEF in this important initiative, please let us know.