



The Joint Leadership Council would like to share an article that may be helpful in understanding more about Safe Sport. We have provided the full article from The Chronicle of the Horse below. This committee is still working with USEF to get answers to additional questions. As we learn more, we will share the information with our members.

USEF And The U.S. Center For SafeSport Answer Your SafeSport Questions

From: The Chronicle of the Horse Written By: Mollie Bailey

Jan 28, 2019 - 2:14 PM

SafeSport has been thrust into the spotlight as the U.S. Equestrian Federation announced midyear 2018 that starting Jan. 1 all adult members must complete SafeSport training before they may compete.

As equestrians learned about the requirement and the program, many asked questions across social media and on the Chronicle's bulletin boards. We compiled a list of questions asked by you and posed them to the authorities on the subject: the U.S. Center For SafeSport and the USEF.

To report a concern, visit www.safesport.org/report-a-concern or call (720) 531-0340.

Questions answered by USEF

Can the U.S. Equestrian Federation opt out of the U.S. Center for SafeSport's Code?

No. As a National Governing Body (NGB), USEF falls under the jurisdiction of the U.S. Center for SafeSport and its policies, including the Code.

The U.S. Center for SafeSport's Code can be downloaded [here](#), under the 'Response and Resolution' section of the page.

What power does the U.S. Center for SafeSport have over the USEF? Can the Center sanction the USEF?

Currently the U.S. Center for SafeSport has no power to sanction USEF. Failure to comply with the Center's requirements could jeopardize USEF's status as a NGB and funding received from

the [U.S. Olympic Committee] to support sport programs. Additionally, depending on the circumstances, USEF could be in violation of federal law.

Does the U.S. Olympic Committee have jurisdiction over the U.S. Center for SafeSport?

No, the U.S. Center for SafeSport is an independent organization which is authorized by Congress through S. 534 – Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017.

If I'm a new member who joins midyear, by when do I need to take the training?

If you are 18 years old or older and join or renew midyear as a competing member, you have 30 days to complete the SafeSport training from the date that you join or renew.

What does the law require of national governing bodies like the USEF?

In simple terms, as it relates to SafeSport, the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017 requires: (a) mandatory reporting of sexual misconduct involving a minor, (b) establishing reasonable procedures to limit one-on-one interactions between adults and minors, (c) providing training to all adult members with regular contact with minors and (d) prohibiting retaliation.

When and who should report? Is it appropriate to report rumors?

The Victims of Child Abuse Act of 1990 now extends the duty to report suspected child abuse, including sexual abuse, within 24 hours to certain adults who are authorized to interact with minor or amateur athletes at a facility under the jurisdiction of a NGB, including USEF. An individual who is required, but fails, to report suspected child sexual abuse is subject to criminal penalties.

I'm an amateur in my 50s who competes but has no contact with kids. Why do I have to take SafeSport training?

USEF is committed to ending the cycle of abuse. Victims must be supported and know they are not alone, and perpetrators must be held accountable for their actions—requiring that all competing members over the age of 18 take the SafeSport training helps to create an environment where the cycle of abuse can be ended. But education and awareness can also help to create that protective environment and can help to prevent abuse.

Does everyone who is reported to The Center for SafeSport get investigated?

No, not every person that is reported to the U.S. Center for SafeSport is investigated, but the U.S. Center for SafeSport makes that determination, not USEF.

Are SafeSport violations reported to law enforcement?

Reports of sexual misconduct involving a minor are reported to law enforcement.

Are professional licensing boards, such as the American Bar Association, informed if someone is investigated or placed on the SafeSport violations list?

USEF does not have a protocol to inform professional licensing boards about SafeSport violations.

How are bans enforced? What if a USEF show is on public land?

Federal law requires USEF to enforce sanctions imposed by the U.S. Center for SafeSport and interim measures, including temporary suspensions. Banned individuals are prohibited from even being on the showgrounds of a USEF-sanctioned event. Organizers are required to comply with this.

What's the difference between a lifetime suspension and being banned?

There is no 'lifetime suspension.' Suspensions, are a specific period of time that the individual is prohibited from participation by the U.S. Center for SafeSport for violations of the SafeSport Code or USEF rules. Bans are permanent ineligibility in any capacity or competition authorized by, organized by, or under the auspices of the USOC, the NGB, and/or local affiliated organizations of an NGB recognized by the UOSC, by the U.S. Center for SafeSport or USEF for violations of the SafeSport Code or USEF rules.

You can download a Glossary of Terms from the Center [here](#).

Is everyone who is investigated listed on the website? At what point in the investigation does someone's name go up?

No. USEF publishes the names of individuals who are under a temporary suspension, suspension, expulsion and permanent ineligibility/banned. This is published after USEF has been informed by the U.S. Center for SafeSport of the status and an attempt has been made to notify the individual.

Why isn't SafeSport training required of all members of the affiliate associations of USEF? For example, why don't U.S. Eventing Association members who aren't members of USEF have to take SafeSport training?

USEF requires affiliate board members and staff of the affiliates; adults authorized by the recognized affiliate who have regular contact with or authority over a minor athlete; and other

adult members who have regular contact with minor athletes to complete the training by July 31, 2019.

I'm a survivor of abuse and believe the SafeSport training could be an emotional trigger. Do I still need to complete the training requirement?

If you are a victim or a survivor of abuse and believe this training could be an emotional trigger, please contact Teresa Roper at troper@usef.org, Sonja Keating at skeating@usef.org, or the U.S. Center for SafeSport at training@safesport.org, for an exemption, before accessing the SafeSport Training course.

Questions answered by the Scott Lewis, Acting Chief of Response and Resolution at the U.S. Center for SafeSport

Does everyone who is reported to The Center For SafeSport get investigated?

No. Some are resolved the minute they're referred, i.e. criminal disposition, if someone is on the sex offender registry. About a quarter of the cases end there. There are some reports that we don't pursue that I'd call low-end abuse: Tommy called Sally a bad name. We'll refer those to the National Governing Body. Sometimes people report bad things that we don't end up investigating because they're out of our jurisdiction, things like embezzlement or a bad coaching technique. About 55 percent of the cases end up being investigated.

What standard of proof is required in SafeSport investigations?

Preponderance of the evidence, which is the same standard that the law uses, as well as every civil court, human resources department and school uses.

At what point in the investigation does the accused get full information about his or her accusations?

Once someone is accused of something and investigation begins, we reach out to them for statement. The respondent is given enough information, but not given all of the information. During the course of the investigation if the respondent is participating in and cooperating with the investigation they are privy to almost everything. But if the respondent won't participate, won't provide us with requested texts, videos and so on, they don't get to see what we collect until the end.

How are sanctions determined? What warrants a permanent ban versus two-month ban versus something less?

There are two pieces to this: One is the scale of offense and the danger to community. Think about someone who did harm to a child or children; they'll end up on the permanently ineligible list. Think of something like the [Larry] Nassar case. Was it non-physical contact? Low-end physical contact? How long ago did it happen? All of these things are factors. If something happened 25 years ago, and there's never been a complaint since, we take that into account. We measure sanctions out to what will stop the behavior, prevent it from reoccurring and provide remedy to the community and the individuals involved. There's no one size fits all answer because there are so many variables.

What are the criteria for banning someone for life? Can you be sanctioned for something that's not illegal?

It's possible a respondent could not have been convicted, but if we find by a preponderance of the evidence that the respondent has done something to a child they would be banned for life. If I were to harass you, for example, that's technically illegal, but the chances of a District Attorney taking a case like that is really low. For example, if two 19-year-olds go on a trip to an equestrian competition, and they're drinking, and one is harassing the other, no DA in United States will take that case, but we would, and we'd look into it. If we determined harm had happened, someone could be put on the sanctioned list.

As far as banning for life, any instance of sexual assault, anything against children, or if you're on the sex offender registry you're out. It can be a bit confusing because for example we had a case where someone ended up on the registry because of a clerical error, and that person had to get it fixed. We'll still look into whether something happened that warrants sanctions.

Also, there are situations when something was adjudicated by the sport before the Center existed. If it was properly adjudicated we have to be careful about re-doing any decisions that were already made.

What is the process of an investigation?

A report comes in from the party involved or a third-party reporter or, often, an anonymous reporter. Our intake people begin a preliminary inquiry to look at it to see if we have jurisdiction over the accused. If they're not affiliated with the sport we have no jurisdiction. Then we look at the underlying facts: Is there fire to the smoke that we're seeing?

Once it passes our intake team it goes to a fulltime investigator, and they start digging. That process takes as long as it will take. And we prioritize according to what makes sense: A low-end case between adults from 20 years ago will be much less important than a report about a child from last year. As the investigation begins we may institute interim measures against the

respondent during the inquiry that are evaluated as the investigation goes on. Eventually there's a decision, and the investigators decide what rules were broken, and sanctions are levied. If the respondent disagrees they can ask for arbitration through an independent arbitrator. Respondents who think interim measures are inappropriate can ask for arbitration at that point as well.

Why doesn't the list of SafeSport sanctions include detailed information about violations?

There is going to be additional information added as we adjust the database. It will maybe say "non-consensual intercourse," but it will never say Tommy groped Sally in the barn. If you make one small error on that it causes major problems.

We will be specific about what policies were violated, and now that we've been around a little while we have a better sense of what's coming in. It will get more specific, but not a lot more specific.

How are third-party investigations different than first-party reports?

It's a longer process with third-party reports. With third-party reports our intake people first go to the person who reported and evaluate how credible that person is, whether they want to be anonymous, and so on. Then we track down the complainant, and see: Does that person even want to participate? Maybe the complainant is 38 years old and when we call to ask, "Did your coach have a relationship with you 10 years ago?" they'll say no. If the complainant wants to participate then we move forward. Third-party reports require a lot more work for our intake people.

How does the U.S. Center For SafeSport handle relationships with an imbalance of power between consenting adults?

Imbalances of power can be coach-athlete, employee-supervisor or even an imbalance of physical stature. It gets much more subtle between athletes. Maybe you have everyone on a team but someone is a four-time medalist, and someone else just made it onto the team. There's an imbalance there.

We'd look into the allegations and determine if there was an inappropriate relationship and sanction appropriately. If it was a consensual relationship it's still against the rules, but the sanctions might be different and be on the low end.