We Must Act Now To Protect Athletes from Abuse



In the last few weeks, Simone Biles' return¹ to elite gymnastics competition and the Women's World Cup² have inspired thousands of children all over the world to participate in sport. Unfortunately, Larry Nassar's egregious abuse of Biles and hundreds of other gymnasts, extensive abuse in women's soccer in the US and worldwide³, and other headline stories⁴ demonstrate that **athletes of all ages who chose to participate in sport risk being groomed and abused.**

We must act now to make sports safe for all athletes—from the youngest local youth athletes to international Olympic and World Champion team members. Heartbreakingly, for far too long the institutions responsible for athlete safety, health, and well-being have failed to protect athletes from emotional, physical, and sexual abuse. Institutions that have failed to protect athletes include US SafeSport⁵, national governing bodies such as USA Gymnastics and US Soccer, and international sport governing bodies such as FIFA (Federation Internationale de Football Association) ⁶, FIG (Federation Internationale de Gymnastique), and the IOC (International Olympic Committee) ⁷.

The two of us are fiercely committed to protecting athletes worldwide from all types of abuse. Judge Aquilina presided over the Larry Nassar case and sentenced him to serve more than a lifetime in prison⁸. Dr. Saltzman founded <u>Spot a Spider</u> (a comprehensive abuse prevention program) and serves on the US Soccer Participant Safety Taskforce⁹.

In 2017, Congress created SafeSport in response to Nassar's egregious abuse of hundreds of elite gymnasts. SafeSport's mandate is to protect athletes from abuse. Yet SafeSport has repeatedly failed to provide this protection.

Before the start of the 2023 Women's World Cup, the US Soccer Players Athletes' Council called on Congress to reform SafeSport¹⁰. We wholeheartedly support the soccer player's recommendations. Yet the recommendations don't go far enough.

In this article, we provide detailed recommendations for everyone—from parents to Congress to FIFA and the International Olympic Committee—regarding essential, specific, actionable steps to protect athletes from abuse.

Parents must act now to protect their children from abuse. Parents can't wait for Congress to reform SafeSport and enact new laws, or for national and international governing bodies to create comprehensive abuse prevention programs. Parents must

- Empower their children to recognize and report the subtle behaviors of grooming as well as overt emotional, physical, and sexual abuse.
- Give their children clear language to describe the specifics of all four types of abuse.
- Consistently and proactively ask their children about what they see and how they feel during training, competition, and travel.
- Believe and support their children when they report abuse.

Congress must improve upon the Athletes' Council's recommendations regarding SafeSport. Specifically, Congress must

- Require SafeSport to reduce unresolved cases (aka "administrative closures") to no more than 10% of investigations. This guarantees that abusers are held accountable and athletes have closure.
- Require that sport National Governing Bodies (NGBs) conduct their own investigations, and mandate that SafeSport and NGBs share information to stop the cycle of abuse. This empowers NGBs committed to protecting their athletes (such as US Soccer) to act promptly. And making both the NGBs and SafeSport legally responsible for athlete safety adds essential redundancy to the system.
- Mandate that if, after a comprehensive, trauma-sensitive investigation, <u>either</u> SafeSport or a NGB determine a respondent (alleged abuser) has been abusive, then that determination and the associated penalties must supersede any other determination.
- Ensure that anyone found to have abused an athlete (emotionally, physically and/or sexually) receives a lifetime ban from sport and other organizations serving youth.

Congress also must mandate that the SafeSport investigation process be

revamped. Specifically, Congress must

- Fully fund SafeSport and require that it be fully staffed, so that the organization has the capacity to implement all proposed reforms.
- Require that the SafeSport reporting process be well-publicized, clear, anonymous, and trauma-sensitive.
- Require SafeSport to resolve the current backlog of cases within one-year, initiate investigations of new cases within one week, and file a preliminary response regarding every allegation within one month.

- Require that SafeSport investigations be conducted by independent, traumasensitive staff with expertise in grooming, covert emotional abuse, coercive control, and overt emotional, physical, and sexual abuse.
- Require SafeSport and the NGB to suspend the respondent until the investigation is completed.
- Require SafeSport and NGB to complete investigations even if the respondent "steps down," "moves," or "is released."
- Offer athletes, especially victims/survivors, the opportunity to lead the process of reforming SafeSport.
- Mandate that the revamped investigation process include collection and retention of verifiable data and ongoing review, oversight, and improvement.

In addition to these reforms to SafeSport policies and practices, Congress must utilize its power to ensure justice for victims of abuse and to hold abusers and enablers accountable. Specifically, Congress can

- Use its current power to
 - Dissolve SafeSport and the Olympic Committee's board and decertify NGBs if they fail to follow the revamped rules.
 - Expand SafeSport and national sex offender databases to track covert and overt emotional abuse, and physical abuse.
- Incentivize states to enact and enforce laws to
 - Make emotional abuse (both covert and overt), and physical abuse criminal offenses—punishable to the same extent as sexual abuse.
 - Abolish the statute of limitations for all types of abuse.
 - Establish legal consequences for any adult (including club staff and owners, NGB officers, SafeSport employees, local police, and FBI investigators¹¹) who fails to prioritize athlete safety, health, and well-being, (including failing to report or investigate abuse, or covering up abuse).
 - Specify the right to punitive damages for all types of abuse.

Furthermore, NGBs and international governing bodies (such as FIFA, FIG, and the IOC) must require that all sports organizations (from local sports clubs to national teams) implement comprehensive abuse prevention measures.

- Clubs, and national and international governing bodies must regularly check national and international SafeSport and sex offender databases. This prevents abusers from moving from one age group, gender, club, or country to another).
- Club and team hiring committees must ask <u>screening questions</u> designed to detect abusers (including questions regarding coaching philosophy and narcissistic and other personality disorders).

- Clubs and teams must insist on specifics about why coaches or team staff left their previous position. This is especially important if the potential hire tells the new organization "We didn't share the same coaching philosophy" or if the former employer says "The coach left for personal reasons."
- All newly hired coaches and staff must be SafeSport trained and sign a <u>conduct</u> <u>agreement</u>.
- Clubs and teams must require informed consent in every athlete interaction (especially in sports like gymnastics that require physical adjustments or spotting).
- Club and team staff must be required to act as mandated reporters.
- Clubs and teams must educate athletes and parents to recognize and report all types of abuse.
- Clubs and teams should give every athlete a simple automated <u>anonymous</u> <u>survey</u> regarding their experience with each coach and staff member twice a year.
- In addition to these essential abuse prevention measures clubs and national teams should train staff to use positive, holistic, athlete-centered coaching methods.

Finally, the IOC must establish a World Abuse Prevention Association (WAPA), with the authority to sanction and ban coaches, clubs, NGBs, IGBs, and countries who perpetrate or enable abuse. WAPA should be the functional equivalent of WADA (the World Anti-Doping Association). If the IOC can create a program to remove athletes who dope from sport, then they can create a program to remove people who abuse athletes and those who enable abuse from sport.

- WAPA should bar individuals and organizations that fail to protect their athletes from abuse from international competition, including junior and senior World Championships, and the Olympics
 - Establish a lifetime ban for abusive individuals and individuals who enable abuse.
 - Bar sports organizations (NGBs like USA Gymnastics, countries like the US and Canada, and IGBs like FIFA (Federation Internationale de Football Association), FIG (Federation Internationale de Gymnastique) that allow abuse until the organizations do the following:
 - Resolve all pending cases.
 - Make amends to the victims (including providing financial support for therapy for as long as it is needed).
 - Hold abusers and enablers accountable.
 - Establish robust, effective abuse prevention programs.

And if sport continues to demonstrate that it cannot self-govern and is incapable of protecting athletes from abuse then then the UN Commission for Human Rights must establish an independent body to ensure athlete safety.

It is crucial that parents, club directors, Congress, SafeSport, NGBs, IGBs, and the IOC prioritize athlete safety and well-being over money and medals. **Together we can and must act to protect athletes from abuse and the devastating psychological after-effects.**

The Honorable Judge Rosemarie Aquilina Amy Saltzman M.D.

If you are committed to protecting athletes from abuse, we recommend you implement all of the following <u>comprehensive preventive policies and procedures</u>.

If you want to understand the subtle tactics of coercive control often utilized by abusive coaches we recommend you read <u>Ending Cycles of Abuse in Sports and Society: See</u> <u>it. Stop it. Heal it</u>

- ⁹ https://www.usatoday.com/story/sports/soccer/2022/11/01/former-player-mana-shim-heads-us-soccer-task-force-on-abuse/50890767/
- ¹⁰ https://apnews.com/article/safesport-us-soccer-federation-womens-world-cup-

¹ https://theathletic.com/4752956/2023/08/06/simone-biles-olympics-us-classic/

² https://www.forbes.com/sites/brianbushard/2023/07/27/womens-world-cup-hits-record-tv-viewership-forgroup-stage/?sh=7dbf1ce8358e

³ https://www.forbes.com/sites/carlieporterfield/2022/10/03/us-soccer-failed-to-protect-womens-players-from-systemic-abuse-and-sexual-misconduct-report-finds/?sh=1518864f81a4

⁴ https://www.usatoday.com/story/sports/olympics/2023/05/22/safesport-goal-protect-athletes-abusecriticism/70236315007/

⁵ https://www.forbes.com/sites/ceceliatownes/2019/09/19/what-happens-when-it-is-too-expensive-to-protect-athletes-from-sexual-predators/?sh=33f4c6107ddf

⁶ https://www.forbes.com/sites/minkyworden/2023/07/31/fifa-must-show-the-red-card-to-sexual-abuse/?sh=5eb7563c2180

⁷ https://www.theguardian.com/commentisfree/2022/feb/24/the-kamila-valieva-case-shows-yet-again-that-the-ioc-is-betraying-teen-athletes

⁸ https://www.nytimes.com/2018/01/24/sports/larry-nassar-sentencing.html

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¹¹ https://www.washingtonpost.com/sports/olympics/2022/06/08/larry-nassar-victims-fbi-lawsuit/