

“Athlete Safety and the Integrity of U.S. Sport”  
U.S. Senate Committee on Commerce, Science, and Transportation  
Presented by Ju’Riese Colón, CEO, U.S. Center for SafeSport  
February 5, 2020

Thank you, Chairman Wicker and Ranking Member Cantwell, for inviting the U.S. Center for SafeSport (“the Center”) to participate in this hearing and providing me the opportunity to share the Center’s mission, vision, and progress.

The U.S. Center for SafeSport opened its doors nearly 3 years ago in the wake of several high-profile abuse cases. The Center is unique. We are an independent, nonprofit 501(c)(3) organization responsible for responding to and preventing emotional, physical, and sexual misconduct and abuse in U.S. Olympic and Paralympic communities. We are the only organization in the country congressionally mandated to take on this critical task.

Our mission is to make athlete well-being the centerpiece of our nation’s sports culture through abuse prevention, education, and accountability. We live this mission every day by focusing on three main priorities.

1. **One, Preventing abuse in sport:** We educate coaches, athletes, and others involved in sport to prevent abuse, recognize signs of grooming, understand appropriate boundaries, and report. To date, we’ve trained over 1 million individuals through our online SafeSport training and anticipate training at least 2 million more in 2020. We believe prevention, education, and training are critical to culture change.
2. **Two, Organizational accountability and transparency:** We develop athlete safety policies and best practices for the U.S. Olympic & Paralympic Committee (USOPC) and more than 50 National Governing Bodies (NGBs), representing between 13 and 18 million participants. The Center also holds the USOPC and every NGB accountable for these policies through a robust audit and compliance program. To date, we have completed 51 audits, reaching 100% of the NGBs, including the USOPC. In 2020, the Center will to be on the ground to audit competitive events around the country.
3. **Three, Individual accountability:** This is arguably our most critical function. The Center holds those who have abused others accountable by thoroughly investigating allegations of emotional, physical, and sexual abuse and misconduct and prohibiting those who have perpetrated abuse from participating in Olympic and Paralympic sport.

This includes coaches, athletes, officials, referees, medical professionals, volunteers, and administrators at the highest levels of sport.

To date, we've received nearly 5,000 reports and sanctioned 627 individuals from participating in Olympic and Paralympic sport. Cases include grooming behavior, bullying, hazing, forcing athletes to compete through serious injuries, withholding food and water, sexual harassment, sexual assault, and rape.

The list of what athletes have had to endure, unfortunately, could go on and on.

That's why it's vital those who perpetrate abuse are held accountable—and the U.S. Center for SafeSport has been successful in doing so. We are grateful that Congress has codified this authority.

When we first opened our doors, the Center received 39 reports of allegations of abuse each month. At the time, we had one investigator on staff.

Today, nearly 3 years later, we receive more than 200 reports a month of physical, emotional, and sexual abuse. That is more than a 500% increase in less than 3 years.

We have spent considerable time, energy, and resources to not only ensure that our investigative policies and practices are fair and consistently applied, but to implement controls and processes to ensure we address allegations as efficiently as possible.

Because when athletes are at risk, time is of the essence.

Last year, we received a report that a coach was sending sexualized communications to a minor athlete and was about to leave the country with her for an athletic competition. She was 14; he was in his 30s. To ensure she wasn't further harmed, our Intake staff took quick action. We spoke to the minor and her parents, gathered evidence, and ultimately imposed temporary measures to prevent her coach from travelling with her while our investigation progressed. All of this happened within 5 days.

Moving quickly was necessary for her safety and to eliminate the risk of abuse. We've done temporary measures hearings on the weekends, and even the day after Christmas. But not all investigations move that quickly. And that's by design.

We pride ourselves on conducting thorough, neutral, trauma-informed, and unbiased investigations. Our investigative staff includes retired FBI and NCIS agents, retired sex crimes detectives, former JAG prosecutors, former public defenders, a former federal administrative law judge, and child protective services investigators, many of whom have spent their entire careers investigating sexual abuse.

The Center also has multiple internal safeguards in place before any person is sanctioned or suspended. For instance, we guarantee hearings on temporary suspensions within 72 hours, if a Respondent requests, so that those individuals who think we got it wrong can challenge our decision before an independent arbitrator.

During arbitrations, respondents can be represented by counsel, challenge our evidence, cross-examine our witnesses, and put forth their own evidence. In a recent arbitration, the Respondent was represented

by 3 attorneys and brought seven of his own witnesses. Ultimately, after hearing all the evidence, the arbitrator upheld the Center's findings of sexual misconduct and our sanction of permanent ineligibility.

The Center has come a long way. We have developed policies where there were none. We have provided a mechanism for athletes to seek resolution. We have required training where it was once rarely utilized. We have held hundreds of individuals accountable for causing harm. And, as a result, we are leading the charge in changing the culture of sport.

But there is still much work to be done. To meet the growing needs of our athletes, and the rapid growing caseload, the Center has expanded our Response & Resolution team, tripled the size of our audit and compliance team, and will host more trainings in 2020 than ever before.

We are grateful for the resources received thus far and are hopeful about the potential for ongoing and reliable funding through the *Empowering Olympic and Amateur Athletes Act of 2019* introduced by Senator Moran and Senator Blumenthal last year, co-sponsored by many other Senators, and voted favorably by this committee.

This year, 600 of America's best and most talented athletes are headed to Tokyo. We owe it to them and to the young people in your state and across the country, wanting to be them someday, to do everything in our power to ensure they have a safe and positive experience.

The Center is committed to doing just that. Our focus on prevention, holding organizations accountable and holding individuals accountable has, and will continue, to have a tremendous impact on athletes throughout this country for years to come.

## Ju'Riese Colón BIO



Ju'Riese Colón is the Chief Executive Officer of the U.S. Center for SafeSport, the nation's only nonprofit organization committed to ending all forms of abuse in sport. As CEO, Ju'Riese leads the strategic vision and direction of the organization to ensure every athlete is safe, supported, and strengthened through sport.

Ju'Riese previously served as the National Vice President of Child & Club Safety for the Boys & Girls Clubs of America. She was responsible for developing and leading the organization's child safety policies and initiatives for more than 1,100 Boys & Girls Club Organizations and 4,300 Boys & Girls Club locations across the United States, including those located on Native lands and military bases.

Ju'Riese also served as the Executive Director of Prevention & Outreach for the National Center for Missing & Exploited Children (NCMEC). She led NCMEC's prevention and education programs and initiatives related to online safety, child abduction and sexual exploitation and their delivery to children, families, schools, and the public. Ju'Riese was with NCMEC for 15 years.

Her professional experience also includes leading prevention and outreach initiatives with youth serving organizations serving families, educators, law enforcement, and diverse communities. Ju'Riese is an experienced child advocate and serves as an expert on issues related to child safety. She is a graduate of Virginia Commonwealth University where she received degrees in both Criminal Justice and Spanish. She also holds a degree from the Proyecto Lingüístico Francisco Marroquín in Antigua, Guatemala.

Ju'Riese is based in Denver, CO.

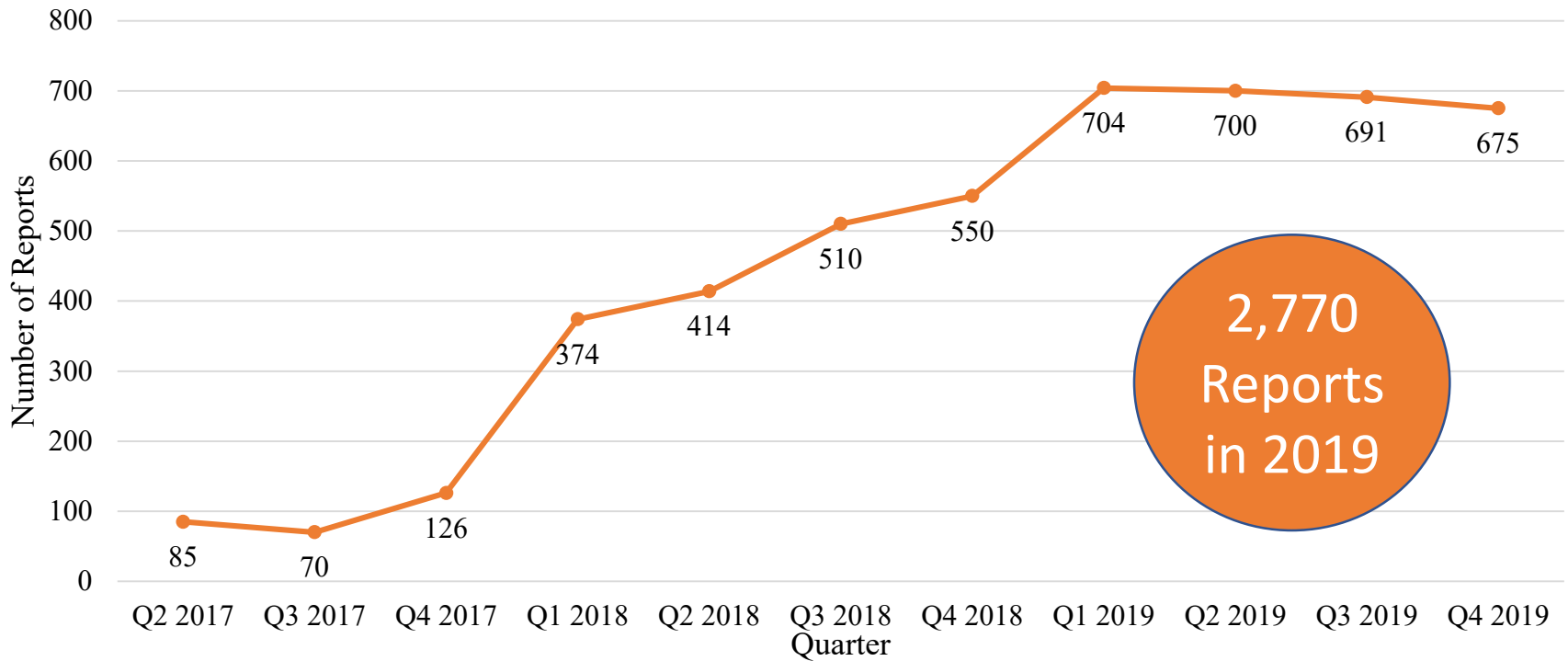
# U.S. Center for SafeSport



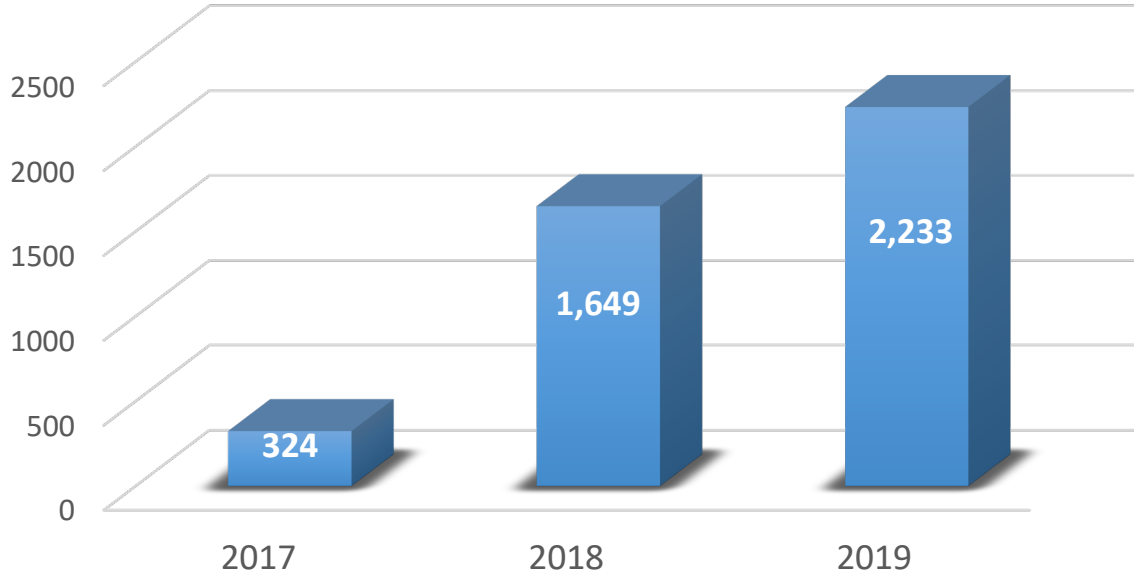
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# Total Reports *By Quarter*



**Total Cases**  
*FY 2019 & By Year*



## **Case Resolutions** *FY 2019 & Total Cumulative*

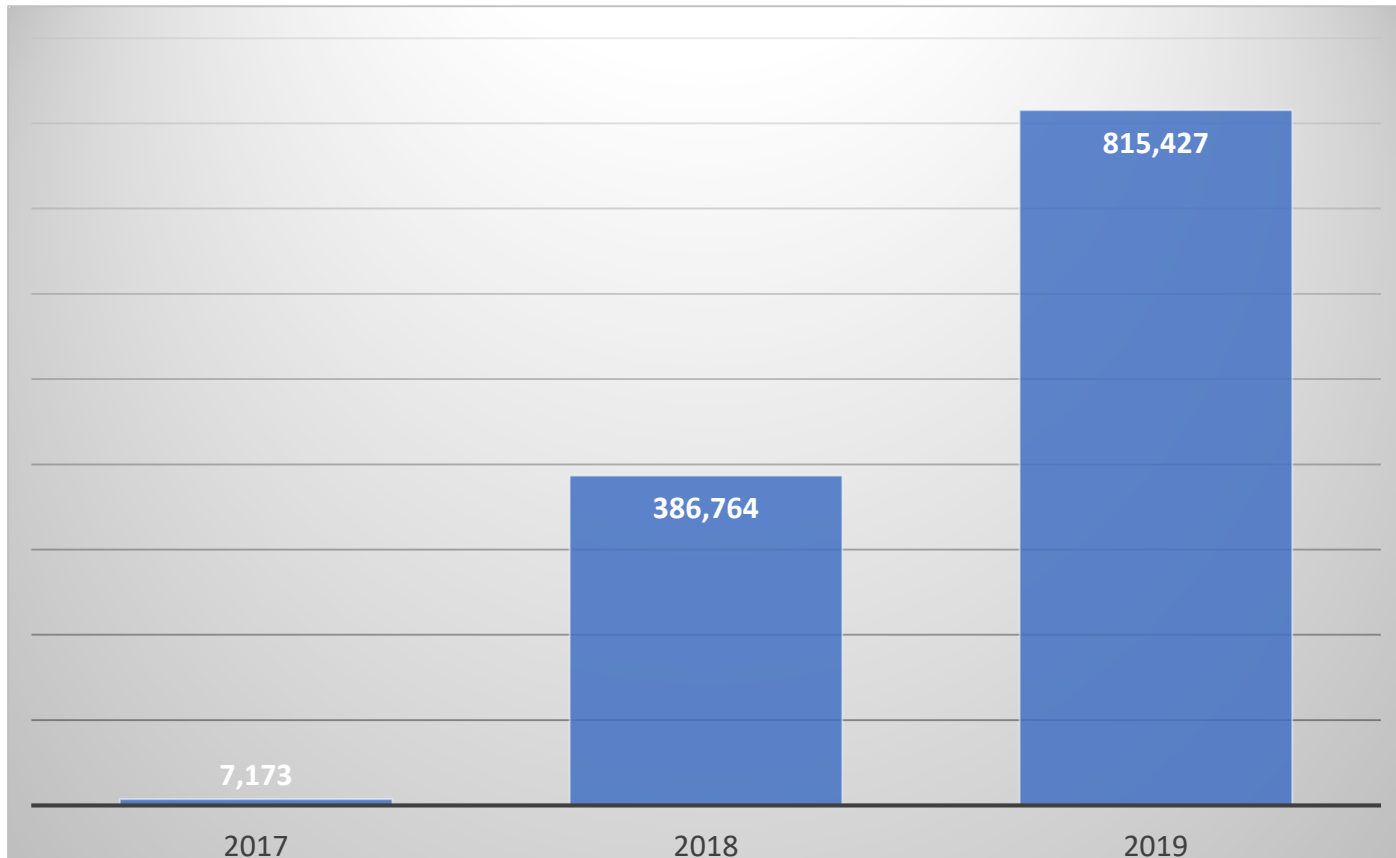
### **Primary Sanction (All Time)**

Formal Warning	17
Ineligible	247
Limited Participation	2
Permanent Ineligibility	235
Probation	46
Suspension	80
<b>Total Violation(s)</b>	<b>627</b>

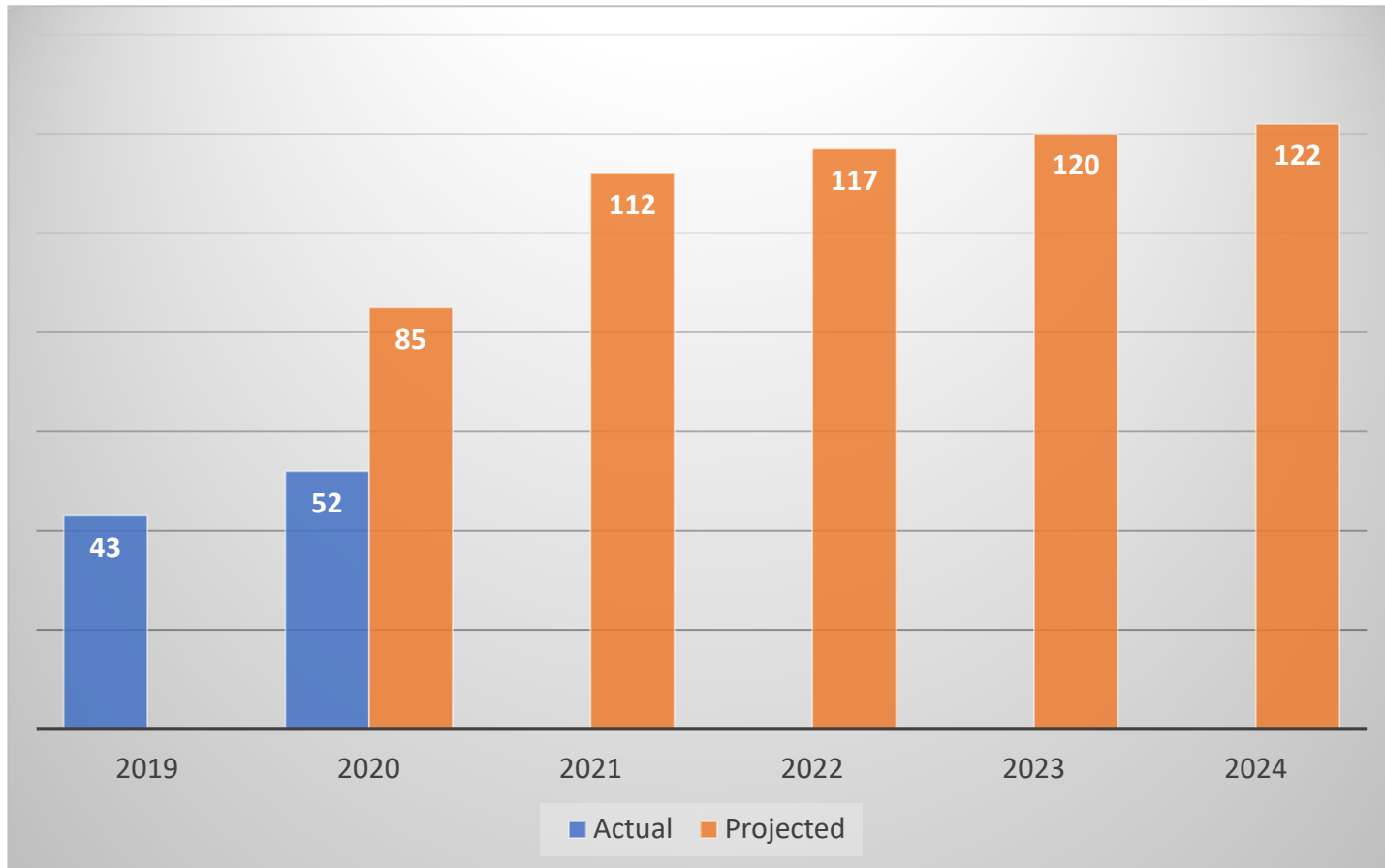


# Online Course Completions 2017–2019

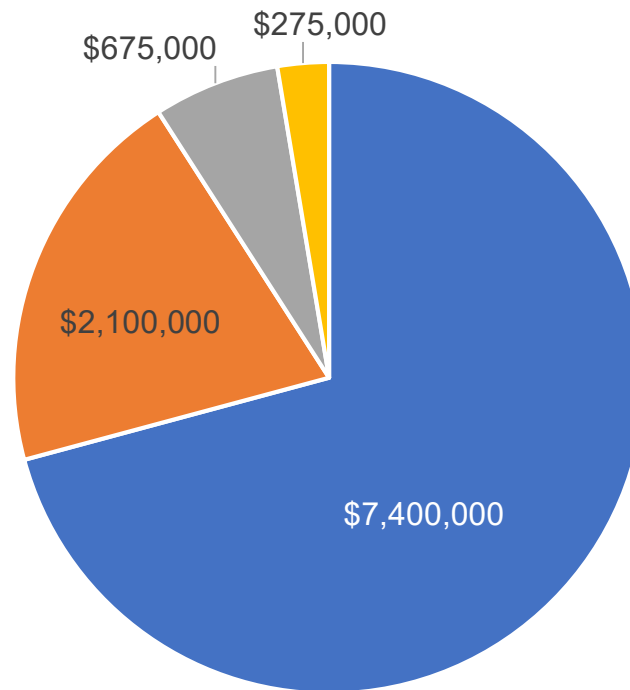
*>1.2 million trained to date*



# Staffing Needs (5-Year Projection)



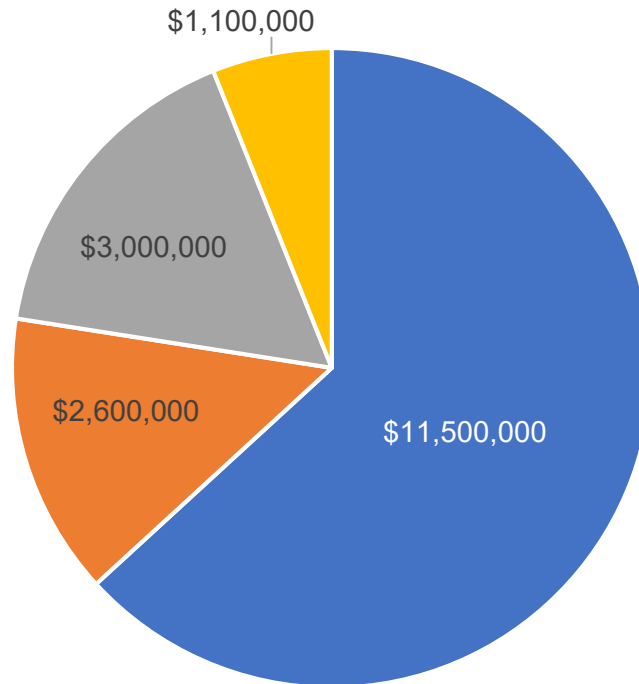
# 2019 Funding Sources



■ USOPC ■ NGBs ■ Federal ■ Other Grants

**Total Budget ≈ \$10.5 million**

# 2020 Funding Sources



■ USOPC ■ NGBs ■ Federal ■ Other

**Total Budget ≈ \$18.2 million**

# U.S. CENTER FOR SAFESPORT: RESPONSE AND RESOLUTION PROCESS

**REPORT RECEIVED**

By phone:  
**720.531.0340**

OR

Website:  
[uscenterforsafesport.org/  
report-a-concern](https://uscenterforsafesport.org/report-a-concern)

REPORTING AND INTAKE

1. Is the alleged misconduct covered under the SafeSport Code? **AND**
2. Was the alleged misconduct committed by a participant within the U.S. Olympic & Paralympic Committee?

NO

Center does not have jurisdiction, makes necessary referrals.

YES

## Alleged Sexual Misconduct

Center has exclusive jurisdiction, will address and resolve.

## Alleged Emotional and Physical Misconduct

Center has discretionary jurisdiction, may address or may refer to relevant NGB for resolution.

NO

NGB handles all other SafeSport Code violations.

YES

**Intake process:** Preliminary information gathering and initial contact with involved parties. Interim measures may also be imposed as necessary, and if so, Respondent may request an interim measures hearing at any time.

REFERRED FOR FORMAL RESOLUTION

ADMINISTRATIVE CLOSURE:  
Insufficient information to move forward

INFORMAL RESOLUTION

INVESTIGATION

1. Assign a trained investigator.
2. Conducts interviews, gathers all relevant information and evidence.
3. Prepares formal investigation report for Director's Decision.



Respondent takes accountability for misconduct, Center resolves.

INVESTIGATOR'S REPORT

NOTICE OF DECISION

If a sanction is assigned, the Respondent may request arbitration.

ARBITRATION

Center issues a Decision as to whether a violation of the SafeSport Code occurred, and if so, assigns a sanction.

**DECISION IS FINAL**

RESOLUTION

# TEMPORARY MEASURES OVERVIEW

This is intended as an overview of the Temporary Measures process. For the rules governing Temporary Measures, you should consult the U.S. Center for SafeSport Code available online at [www.uscenterforsafesport.org](http://www.uscenterforsafesport.org). In particular, Rule 40 governs Temporary Measure hearings.

## What are Temporary Measures?

Temporary Measures are tools that allow the Center flexibility to mitigate potential risks to the sport community and to protect the well-being of individuals. They are implemented on a case-by-case basis and tailored to the specific needs of a matter. They can include many different tools, including, for example, no-contact orders, restrictions on travel or event attendance, restrictions on interactions with minors and temporary suspensions.

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## When are Temporary Measures Implemented?

Temporary Measures can be implemented at any time during the Center's process.

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## Do you use Temporary Measures in every case?

No. Measures are implemented when the Center believes, based on the current information and evidence, that they are necessary to protect sport community or athletes. Generally, Measures are implemented based on the severity of the allegations, the evidentiary support for the allegations and/or the perceived risk to athletes or the sport community.

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## Are Temporary Measures Permanent?

No. As the name suggests, measures are temporary pending completion of the investigation and a final decision being made.

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## Does a Temporary Measure mean the Center has determined someone violated the Code or did something wrong?

No. Issuance of a Temporary Measure is not a finding or decision that someone has engaged in misconduct. Instead, Measures are a tool that the Center uses to protect athletes and sport based on the current state of the evidence.

## Are Temporary Measures ever modified?

Yes. The Center consistently reevaluates the need for Temporary Measures as new information becomes available. In some instances, the Center may modify measures to include additional restrictions, up to and including a suspension. In other instances, the Center may lift one or more restrictions for a specific timeframe or until new information becomes available. These determinations are made on a case-by-case basis based on the current information available to the Center.

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## If I'm a Respondent, when am I told that a Temporary Measure has been put in place?

The Center provides Respondents with a detailed letter called a Notice of Allegations & Temporary Measures, which includes:

1. The reasons for the Temporary Measure and the allegations upon which it has been issued. If you do not understand the reasons set forth in the letter, please contact the Center at [resolutions@safesport.org](mailto:resolutions@safesport.org) or call (720) 965-1524.
  2. Your right to immediately request a hearing in front of a neutral arbitrator to challenge the need for the Temporary Measure. The Center must provide the hearing within 72 hours of your request if you so desire.
  3. Information regarding the investigative process, next steps, and your option to have an advisor (who may be an attorney) to guide you through the process.
  4. Your right to identify witnesses and provide other relevant evidence as part of the investigative process.
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## I have been temporarily restricted or suspended. What should I do?

First, review the *Notice of Allegations & Temporary Measures* letter carefully. You should also go to [www.uscenterforsafesport.org](http://www.uscenterforsafesport.org) and review or download the SafeSport Code. Temporary Measures are generally governed by Rule 40 in the Code.

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## Are Temporary Measures published?

Yes. When the Center determines it is necessary to issue an temporary measure, it will publish the measure on its public database. In all instances, the Center will communicate a Temporary Measure to the relevant National Governing Body(ies) as the NGB has an obligation to enforce the Center's Measures.

### Can I talk about the Temporary Measure?

In no way does the Center restrict an individual from speaking for themselves, though it may advise caution in the interest of protecting individuals' privacy and safety, especially that of minors. The Code does generally prohibit the identification of Reporting Parties or Claimants.

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### Does a hearing cost money?

Yes. Hearings are provided by an independent neutral arbitrator unaffiliated with the Center. At this time, the Center utilizes a pool of arbitrators from JAMS. The cost of a Temporary Measures hearing is currently \$1,500. The Center pays \$1000 of that amount, and the person requesting the hearing is responsible for \$500.

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### What happens at the Hearing?

A hearing on a Temporary Measure is governed by SafeSport Rule 40.



# INVESTIGATIONS OVERVIEW

The following is intended to provide answers to frequently asked questions related to the Center's investigation process, which, for ease of reference, have been organized according to common questions asked by specific types of parties involved in that process. This process is governed by the SafeSport Code for the U.S. Olympic and Paralympic Movements ("the Code"), available online at [www.uscenterforsafesport.org](http://www.uscenterforsafesport.org). Per the Code, and as referenced below, a Claimant is the person who is alleged to have experienced conduct that constitutes a Code violation, a Respondent is the person whose behavior is alleged to have violated the Code, and a Witness is a person who may have information relevant to the allegations.

## COMMON QUESTIONS FROM INVOLVED PARTIES

### What is the role of the Investigator?

The Center typically assigns a single investigator to a matter. However, for complex cases, the Center may also assign multiple investigators and/or additional subject matter experts. The investigator's role is to determine, by a preponderance of the evidence (i.e., more likely than not), whether or not a Respondent engaged in behaviors that violate the Code. In doing so, an investigator may interview the Respondent, Claimant, and any relevant Witnesses. They may also gather additional relevant information, including physical and/or documentary evidence. The investigator concludes their investigation by drafting an Investigation Report.

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### What happens after an investigation concludes?

After the investigator completes the Investigation Report, it is reviewed by one or more Assistant Director of Investigations and Outcomes. The finalized Investigation Report is presented to the Center's legal team who applies the Code to the investigator's findings of fact and drafts the Notice of Decision. The Response & Resolution Leadership Team reviews the final Investigation Report and Notice of Decision to determine the appropriate sanction, if any. The sanction, if any, is then included in the final Notice of Decision. The Claimant and Respondent are provided with access to both the Investigation Report and the Notice of Decision. The associated National Governing Body (NGB) receives a copy of the Notice of Decision so that it is aware of the outcome and can ensure that any sanctions imposed are enforced.

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### I'm worried that if I participate in the Center's process, someone will retaliate against me.

It is a violation of the Code to retaliate against any party who participates in the SafeSport process. If you feel that you are the target of possible retaliation, you are encouraged to immediately report those concerns to the Center.

Who made this complaint? Will I learn who that is?

The Center does not disclose the identity of the person who initially reported allegations to the Center, as it is not relevant to whether the alleged misconduct actually occurred. However, a Respondent will learn the identity of a Claimant and any relevant, participating Witnesses during the investigative process.

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Are you going to give this information to the police / law enforcement?

The Center is a mandatory reporter and therefore, in instances that require mandatory reporting—such as in the case of allegations involving child abuse—the Center will report those allegations to the relevant law enforcement agency.

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## **COMMON QUESTIONS FROM A RESPONDENT**

How do I know if I am under investigation by the Center?

When the Center initiates a formal investigation, it will issue a Notice of Allegations letter containing the information currently available to the Center, including a general description of the alleged misconduct, when the incident(s) allegedly occurred, and who's involved. The Notice of Allegations will also provide information about the Code, your right to have someone advise you during the process, and that you will be contacted by a SafeSport Investigator. This Notice may be updated as more information and evidence becomes available to the Center. Sometimes this letter may come in the form of a Notice of Allegations & Temporary Measures, which means the Center is providing notice of the allegations as well as implementing corresponding Temporary Measures (for more information on Temporary Measures, see the related FAQ).

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Do I get an attorney?

Respondents may be accompanied and/or assisted by an advisor throughout the process, and that advisor may be an attorney.

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Do I have to talk to you?

Respondents may choose the degree to which they choose to participate in the Center's process. However, if a Respondent elects not to participate or limits their participation in the Center's process, the Center will resolve the matter without the benefit of the Respondent's participation based on all information and evidence available.

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How long will this process take?

The Center endeavors to resolve all matters as efficiently and effectively as possible. Many factors will impact the length of an investigation including, but not limited to, the availability and location of witnesses and evidence, the number of alleged incidents, and the number potential Claimants.

Can I see all the evidence the Center has in advance of an interview with the investigator?

The Center's investigatory process does not require that an investigator share information or evidence with a Respondent prior to an interview.

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## **COMMON QUESTIONS FROM A CLAIMANT**

Can I be anonymous?

A Claimant may request that personally-identifying information not be shared with a Respondent. The Center will seek to honor the Claimant's request(s) if it is possible to do so while also protecting the health and safety of the Claimant and the sporting community. However, a Claimant's decision to remain anonymous or limit their participation in the Center's process may hinder the Center's ability to either fully investigate or to render a Decision in a specific matter.

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What will be shared with the Respondent if I participate in the investigation?

During the investigation, the Center provides the Respondent a fair opportunity to respond to all relevant evidence. A Respondent will receive a Notice of Allegations letter and, once the investigation concludes, will also receive the Investigation Report and Notice of Decision.

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What will be shared with me if I participate in the investigation?

Just as with Respondents, a Claimant will also receive the Investigation Report and Notice of Decision.

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## **COMMON QUESTIONS FOR A WITNESS**

A SafeSport investigator emailed/called me; do I have to talk them?

Under federal law and the Code, Participants in the Olympic Movement must report all known or suspected instances of sexual misconduct to the Center. If a Participant knows or suspects any form of child abuse, it must report to both the Center and to law enforcement. While in some instances a witness may not be required to participate in an investigation, the Center strongly encourages anyone with relevant information regarding alleged misconduct to participate in the investigation process to help ensure a sport culture free from abuse and misconduct.

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Who will know that I participated in an investigation?

The Claimant and Respondent in a matter will be informed of any relevant information collected during an investigation, including the names of witnesses who provide information. Relevant interview statements and any physical, electronic, or documentary evidence provided during an investigation will also be shared with the Claimant and Respondent, but will otherwise be kept as confidential as possible.

Will I get updates on a case? Will I be informed of the outcome?

The Center's investigations are confidential. Accordingly, witnesses will not receive updates and will not be notified of the outcome. However, outcomes resulting in a sanction of ineligibility (e.g., suspension) may be available on the Center's online Centralized Disciplinary Database.

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Will I get a copy of my statement?

Per the above, the Center's investigations are confidential. Accordingly, only the Claimant and Respondent will have access to the Investigation Report, including any interview statements recorded as part of the investigation.

## ARBITRATIONS OVERVIEW

The following is intended to provide answers to frequently asked questions related to the Center's arbitration process, which may occur after either (1) the Center implements a Temporary Measure affecting a Participant's ability to participate in sport ("Temporary Measures Hearing"), or (2) the Center completes an investigation and renders a Decision ("Merits Arbitration"). This process is governed by the SafeSport Code for the U.S Olympic and Paralympic Movements ("the Code"), available online at [www.uscenterforsafesport.org](http://www.uscenterforsafesport.org).

### What is the difference between a Temporary Measures hearing and a Merits Arbitration?

As the name suggests, a Temporary Measures Hearing provides a Respondent an opportunity to contest the imposition of certain Temporary Measures implemented by the Center, whereas a Merits Arbitration is a Respondent's opportunity to contest the Center's findings after an investigation has been completed and a Notice of Decision issued. For more information about Temporary Measures Hearings, please see the corresponding FAQ.

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### Does a Merits Arbitration occur automatically, or do I have to request it?

As set forth in the Notice of Decision, you must request a Merits Arbitration (or receive an extension of time to request a Merits Arbitration) within five business days of the issuance of the Decision. If you do not request an Arbitration (or receive an extension of time), the Center's decision is final.

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### I thought the Center made its decision; why is there a hearing?

The Center's Notice of Decision is one step in the Center's process. It represents the Center's determination that the alleged conduct either did or did not occur and the appropriate sanction(s), if any. To ensure a fair process, Respondents may request that the Center present its case to an independent arbitrator. The arbitrator will review the facts and evidence and reach an independent and binding decision regarding whether the Center has shown a violation more likely than not occurred (preponderance of the evidence) and, if so, imposed the appropriate sanction.

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### Who pays for a Merits Arbitration?

A Respondent is responsible for the JAMS arbitration fee. In certain circumstances, an arbitrator may require the Center to reimburse a Respondent for some or all of the arbitration fee. A Respondent may also apply for a hardship exemption if they are unable to pay the arbitration fee. A Claimant is not responsible for any of the costs associated with an Arbitration.

## Generally, what happens at an Arbitration?

Typically, a Merits Arbitration looks a lot like a mini-trial. Each side will make an opening statement, present witnesses and evidence, and make closing statements. The Center has the burden to prove the misconduct more likely than not occurred, and that it imposed the appropriate sanction.

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## Who has to testify at a Merits Arbitration?

To ensure the arbitrator makes a fully informed decision, the Center seeks to provide the arbitrator with all relevant evidence, including testimonial and documentary evidence. To ensure the best presentation of the matter, this typically will include the testimony of the Claimant(s) and any relevant witnesses. The Center recognizes that it may be difficult for some Claimants to participate fully in an arbitration hearing and offers alternative methods of providing testimony, including participating in the arbitration through video conference rather than in person, and responding to questions from the arbitrator rather than from Respondent or Respondent's counsel. A Claimant can discuss these and other options for participation with the Center's counsel prior to an Arbitration. In some cases, if a Claimant chooses not to participate in the Merits Arbitration (as is their right), the Center may determine that it cannot move forward without such testimony. In such cases, the Center may seek to withdraw its Decision until such time as a Claimant decides to participate.

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## Where is an Arbitration held? Would I have to travel for it?

Merits Arbitrations are typically held by video-conference. You can participate remotely from anywhere in the world through any device (such as a laptop) that can access video-conferencing. In some cases, a Respondent or the Center may request and be granted an in-person hearing. In such instances, you can choose to appear in-person or through the video-conference.

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## How long does an Arbitration hearing last?

Except in exceptional circumstances (as determined by the Arbitrator), Merits Arbitrations are typically to be completed within one-day.

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## Who are the arbitrators who conduct these hearings?

JAMS, an independent arbitration services provider, administers the Merits Arbitrations. The JAMS arbitrators utilized by the Center are former judges and practicing attorneys who have experience in sexual misconduct cases, and all receive SafeSport arbitrator training.