

THE USOC KNEW NGBs WERE NOT COMPLYING WITH THE AMATEUR SPORTS ACT, KNEW ATHLETE SEXUAL ABUSE WAS A FREQUENT, REOCCURRING PROBLEM, AND MADE THE CALCULATED DECISION NOT TO ACT ON BEHALF OF ATHLETES

The Ted Stevens Olympic and Amateur Sports Act gives the U.S. Olympic Committee (USOC) the authority and responsibility to ensure that its member National Governing Bodies (NGBs) comply with the Sports Act's statutory membership requirements,¹ as well as the USOC Bylaws and policies. Together with state mandatory reporting laws, the USOC is required to ensure that NGB's protect athletes from sexual abuse and other harms. The time-line below outlines ongoing efforts to get the USOC, and more specifically, its CEO Scott Blackmun, to comply with its obligations under the Sports Act. This memo addresses Blackmun's inaction, NGB non-compliance, and the USOC's conscious, willful decisions to deny responsibility for sexual abuse by NGB coaches and others in positions of authority. If an athlete had a complaint with how they were treated, they were on their own. It was the USOC's position to let athletes bring Section 9 or Section 10 complaints in arbitration if they had an abuse issue with their NGB, rather than being able to rely on the USOC, the Athletes' Advisory Council, the Athlete Ombudsman, the U.S. Olympians and Paralympians Association, or SafeSport.

In view of the timeline of events outlined below, the USOC cannot now say that it was unaware of NGB non-compliance under the Sports Act, or the sexual abuse epidemic in USA Gymnastics and other NGBs. Indeed, Scott Blackmun and the USOC created the underlying conditions for sexual abuse to thrive by cutting athletes off from institutional support.

1988 – Scott Blackmun becomes a partner at Holm, Roberts & Owen (“HRO”) and advises represents numerous NGBs.

1990 – The USOC receives complaints by both a male Olympic Speedskater and the USA National Team Wrestling coach that Andrew Gabel had sexually abused teenage girls at the U.S. Olympic Training Site in Marquette, Michigan. The USOC took no action against Gabel, who would thereafter go on to sexually abuse children at the Olympic Training Centers in New York and Michigan as well as on several USOC-sanctioned international trips, including the Olympics in Albertville, France and Lillehammer, Norway.

1992 – At the 1992 Barcelona Olympics, the USOC has to intervene and arrange housing for the American Taekwondo delegation after a Spanish landlord threatened eviction after witnessing a USA Olympic Taekwondo coach having sex with a teenage Olympian.

¹ Section 220521(d) of [The Ted Stevens Olympic and Amateur Sports Act](#) provides that the USOC “may review all matters related to the continued recognition of an organization as a national governing body and may take action it considers appropriate, including placing conditions of the continues recognition [of the NGB]”. See also Section 8.1 as well as Section 8.20 of the USOC Bylaws pertaining the procedures to be followed by the USOC “to suspend, revoke or otherwise take action with respect to the membership and recognition [of an NGB] pursuant to the provisions of Section 220521(d) of the Act....”

1993 – The USOC and USA Swimming fail to take action against Olympian and USA Swimming-certified swim coach Mitch Ivey, even though he is fired from the University of Florida after *The Chicago Tribune*, *The New York Times* and ESPN *Outside the Lines* report on Ivey’s sexual abuse of numerous underage athletes. One of Ivey’s victims commits suicide years later. An investigation of Ivey during his tenure at the Santa Clara International Swim Club in the 1980s would have found rampant problems of sexual abuse, not only by Ivey, but also by Ivey’s assistant coaches. USA Swimming waited 20 years to ban Mitch Ivey, allowing him to sexually harass and abuse other young swimmers.

1995 – Joan Ryan from the San Francisco Chronicle, publishes, *Little Girls in Pretty Boxes; The Making and Breaking of Elite Gymnasts and Figure Skaters*, a detailed account of the culture of sexual abuse in USA Gymnastics. The sport of gymnastics maligns Ryan as an outsider, and her book does not change practices in gymnastics or at the USOC.

1998 - Scott Blackmun becomes General Counsel and Deputy Executive Director of the USOC.

1998-99 – The USOC recognizes the substantial civil liability exposure it and its member NGBs have for the sexual misconduct of NGB coaches and others. The USOC then mandates that all NGBs must maintain liability insurance that specifically includes coverage for sexual abuse of minor athletes, as a condition of member-NGBs using the facilities at any USOC Training site.² By 1999, only USA Swimming had failed to obtain specific sexual abuse insurance.

Oct 11, 1999 – Scott Blackmun, still Deputy Executive Director of the USOC, receives a letter from Robert Colarossi, President of USA Gymnastics, accusing the USOC and its “Membership & Credentials Committee” of being indifferent to the welfare of children and asking the USOC be more proactive in helping USA Gymnastics deal with its problems of sexual abuse by coaches within USA Gymnastics. Also copied on this letter is Norte Dame Athletic Director Jack Swarbrick.

2002 – The USOC allows Andy Gabel to serve on the organizing committee for the Salt Lake City Winter Olympics, despite being advised years earlier of his sexual abuse of young speedskaters, who are also members of US Speedskating.

Fall of 2003 – Until this time, the authority to compel NGB compliance with the Sports Act and the USOC Bylaws and policies rested with the “Membership & Credentials Committee.” The M&C Committee was a volunteer group comprised of athletes and representatives of NGB’s, and a representative from the USOC General Counsel’s Office. The M&C Committee provided the NGB with an opportunity to be heard; if an issue was found, the M&C Committee, together with the recommendation from the USOC Exec Director and Board of Directors, could – and did – place non-compliance NGBs on probation, or even have its status as an NGB revoked.

USOC Board Chair Peter Ueberroth recommends to the USOC Board of directors that it should eliminate the M&C Committee. Ueberroth is successful. The USOC’s NGB oversight

² However, there were no protocols to assure USA Team physicians were licensed in the states where they worked repetitively. Dr. Larry Nassar was not licensed to practice medicine in Texas, where the USOC-designated Training site, the Karolyi Ranch, was located.

responsibilities performed by the M&C committee are taken in-house, to be performed by the USOC Membership and Working Group.

February 2, 2004 – The *Orange County Register* publishes an investigative report concerning sexual abuse within USA Gymnastics. It found that elite gymnasts had injury rates consistent with professional football players in the NFL, with greater than 93% suffering either broken bones or injuries requiring surgery. Gymnastics, however, is not a contact sport.

2006 – Scott Blackmun leaves the USOC and re-joins Holme Roberts & Owen as a partner. HRO is later acquired by Bryan Cave. Blackmun continues representing several Colorado Springs-based NGBs, including those accused of non-compliance with the Sports Act.

March 2006 – The USOC receives a written complaint from US Speedskater, Eva Rodansky, about USS National Team Coach. The Coach was having a sexual relationship with a female skater who he then helped place on the Olympic Team, while Rodansky was left off the team.

May 2007 – During a Section 9 American Arbitration Association proceeding³ involving a female Taekwondo athlete’s “right to compete” claim, an athlete testified that she was raped by her coach at a Taekwondo World Cup Federation event in Bangkok in Sept 2006. The rape allegations did not go to the merits to the Petitioner’s “right to compete” claim; accordingly, the arbitrator did not rule on the merits of the rape allegation. However, the AAA arbitrator, in a stinging rebuke to the USOC, wrote in the Conclusion of his Award:

“[The athlete’s] core message went to the protection of young girls in the Olympic movement who could be exposed to situations that are inappropriate and potentially damaging. One would hope that this message is not lost, and [that] young children in the Olympic movement are properly supervised, protected, and educated. **One would hope that that the USOC takes a serious look at the level of social interaction between the coaches and athletes...**” (Emphasis supplied)

October 4, 2007 – Letter from Ed Williams (Biathlon ’68; former Chair of the USOC Athletes’ Advisory Council and Chair of the USOC Legislation Committee; and former long-time USOC Board member) to Rana Dershowitz, Esq., USOC General Counsel, and copying John Ruger, Athlete Ombudsman, complaining that the USOC “does not appear to have any effective mechanism now in place to monitor and ensure NGB compliance...” The letter further complains of the USOC’s “hands off” attitude towards NGB compliance and concludes that “It is the responsibility of the USOC to oversee compliance by its member [NGBs].”

2008 – The law firm Bryan Cave represents United States Swimming in a lawsuit, *Taflinger v. USA Swimming*, filed in Indianapolis, Indiana.⁴ Rather than representing the interests of USA Swimming’s member athlete, Bryan Cave represents the interests of the NGB.

³ Section 9 of the USOC Bylaws.

⁴ In 2008, Brooke Taflinger learned that as a young swimmer she was one of many being secretly videotaped in the locker room by Coach Brian Hindson. USA Swimming Ex. Dir. Chuck Wielgus knew about the dangers of secret videotaping from as far back as 2004, yet did nothing to protect swimmers from this danger. Coach Hindson was arrested by the FBI, convicted, and sent to prison.

April 2009 – 1986 National Gymnastics Champion Jennifer Sey releases her book, *Chalked Up; My Life in Elite Gymnastics*. She eloquently describes a culture of athlete abuse; including physical, emotional abuse. The expectation was to starve athletes to delay puberty. Sey had many broken bones, muscle tears and bruises yet her coaches and the sport expected her to workout and compete. The effects lasted well into adulthood, affecting her self-esteem and relationships. USA Gymnastics and the USOC malign Sey, and do not make significant changes to the sport.

January 2010 – Scott Blackmun becomes full-time CEO of the USOC.

April and May 2010 – USA Swimming admits to ABC’s 20/20 that 36 coaches have been banned for sexually abusing young athletes, but that the list is private and inaccessible to clubs or the public. Moreover, the head of USA Swimming, Chuck Wielgus, refuses to apologize to the victims; he defiantly defends USA Swimming. The USOC remains silent.

May 2010 – Under oath during a deposition, USA Swimming’s CEO Chuck Wielgus admits that he knew of a 1989 secret settlement between Rick Curl, a Hall of Fame swim coach, and the family of the girl he molested for years. Despite that knowledge, USA Swimming allows Curl to continue coaching, and the USOC takes no action.

Spring 2010 – Mike Saltzstein, former USA Swimming board member, wrote an op-ed in the *Los Angeles Times* detailing the organization’s persistent failure to address sexual abuse. USA Swimming responded by suspending the whistle-blower, Mike Saltzstein. An AAA arbitrator found that USA Swimming’s actions against Mr. Saltzstein were “arbitrary and capricious” and orders USA Swimming to reinstate Mr. Saltzstein to full membership status in USA Swimming. The USOC takes no action.

July 28, 2010 – The Associated Press reports that USA Swimming keeps a secret list of known child molester coaches that is different than the organization’s published banned list.

Summer 2010 – Now under pressure from the media, the USOC appoints the first of many committees to address sexual abuse in the Olympic movement. This one was titled a “Working Group for Safe Training Environments”. The group was charged with developing a set of recommendations concerning misconduct in sport. Among those appointed to the group is Steve Penny, USAG’s President from 2005 to 2016, a period of time during which Larry Nassar abused numerous athletes.

- Address sexual and physical misconduct in sport;
- Review the guidelines across sport and sport-related organizations for responding to these issues;
- Assess the needs of athletes, coaches, staff, National Governing Bodies, clubs and other sport organizations; and
- Develop a set of recommendations to promote athlete well-being.

The USOC fails to implement the recommendations of the Task Force, even though they were supposed to be implemented within six months.

Sept 23, 2010 – Two former Chairs of the USOC Athletes’ Advisory Council, Micki King (Diving, ’68 and ’72) and Ed Williams (Biathlon, ’68), meet with Scott Blackmun in Colorado Springs, along with John Ruger, the Athlete Ombudsman and Debra Yoshimura, Director of the

USOC Audit Division are also in attendance. Their message was that the USOC's in-house oversight and review of NGB compliance by the USOC's Membership Working Group was not working; NGBs were out of compliance, to the detriment of athletes. King and Williams suggest that the USOC's compliance functions mandated by the Sports Act be taken over by the Audit Division of the USOC.⁵ The USOC does not act on this plea and there is still no effective USOC oversight of NGBs, as mandated by the Sports Act.

June 2011 – A female Taekwondo Olympian sends a sworn Declaration to the USOC Director of Ethics and Safe Sport, Malia Arrington, reporting that when she was 15 years old and competing at a Junior World competition in Vietnam, she was sexually harassed and abused, both verbally and visually, by the then CEO of USA Taekwondo. In her Declaration she also detailed a second sexual and highly objectionable incident during a subsequent foreign competition that was perpetrated on her and other female athletes by the same CEO of Taekwondo in 2007.

October 2011 – The *Orange County Register* writes another investigative story on sexual abuse within USA Gymnastics. It found that even coaches that were banned by USA Gymnastics continued to coach children.⁶

March 18, 2012 – 1972 Olympic Gold Medalist Deena Deardorf Schmidt participates in a press conference, claiming that her Swimming Hall of Fame coach molested her from the age of 11; a nightmare that lasted four years. She told adults and USA Swimming at age 17, but no one in USA Swimming listened or acted. The coach is still in the Hall of Fame. The USOC also remained silent.

April 20, 2012 – Elite Gymnasts collectively write to USA Gymnastics and lay out detailed plans to protect athletes from abuse. The recommendations are supported by:

Jennifer Spiegel, Tracy Butler (Coe), Tracy Calore (Savino), Suzy Baldock Delgado, Angie Denkins, Jennifer Greenhut, Penny Hauschild (Buxton), Kathy Johnson Clark, Sabrina Mar, Lisa Panzironi (Garner), Cathy Rigby (McCoy), Jennifer Sey, Alyssa Solomon, Tracee Talavera (Kent), Doe Yamashiro, Gigi Zosa.

The letter and recommendations were ignored by USA Gymnastics and the USOC.

May 2012 - Current – Athletes are pressured to sign forms that conflict with the Sports Act and the Olympic Charter. Efforts to resolve these issues with the Athlete Ombudsman are repeatedly unhelpful.

⁵ Micki King and Ed Williams later met with Scott Blackmun for a second time in New York City. Forefront on their cautionary list of NGB bad acts which they believe should warrant immediate USOC intervention are (1) allegations of sexual misconduct by coaches and others within an NGB and (2) the mishandling of USOC financial grants to NGBs (in that order).

⁶ Doug Boger was accused of hitting, kicking, strangling, slapping, burning and sexually abusing underaged gymnasts during the 1970s and early '80s at Flairs, a California gymnastics club. Doug Boger continued to work with children at a Colorado Springs gym owned by Michael Zapp, a convicted sex offender.

June 2012 – The USOC revokes the press credentials of reporters who ask why pedophile coach Rick Curl is on the pool deck for the 2012 US Olympic Swimming Trials, a USOC-sanctioned completion, in Omaha, Nebraska.

June 2012 – Olympic Gymnastics Champion Dominique Moceanu releases her book about physical and emotional abuse under the Karolyi regime, *Off Balance*. Like the authors before her, she is maligned and told to be quiet, that she is hurting the sport. The USOC enacts no changes as a result of her disclosures.

July 2012 – London Olympics: The USOC requires athletes to sign forms in order to compete that included requiring them to accept medical treatment from the medical staff provided by the USOC. The USOC and their NGBs will not allow athletes to refuse medical treatment from USOC/ NGB physicians.

Sept 2012 – More than a dozen short-track speedskating athletes complain to the USOC about the physical and emotional abuse that they are being subjected to by US Speedskating short-track coaches, and US Speedskating’s indifference to their complaints. The USOC takes no action to intervene on behalf of the athletes or to look into their complaints. To the contrary, and remarkably, the USOC recommends a national law firm for US Speedskating to retain to conduct an “independent” investigation⁷ of the athletes and their complaints⁸ -- all within the context of

⁷ The idea that a law firm retained by an NGB, and which law firm then consults with and ultimately reports to the NGB on a confidential, attorney-client basis, without full disclosure of its report, can ever be considered “independent” is open to serious question. All too frequently, an NGB which is accused by its athletes or other members of wrongdoing, including failures to comply with the Sports Act’s mandated membership requirements for continued recognition by the USOC as an NGB, uses the excuse that it must first itself conduct an internal “investigation” into the matter as a reason for putting off any Hearing on the merits. And then, after the pre-determined outcome of the NGB’s internal investigation of itself is announced, months and months after the athletes’ complaint was filed, the outcome of the NGBs self-cleansing report becomes the basis of the NGBs motion to dismiss the athletes’ complaint, without the complaint ever having been heard on the merits by the NGB-appointed and non- independent Hearing Panel.

This mirrors USAG and the Deborah Daniels Report; USAG limited the scope at the outset to reviewing USAG’s policies and procedures. By mischaracterizing a report to be conducted as an “independent investigation”, USAG diverted the focus, wasted significant time, and the problems that gave rise to the widespread sexual abuse persisted.

The playbook continues; the USOC is now taking a similar approach by announcing an independent investigation will conduct a similarly-narrow “investigation.” Two-time Olympic Champion and Team Captain Aly Raisman Tweets in response to the USOC’s announcement, addressing Scott Blackmun directly, asking reasonable questions about the investigation. She is ignored by the USOC and Scott Blackmun.

Just days later, statements were released announcing the appointment of Ropes & Gray, with further quotes that seem to establish an unreasonably narrow scope for the investigation. Once again, Aly Raisman responded to the statement with a Tweet expressing concern and asking questions. Again, she is ignored. Again!

⁸ The USOC never recommended to the *athletes*, the name of a law firm that would be willing to undertake, on a *pro bono* basis, the investigation of their complaints against the US Speedskating and its

the confidentiality of an attorney-client relationship. US Speedskating does take this suggestion from the USOC, that is in favor of NGB interests over the athlete's interests. As the materials in the footnote explains, this pattern of

- 1) Announcing an "independent investigation"
- 2) The announcement deflects attention from the organization, providing a reason for delay.
- 3) The USOC/ NGB frame the scope of the investigation narrowly so that it does not evaluate the root of the problem.

Oct 2012 – Feeling isolated and abandoned by the USOC and their own NGB, the short-track speedskaters find an attorney willing to represent them on a *pro bono* basis. The attorney then filed a AAA arbitration claim against the abusive speedskating coaches. The coaches, represented by attorneys paid for by the USOC, failed to prevail in their motion to dismiss the athletes' claims. However, just days before the start of the scheduled AAA Hearing, US Speedskating paid off the coaches on the remainder of their respective contracts and the coaches resign.⁹ The arbitration hearing is then called off as moot and there is no determination on the merits by the arbitrator with respect to the athletes' allegations of abuse. The USOC does not intervene on behalf of the athletes.

October 12, 2012 – Nancy Hogshhead-Makar writes an article, "Olympic Athletes Need Better Protection from Sexual Harassment and Assault."

The Women's Sports Foundation is having discussions with the United States Olympic Committee, calling for the following changes to its by-laws:

- (1) Athletes need protections that are comparable to all other civil rights violations, as in employment, housing, education, voting, etc.
 - Specifically, the AAA arbitration process needs to provide for damages against clubs, NGBS and the USOC, when they knew or should have known that there was sexual harassment occurring and not take action that would end the harassment.
 - Also, the AAA arbitration process must provide for attorney's fees for prevailing parties. Virtually all other civil rights provisions provide for attorney's fees, in order to allow victims to enforce their civil rights.
- (2) Changes need to include giving the athlete an unbiased mechanism to get abusing coaches out of sport, much like what most schools under Title IX use in cases of acquaintance rape or intimate partner violence. There must be an investigatory/adjudication process that is free from the self-interest on the part of the NGB or their coaching association.

December 2012 – Although not supported by Scott Blackmun or his staff, the USOC board adopted a policy prohibiting NGB coaches from having sexual and romantic relationships with their athletes, for the first time. A similar measure failed to pass at USA Swimming's annual

abusive short -track coaches.

⁹ In 2018, notice the repetitive strategy; the USOC took the same position regarding the athlete abuse charges in USA Gymnastics, flipping from "knew nothing" to admitting that it knew about Nassar-complaints in July 2015. Like the abused speedskaters, the USOC did nothing to investigate the reported physical and mental abuse of the national team gymnasts, or intervene on behalf of its athletes.

meetings in 2010 and 2011. NGBs had a year, until January 1, 2014 to comply or lose the money that is earmarked for *athletes*.

Dec 31, 2012 – The national law firm retained by US Speedskating at the recommendation of the USOC to do an internal “independent investigation” finally announces that it finds no abuse by the short-track coaches and clears US Speedskating of all wrong-doing. The law firm and US Speedskating refuse to make their report public, on the grounds of attorney-client privilege. Those witnesses or members of US Speedskating and staff who were complicit in harming the athletes or who failed to report athlete abuse are covered up. The law firm’s report is also severely criticized for not applying the applicable standard of abuse when analyzing the athlete’s complaints, thereby normalizing athlete abuse.¹⁰

January 2013 – Athlete Advocates discuss a social media campaign to educate coaches on this new norm; similar to other professions with a power differential and professions dealing with children. Blackmun requests that others refrain from conducting their own social media campaign to educate the coaching community, saying that the USOC would initiate their own campaign. To promote their new rules, Blackman oversees the USOC production of a training video for Olympic coaches. As it turned out, the training video has nothing to do with educating coaches or athletes on the issues of sexual abuse in sports. <https://youtu.be/tVEmg1Taw9A>

February 2013 – USA Swim coach, Rick Curl, pleads guilty and is sentenced to prison for molesting one of his underage athletes; the same coach that the USOC denied press credentials to media asking about his deck pass at the 2012 Olympic Swimming Trials.

March 2013 – Andrew Gabel admits to having had inappropriate sexual relations with two children and fellow elite speed-skaters in an article in the *Chicago Tribune*. US Speedskating refuses to remove Mr. Gabel from the US Speedskating Hall of Fame or ban Gabel from becoming a US Speedskating member.

March 2013 – Bob Allard asks Scott Blackmun to hold serial pedophile and former US Speedskating President Andy Gabel accountable in Bridie Farrell’s sex abuse case. In response, not only does Blackmun not do so, but he lavishes praise on the efforts of USA Swimming to combat childhood sexual abuse.

May 2013 -- The International Federation for Speedskating, the International Skating Union, held a hearing on the same factual matters before the earlier AAA arbitration US Speedskating Short-Track coaches had abused the athletes. The ISU finds the coaches violated the ethics code, and suspends them for two years. This athlete experience with US Speedskating illustrates the futility of an NGB-initiated and supposed “independent” investigation into its own wrong-doing.¹¹

¹⁰ See entry below for May 2013; the coaches were banned by the Speedskating International Federation for two years for abusing athletes; relief the speedskaters could not get from their own NGB or the USOC.

¹¹ USOC board chairman Larry Probst announced another such “independent” investigation, paid for by the USOC, by the law firm of Ropes & Gray in February 2018. The reason for this is unclear since the

June 5, 2013 – the Washington Post Editorial Board asks, *Was Rick Curl Free to Abuse?*

A blistering statement from Ms. Currin following Mr. Curl’s sentencing accuses top leaders of the association of knowing about the misconduct but failing to act for years before it began an investigation in 2011 that led to Mr. Curl’s lifetime ban from coaching. USA Swimming officials, who didn’t respond to our inquiry, have disputed Ms. Currin’s timeline, but e-mails and other information provided by her attorney *call [USA Swimming’s] accounts into question*. That makes us think that Ms. Currin is exactly right in calling on Congress, which created USA Swimming in 1979, to start asking questions and providing the oversight that seems to have been sorely lacking. (Emphasis supplied.)

July 2013 – The USOC, under pressure from Nancy Hogshead-Makar, creates another “SafeSport Working Group.” The working group was charged with making an informed recommendation to the USOC regarding possible models for sport organizations to use for the investigation, adjudication and sanctioning of prohibited conduct, much like the 2010 committee.

September 2013 – Three female taekwondo athletes notify Malia Arrington and a USOC board member that they had been raped by USA Taekwondo coach, Mark Gitelman. Malia Arrington and the USOC do not act on behalf of athletes. Instead, the USOC and USA Taekwondo allow Gitelman to continue to coach up until the time he is criminal convicted in Los Angeles, California in 2015.

August 2013 – Nancy Hogshead-Makar, Olympic champion in swimming, tenured professor of law, with the pro bono assistance of the Wilmer Hale, presents a proposed statute creating an independent entity to investigate and sanction sexually abusing adults in power to the “SafeSport Group Working Meeting,” including Malia Arrington, Steve Penny, Casey Jorgensen, Benita Fitzgerald Mosley, Nina Kemppe, Gary Johansen, Margaret Hoelzer, Margie Mara and Casey Jorgensen.

November 2013 – Scott Blackmun rejects a proposed Athlete Protection Act statute from attorney and victims’ advocate from Nancy Hogshead-Makar. He reasons in phone calls that the USOC does not need changes to the Sports Act; that any changes can be made through the USOC bylaws. But he does not make those changes to the USOC bylaws.

November 2013 – Scott Blackmun receives a letter from former US Speedskater Eva Rodansky, in which she states that former US Olympic Speedskating Coach Mike Crowe had engaged in sex with female skaters vying for spots on the US Olympic Team. Yet the USOC did not act. Crowe became the head coach of the Canadian long track speed skating program until sexual abuse allegations surfaced five years later, in 2018, resulting in the Canadians suspending Crowe. To this day, US Speedskating and/or the USOC have not banned Mike Crowe from US Speedskating.

House Committee on Energy and Commerce has already commended an investigation of both the USOC and USA Gymnastics. The USOC has until Friday, February 9, 2018 to respond to questions posed by the House Committee.

November 2013 – Scott Blackmun calls the enabling of sexual abusers a “pithy accusation” and lauds the efforts of USA Swimming and his former law firm, Bryan Cave to protect children from sexual predator coaches.

November 21, 2013 – Nancy Hogshead-Makar, with the pro bono assistance of the law firm of Wilmer Hale, delivers a 13-page memo entitled, *Independent Entity to Investigate and Adjudicate Athlete Sexual Abuse and Harassment*. The memo outlines the independence, powers and jurisdiction required, the scope of prohibited sexual relationships, the investigative processes and procedures. He then tries to keep the board from seeing the memo. He ignores the memo.

January 2014 – Victor Vieth with the Gundersen Institute publishes his evaluation of USA Swimming’s Safe Sport’s policies. Their conclusions are similar to other NGB evaluations like the more recent USAG Deborah Daniels report; culture change, strict rules, good education of the entire sport community, and strong enforcement of those rules.

May, 2014 – 66 speedskaters filed a proposal asking that Andy Gabel receive a lifetime ban from US Speedskating, and that he be removed from the United States Speedskating Hall of Fame, due to his admitted sexual abuse of at least two of his minor teammates, when they were 15 and he was 33. Advocates start a Change.org petition. The sport has just 2000 members, and the petition received 3,365 signatures. It has no effect. The USOC does not respond.

May 20, 2014 – US Speedskating responded with an email to all their members saying that they would not remove Andy from the Hall of Fame. Efforts were made to Malia Arrington, who said she could not help victims. Malia’s position was that it was USOC policy not to get involved with NGB matters.¹²

May 28, 2014 – Nancy Hogshead-Makar represents 19 victims of sexual abuse in USA Swimming, signed by 29 stalwarts of the sport, such as Olympic champions, Hall of Fame coaches and administrators, demanding that the head of USA Swimming, Chuck Wielgus, be denied consideration to be inducted into the International Swimming Hall of Fame due to his ineffective response to sexual abuse in the sport. The materials become front-page news in national media.

June 2, 2014 – It is announced that Chuck Wielgus withdraws his name from Hall of Fame consideration.

¹² To elaborate, it was the USOC’s position to let athletes bring Section 9 or Section 10 complaints if they had an issue with their NGB, rather than being able to rely on the USOC, the Athletes’ Advisory Council, the Athlete Ombudsman, the U.S. Olympians and Paralympians Association, or SafeSport. Malia Arrington’s response to this large group of athletes was consistent with messaging from Scott Blackmun and the USOC. Their “hands off” policy resulted in the USOC’s disregarding athletes’ pleas for USOC intervention to get the protections afforded them by federal law. Athletes from USA Speedskating, USA Taekwondo, USA Judo, USA Shooting, and US Bowling, to name a few, have had to remedy their NGBs’ rampant Sports Act non-compliance without institutional aid.

June 10, 2014 – With sexual abuse in club and Olympic sports on getting national attention following the successful effort to remove Chuck Wielgus from being considered for induction into the International Swimming Hall of Fame, Blackmun announces that the USOC will create an independent entity, separate from NGBs, to take over sexual abuse investigations and hearings.

August 2014 – John Ruger, the Athlete Ombudsman, and advocate of athletes’ rights under the Sports Act, is fired by Scott Blackmun. In doing so, Blackmun failed to “consider the advice and counsel of the Athletes’ Advisory Council prior to deciding whether or not to terminate the employment [of the Athlete Ombudsman]” as required by Section 220509(b)(2)(B) of the Sports Act.

January 20, 2015 – Chuck Wieglus, CEO of USA Swimming, receives the “Chief Executive Leadership Award” from the Olympic movement, the “Chief Executives for Sport.” It is deeply insulting to the sexual abuse victims and their supporters.

February 15, 2015 – The USOC announces the “SafeSport Advisory Council” to “guide the launch of the United States Center for Safe Sport. The council is charged with providing industry expertise to support and inform the center during its start-up phase through June 2015.”

July 2015 – USA Gymnastics President, Steve Penny, calls USOC CEO, Scott Blackmun, to advise him and discuss allegations of sex abuse received by USAG. As reported by the *Wall Street Journal*, Blackmun declines to provide any advice and the USOC otherwise did nothing to inquire what USAG has learned or what USAG has done in response to these allegations.¹³

September 2015 – According to reports published in the *Wall Street Journal* on February 2, 2018, the USOC’s chief of security, Larry Buendorf, received an email from USAG CEO, Steve Penny, which detailed allegations by three top gymnasts of sex abuse by USAG’s team doctor, Larry Nassar. According to the article, the allegations include a graphic description of a purported “medical treatment” Dr. Nasser used, which involved inserting his finger into her vagina.

November 2015 – Larry Nassar is still listed on USOC’s website as part of its National Medical Network. The USOC thus allowed Nassar to overcome parental and athlete hesitation by advertising his Olympic credentials, which continued to be publicized by the USOC.

June 2016 – A San Jose Swim Coach is arrested on child sex abuse charges. USA Swimming had notice of the allegations pertaining to this coach since March 2016 yet waited until June 2016 to report them to San Jose Police.

¹³ Scott Blackmun has recently called for a full ‘independent investigation’ by a law firm the USOC has hired, to determine who in USAG knew what, when. The results must be made public, and must encompass more than just Nassar, but the failures of the USOC and its NGBs to protect athletes. The House Committee on Energy and Commerce has already commenced such an investigation of USAG and the USOC.

August 4, 2016 – The *IndyStar* publishes its investigative report: [A 20-year toll: 368 gymnasts allege sexual exploitation](#). The news makes headlines in other papers around the country. The *IndyStar* begins its reporting on childhood sexual abuse in United States Gymnastics, noting that USAG does not forward reports of abuse to the police; that USAG does not investigate a complaint unless it was made by the victim. Other coaches, officials or parents who saw abuse could not get USAG to take action against the coach, even though they may have witnessed the abuse directly. Banned coaches are allowed to come back into the sport. USAG focuses efforts on prevention; not on enforcing rules. USAG claims, erroneously, that the organization cannot take aggressive action because member gyms are independent businesses and because of the Sports Act. The USOC does not try to get changes to the Sports Act in response to these findings, does not educate its membership on their erroneous beliefs about the federal law, and instead, supports USAG.

August 5, 2016 – The following day, at a scheduled press conference at the Rio Olympics, Blackmun was asked about sexual abuse in USA Gymnastics as reported in the *IndyStar*. Blackmun said his organization's sexual abuse policy is "pretty state-of-the-art." But he did not define what constitutes a "credible" allegation that would prompt a report to law enforcement. He supported USAG, and not the victims' accounts of sexual abuse. He said there would be no USOC investigation into the issues raised by *IndyStar's* investigation. "We couldn't possibly get in the business of investigating allegations of misconduct in 47 different NGBs." He went on to repeat blaming the Sports Act for the failures to address sexual abuse.¹⁴

August 2016 – According to a child protection organization USAG partnered with to provide sexual abuse education and training, USAG's efforts fell way short of expectations.

September 2016 – Two gymnastics athletes, including a member of the 2000 US Women's Olympic team, file a lawsuit in California against USA Gymnastics and USA Gymnastics team physician Larry Nassar, alleging sexual abuse by Nassar. The athletes further allege that USA Gymnastics had "negligently suppressed, concealed or failed to disclose knowledge that Nassar had engaged in sexual conduct with team members."

September 12, 2016 – The *IndyStar* begins reporting on Dr. Larry Nassar, during the 2016 Rio Olympics.

November 2016 – USA Gymnastics team physician Larry Nassar, is arrested in Michigan on sex-abuse charges, but not athlete sex-abuse charges.

¹⁴ "Regrettably, preventing sexual abuse is not as easy as it should be. There have been times when the organization has been hamstrung by a hearing process mandated by its compliance with the Ted Stevens Olympic and Amateur Sports Act. Other times, the investigations themselves have taken frustrating twists and turns, including dealing with situations that had already been addressed in a court of law — where USA Gymnastics has no oversight — occurred more than 30 years ago or are the subject of ongoing investigations by law enforcement officials." "USA Gymnastics has not tried to cover-up these matters. Quite the opposite: We have cooperated with law enforcement at every turn and our investigations have never been filtered by coaching credentials. Our ability to share information publicly has been hindered by pending litigation on cases, one of which was included in the Star's story."

January 2017 – Several AAC members report that Scott Blackmun supported the candidacy of a disclosed convicted sex offender, an Olympic athlete from the sport of wrestling, for the position of Chair of the USOC Athletes’ Advisory Council. Athletes on the AAC, and well as others, object; and the athlete withdraws his candidacy for Chair of the AAC. Significantly, he remains as a member of the AAC.

March 16, 2017 – USA Gymnastics President, Steve Penny, resigned.

March 31, 2017 – Nancy Hogshead-Makar, Jon Little and Bob Allard wrote an open letter asking Scott Blackmun to remove Wielgus from his leadership position at USA Swimming, arguing that Wielgus’ behavior was much worse than Steve Penny’s behavior. Blackmun had the power to do so, but declined, even when their letter was on the front page of *USA Today*.

June 2017 – USA Gymnastics publicly expresses, for the first time, its “deepest regrets” to athletes who have been abused.

December 2017 – The minutes of the Dec 9, 2017 Meeting of the Board of Directors of USA Gymnastics report that the USOC – after consideration of “broad-based criteria” – had “designated USA Gymnastics as a Gold-Tier NGB.”

January 2018 – Scott Blackmun, for the first time, expresses his profound regret that the USOC had failed the gymnasts, and no one from the USOC attended the Nassar sentencing hearing in solidarity with the athletes; and he promises a that there will be a full investigation of USA Gymnastics with respect to this matter. Aly Raisman and the other victims still have not heard from Scott Blackmun directly.

Dated: February 4, 2018

Prepared and submitted by

The Committee to Restore Integrity to the USOC

Robert Allard, Esq.
Jessica Armstrong, Esq.
Kathy Johnson Clarke
Nancy Hogshead-Makar, Esq.
Micki King
Jonathon Little, Esq.
Eva Rodansky
Patricia A. Rodowsky
Jennifer Sey
Jennifer Spiegel, Esq.
Edward G. Williams, Esq.

