

USA Taekwondo – May 21, 2018

SUMMARY

USA Taekwondo is pleased to have the opportunity to appear before Congress to share its experience and plans in protecting the youth of sport from abuse at the hands of the very people in whom we entrust their care. In advance of this hearing, you asked us to address two specific areas.

The first area, which has drawn national attention, is the management of complaints involving Steven Lopez and Jean Lopez. USA Taekwondo first received allegations against Jean Lopez in 2006, and USA Taekwondo's CEO and outside counsel were unable to find supporting evidence of the charges. They declined to proceed further, in part because of the complainant's settlement of the accusation in a manner that permitted her – at her request – to continue training with Jean Lopez. USA Taekwondo did not receive further complaints until another athlete revealed further claims through social media in 2015. Almost immediately, USA Taekwondo retained both a respected attorney and a private investigator and gave the attorney an unlimited budget and complete independence to discover any sexual abuse in USA Taekwondo's history, including anything that occurred involving the Lopezes, the settlement agreement notwithstanding. Ultimately, Mr. Alperstein developed substantial evidence that he turned over to the U.S. Center for Safe Sport in March 2017, and the Center was finally able to impose sanctions just recently.

We learned during the investigation that there are numerous inherent challenges in pursuing claims against offenders that need to be addressed as our sports movements move forward. National Governing Bodies are not the police or criminal prosecutors, and we do not have the standing or protection of law enforcement to elicit testimony, nor can our sanctions extend beyond terminating membership in our organizations and posting lists of offending members.

What we can do, however, is something that the police cannot: we can insist that everyone who is associated with children on our behalf is trained to understand grooming behaviors, to recognize the subtle signs of abuse, and to ensure that abusers find no quarter in unregulated programs.

We believe that national licensing is necessary to achieve these goals. We are also here to tell you that the creation of the U.S. Center for Safe Sport is a substantial step toward making sports safer. The Center promises the independence, expertise, and efficiency in concentrating educational resources that no individual NGB can promise. But we have learned painfully that the Center's resources are being taxed well beyond its capacity. If the Center cannot ensure that investigations are thorough and that adjudications are timely and fair, the Center will ultimately not be respected, and the Center's exclusive jurisdiction over sexual assaults will have effectively deprived Olympic sports of any meaningful mechanism to ensure that offenders are ousted forever.

Everything we need to come into play to give youth sports freedom from the scourge of abuse is in our hands – a better environment for reporting, a stronger enforcement mechanism, and overwhelming attention that should lead to solutions. We look for Congress's guidance and support in this endeavor.

WRITTEN TESTIMONY

USA Taekwondo submits this testimony on the basis of the questions provided by Congress in letters dated January 26, 2018 and March 7, 2018. The topics that Congress indicated it was investigating included USA Taekwondo's handling of complaints involving Steven and Jean Lopez, together with USA Taekwondo's historical and current approach to the management of sexual abuse complaints. Congressional staff recently indicated that two additional areas of inquiry might evolve during the hearing, but in the absence of specific inquiries, USA Taekwondo will defer presenting substantial information.

I. Steven and Jean Lopez

Steven Lopez and his brother (and coach) Jean Lopez are the focus of Congress's first inquiry. USA Taekwondo will provide a summary of its actions involving the Lopez brothers to the extent it has been able to assemble reliable information from its records. In this regard, we note that USA Taekwondo was formed in 2004 to assume responsibility as the NGB for Taekwondo after the collapse of the previous governing body, United States Taekwondo Union (USTU). Very few records exist from the USTU era concerning either the Lopez brothers or disciplinary cases in general. Our responses in this testimony are based on what records are available for all periods.

In 2006, USA Taekwondo received complaints concerning sexual abuse at the hands of Jean Lopez from an elite athlete. The allegations appear to have been investigated by then USA Taekwondo CEO David Askinas and Counsel John Collins, with the involvement of USOC Athlete Ombudsman John Ruger. After the investigation had been completed and USA Taekwondo had

found no credible claims against Jean Lopez, Mr. Askinas confirmed in a letter that the complainant had resolved matters with Mr. Lopez privately. His conclusions were also reported to have been discussed with and confirmed by Mr. Collins and then USA Taekwondo Board Chairman Harvey Berkey, who agreed that no further action was necessary. USA Taekwondo notes that a separate disciplinary matter was heard by a USA Taekwondo Hearing Panel, and the matter was resolved against the complainant by the Panel, whose chair was a sitting federal district court judge from California. The latter action is not particularly relevant to these proceedings and USA Taekwondo will not detail the issue but notes this proceeding to show the independence and quality of judicial resources to which complainants had access at that point.

Congress has requested information concerning settlements with accompanying confidentiality agreements. USA Taekwondo and Mr. Lopez entered into an agreement with the complainant to allow her to continue training with Mr. Lopez at her request in 2007, which agreement did not bind her to any confidentiality obligation.

USA Taekwondo did not receive any further direct complaints about sexual misconduct by the Lopez brothers until March 2015, at which point an athlete reported on social media that she knew several other athletes who had been victims of assaults by two USA Taekwondo coaches, one of whom was Jean Lopez. USA Taekwondo initiated its own comprehensive investigation at this time, immediately engaging Denver attorney Donald Alperstein to assume responsibility for investigating all of USA Taekwondo's history in an effort to uncover any previously unreported incidents of sexual assault or other sexual misconduct, and to pursue

sanctions against any offenders. USA Taekwondo authorized Mr. Alperstein to retain an experienced private investigator, Leah Wickes, to help in this endeavor, and USA Taekwondo did not restrict his mission in any manner. Mr. Alperstein's mandate was broad and he operated without any limitation on his budget, with no control by USA Taekwondo as to whom he should (or should not) pursue. That investigation reopened the inquiry into the 2006 allegations by the prior complainant, as she claimed she had been pressured into accepting the settlement so as to promote her athletic career. In light of her assertion, USA Taekwondo did not treat the settlement agreement as binding in 2015, but instead investigated the claims anew without any presumption that the 2006 investigation or the 2007 settlement agreement were dispositive.

On April 23rd, 2015 USA Taekwondo posted the following notice on the front page of its website in order to solicit further information about any claims:

"APRIL 23, 2015, 7:42 P.M. (ET)

USA Taekwondo maintains a **Safe Sport** policy that encourages the reporting of any alleged Safe Sport violations: *"It is of fundamental importance to USA Taekwondo that individuals feel able to come forward and report abuse, or suspected abuse in a safe and, if requested, anonymous manner. All stakeholders in USA Taekwondo should be aware of how to report abuse and USA Taekwondo is committed to removing any and all barriers to the safe and effective reporting of abuse within USA Taekwondo."* USA Taekwondo Safe Sport Strategy, Section 13.

The Safe Sport Strategy specifically directs individuals to report Safe Sport to the CEO or to their local leaders for transmission to the CEO, and both paths are still proper means of making reports.

In addition, USA Taekwondo has appointed outside counsel and has retained an independent investigator to manage disputes involving USA Taekwondo members, coaches, officials, or employees. If you desire to report information concerning Safe Sport violations, you may do so either through the CEO, your local officials, or through USA Taekwondo's independent counsel, Donald Alperstein, who can be contacted as follows:

Donald W. Alperstein

Alperstein & Covell, P.C.

1600 Broadway, Suite 900

Denver, CO 80202

dwa@alpersteincovell.com

Phone:

303-894-8191

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303-861-0420

Individuals contacting Mr. Alperstein may be put in touch with the independent investigator, Leah Wickes, who will assist Mr. Alperstein in investigations. Both of these individuals have authority to collect information concerning Safe Sport violations.

Athletes who are concerned about their rights with respect to such investigations can also contact the USOC Athlete Ombudsman's office (Kacie Wallace or Sara Clark) at 1-888-ATHLETE."

The responsibilities that Mr. Alperstein was assigned were subsequently assumed by the United States Center for Safe Sport in March 2017 as part of its exclusive jurisdiction, and USA Taekwondo therefore no longer investigates specific allegations of sexual misconduct, except to the extent necessary to determine whether an immediate suspension should be imposed pending Safe Sport's exercise of jurisdiction and determination of interim measures. During the period in which Mr. Alperstein was active, USA Taekwondo spent nearly \$200,000 for the services provided by Mr. Alperstein and Ms. Wickes.

Mr. Alperstein's investigation succeeded in bringing out evidence of misconduct within USA Taekwondo and USTU as early as 1994. However, pursuit of sanctions against offenders proved to be somewhat elusive. Several victims did not approach Mr. Alperstein or Ms. Wickes directly, but instead had been identified by other athletes and had to be approached by Mr. Alperstein or Ms. Wickes first. Some victims did not wish to open old wounds, some were reluctant to discuss matters about which their families, friends or employers were unaware, some could not be located, and some were unavailable for a variety of other reasons, including incarceration. With respect to those who were initially unwilling to talk, Mr. Alperstein and Ms. Wickes were able to persuade them to disclose information only on the condition that they could

do so confidentially and would not be compelled to testify without further discussion. Mr. Alperstein reports that to this day he retains some concern over sharing information he received only through providing these promises.

Two of the people whom Mr. Alperstein and Ms. Wickes were investigating were Steven and Jean Lopez. Mr. Alperstein filed a detailed ethics complaint against Steven Lopez in 2015 and was in the process of preparing a similarly detailed complaint against Jean Lopez when it became apparent in 2016 that Safe Sport would be taking cases in the near future.

One question that has appeared frequently is why the Lopez brothers were not suspended prior to the 2016 Olympic Games in Rio. The limitations noted above help explain USA Taekwondo's position. Mr. Alperstein had filed a substantial ethics complaint against Steven Lopez the previous year and was well on his way toward filing against Jean Lopez around the time of the Olympics. Unfortunately, one of the key witnesses who was actually willing to testify at that point was unavailable, and many of the other witnesses were unprepared to testify at that point. As a consequence, Mr. Alperstein was concerned that he could not present compelling cases against the Lopez brothers at the point at which a decision had to be made.

This decision, it must be emphasized, was not as simple as suspending the brothers or not. Under the Ted Steven Olympic and Amateur Sports Act, as implemented through Section 9 of the United States Olympic Committee Bylaws, an athlete who is denied an opportunity to compete in the Olympics or any other sanctioned event has the right to challenge the denial on

as little as 48 hours' notice, and the appeal is heard by an independent Arbitrator. In light of witness reluctance and unavailability, Mr. Alperstein was concerned that a hastily-compiled hearing would expose the complainants in circumstances in which the most compelling case had yet to be prepared. That raised the very strong possibility that any discipline would be unenforceable, and even worse, that an unsuccessful result after exposing the victims to a rigorous hearing would chase them away from the process forever and effectively preclude USA Taekwondo from pursuing charges.

At this point, incidentally, it is worth noting that law enforcement agencies – who should be the primary source for enforcing laws against sexual abuse – routinely decline to provide information to USA Taekwondo or other NGBs, and sometimes specifically tell USA Taekwondo that they do not want to encourage inquiries by civil authorities such as USA Taekwondo when the mere act of inquiring could jeopardize their investigations. Indeed, on some occasions they explain that they do not even want the target of an investigation to know he is being investigated.

As between police officials pursuing criminal charges and a National Governing Body contemplating suspending a member, the extent to which an NGB should have been acting on its own was quite difficult a balance to pursue. USA Taekwondo is hopeful that the SafeSport Center's emergence as the independent agency that has exclusive jurisdiction over these reprehensible assaults will allow establishment of closer ties with law enforcement agencies so as to permit simultaneous investigations.

Returning to the Lopez matters, by Autumn of 2016 the Center for SafeSport's operations had begun taking final form and the opening of the Center was imminent. At this point, Alperstein began preparing the evidence for transfer to the Center's jurisdiction, as these were cases that were obviously suited for the Center's immediate expertise. In March 2017, all cases still pending in Mr. Alperstein's investigation were transferred to the U.S. Center for SafeSport.

Alperstein remains in contact with the SafeSport Center and is assisting them with their own investigations, not yet concluded in the case of either Lopez brother.

It should also be pointed out that evidence gathered on both Lopez brothers was submitted to four law enforcement agencies - namely the FBI, which we believe still has an open case file, the Sugarland Texas police department, the Fort Bend County Texas Sheriff's office and the Colorado Springs Police Department. So far as USA Taekwondo has been apprised, none of those agencies has yet brought a case against either Steven or Jean Lopez.

On a final note with respect to the Lopezes, Congress is certainly aware that a recent action filed in federal court in Denver alleges that USA Taekwondo intentionally disregarded evidence that the Lopezes engaged in sexual misconduct. USA Taekwondo categorically denies those allegations, and as noted above, USA Taekwondo was active in soliciting information concerning the Lopezes even in the absence of direct complaints to USA Taekwondo by victims or contemporaneous reports to the police concerning the underlying misconduct.

Indeed, the narrative that many media have been quick to propagate is the sensational allegation that USA Taekwondo has subordinated the safety of its athletes to broader goals of success in international competition. The facts simply do not support that narrative. Indeed, USA Taekwondo has endeavored to impose sanctions against Jean Lopez on a number of occasions for rules violations that did not include sexual assault and achieved only minor success in those efforts in light of adverse arbitration decisions or outside advice concerning the unenforceability of sanctions. USA Taekwondo's efforts actually led Steven Lopez to complain bitterly to USOC Chief Executive Officer Scott Blackmun, on June 8, 2017:

"It is with great disappointment, and after careful consideration, that I write to inform you of the systemic and increasing attempts of USAT to allocate time, energy, and resources, to undermine the foundations of my success.

To those who know me, or to anyone that's followed my career, it has always been apparent that I accept the inherent challenges that come with competitive sports and have overcome them time and time again through my performance. However, I now face unprecedented attacks off the mat, and not from foreign competitors, but from the one body whose sole purpose is to provide me with the environment and means to perform at the highest level of our sport. The attempts have become so frequent and so unfounded that they have metastasized into a form of institutionalized witch hunts.

The method of attack has been quite simple; use any and all means necessary to undermine my preparation and competitive processes so as to create the best possible conditions for my failure.

The strategy began being implemented immediately following the 2012 London Olympic Games with the attempt to impose a life-long ban on my coach and most decorated coach in the history of our sport, Jean Lopez. The attempt to ban Coach Lopez from coaching me or any of his athletes repeated itself numerous times throughout the quadrennium; with some of the heights being the day of my competition at the 2015 US National Team Trials, the 2015 World Championships, the 2015 Pan Am Games, at the Grand Prix series, and these upcoming 2017 World Championships...

In the same email, Steven Lopez continues:

“However, that was not enough. After failing to win even one arbitration versus Coach Lopez, USAT decided to try a different approach. In addition to attacking my coach, they began focusing their efforts at me directly. The objective; find or create, some infringement that could facilitate my removal from the national team. When these attempts didn't keep me off the team, they went so far as to tamper with my training process at the Olympic Games, removing one of my

USOC/USAT approved Olympic training partners from my staff just two weeks prior to my competition date.

With all of the above failing to produce the intended result of impeding my performance, USAT has evolved its strategy one more time adding a new component to the equation; keep Coach Lopez off the team entirely and interfere with my training process.”

The “method of attack” to which Steven Lopez referred included the following:

- In 2013, USA Taekwondo suspended Jean Lopez for two years, after originally proposing a lifelong ban, on the basis that he had impermissibly coached foreign athletes. That suspension was overturned out of apparent concerns about the legality of the sanctions.
- In 2015 USA Taekwondo suspended Jean Lopez for three months for crass behavior at a taekwondo tournament, which suspension would have barred him from international competitions referred to in the Steven Lopez letter. On Jean Lopez’s appeal, an independent Arbitrator agreed that Mr. Lopez had engaged in misconduct but reduced the sanction to probation. In addition, the decision barred USA Taekwondo from using this misbehavior in considering Jean Lopez for participation in international competitions.

- At the arbitration hearing noted above, Steven Lopez tried to assert his own interests in having Jean remain as his coach. USA Taekwondo fought against Steven Lopez's permission, and the Arbitrator, while reducing Jean Lopez's suspension to probation, sided with USA Taekwondo in part by ruling that Steven Lopez's interests as a competitor were irrelevant.
- Later in 2015, USA Taekwondo attempted to ban Mr. Lopez from coaching at the Pan American Games in light of his having received a "yellow card" for misconduct during a match at which he was coaching his brother Mark Lopez. Mr. Lopez appealed the decision to an independent Arbitrator, who vacated the punishment on the basis that the "yellow card" had not properly been issued.

It is true that none of these attempts to ban Jean Lopez were for sexual misconduct, but there were no pending complaints against Jean for sexual misconduct during that period and USA Taekwondo's actions wholly undercut the outrageous suggestion that USA Taekwondo knowingly looked the other way so as to avoid pursuit of any actions that might interfere with Steven or Jean Lopez's ability to participate in international competitions.

Also note that the period during which Steven Lopez complains of interference by USA Taekwondo (2012-2017) covers the time in charge of successive CEOs Eric Parthen, Bruce Harris, Keith Ferguson and interim CEO John Long. (David Askinas left USA Taekwondo in 2011). Steven

Lopez claims that each of those individuals participated in this 'witch hunt' against the brothers. This would mean that every USA Taekwondo CEO following Askinas (who himself had publicly dismissed the only official complaint as 'not credible') overtly interfered with the Lopez Brothers. As this should make clear, the purported "protective treatment' the Lopez brothers received which creates understandable outrage in the public's eye, is absolutely and unequivocally false.

USA Taekwondo's interest in the fair and thorough investigation and pursuit of claims against the Lopezes did not end when the Center for Safe Sport opened. Because the investigation against the Lopez brothers was well underway in early 2017, USA Taekwondo assumed that the Center would continue the prosecution of any claims. If USA Taekwondo had been intent on protecting the Lopezes, of course, it would not have hired independent counsel to pursue charges. As important, USA Taekwondo actively sought to have the cases transferred to the Center for Safe Sport precisely because the Center would be in a better position to pursue claims in an environment that was more conducive to protecting the reluctant complainants.

Thus, in a letter to SafeSport COO Malia Arrington, dated March 2, 2017 USA Taekwondo's outside counsel wrote:

"It is USA Taekwondo's belief that only the U.S. Center for Safe Sport can complete an investigation of these matters and adjudicate them in a manner in which both the process and the results will be accorded respect."

The letter continued: *“If an internal USA Taekwondo panel imposes discipline, there will be a certain demand for arbitration by Steven or Jean Lopez (or both, as the case may be). USA Taekwondo has adjudicated prior cases involving Jean Lopez and another Lopez (unrelated, but a friend of the family), and there is no chance that an internal USA Taekwondo hearing will be more than a dress rehearsal for binding arbitration. In most cases, USA Taekwondo is unconcerned about the fact that disciplinary disputes can reach arbitration, and in fact has arbitrated several disputes (including disputes with Jean Lopez) that began with internal USA Taekwondo proceedings. In this case, however, the promise of multiple levels of adjudication endangers the prospects of ultimate success for the reasons set out in the following paragraph.*

As reflected in Mr. Alperstein's report, witness cooperation has been extremely difficult to come by. These allegations are painful for many of the victims to discuss, some have done so only under promises of anonymity (at least initially), and Mr. Alperstein has substantial concerns that the proliferation of different adjudications will effectively chase witnesses away. This concern is especially heightened because the complainants did not initially come to USA Taekwondo — rather, they were identified only in response (and often with substantial reluctance) to direct inquiries from Mr. Alperstein and our private investigator. Indeed, with the reporting of some of the incidents to local law enforcement agencies in different jurisdictions, as well as the FBI, USA Taekwondo has already

begun the laborious process of working with victims to ensure that their stories are heard now that they have come forward.

USA Taekwondo faces a unique procedural challenge with respect to adjudication of the Lopez cases. The Lopezes have been active and successful in international competitions for two decades. Every person who has been involved in Taekwondo at the elite level has some connection with the Lopez's, direct or indirect, and it has become nearly impossible mission to seat Taekwondo athletes on ethics panels who are not conflicted for one reason or another. The Chair of USA Taekwondo's Ethics Committee has considered nearly three dozen individuals, all of whom turned out to be objectionable for one reason or another. The Safe Sport adjudication will not face this issue.¹

At the end of the day, the Center for Safe Sport was built largely on the promise of being able to handle high-profile cases effectively and with some measure of expertise. The Center for Safe Sport brings with it a measure of respect and authority that USA Taekwondo's administrative processes cannot assure on the face of these extremely high-profile cases. And as noted above, it also avoids the inherent procedural problems that will attend any USA Taekwondo adjudication.

¹This section refers to the requirement of Section 220504(b)(2)B) of the Ted Steven Olympic and Amateur Sports Act that at least twenty percent of members of certain bodies (including disciplinary panels) be made up of elite athletes. The Center for Safe Sport is not bound by this mandate.

In short, if the Center for Safe Sport declines to adjudicate the cases assembled by USA Taekwondo, it will not really be avoiding an ultimate adjudication of the charges. Rather, it will merely be postponing and delaying some portion of the adjudication (any portion that the USOC declines to pursue) in circumstances in which any missteps will have potentially tragic ripple effects, and the naysayers who believe that the Lopezes are untouchable by Olympic authorities will have demonstrated their case.

For all these reasons, USA Taekwondo believes that the Center for Safe Sport should accept exclusive jurisdiction over these cases immediately. I am happy to answer any questions you may have, and of course USA Taekwondo will turn over its investigative files to the Center upon acceptance of jurisdiction.”

In April 2018, the Center issued a permanent ban on Jean Lopez (which we understand he has appealed) that prohibits him from participating in any sanctioned Taekwondo activities. In late April 2018 USA Taekwondo became aware of direct allegations against Steven Lopez of which it had not previously been apprised. In light of those allegations, USA Taekwondo communicated to the Center for SafeSport its intention to impose an immediate suspension of Mr. Steven Lopez from all activities, pending SafeSport acceptance of jurisdiction over these new complaints. SafeSport informed us that it had been apprised of these allegations as well and intended to

exercise jurisdiction immediately. As the Center for SafeSport site reflects, the Center imposed an immediate suspension, which USA Taekwondo is enforcing.

II. Safe Sport History and Practices

In addition to inquiries about the Lopez brothers, the letters from Congress requested information about USA Taekwondo's present and historical disciplinary policies.

A. The Data

Since 2005 USA Taekwondo has revised its policies and bylaws numerous times, most significantly in 2013 when the U.S. Olympic Committee implemented the SafeSport initiative, and again in 2017 with the incorporation of the U.S. Center for SafeSport and the transfer of exclusive jurisdiction over sexual misconduct cases. USA Taekwondo has provided all of its prior policies to Committee staff. Prior to 2013 and the advent of SafeSport, USA Taekwondo was one a small handful of NGBs that began publishing its suspension list, which currently contains 27 names. The additions to the list breakdown as follows:

2010: 1 lifetime ban

2011: 1 lifetime ban

2012: 2 lifetime bans

2013: 3 lifetime bans

2014: 2 lifetime bans

2015: 5 lifetime bans

2016: 2 lifetime bans & 1 five-year suspension

2017: 1 lifetime ban, 1 2-year suspension

2018: 6 lifetime bans, 2 currently temporary suspensions

The majority of these suspensions (but not all) relate to sexual misconduct. As you can see, since the implementation of SafeSport by the USOC the number of sanctions has increased significantly, with a dramatic increase following the incorporation of the U.S. Center for SafeSport in 2017, with 8 of 27 suspensions issued between 2010 and 2018 coming under the Center's watch. The list is updated immediately that a sanction is in place, whether that be a USA Taekwondo imposed suspension, or notification from the SafeSport Center of a decision they have handed down. USA Taekwondo attributes the increase in suspensions in large part to the groundswell of reporting that has been occasioned by public attention on sexual misconduct in all segments of society, and USA Taekwondo believes that this new environment will contribute greatly to the punishment of sexual misconduct and help foster stronger protection for athletes.

In addition to those names published on the suspension list, USA Taekwondo has also deemed 35 individuals ineligible for membership since 2013 due to issues that were flagged on their mandatory background check report (required for all staff, board members, coaches, referees and now vendor/sponsor staff who require access to the competition areas for technical reasons). Due to the federal statutory restrictions on publicly disclosing information acquired through a voluntary background check, these names cannot be included on the suspension list.

B. USA Taekwondo Efforts

USA Taekwondo is very proactive in the area of athlete protection, a move that started with the appointment of Mr. Alperstein as independent counsel in 2015 and the publication of a national request for information to root out sexual abuse coinciding with the beginning of his work.

- Next month, USA Taekwondo will launch the “#notinmysport” education campaign, with the goal of informing participants throughout the sport as to what is acceptable behavior and what constitutes a violation, and also to empower athletes to stand up and ‘make their statement’ on social media channels.
- Any and all sexual abuse allegations are immediately forwarded to the Center now, with no investigatory efforts by USA Taekwondo staff in light of the Center’s exclusive jurisdiction.
- Any allegations involving a potential crime are also forwarded to the relevant law enforcement agencies. Of course, we hope the new enforcement mechanisms will encourage victims to report offenders directly to law enforcement officials in the first instance. We also send any online reports of possible misconduct to the Center so that they may investigate, even if they are not submitted to us as formal complaints.
- USA Taekwondo immediately notifies an individual upon receipt of a direct allegation if we believe there is a threat to athletes currently, or clear evidence of an allegation being true (for example an admission of guilt to police or in a recorded conversation).

- We ensure leadership on any official trip contains both genders – our two senior high-performance staff are both female also.
- We extended mandatory SafeSport training to referees.
- We introduced mandatory background checks and SafeSport training for any vendors working at one of our events.
- We have just engaged a group called Fighting Spirit, which educates on sexual misconduct, bullying etc. and all minor National Team athletes will take this training seminar, along with provision at all of our training/talent ID camps.

These steps, along with SafeSport's increasing education efforts, followed up by effective response and resolution, means that significant strides are now being made in all of these important areas. In addition, USA Taekwondo is strongly in favor of national amateur athletic coach licensing, as discussed below, in light of USA Taekwondo's inherent limitations with respect to rooting out sexual abuse and punishing it.

C. The Center for Safe Sport

USA Taekwondo welcomed the opening of the Center for Safe Sport and is strongly behind the Center's mission, as evidenced by USA Taekwondo's having entrusted its most important cases to the care of the Center's investigative and adjudicatory mechanisms. That is why the independence of the U.S. Center for SafeSport, and the changes in the federal laws have been so important – the Center has the knowledge and expertise needed to carry out a detailed and thorough investigation into allegations that very often have no physical evidence, while being unimpeachable in terms of independence, making it much more difficult if not impossible for the

accused to credibly claim they didn't get a fair hearing. While this hasn't been tested significantly in arbitrations to this date, we believe that their rulings have a much greater chance of being upheld than any sanction handed down by an NGB ever could.

USA Taekwondo is enthused and encouraged by the progress made since March 2017 and has hopes that the solution to these problems is largely already in place for the Olympic NGBs in regard to resolution and response, and now we just need to refine the process through learning and experience.

Nonetheless, it is quite clear to USA Taekwondo that the recent legislation and the continuing development of Safe Sport are excellent developments, but there is work to be done. From our own experience with the Center, we know that victims are coming forward in numbers nobody anticipated, and we are all holding our breath hoping that appropriate funding and support for the Center comes though before it is crushed by its own success in being left without the resources it needs to fulfill its mission, which could have the adverse effect of suppressing future complaints out of a feeling of futility.

In addition, Congress is presently and quite properly focusing its attention on the USOC and its National Governing Bodies. At the same time, there are millions of youths who participate in sports outside the Olympic movement, either because their sports are not Olympic sports, or because their constituents are not members of National Governing Bodies. USA Taekwondo

supports measures to ensure that all of these participants are governed equally by SafeSport rules.

As but one example of the present limitations inherent in the system, we must report that offenders who are the subject of complaints and subsequent sanctions have passed (and would still pass) background checks. Similarly, the Lopez brothers have both been suspended by the Center for Safe Sport and USA Taekwondo, nonetheless, they would both pass background checks today, and nothing stops them from opening a Taekwondo school anywhere they wish, so long as the school is not affiliated with USA Taekwondo. Outside its ability to terminate membership in USA Taekwondo and to publish lists of banned former members, USA Taekwondo is powerless to effect change. Taekwondo is an extreme example of this lack of influence, as Olympic Taekwondo is not the form of Taekwondo in which the vast majority of practitioners engage (and thus USA Taekwondo membership is only a modest fraction of all Taekwondo athletes, coaches, referees, etc.) but it is clear that none of our NGBs has full coverage over their sports within the United States.

For that reason, among others, USA Taekwondo would like to see and take part in discussions on a National Amateur Athletic Coach License and believes that this would be an important step forward. This would remove the problem of abuse tourism, where the predator simply moves to a school, gym, club or organization outside the sphere of influence, perhaps even in a different sport, undetected, and continues to operate and commit new offenses. This would provide an effective deterrent and sanction, as the abuser who loses his or her license

would also lose his or her livelihood completely, not just in their current sport, but in any other sport too.

USA Taekwondo appreciates and welcomes your Committee's dedication to this difficult and vital endeavor.