



441 G St. N.W.  
Washington, DC 20548

December 18, 2020

The Honorable Charles E. Grassley  
President pro Tempore  
United States Senate

**Amateur Athletes: The U.S. Center for SafeSport’s Response and Resolution Process for Reporting Abuse**

Dear Senator Grassley:

The U.S. Center for SafeSport (the Center) was established in March 2017 in response to concerns about the consistency of investigations conducted and resolutions reached by amateur sports organizations of allegations of misconduct and abuse. The Center is an independent nonprofit organization and plays a key role in ensuring the safety of amateur athletes, many of whom are minors, who participate in Olympic, Paralympic, and Pan-American events and training.<sup>1</sup> On February 14, 2018, the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017 (Safe Sport Act) was enacted, which codified the Center’s jurisdiction over the U.S. Olympic and Paralympic Committee (USOPC) and its affiliated organizations with regard to safeguarding amateur athletes against abuse in sports. It also required the Center to develop resources and policies to prevent abuse of amateur athletes.<sup>2</sup>

The Center investigates and resolves allegations of sexual misconduct by coaches, trainers, managers, peers, and others that may be in violation of the Center’s policies and procedures. In addition, the Center may, at its discretion, investigate and resolve allegations of other policy

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<sup>1</sup>Under the Ted Stevens Olympic and Amateur Sports Act (Ted Stevens Act), an amateur sports organization means a not-for-profit corporation, association, or other group organized in the United States that sponsors or arranges an amateur athletic competition. 36 U.S.C. § 220501. An amateur athlete is an athlete who meets the eligibility standards established by the national governing body (NGB) or Paralympic sports organization for the sport in which the athlete competes. An NGB or Paralympic sports organization is an amateur sports organization that is recognized by the U.S. Olympic Committee for a sport included in the Olympic, Paralympic, or Pan-American Games. Since 2019, the U.S. Olympic Committee has used the name U.S. Olympic and Paralympic Committee (USOPC).

<sup>2</sup>Pub. L. No. 115-126, § 202, 132 Stat. 318, 320-21 (codified at 36 U.S.C. §§ 220541-220543). The USOPC is the authorizing organization for Olympic, Paralympic, Pan American and Para Pan American sports in the United States. In this report, we use the term “affiliated organizations” to include the USOPC’s recognized NGBs, Locally Affiliated Organizations (LAO), and High-Performance Management Organizations (HPMO). The USOPC has the authority to recognize and establish certain responsibilities for NGBs. The USOPC recognizes one NGB per sport (e.g. USA Gymnastics, USA Swimming) and there are currently 50 NGBs. A LAO is a regional, state, or local club or organization affiliated with a NGB.

violations, including non-sexual child abuse and emotional and physical misconduct.<sup>3</sup> The Center assesses participants' fitness and eligibility to be involved with amateur athletics; participating in the Center's process does not affect a person's right to file charges or claims with any other agency, law enforcement, or court.<sup>4</sup>

You asked us to describe the process the Center uses in responding to, investigating, and resolving allegations of misconduct. This report describes (1) how the Center responds to allegations of misconduct in amateur athletics and seeks to ensure its process for investigating and resolving allegations is fair, and (2) what is known about incidents reported to the Center from February 2018 through June 2020.<sup>5</sup>

To address our objectives, we reviewed documents relevant to Center intake and investigation policies and practices, such as the SafeSport Code, which establishes acceptable standards of conduct for all individuals who participate in U.S. Olympic and Paralympic events and training (called participants), and the Center's complaint process. In addition, we reviewed the Center's job descriptions, training schedules, standard operating procedures, and employee handbook. We also conducted phone interviews with the Center's leadership, including individuals responsible for the intake and investigation of allegations of misconduct. In addition, we requested summary data for the period February 2018 through June 2020, the most recent data available at the time of our review. The data include information about allegations of misconduct and abuse reported to the Center, and the investigation and resolution of cases.<sup>6</sup> On July 1, 2019, the Center began using a custom-built case management system that contains more detailed data than was previously collected. As a result, we also requested detailed summary data about allegations of misconduct reported and cases resolved over the course of one year,

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<sup>3</sup>Under the SafeSport Code, certain alleged violations fall under the Center's "exclusive jurisdiction" (including allegations of sexual misconduct and child sexual abuse, among others) and other alleged violations fall under its "discretionary jurisdiction" (including allegations of non-sexual child abuse and emotional and physical misconduct, among others). According to the Code, when allegations fall within the Center's exclusive jurisdiction, affiliated organizations—while able to impose temporary measures or safety plans—may not investigate or resolve those allegations. When the allegations fall within the Center's discretionary jurisdiction, affiliated organizations may investigate and resolve the matter, unless and until the Center expressly exercises jurisdiction over the particular allegations. The Center's Standard Operating Procedures state that the Center will exercise jurisdiction over discretionary matters if: (1) a conflict exists with the relevant NGBs; (2) the allegations contain egregious misconduct that resulted in serious harm; or (3) the allegations are related to a matter in which the Center has exclusive jurisdiction.

<sup>4</sup>The Safe Sport Act provides that "[n]othing in this section shall be construed as altering, superseding, or otherwise affecting the right of an individual within the Center's jurisdiction to pursue civil remedies through the courts for personal injuries arising from abuse in violation of the Center's policies and procedures, nor shall the Center condition the participation of any such individual in a proceeding ... upon an agreement not to pursue such civil remedies." 36 U.S.C. § 220541(c)(2).

<sup>5</sup>Our work was conducted prior to the enactment of the Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020 on October 30, 2020, which made a number of changes to the Ted Stevens Act and the Safe Sport Act affecting the USOPC, NGBs, and the Center. See Pub. L. No. 116-189, 134 Stat. 943. For example, the act established certain legislative mechanisms by which Congress may dissolve the USOPC's board of directors and terminate recognition of NGBs. With respect to the Center's response and resolution activities, the act included provisions related to the Center's due process procedures, the independence and confidentiality of Center investigations, mandatory reporting of child abuse, and training for investigators, among other things. According to information provided by Center officials, many of these provisions included policies or practices the Center already had in place. A review of these changes was beyond the scope of this work.

<sup>6</sup>The Center refers to initial allegations of misconduct as incident reports. Once the Center establishes that it has enough information to proceed with intake and investigation, it refers to allegations of misconduct as cases.

from July 1, 2019 through June 30, 2020. To assess the reliability of the summary data, we interviewed Center staff knowledgeable about the data and reviewed related documents. We determined that the data were sufficiently reliable for the purposes of this report.

We conducted our work from May 2020 to December 2020 in accordance with all sections of GAO's Quality Assurance Framework that are relevant to our objectives. The framework requires that we plan and perform the engagement to obtain sufficient and appropriate evidence to meet our stated objectives and to discuss any limitations in our work. We believe that the information and data obtained, and the analysis conducted, provide a reasonable basis for any findings and conclusions in this product.

## Background

The Center serves as the official, independent safe sport organization responsible for protecting amateur athletes from emotional, physical, and sexual misconduct and abuse in the U.S. Olympic and Paralympic communities. The United States does not have a federal government agency dedicated to athletics, unlike some other countries, which may have a sports ministry or similar entity. However, as we have previously reported, federal agencies—such as the Departments of Education, Health and Human Services, and Justice—engage in various efforts to prevent and respond to the sexual abuse of a broad population of youth, and these efforts may apply to youth athletes, depending on the circumstances.<sup>7</sup>

The Center administers the SafeSport Code, which was initially developed in 2017,<sup>8</sup> about the same time the Center was established.<sup>9</sup> According to the SafeSport Code, the USOPC and its affiliated organizations must comply, in all respects, with the SafeSport Code's policies and procedures and have incorporated its provisions into their relevant policies. Further, participants are responsible for knowing the information outlined in the SafeSport Code and have expressly agreed to its policies and procedures. Participants may include coaches, athletes, volunteers, trainers, and medical personnel.<sup>10</sup>

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<sup>7</sup>GAO, *Youth Athletes: Sports Programs' Guidance, Practices, and Policies to Help Prevent and Respond to Sexual Abuse*, [GAO-15-418](#) (Washington, D.C.: May 29, 2015).

<sup>8</sup>In 2015, we reported that the U.S. Olympic Committee (USOC), now known as the USOPC, established the SafeSport program, an athlete safety program that addressed misconduct in sports through information, training, and resources. The USOC's minimum standards policy for the program required each NGB to adopt an athlete safety program by December 31, 2013. According to a USOC official we interviewed for our 2015 report, responding to allegations of sexual misconduct requires significant expertise. To address this, the official told us the USOC was working to create the Center, which included developing a national code to help individuals further distinguish between appropriate and inappropriate behavior. [GAO-15-418](#).

<sup>9</sup>See <https://uscenterforsafesport.org/response-and-resolution/safesport-code/>. The Center has updated the SafeSport Code each year since it was created. The most recent version was effective April 1, 2020.

<sup>10</sup>Specifically, the SafeSport Code defines "participant" to include any individual who is seeking to be, currently is, or was at the time of an alleged Code violation (a) a member, license holder, employee, or board member of the USOPC or any affiliated organizations; (b) within the governance or disciplinary jurisdiction of the USOPC or any affiliated organizations; or (c) authorized, approved, or appointed by the USOPC or any affiliated organization to have regular contact with or authority over minor athletes.

The Safe Sport Act requires the Center to maintain a Response and Resolution Office.<sup>11</sup> The Response and Resolution Office establishes mechanisms to report, investigate, and resolve allegations of misconduct and abuse and other violations of the SafeSport Code. In addition, the act requires the Center to ensure that these mechanisms provide fair notice and an opportunity to be heard and protect the privacy and safety of individuals who report allegations of misconduct.

The Response and Resolution Office is comprised of two divisions: intake and investigations. Among other things, intake staff are responsible for gathering preliminary information, assessing potential risk to athletes, and referring allegations for formal investigation. Investigative staff are responsible for conducting investigations into allegations of misconduct and abuse. Job descriptions state that intake and investigative staff should have at least a bachelor's degree, and generally 4 to 5 years of relevant work experience. According to Center staff, intake staff include former probation officers, child protective service investigators, paralegals, and licensed clinical social workers. Investigative staff include former Federal Bureau of Investigation and Naval Criminal Investigative Service agents, sex crimes detectives, former Judge Advocate Generals, public defenders, judges, and child protective service investigators. As of September 1, 2020, the Center's Response and Resolution Office had 35 staff, including 16 intake staff, 15 investigative staff, and 4 staff who work in both divisions.<sup>12</sup>

While conducting intake and investigations, the Center must comply with any applicable requirements regarding mandatory reporting of child abuse. According to Center policy, all Center staff, including board members, interns, and volunteers, are mandatory reporters of suspected child abuse and neglect to law enforcement.<sup>13</sup> Law enforcement agencies are responsible for conducting any criminal investigations of child abuse, and depending on the circumstances, other entities—such as child protective services—may also conduct an investigation. Among other topics, Center intake and investigative staff receive training on mandatory reporting, the SafeSport Code, fair notice, implicit bias, and ethics, according to Center leadership.

In calendar year 2020, the Center received the majority of its \$16.4 million annual budget from the USOPC, according to Center staff.<sup>14</sup> Since 2018, it has also received about \$2.3 million from the U.S. Department of Justice as part of the “Keep Young Athletes Safe” grant program.<sup>15</sup> These grant funds are used for outreach and education efforts, as well as audit and compliance

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<sup>11</sup>In addition to the Response and Resolution Office, the Safe Sport Act requires the Center to maintain an Education and Outreach Office that develops training, oversight practices, policies, and procedures to prevent the abuse of athletes participating in amateur athletic activities through the NGBs and Paralympic sports organizations. The Education and Outreach Office was outside the scope of our work.

<sup>12</sup>Three lawyers from the Center's legal team work on matters pertaining to the Response and Resolution Office.

<sup>13</sup>According to the SafeSport Code, an adult participant who learns of information and reasonably suspects that a child has suffered an incident of child abuse, including sexual abuse, shall immediately make a report of the suspected abuse to both law enforcement and the U.S. Center for SafeSport. See also 36 U.S.C. § 220542(a)(2)(A); 34 U.S.C. § 20341. States may also have applicable mandatory reporting laws.

<sup>14</sup>The Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020 requires the USOPC to provide \$20 million to the Center annually, beginning January 2021. With the exception of federal funding for its Paralympic military veteran programs, the USOPC relies on private resources.

<sup>15</sup>The Center was awarded the Keep Young Athletes Safe grant in 2018. The award is for a 3-year period of performance, but funding beyond the 3-year period may be provided through continuation awards.

activities.<sup>16</sup> Federal funding does not support the Center's investigation process, according to Center staff.

## **The SafeSport Code and Standard Operating Procedures Guide the Center's Responses to Allegations of Misconduct and Efforts to Ensure a Fair Process**

### The SafeSport Code and Standard Operating Procedures

According to Center staff, intake and investigation staff use the SafeSport Code, Standard Operating Procedures (SOPs), and other tools to guide their response to allegations of misconduct. The SafeSport Code defines the scope of the Center's jurisdiction, establishes the standard of proof for its decisions, identifies types of prohibited conduct, describes possible temporary measures and sanctions, and outlines the resolution process and requirements to report to law enforcement. Under the SafeSport Code, the Center will accept all allegations of sexual misconduct, and may accept allegations of other forms of misconduct at its discretion. The SafeSport Code defines sexual misconduct to include sexual or gender-related harassment; non-consensual sexual contact (or attempts to commit the same); non-consensual sexual intercourse (or attempts to commit the same); sexual exploitation; or other inappropriate conduct of a sexual nature. Other forms of misconduct prohibited by the Code include, among other things, emotional and physical misconduct, such as stalking, bullying, hazing, and harassment; aiding and abetting; and misconduct related to reporting.

As outlined in the SafeSport Code, the Center may take various actions during intake and investigation. For example, at any time during intake and investigation the Center may adopt or implement temporary measures, depending on the perceived risk to athletes or the sport community, among other considerations. According to the SafeSport Code, temporary measures may include, but are not limited to, altering training schedules, providing or requiring chaperones, implementing contact limitations, and suspending individuals from participating in some or all aspects of sport activity. According to the SafeSport Code, at the conclusion of the Center's investigation, the Center will determine whether there is sufficient information to support a finding that a participant violated the Code, by a preponderance of the evidence (meaning "more likely than not").

The Center's SOPs outline intake and investigation staff roles and responsibilities, and provide a step-by-step guide of each division's processes. For example, as part of the intake process and as set forth in the SOPs, staff must analyze the complexity and severity of allegations to prioritize cases for investigation. According to Center staff, in assessing the complexity of cases, they consider the number of individuals alleging to have experienced misconduct, whether the individuals are minors, the number of witnesses involved in the case, and the volume of and difficulty in obtaining evidence. Severity of abuse and misconduct can range from inappropriate conduct with minors, such as butt slapping, to rape and forcible sexual assault.

In addition to the SafeSport Code and SOPs, a case management system is used by intake and investigation staff to document their work. According to SOPs, intake and investigation staff must maintain full, complete, and accurate records within the case management system. These include, among other things, staff assessments of the severity of allegations and the complexity

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<sup>16</sup>The Center developed and implemented a compliance program to oversee regular and random audits of the 50 NGBs to ensure required policies and procedures to prevent and respond to the abuse of minor athletes are followed correctly.

of the case, information on case resolutions, copies of law enforcement reports, arbitration records, and current status of a respondent's eligibility to participate in the USOPC community (e.g., eligible, ineligible, etc.).<sup>17</sup> Upon conclusion of the investigation, the claimant and the respondent will be notified of the decision.<sup>18</sup>

### The Center's Efforts to Ensure a Fair Intake and Investigative Process

The Center seeks to ensure its intake and investigation process is fair by taking steps to ensure anonymity and privacy; providing opportunities for claimants (who are generally athletes) and respondents (the individuals accused of misconduct) to participate in investigations; and providing parties with the right to consult with an advisor and to seek arbitration of sanctions or other measures imposed by the Center. Specifically:

- Participants of the USOPC community or others can make reports of misconduct anonymously to the Center.<sup>19</sup> In addition, according to the Code, the Center will make reasonable efforts to protect the privacy of claimants; however, the Center reserves the right to notify minor claimants' guardians regarding any health or safety risk.
- Although optional, claimants and respondents can participate in investigations, including submitting relevant evidence, identifying witnesses, and submitting questions for witnesses. If a claimant or respondent declines to cooperate or participate in an investigation, the Center will make its decision based on the available evidence.
- Claimants and respondents have the right under the Center's Code to choose and consult with an advisor. The advisor may be any person, including an attorney, who is not otherwise a party or witness involved in the investigation or hearing.
- Claimants and respondents may also use services provided by the Center's Resource and Process Advisor. The Resource and Process Advisor is a neutral party employed by the Center who serves as a source of information to the parties, answers procedural questions, provides a roadmap for each step of the process, explains various options regarding a party's participation, and addresses any concerns the claimant or respondent may have.
- Respondents may request arbitration to challenge the Center's decisions about violations of the Code, sanctions imposed, or temporary measures that materially affect the opportunity to participate in USOPC and affiliated organizations' activities. There are two types of arbitration:
  - Temporary measures hearings provide respondents an opportunity to contest temporary measures implemented by the Center (e.g., suspension), typically while an investigation proceeds.

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<sup>17</sup>According to the SafeSport Code, a claimant is a person who is alleged to have experienced conduct that constitutes a Code violation. A respondent is a participant of the Olympic and Paralympic community who is alleged to have violated the SafeSport Code.

<sup>18</sup>According to the SafeSport Code, the Notice of Decision describes any violation of the SafeSport Code and provides the rationale for the decision, includes the Investigation Report and sanction(s), if any, imposed against the respondent, and provides the rationale for any sanction(s).

<sup>19</sup>According to the SafeSport Code, anonymity means the Center will not know the personally identifying information of the reporter.

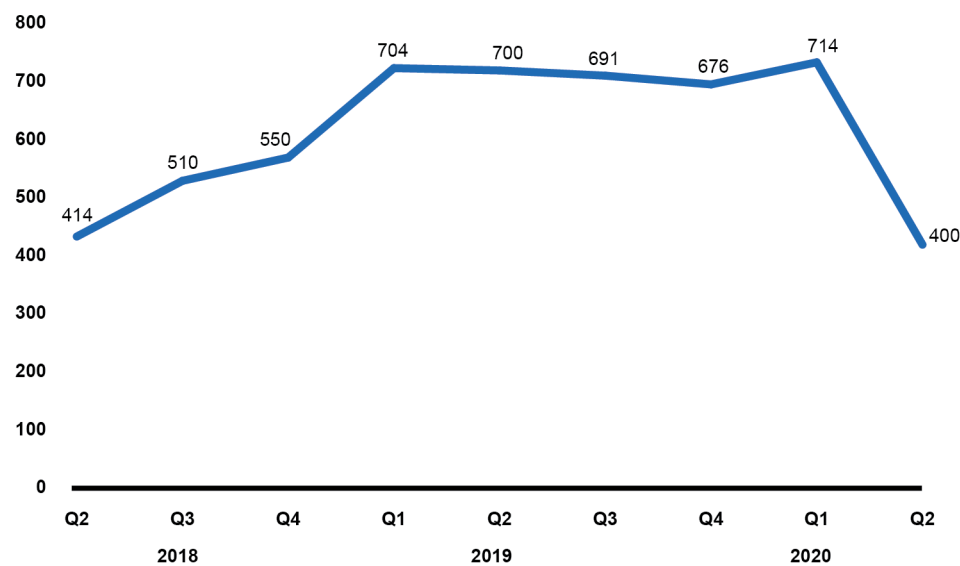
- Merits arbitration provide respondents an opportunity to contest the Center's findings after an investigation and issuance of the "Notice of Decision."<sup>20</sup>

### Thousands of Incidents of Misconduct Were Reported to the Center, but Most Fell Outside of Its Jurisdiction or Lacked the Information Needed for an Investigation

Although the number of incidents reported to the Center has mostly increased since the second quarter of 2018, a few months after enactment of the Safe Sport Act, the number fell dramatically during the second quarter of 2020.<sup>21</sup> (See fig. 1.) According to Center staff, this decrease may be attributed to the Coronavirus Disease 2019 (COVID-19) pandemic and a decrease in participation in amateur athletics.

**Figure 1: Number of Incidents Reported to the U.S. Center for SafeSport, April 1, 2018–June 30, 2020**

Number of incident reports



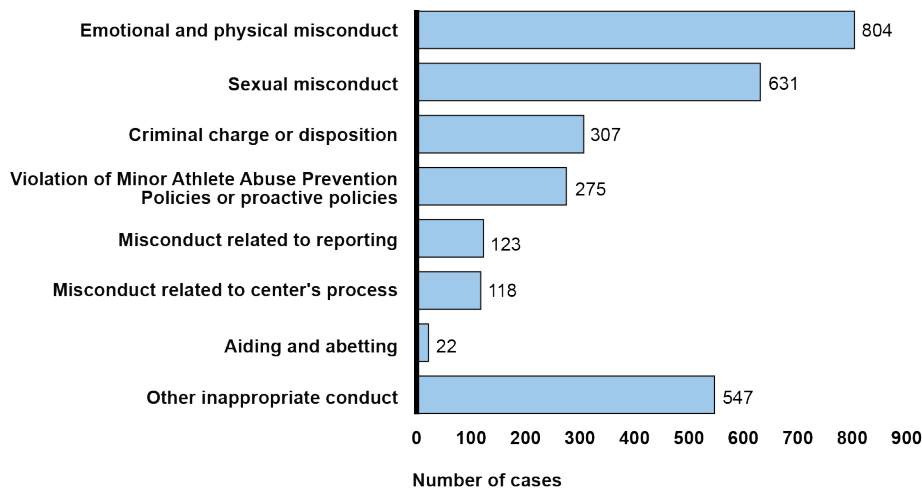
Source: GAO presentation of U.S. Center for SafeSport data. | GAO-21-128R

<sup>20</sup>Judicial Arbitration and Mediation Services (JAMS), an independent arbitration services provider, administers the arbitration hearings. The JAMS arbitrators used by the Center are former judges and practicing attorneys who have experience in sexual misconduct cases. According to the Center, arbitrators have working knowledge of sexual assault, child sexual abuse, and trauma-informed interviewing protocols, and are independent individuals with no relationship with the Center, the USOPC, or any affiliated organization. They review the facts and evidence and reach an independent and binding decision on whether the Center has shown a violation by a preponderance of the evidence (the behavior more likely than not occurred) and, if so, imposed the appropriate sanction.

<sup>21</sup>Incident Reports include reports submitted by phone, email, mail, or through the Center's online reporting form. The total number of incident reports will differ from the total number of cases created in the Center's case management system; in some instances, incident reports do not contain sufficient detail to create cases.

From July 1, 2019, through June 30, 2020,<sup>22</sup> the Center created cases for 1,979 claimants for whom in some instances multiple incidents were reported.<sup>23</sup> The Center refers to initial allegations of misconduct as incident reports. Once the Center establishes that it has enough information to proceed with intake and investigation, it refers to allegations of misconduct as cases. Of the cases created during this time, 804 involved allegations of emotional and physical misconduct, 631 involved allegations of sexual misconduct, and 547 involved allegations of other inappropriate conduct, among other types of prohibited conduct under the SafeSport Code. (See fig. 2.)

**Figure 2: Number of Cases Created by Type of Prohibited Conduct Alleged, U.S. Center for SafeSport, July 1, 2019–June 30, 2020**



Source: GAO presentation of U.S. Center for SafeSport data. | GAO-21-128R

Note: The Center creates a case after it establishes that it has enough information to proceed with intake and investigation of an allegation it receives. The bars represent the number of cases that include allegations of each type of conduct prohibited by the SafeSport Code. The SafeSport Code identifies nine categories of prohibited conduct, as follows: It is a violation of the Code for a participant to (1) have a criminal charge or disposition; (2) engage in child abuse; (3) engage in sexual misconduct (e.g., sexual harassment or non-consensual sexual contact); (4) engage in emotional and physical misconduct (e.g., stalking, hazing, or bullying); (5) assist, facilitate, or encourage the commission of prohibited conduct by a participant (referred to in the figure as “aiding and abetting”); (6) engage in misconduct related to reporting (e.g., failing to make a required report or filing a false allegation); (7) engage in misconduct related to the Center’s process (e.g., abuse of process or retaliation); (8) engage in certain categories of other inappropriate conduct (e.g., exposing a minor to sexual content or inappropriate physical contact); and (9) violate the Minor Athlete Abuse Prevention Policies or other proactive policies adopted by the U.S. Olympic and Paralympic Committee or its affiliated organizations. For the purpose of this chart, “child abuse” was removed as an allegation type because every allegation of child abuse fits into another category of misconduct (emotional/physical/sexual abuse or criminal disposition), according to Center staff. Cases are counted more than once if more than one type of prohibited conduct is alleged.

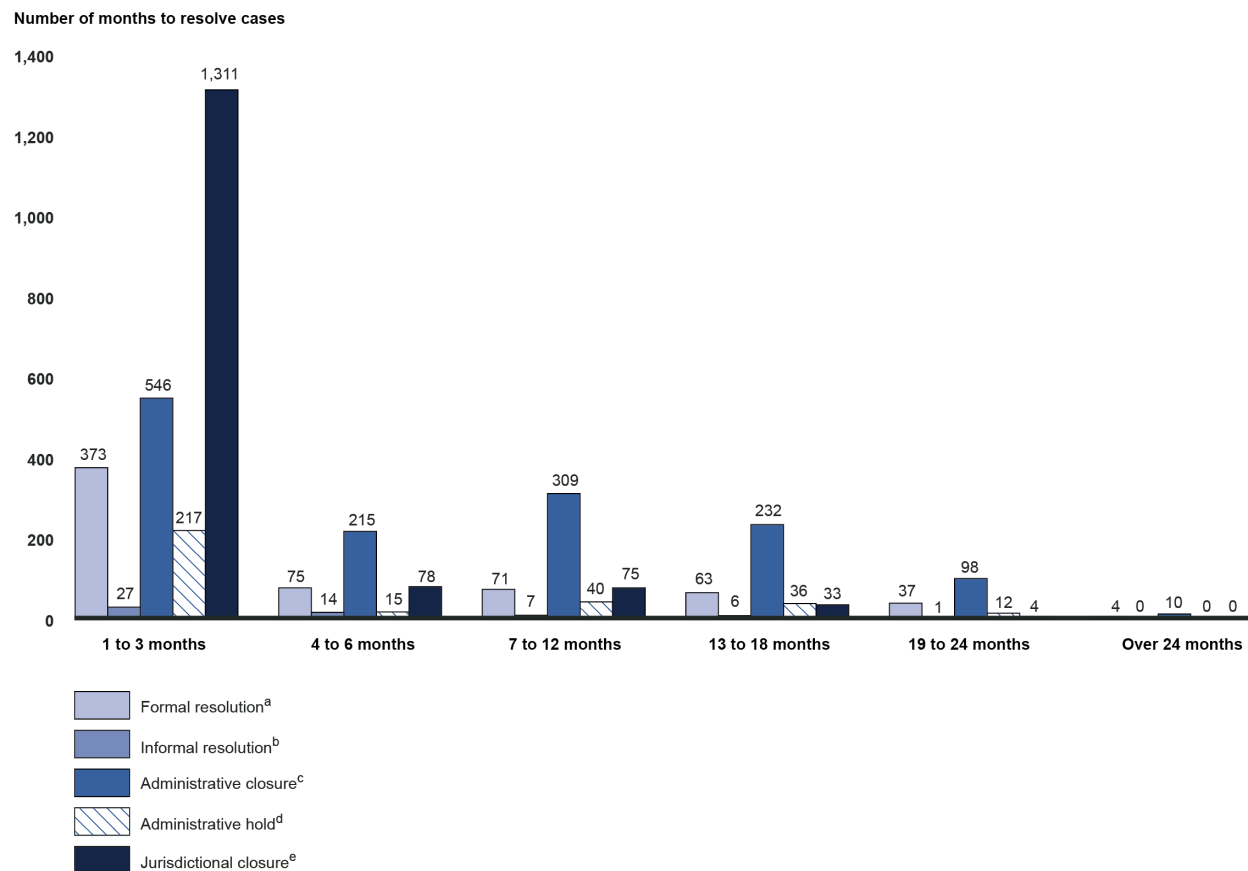
<sup>22</sup>On July 1, 2019, the Center began using a custom-built case management system that contains more detailed data than was previously collected. As a result, we requested detailed summary data about allegations of misconduct reported and cases resolved over the course of one year, from July 1, 2019, through June 30, 2020.

<sup>23</sup>From July 1, 2019, through June 30, 2020, the Center created 2,027 cases, but only 1,223 included claimant information. According to Center staff, oftentimes when third parties make a report, claimants are unwilling to participate in cases, and the Center is unable to record claimant data. Additionally, cases often involve multiple allegations against the same individual, which is why the number of total claimants exceeds the number of cases with claimant data.



From February 2018, through June 2020, the Center created and resolved 3,909 cases. (See fig. 3.) Most cases (63 percent) were resolved in 1 to 3 months, although 536 cases (14 percent) took over a year to resolve. According to Center staff, the length of time to resolve cases depends on the circumstances of the case, such as law enforcement involvement or reluctant or nonresponsive claimants.

**Figure 3: Number of Months to Resolve Cases by Outcome Type for Cases Created and Resolved by the U.S. Center for SafeSport, February 14, 2018–June 30, 2020**



Source: GAO presentation of U.S. Center for SafeSport data. | GAO-21-128R

Note: From February 14, 2018, through June 30, 2020, 3,909 total cases were created and resolved. The Center creates a case after it establishes that it has enough information to proceed with intake and investigation of an allegation it receives. The total number of cases resolved during this period, including cases created prior to February 14, 2018, was 4,150. The Center’s investigations assess participants’ fitness and eligibility to be involved with amateur athletics; participating in the Center’s process does not affect a person’s right to file charges or claims with any other agency, law enforcement, or court.

<sup>a</sup>According to the SafeSport Code, a formal resolution occurs after the Center has completed an investigation and either closes the matter or, if a violation of the SafeSport Code is found, issues its decision.

<sup>b</sup>Under the SafeSport Code, a respondent may, at any time before a matter is final, elect to resolve allegations of misconduct by accepting responsibility for a policy violation. The Center may informally resolve the matter with the respondent, and the Center will determine the appropriate sanction.

<sup>c</sup>The Center, in its discretion, may administratively close a matter. This may be done as a result of insufficient evidence, a claimant(s) who elects not to participate in the resolution process, or other factors as determined by the Center.

<sup>d</sup>An administrative hold is a type of case resolution and closure used by the Center when a respondent is not currently participating in a sport, but was an active participant at some point previously. An administrative hold prevents the respondent from participating in the Olympic and Paralympic movement until allegations are resolved.

<sup>e</sup>Jurisdictional closures occur when the Center declines jurisdiction over allegations falling within its discretionary jurisdiction, determines that it lacks personal jurisdiction over an identified respondent, or lacks subject matter jurisdiction over reported behaviors. Personal jurisdiction refers to whether the individual who reportedly engaged in misconduct is subject to the SafeSport Code, i.e. a member of the U.S. Olympic and Paralympic Committee community; for example, a board member, athlete, coach, or employee. Subject matter jurisdiction refers to whether the alleged misconduct implicates the SafeSport Code.

Most of the Center’s cases were resolved through administrative closure or jurisdictional closure. This is true whether the case was created and resolved from July 1, 2019, through June 30, 2020; created prior to July 1, 2019, but resolved during the aforementioned timeframe; or resolved any time since February 2018. (See table 1.) Center staff explained that the Center can administratively close cases at various stages in the process and may reopen cases when previously reluctant claimants reengage and are ready to participate, or when additional information or evidence is learned. According to the Center’s standard operating procedures, jurisdictional assessments occur before a case is investigated. However, the Center may reassess its jurisdictional decision at any time. If the Center declines to exercise jurisdiction over a matter in its discretionary jurisdiction, the Center may refer the matter to the appropriate sport’s national governing body.

**Table 1: Cases Resolved by Outcome, U.S. Center for SafeSport**

<b>Number of Cases Created and Resolved, July 1, 2019–June 30, 2020</b>					
	<b>Resolved</b>		<b>Administrative hold<sup>d</sup></b>	<b>Jurisdictional closure<sup>e</sup></b>	<b>Total</b>
	<b>Formal resolution<sup>a</sup></b>	<b>Informal resolution<sup>b</sup></b>	<b>Administrative closure<sup>c</sup></b>		
	122	37	515	115	720
<b>1509</b>					
<b>Number of Cases Resolved, Regardless of When Cases Were Created, July 1, 2019–June 30, 2020</b>					
	315	46	1091	189	819
<b>2460</b>					
<b>Number of Cases Resolved, Regardless of When Cases Were Created, February 14, 2018–June 30, 2020</b>					
	731	60	1498	321	1540
<b>4150</b>					

Source: GAO presentation of U.S. Center for SafeSport data. | GAO-21-128R

Note: The Center creates a case after it establishes that it has enough information to proceed with intake and investigation of an allegation it receives. The Center’s investigations assess participants’ fitness and eligibility to be involved with amateur athletics; participating in the Center’s process does not affect a person’s right to file charges or claims with any other agency, law enforcement, or court.

<sup>a</sup>According to the SafeSport Code, a formal resolution occurs after the Center has completed an investigation and either closes the matter or, if a violation of the SafeSport Code is found, issues its decision.

<sup>b</sup>Under the SafeSport Code, a respondent may, at any time before a matter is final, elect to resolve allegations of misconduct by accepting responsibility for a policy violation. The Center may informally resolve the matter with the respondent, and the Center will determine the appropriate sanction.

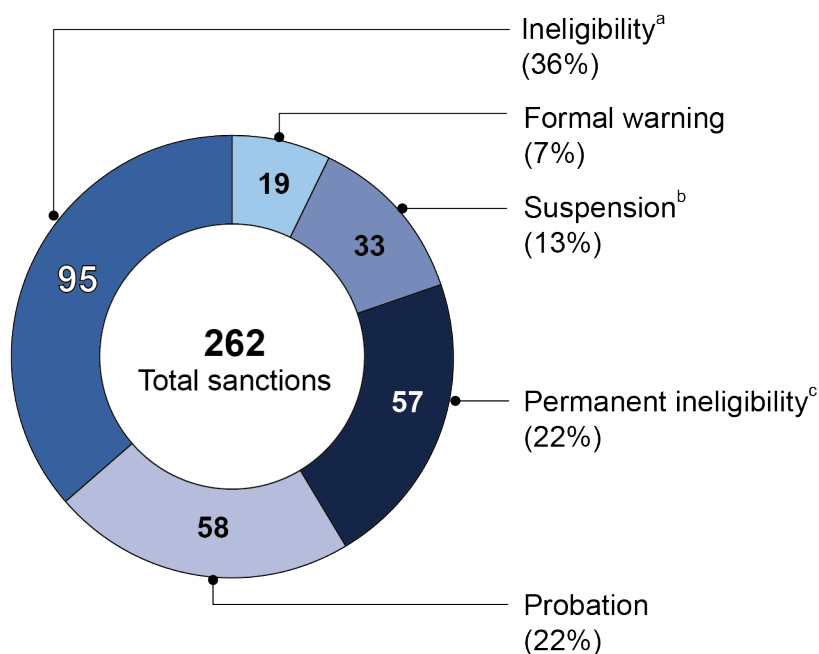
<sup>c</sup>The Center, in its discretion, may administratively close a matter. This may be done as a result of insufficient evidence, a claimant(s) who elects not to participate in the resolution process, or other factors as determined by the Center.

<sup>d</sup>An administrative hold is a type of case resolution and closure used by the Center when a respondent is not currently participating in sport, but was an active participant at some point previously. An administrative hold prevents the respondent from participating in the Olympic and Paralympic movement until allegations are resolved.

<sup>e</sup>Jurisdictional closure occurs when the Center declines jurisdiction over allegations falling within its discretionary jurisdiction, determines that it lacks personal jurisdiction over an identified respondent, or lacks subject matter jurisdiction over reported behaviors. Personal jurisdiction refers to whether the individual who reportedly engaged in misconduct is subject to the SafeSport Code, i.e. a member of the U.S. Olympic and Paralympic Committee community; for example, a board member, athlete, coach, or employee. Subject matter jurisdiction refers to whether the alleged misconduct implicates the SafeSport Code.

From July 1, 2019, through June 30, 2020, the Center imposed temporary measures for 123 of 2,027 cases that were created and imposed 262 sanctions for 2,460 cases that were resolved. The primary sanction for 57 of the resolved cases was "permanent ineligibility" from participating in U.S. Olympic and Paralympic sports, a sanction typically imposed for egregious misconduct.<sup>24</sup> In addition, the primary sanction for 33 of the resolved cases was suspension for varying lengths of time, and the primary sanction for 95 of the resolved cases was "ineligibility" until further notice.<sup>25</sup> The remaining cases resulted in less severe sanctions, such as a formal warning, based on less egregious SafeSport Code violations. (See fig.4.) In addition, from July 1, 2019, through June 30, 2020, the Center referred 424 reports of alleged abuse to law enforcement.

**Figure 4: Number and Type of Sanctions for Cases Resolved by the U.S. Center for SafeSport, July 1, 2019– June 30, 2020**



Source: GAO presentation of U.S. Center for SafeSport data. | GAO-21-128R

Note: The total number of cases resolved during this period was 2,460. A single case may have been resolved with multiple sanctions; this figure shows the primary sanction issued for each case, as designated by the Center. According to the Center’s standard operating procedures, the Center may, in its discretion, impose other sanctions for prohibited conduct. However, according to the information the Center provided GAO, it did not impose other discretionary sanctions during this timeframe.

<sup>24</sup>According to SafeSport staff, cases often include multiple sanctions in an effort to comprehensively address the misconduct, mitigate its effects, and prevent its recurrence. The Center provided data on the "primary sanction" imposed.

<sup>25</sup>According to the SafeSport Code, if the Center sanctions an individual with "permanent ineligibility," that individual is permanently ineligible to participate, in any capacity, in any program, activity, event, or competition sponsored by, organized by, or under the auspices of the USOPC or any of its affiliated organizations, or at a facility under the jurisdiction of the same. A sanction of "ineligibility" means the individual cannot do any of the above until further notice; it is typically imposed when a respondent has pending charges. A sanction of "suspension" means the individual is prohibited from any of these activities for a specified period of time, after which the individual is eligible to return to sport. A suspension may include restrictions or prohibitions from some types of participation but allow participation in other capacities, and reinstatement may be subject to certain restrictions or conditions.

<sup>a</sup>According to the SafeSport Code, a sanction of “permanent ineligibility,” means the individual is permanently ineligible to participate, in any capacity, in any program, activity, event, or competition sponsored by, organized by, or under the auspices of the U.S. Olympic and Paralympic Committee or any of its affiliated organizations, or at a facility under the jurisdiction of the same.

<sup>b</sup>A sanction of “ineligibility” means the individual cannot do any of these activities until further notice; it is typically imposed when the individual has pending charges.

<sup>c</sup>A sanction of “suspension” means the individual is prohibited from any of these activities for a specified period of time.

From July 1, 2019, through June 30, 2020, 27 cases were referred to arbitration. Of the 27 cases referred to arbitration, six cases were referred to Temporary Measures Hearings, and the remaining 21 were referred to Merits Arbitration. Of the 21 cases referred to Merits Arbitration, 11 cases resulted in the Center’s findings and sanctions being substantially upheld, three cases resulted in the Center’s findings and sanctions being substantially modified, three cases resulted in the Center’s findings and sanctions being overturned, and four cases were in progress as of late August 2020.<sup>26</sup>

The Center publishes the names of sanctioned adults who the Center believes pose a potential risk to U.S. Olympic and Paralympic athletes and affiliated organizations in its online Centralized Disciplinary Database (CDD).<sup>27</sup> According to Center staff, as of June 30, 2020, approximately 1,300 individuals were listed in the CDD. The directory includes the names of individuals subject to temporary measures because of the severity of allegations against them, as well as individuals sanctioned with some period of suspension or ineligibility. The Center does not publish the names of every individual sanctioned for violating the SafeSport Code. For example, the Center does not publish the names of minors or individuals whose sanctions do not materially limit their ability to participate in sports.

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<sup>26</sup>According to the Center, an arbitration hearing may overturn the Center’s findings or sanctions when the arbitrator finds insufficient evidence to support violation or sanction. Substantially modified decisions are those where the arbitrator issues a decision and sanction of a different type than the Center issued or reduces the Center’s sanction by 50 percent or more.

<sup>27</sup>The CDD also contains certain eligibility decisions made by USOPC affiliated organizations, including those rendered prior to the establishment of the Center. The CDD is available at <https://uscenterforsafesport.org/response-and-resolution/disciplinary-database/>.

## Agency Comments

We provided a draft of this report to the Center for review and comment. The Center provided technical comments, which we incorporated as appropriate.

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If you and your staff have any questions, please contact Kathryn A. Larin at (202) 512-7215 or [larink@gao.gov](mailto:larink@gao.gov). Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. Major contributors to this report were Andrea Dawson (Assistant Director), Ramona L. Burton (Analyst-in-Charge), Susan Aschoff, Angeline Bickner, Sarah Cornetto, Jean McSween, Mimi Nguyen, Tracie Sánchez, and John Yee. Also contributing were Sheila McCoy and Almeta Spencer.

A handwritten signature in black ink that reads "Kathryn A. Larin". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Kathryn A. Larin, Director  
Education, Workforce, and Income Security Issues

Enclosure(s) – 2

## Enclosure I: Other Entities' Processes for Conducting Intake and Investigations for Reports of Child Abuse and Neglect and Missing and Abducted Children

**Child welfare agencies** have an intake process for receiving reports of incidents of suspected child abuse or neglect (child maltreatment), gathering preliminary information, and determining whether to proceed with an investigation, according to information from the Department of Health and Human Services (HHS). Child welfare staff, upon receiving a report of possible child maltreatment, determine whether the reported family is currently involved, or has a history of involvement, in the child welfare system, and if the report contains enough information to identify or locate the child and family. In addition, they determine if the reported information meets the applicable statutory and agency definitions for child maltreatment, and if the child is the responsibility of the agency or of another jurisdiction, such as a military installation or Native American/American Indian Tribe. If the report meets these thresholds, child welfare staff also determine the urgency of the required response.

After this screening process, according to HHS, child welfare agencies investigate the allegations of child maltreatment, and determine if they are substantiated, and if there is risk of child maltreatment occurring in the future. Child welfare staff may gather information from many sources, including checks of criminal records and medical and mental health evaluations. Interviews are typically conducted with the individuals accused of inappropriate conduct, and with alleged victims, parents, witnesses, and other individuals with relevant information. Child welfare staff should use developmentally appropriate techniques when interviewing and working with children, according to HHS. If allegations of maltreatment are substantiated, depending on factors such as the severity of the maltreatment, child welfare agencies may provide services to families and/or seek to place children in foster care.

For additional information, see Child Welfare Information Gateway, *How the child welfare system works* (Washington, D.C.: Department of Health and Human Services, Children's Bureau, 2013), <https://www.childwelfare.gov/pubs/factsheets/cpswork/> and Child Welfare Information Gateway, *Making and screening reports of child abuse and neglect* (Washington, D.C.: Department of Health and Human Services, Children's Bureau, 2017), <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/reprocl/>.

**The National Center for Missing and Exploited Children** issued *Law-Enforcement Policy and Procedures for Reports of Missing and Abducted Children: A Model* in 2011. Among other things, the model policy suggests that every child reported missing be "considered at risk until significant information to the contrary is confirmed." In addition, the model policy states that a law enforcement agency should assume jurisdiction of a report if the child resides in the jurisdiction, was last seen in the jurisdiction, or the child resides in the jurisdiction and the law enforcement agency in the jurisdiction in which the child was last seen refuses to take the report. According to the model policy, in determining whether to accept the report, law enforcement should consider whether the report concerns a person under 18 years of age who is considered missing by a parent or guardian and is at-risk.<sup>28</sup> Also, the model policy states that, among other responsibilities, the official taking the report should take care to obtain sufficient information from the individual making the report. Further, after a preliminary investigation, an

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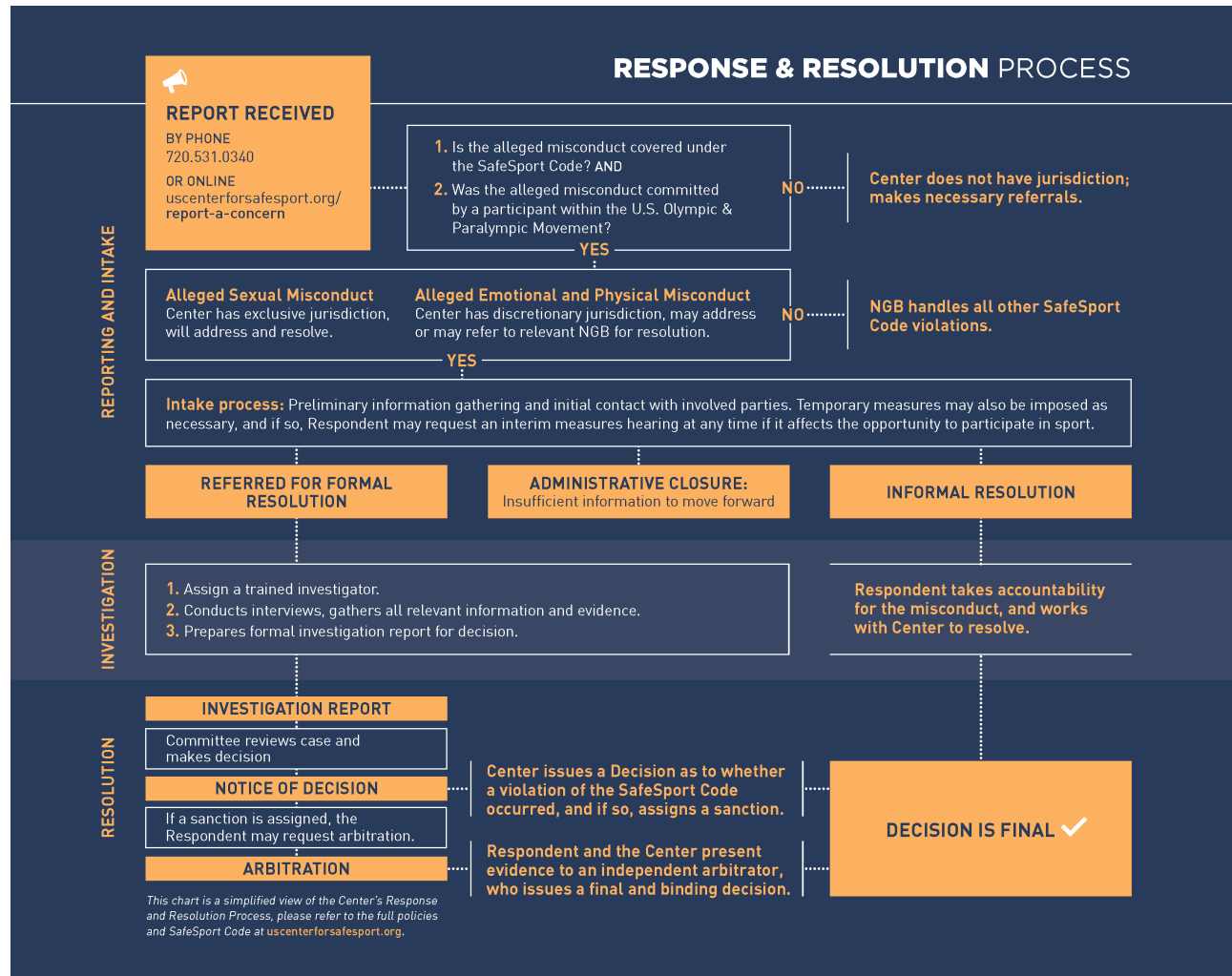
<sup>28</sup>According to the model policy, children at-risk include those who are 13 years of age or younger or out of zone of safety for their age and developmental stage, have mental or behavioral health disabilities, are drug dependent, have been missing for more than 24 hours, are in a life-threatening situation, are in the company of others who could endanger their welfare, are absent in a manner that is uncharacteristic, or are involved in a situation that could lead a reasonable person to assume they are at-risk.

investigator should, among other things, initiate a neighborhood investigation; obtain a brief history of family dynamics; conduct criminal-history background checks on potential suspects, witnesses, and other participants in the investigation; and coordinate, as needed, with other organizations and agencies, including the Federal Bureau of Investigation, the missing-children clearinghouse, and law enforcement agencies. The model policy stresses the importance of interviewing witnesses and thoroughly maintaining and documenting evidence, including interviews, telephone and social media records, and any information concerning circumstances that may have led to the child missing. According to the model policy, “An information-management system is an essential part of the overall investigative process.”

For additional information, see The National Center for Missing & Exploited Children, *Law-Enforcement Policy and Procedures for Reports of Missing and Abducted Children: A Model* (2011), <https://www.missingkids.org/education/training/mkrp> and The National Center for Missing & Exploited Children, *Children Missing from Care: The Law-Enforcement Response*, (2005), <https://www.missingkids.org/ourwork/publications#exploited>.

## Enclosure II: The U.S Center for SafeSport Response and Resolution Process

Figure 5: U.S Center for SafeSport Response and Resolution Process.



Source: U.S. Center for SafeSport. | GAO-21-128R

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