



Game Over Commission Hearing 2020 – Day 1

[00:00:00] Good morning. Uh, I'd like to welcome everybody. That's joining us from, uh, around the world. Uh, and, uh, thank you for being a part of the game over commission. Uh, this is a commission that was formed of leading experts in the United. To study the challenges of sex abuse in sport. Uh, of course it was prompted originally by the scandal in USA gymnastics.

Uh, we are going to be holding hearings today and tomorrow. Uh, this is, uh, an event that is sponsored by child USA, which is, uh, for which I'm going to CEO, child USA is dedicated, uh, to ending child sex abuse and child abuse and neglect. But one of our primary focus, uh, moments is what do we do about institutions that fail to protect children?

Uh, we have just released, uh, today, this morning, a study of every archdiocese in the United States and their child protection policies. We will be releasing a study next week on, um, the, uh, characteristics of abuse in the boy Scouts. And today we turn to sports. Uh, it is absolutely important that we figure out the systemic failures and not just a one case at a time.

And that's what child USA is all about. And we have an amazing group, um, that have joined me, uh, in this, uh, battle today, uh, and are on the, um, go commission as we call it the game over commission. Uh, I'd like to introduce them and then I'll make a few, uh, very brief comments before we hear from our, um, uh, keynote Richard Crooklyn.

So, uh, let me just start with, uh, you know, in, in the zoom era, you just go left or right. Whatever showed up on your screen. Um, so none of this has anything to do with the order of how much I, either like you, uh, or how distinguished you are. It just happens. David Corwin is up on the left. So, uh, we have, uh, uh, Dr.

David Corwin, he's a leading expert on child sex abuse in the United States, uh, has been working on these issues for decades, uh, and a leader. And especially with the organization APSAC, uh, Dr. Steve Berkowitz is, uh, one of the leading child traumatologist psychiatrists in the United States. Uh, at one more time, he was at Penn, uh, which is where we met.

Uh, he is now actually at the university of Colorado running the start program. Uh, and we want to thank the start program for your generous support for today's hearings. Uh, we then have, uh, Theresa Weezer and we are just always delighted to see Teresa. Uh, she's one of the busiest people I know. And, uh, of course she runs the national children's Alliance in Washington, DC, uh, and is an ally on ending child abuse and neglect, uh, like no other, uh, and then we have, uh, James mark.

Uh, who is against the blue screen today. And, uh, James is both the leading litigator in the country on sexual exploitation of children on the victim side. Uh, but he's also the chairman of the board of child USA, which is frankly his favorite activity. Uh, then we have, uh, Joanna Salberg, who is a, another leader in the fight against child abuse and neglect.

Uh, she is, uh, one of the starter founders of the leadership council, but, um, she's also a tremendous asset to, uh, our organization because one, um, she's just amazing and is an expert. Uh, and two, she led us to Stephanie downwind, who is the, um, social scientist, uh, who is really kind of leading the charge for us on the social science surveys that we're doing, uh, including today's archdiocese report.

We then have, uh, James Carpenter. He is an attorney, um, but a former prosecutor in the city of Philadelphia, he is also the in prosecuting child sex abuse cases. Uh, he, and, uh, Melissa jam, Paul





are our two lawyers that are in charge of, um, keeping us thinking, not just about science, but also about the law in this arena.

Um, Melissa is, uh, both, uh, a partner, uh, in a major New York law firm, but also someone who has a really long experience in this field and did some really amazing work in New Jersey, uh, for the us attorney's office. We have Dr. Sharon Cooper, uh, who is, uh, one of the great leaders in the country, in the field of, um, uh, forensic science.

I appreciate the opportunity to keynote this child USA hearing. I'm sorry, we couldn't have done it in Denver back in April when we were scheduled to the first time, but while it's, uh, and while it's a little awkward to do a pre-tape, uh, labor day weekend before whenever this conference is, uh, it's better than not having the conversation at all.

I have no idea how many people will see this tape, but it will likely be more than those who saw my first keynote address at a conference in a small rural hospital in Colorado in 1982, where after traveling miles overnight and hours through a snowstorm, I arrived to find one other person in the room and he was the second speaker I'd experienced, taught me to find out who's in the audience before I was giving a talk.

That's impossible this time. Uh, so I spent some time on the child USA website, and I congratulate you for your work. It's clear what your focus has been on. The contributions that you've made, uh, to the field. I'll be looking at child abuse and neglect with perhaps a different lens than you have. It will be a lens that's been, uh, honed through twenty-five years as a pediatrician, both a general pediatrician, and then doing child abuse work full-time for a decade.

And then twenty-five years at. Uh, Dean of the university of Colorado school of medicine, a research intensive school here in the Rocky mountain timezone and the Rocky mountain area to set the stage. I'd like to show this video.

my premise, uh, for the rest of this talk is that child abuse and neglect is preventable. And if we follow the roadmap for other conditions that have led to significant reductions in the morbidity and mortality of children in the United States, we can also eliminate child abuse and neglect in our lifetime.

Here's a hint, improving the criminal justice response to child abuse and neglect will not help it's important and it, but it may impede the elimination of child abuse and neglect in our lifetime. We can discuss that later, perhaps, but the basic reason why is as Henry Kemp taught me 40 years ago, the criminal justice system in the United States is designed to protect terminals.

And that's how it should be. Uh, it's not a criticism. It's a fact, uh, democratic countries should not imprison them. Unless we can prove guilt beyond a reasonable doubt, the history of prevention of child abuse. Uh, it goes back several millennia. There was a Greek obstetrician and gynecologist named who in 200, Ady had a whole section and his textbook on how to choose a wet nurse.

It was his observation that wet nurses should have quote and even temperament unquote. Otherwise he said, when babies cried, they would quote, shake and tremble and let the babies fall from their hands. They would then come back the babies with big heads. And what he thought was water on the brain had he had CT or MRI capability and 280.

He would have seen that it was probably blood, the most significant obstacle to the prevention of child abuse and neglect in this country at around. Uh, the developed world is gaze aversion, gaze G a



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ZE it's the nearly universal tendency to turn away from a problem and not want to talk about it, whether it's done by individuals, in society, by professionals, or even by organizations.

Uh, and there are many, no one wants to use the words, physical abuse, sexual abuse, emotional abuse, and neglect. We use euphemisms toxic stress, adverse childhood experiences, and view these as primarily social issues instead of the health, mental health and pelvic health issues that they really are viewing child abuse and neglect as a social issue.

And the United States is not a surprise since we gave child welfare, the responsibility for dealing with it in the 1960s. And it was very clear, uh, that physicians on the health system wanted no part of it. Let's look at one of the consequences of viewing this as a social issue for 40 years, David Olds has published data on multiple randomized controlled trials demonstrating that nurse, family home visitation with public health nurses, visiting mothers from the second trimester of their pregnancy through the second year of life leads to dramatically reduced physical abuse in the infants and much better health and social outcomes, uh, for the mothers and other fathers involved.

If they're involved, sadly, the national implementation of this approach was to develop a not-for-profit organization funded by foundation. Uh, that would stimulate the development of nurse, family partnerships all over the country. Each of them being a 501(c)(3) not-for-profit organization that needed to raise its own money, uh, for its own support.

So why is home visitation not a basic health benefit covered by insurance policies for all, uh, people in the United States who are about to have a baby. There are no mothers or babies who don't need help and support. They may or may not need a public health nurse, but they do need help and support. Is it because the health system has been socialized to only see its role as being mandatory reporters and not having the critical role they should be playing in the prevention of physical abuse and neglect.

That's one of the consequences I think of viewing this only as a social issue further are outdated and outmoded child protection system. Now 50 years, uh, in evolution, and some would say devolution, uh, is really still struggling. 30 years ago, I was chair of the us advisory board on child abuse and neglect.

And we said the system was in an emergency state that report like every other major report on child abuse, whether it came out of a commission on child fatalities or whether it came out of, uh, the national academy of medicine was pretty much ignored. Uh, each year I would ask, uh, child abuse, uh, agencies that I saw children from what happened to the a hundred or so children.

I evaluated for you last year. I think the answer was always the same. They either said it's confidential. Or when I pressed, they'd say we don't know, we have no idea over the fast, over the past 40 years, I've watched as child protection policy was driven by scandal rather than my data we've switched back and forth through the years, uh, from saving babies, uh, and putting them in safe, protective foster homes or preserving families because it turned out the safe foster homes.

Some of them were not so safe. Uh, it depended, uh, whichever state or community, uh, you were in the policy. You had depended on one. The last Pulitzer prize winning newspaper article was on the child abuse fatalities, whether they were fatalities that occurred in families with open cases, uh, who were not getting treatment or who were not being.

Uh, supported or whether the fatalities or sexual abuse occurred in foster care where their children were placed quote for their own protection. Uh, in either case, whenever there was a Pulitzer prize article, uh, the agency had two options. It either remove the director, uh, and replace the director with





someone else, or it changed the direction of the policy, uh, to the other direction from whence set had come years before it isn't a pretty story to watch five final points.

How can we assure, uh, that the three-and-a-half million children who will be born next year in the United States can grow up in an abuse, free environment and reach adulthood, not having been abused, either inside or outside the family. Number one, child abuse and neglect have to be thought of not just as a social and legal issue, but as the health, mental health and public health issue, uh, that it is, we need to mobilize second.

We need to mobilize the advocacy group for this field. Uh, the way those dealing with juvenile diabetes, acute lymphocytic leukemia, cystic fibrosis, uh, alcoholism, uh, substance abuse and others have done over the past half century, which has taken the NIH investment in research for disease from a hundred million dollars in 1968 to over nearly \$40 billion.

Uh, in this year, we need to push for research, training prevention and advocacy, and the people who need to push are the millions of adults who have survived and even thrived after childhood abuse, but still know the pain. And don't, uh, aren't able to talk about the shame and the stigma of having been abused, that we've placed on them.

Third child welfare, law enforcement and criminal and civil courts need to acquire a culture of looking at the quality and outcomes of their practice. And given the focus of this organization, that may be an important focus for child USA to take on as a society. We need to help all professionals in all fields to be open about the errors we make and what we are learning from them that will assure that they are less likely to happen.

Again. Fourth health, mental health professionals and educators at all levels need to accept the responsibility that they have. To be involved in prevention and treatment of, uh, the abused and neglected children in their practices or in their classrooms. And it's not just abuse and neglect. And the family that child welfare deals with particularly boys, um, having a lot of girls are sexually abused outside the family, never come to the purview of law enforcement or child welfare and live to deal with it by themselves, leaving child protection to child welfare.

And the courts as we have for 50 years is simply not adequate fifth. We need to build supportive communities for children and families block by block a neighborhood by neighborhood so that it is easy for a family that's stressed and feeling as if they could abused their child to pick up the phone and get help from someone as it is for us to pick up the phone as professionals and call them after the fact it's much easier for us to report them after it's happened.

We need to make it easy for them to pick up the phone and get help without shame or stigma. Finally, uh, I, in order to move that forward, I'd like to show one additional, uh, video, uh, from the co-sponsor of this particular, um, hearing the national foundation to end child abuse and neglect. Thanks very much for your time.

Uh, I'm happy to answer any questions or comments that the appropriate. The world is full of proud survivors. If you survived cancer, you're open about it. You donate, you advocate, you fundraise for those who have overcome addiction. We help them celebrate the anniversary of their sobriety, but there's one instance where the survivors keep it quiet, where its effect touches anyone and everything around it causing more pain where pride is replaced by shame it's child abuse and neglect.

For those who have suffered abuse, it's uncomfortable. It's embarrassing. And it's too rarely talked about, but these people are not victims. They are survivors. Once you embrace it, you realize you are



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not alone. We are all survivors, the parent who blames herself for not stopping it. The next door neighbor who beats himself up for not noticing the community that is impacted.

They are also survivors. We are all survivors because we made it this far. So as survivors, let's not bury it let's embrace it. Let's go from hiding our shame to defying it from standing in the shadow to stepping into the daylight. Because when it comes to child abuse and neglect, none of us are alone.

None of us are at fault. We are all touched by it. We are all affected. We are [00:30:00] all survivors. Our voices will end the silence. Your dollars will end the abuse.

You make any signs?

welcome back everybody. And, uh, we are now going to hold our first panel of our game over commission hearings today, which is a conversation with Jennifer say, um, and the, the topic is what's going on with the international push for safety for athletes. Jennifer se has been with Levi Strauss for 21 years.

She's an executive vice president. She is, uh, she's just an award winner. So, uh, she was a winner of the ad age's top 40 marketers under 40 and oh six, ran innovators, top 50 women in marketing, billboard magazines, top 25, most powerful people in music and fashion. She's a force. Um, and before all that, of course she was a, a world-class gymnast.

She had a horrific, uh, injury in 1985. She went back in 1986. Uh, to win the U S a, uh, national gymnastics championship. Um, she eventually retired, um, and wrote a book, which was really the first book I've ever read in this field that introduced me to all the work we have to do for athletes called chocked up.

I highly recommend it. It was a best seller. Um, and then most recently she is one of the featured people, uh, perform appearances in athlete. A athlete, a is a documentary that recently appeared on Netflix. It's about the sex abuse scandal, but it's also about the physical abuse scandal in elite sports. And so first we will have the pleasure of hearing her explain, uh, where she thinks we're going on these issues.

And then we will have a live question and answer with her. So thanks so much. Hi, my name is Jennifer se and I am a former elite gymnast. I was a seven time national team member in the 1980s, and I was 1986 national champion. Since then as an adult, um, I have struggled with the treatment I received, um, as an amateur athlete in gymnastics, and I've struggled to make sense of it.

Ultimately, I wrote a book in 2008 called chopped up. It was a memoir detailing my experiences in the sport, the cruelty, the extreme cruelty, um, that, that I endured and that others like me door, uh, the world was not quite ready for it at the time. Um, and I faced tremendous pushback and bullying. I'll talk a little bit about that.

Um, I've written extensively on the subject. I continue to think about it. I continue to wrestle, wrestle with it to this day, to some extent. And most recently I produced a film called athlete a, which has prompted a bit of a reckoning in the sport worldwide. Um, gymnast around the world are using the hashtag gymnast Alliance to tell their stories, harrowing stories of abuse within the sport.

Um, so that is the context that I come to you today with. Um, I'm not the only one that has spoken out. Um, there have been others, not many until now, but there have been others dominate most Yana, a



member of the magnificent seven wrote a book in 2010 detailing the abusive environment at the Carollee's gym.

Um, she was also bullied, um, and blackballed from the sport. Her claims were not taken seriously if they had been, we might be in a different situation today. Um, a very close friend of mine. who I wrote about in my book with her permission, of course, was sexually assaulted by her coach, Don Peters, who was the national team coach in the 1984 Olympic coach.

He abused her repeatedly over the course of three years. Uh, before she left for college, she had a difficult home environment. She was very vulnerable and she talks eloquently about how this affects her to this day. She's a woman in her fifties. Um, she talks about how she has not been able to maintain a romantic relationship because of the impacts of this kind of abuse.

And she's come to accept that she won't, um, which is obviously incredibly sad. Um, but these are the long-term impacts. This is the PTSD that comes from an abusive coaching culture. And it's why we really need to see a change. Her coach was a legend in the sport to speak out against him was unthinkable.

No one would have believed her. And in fact, when she first came forward in 2011, USAID did not respond only under pressure from press. Um, the UFC register wrote a piece only then did they respond and banned him from the sport? And so, well, I sense that the culture is sort of priming for a change. Uh, this culture is longstanding.

It's been over 50 years in the sport where abuse is the norm and changing culture is incredibly hard. These systems can seem impenetrable at times. Uh, before I talk a little bit about what I think needs to happen, I want to tell you a little bit more about myself. I was involved in gymnastics starting in 1975, as many little girls were.

I loved it. I wanted to go all the time. Um, you know, even at six, I went three days a week that quickly escalated as I started to compete. I loved everything about it. And my bent for perfectionism was a good match for the sport. I was a bit fearful. I told, I was told that was a problem, but I fought to overcome it.

Um, and while it got more serious and I started to compete as early as seven, um, in serious competitions, um, I still loved it. I loved the tough training. Um, by the time I was 10, I moved to another club because I really wanted to enter those elite ranks. And at 10 I did in fact qualify for elite and, um, went to my first national competition and made the national team.

Elite is the highest level in the sport. It's what enables you to compete for the national team. And while it still got very serious, I had a supportive coach who really believed in supporting the whole athlete in raising strong young women, all the things, the good things we believe about sports. Um, and she was prepared to prepare me to go into the world with confidence.

Um, I remember her fondly to this day. Um, she believed in all the things sports should do for kids. Um, and she coached that way. Um, at age 12, I went to my first international competition, the NA the Canadian classic. I went without this club coach. Her name was Lola. Um, I love her still. Um, and I went with two national team coaches.

Um, the assistant coach had a reputation for being pretty tough. Um, that's what we called it. Um, I saw the way she treated her own girls. I did not want to invoke that wrath. And one day before the

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competition, she was stretching me. It's a common practice to stretch girls and often overstretched them. And I felt, um, she was sort of pinning me down and had my right leg back behind my head.

Um, and despite the fact that I was very flexible could do splits past the 180 degrees required. I did hear a pop in my right hamstring. I wanted to cry, but I didn't, I didn't want her to see my weakness. I didn't want her wrath. Um, and despite the injury and it wasn't injury, it was, uh, a fairly minor tear of the hamstring.

Um, I did play second in the competition, but I went home and that, that tear devolved into a much more significant injury that I, that I had to battle for three years. It ended up a hamstring tear. I did not. I think that what is unique about the story is even though I've thought about abuse in the sport for a very long time, it wasn't until the last few months really that I recognize that as physical abuse, that it coach sitting on an athlete and tearing a muscle is physical abuse.

And I didn't even see it that way. Someone who has thought about this and thought about this for more than two decades. Um, I saw that as tough coaching and it's not it's abuse, plain and simple it's physical abuse, um, at any rate at 14. Um, I begged my parents to let me go to another club. Um, despite the fact that I was on the junior national team already, I wanted to break into the higher ranks.

You know, I hadn't had these fanciful dreams of going to the Olympics. I didn't even, you know, I didn't know that that was something possible, but as I made more and more progress and I was ranked in the top 20 in the country, I wanted to go higher. And so I begged my parents to let me go. So at 14, I moved to another club, it's called the parkettes in Allentown, Pennsylvania.

I looked at all the top clubs in the country. I traveled by train there. They were all really, really tough. I chose the one closest to home because I wanted to see my family. And ultimately I did move away from home. Um, things changed almost instantly. Um, excuse me, I trained many more hours a day. It was six hours a day, five days a week, at least.

So, you know, 30 to 40 hours a week in summer, much more 10 hours a day. Um, but really it wasn't the long training hours. It was the cruelty that took several forms that ultimately impacted me. Um, first off it was around weight. I'd never been weighed in before at my old club, but here we were weighed twice a day.

Your weight was written down. It was often announced on a loud speaker. Um, especially if it was shame worthy. If you gained a pound, a quarter of a pound, um, any amount, um, you could be shamed for instantly to avoid the wrath. I developed very unhealthy eating habits. You know, I tracked my calorie count. I lost 10 pounds almost immediately and reversed what I think was impending puberty.

Um, so I lost 10 pounds just from the tougher training, but then as my body matured, that became more difficult to maintain. Um, I restricted my calorie count to about 400 calories a day, which I tracked, uh, relentlessly and a journal. Um, weigh-ins were really traumatizing. We were told to lose weight by any means necessary.

Um, and that's what we did. I started taking laxatives by the boxful. Um, I was terrified. I, you know, before weigh-ins, we all ran to the bathroom to, to go to the bathroom, to remove any undergarments, to take clips out of our hair, to do anything, to avoid an eighth of a pound, a quarter of a pound and to avoid, um, the shaming.



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We were constantly shamed. I had nothing before practice. I didn't want the weight of food in my stomach to show up on the scale. And then I'd sneak bites of an apple or a banana during practice. This is six hour practice. I ate a whole banana over the course of six hours, um, to avoid lightheadedness after a six hour practice, I'd go home and maybe have a diet Coke and a plain salad, or possibly a half a bagel though.

Bagels were shamed once I'd had one rip from my hands. Um, it was early on in my training there. And I was told coming out of practice when my mother handed me a bagel that, that. Fattening include was taken from our bags. When we traveled for competitions, food was kept from us. Waiters were told not to bring us bread, not to let us order certain things.

Um, once at a nationals, I ordered yogurt as my meal before just yogurt as a meal before the competition. And I was told I shouldn't finish it, um, because it was too fattening. So that was just the, the weight shaming part of the abuse. Um, but within my first year I broke my right ankle. I had a Casper only 10 days.

It was, uh, my coaches insisted that the doctor who was complicit and all their plans take it off early, so I could return to training. Um, and then in 19 85, 3 days before the world championship trials, and at this point I was ranked in the top 10 in the country. Um, I was training a few days before world championship trials and I fell on beam.

I missed a hand. It slipped. I hadn't eaten in several days except for fruit, because I was told I don't coach bat gymnasts, and I wanted to go to the competition. They were threatening not to let me go. So I didn't eat. I fell, hit my head. I blacked out underneath the balance beam. Um, I came to, there was blood on my hand, on my head.

I didn't know what had happened. They took me to the emergency room. Um, I was told I could have a concussion. I might get two black eyes. I had two broken fingers. And, um, the doctor was told not to give me stitches, even though I had, you know, a pretty severe cut in my head, but they would've had to shave the front of my head.

And that wouldn't look right for a competition that said I did get two black eyes, you know, bleeds downward in your head. Um, they sort of came to midway through school. One day. Everybody was staring at me. I do not know why until I went into the bathroom and saw that I basically looked like a boxer. Um, all that said, um, I went to the competition, two black guys, two broken fingers, a big cut on my head and I placed second.

Um, and I made the world championship team and went on to compete in the world championships. But the ending there was not what I hoped. It was not nearly as positive as the trials. On my last event, I fell from bars. Um, I was doing a release move. I couldn't catch. I spun sort of backwards and landed on my right leg.

All the impact, uh, spun unnaturally. I knew there was something wrong. Um, and ultimately what ended up happening was that I, I, I broke my femur, but when I fell, no one knew they were waiting for me to get back up and finish the routine. Finally, someone came a trainer, he was pushing what he thought was my knee back in place.

He ultimately gave up, um, because it wasn't my knee. It was two bones grinding against each other. Um, they put me on a stretcher, took me to the hospital. I went into emergency surgery while I was in the, uh, ambulance with my father. I just, I remember this sort of most more than anything more than the fall, more than anything, I was crying and screaming.



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I can't do anything. I'm nothing without gymnastics. And that's what I believed because I was told that on a regular basis by my coaches, that I was nothing and that is not okay. That's not what a child should believe. That's the opposite reason that you put your kids in athletics. But that's how I felt.

I felt I was garbage. I was absolutely nothing without the sport. And I actually wasn't much with it either. Um, my father was astonished. He said, of course you can do anything. I think it was at that moment, he sort of realized what was, what was going on, but he could see that this is all I wanted to do.

And he wanted to help me get back to it. When we learned it was a broken femur, we were elated. It wasn't my knee. It seemed recoverable. Despite the fact that the doctors all thought I must've been in a car accident, um, because that's the kind of force required to injure yourself in this way. Um, I got a cast there.

We quickly had it changed when I got back home to a much lighter cast, so I could continue working out. Um, even with a broken femur, I did become quite depressed. I couldn't go to school. Um, but I returned less than a year later, several casts. I continued working out throughout, um, and I returned to the sport less than a year after this injury.

And I won the national championships in 1986, much to everyone's surprise. I had been in one nationals before that, in that meet because I had come back from the femur too soon. I injured my left ankle. So the ankle on the other side, you know, I was favoring the left leg because the femur wasn't healed. I landed a bolt on a mat that was too thin and instantly knew there was something wrong.

Despite the fact that I knew and that the ankle was purple and giant, the size of a grapefruit, um, doctors continued to tell me there was nothing wrong, especially this one sort of complicit doctor. All you gotta do is look at it and know there was, um, but I, but I kept going, um, the night that I won was not celebrate Tori.

My ankle was immersed in an ice bucket. I was 200 to actually compete in the individual event finals. And besides that, um, the whispers all around were that I didn't deserve it. Um, so here I was supposed to be sort of celebrating this incredible achievement and I just felt, again, I felt worthless and I knew at this moment I was 17 that I should leave.

Then I should walk away. But I didn't. Because at that point, everyone was so invested in me. Um, my parents had sacrificed so much, you know, they had driven me to, and from that gym two hours each way, ultimately I'd moved there. I lived alone with a coach and really sort of desolate the surroundings. Um, no heat, not enough food.

Ultimately my parents did move and, um, you know, they'd given so much to see me walk away two years and two years doesn't seem like a long time to an adult. I know now two years passes for me quite quickly, but for an adult, then they felt they'd invested so much my parents, um, that I should keep going or I would regret it.

So despite the fact that I became increasingly more depressed, this ankle injury, persisted, um, it was so distorted. I couldn't do anything without about 10 to 15 ad or practice cortisone shots every six weeks, um, which is unethical in and of itself for a doctor to do. But my coaches demanded it. Um, I kept going, I, but I did become increasingly depressed.



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The, uh, eating disorder got worse. I was told that I was fat and disgusting, of course still. Um, but I want to. Uh, drive my car across the media and on the way on the way to practice, I mean, I was, I was having suicidal ideations. My coaches continued to berate and belittle me. Um, my eating disorder spiral.

They told me I was uncoachable, lazy fat piece of garbage. I didn't try it. I never tried, what was I doing? I never tried. Um, and I believed all of this was my thought, but I invited it because if you're a kid and you're think you're hungry, but you're told you're fat. Um, if you think that you're working really hard beyond the brink, and you're told you're lazy and you're a piece of garbage, then you believe it.

And you think that you don't even trust your own perception of the world anymore. If you're constantly shamed and belittled, you really come to sort of internalize that. And that becomes how you see yourself and you don't trust your own perception of the world. And then I, I broke, I just became utterly unhinged.

I couldn't do skills. I'd done since I was a small child. When I told my coaches, I was leaving to go back to my, my other gym, they said, you should just quit. This makes us look bad. They clearly had no concern from my emotional state, my wellbeing. So I left this gym and went back to the one with a supportive coach to get away from my parents, to get away from the abuse of coaching and essentially to kind of crawl into a corner and figure out what I could do next.

And I knew she would let me do that. I walked away from the sport two months before the Olympic trials, and I just felt like a total failure despite being a seven time national team member, my parents weren't talking to me, um, the sacrifices they've made so great. And, you know, in fairness to them, I didn't tell them as I was breaking, this was all sudden to them.

Um, and the brainwashing that I received, they also did. Um, and they really didn't understand what was happening. And they just, I think really fretted that I would, would regret this, but I couldn't, I couldn't continue. So I went off to college and I tried to coordinate these experiences off. Um, I went on crutches.

Having finally had surgery for that ankle. I did not attempt to do gymnastics in college. I was done with it, but you can't really coordinate these experiences. That's not how abuse works. You believe the things your coaches tell you as a child. Um, it was explained to me recently, and it sort of all made sense.

If a child is loved, they believe they're worthy of love. If a child is abused, that's what they believe they are worth. And that is what I took with me into the world. And not only did I believe that's what I deserved. Um, I thought it was, I thought it was all my fault. And so, you know, it's a disorienting way, um, to enter the world.

And the, and the fact that I continued to suffer from the abuse was sort of proof of my own weakness, because this was all deemed just tough coaching. So if I suffered at the end of it, it's because I wasn't tough enough. And that brought. Additional shame that I was not tough enough to take it. I was such a loser.

I wasn't tough enough. I was so pathetic that I couldn't even take the coaching. Um, that was supposed to help me achieve my dreams. Um, I went, went through college. Um, I got my degrees, two undergraduate degrees. I figured out that I had some worth as a person beyond gymnastics. I had friends, I gained a lot of weight and nobody hated me.



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Um, but I still, I still continued to struggle. And ultimately after 20 years of suffering, um, I did write a book called *Chopped Up*, um, in 2008, I detailed my experiences with this cool coaching culture. Um, I wanted to kind of put it all behind me with the book, but it sort of had the opposite effect. One, I was sort of digging deeper into the impacts that it had on me.

And I continue to learn about those to this day. Um, but I also became a voice in the sport and a sport that I'd not been paying attention to for many years. I wasn't a really whistleblower of sorts. And so if there was any sort of abuse in sport scandal, uh, Sandusky, Don Peters, who I mentioned earlier, who was eventually banned, um, you know, I was called upon to talk about it.

So I had to sort of understand even more about the sport, but that said the community was not ready for it. I was harassed and bullied. It was the early days of social media. I did not know what to expect. It was really incredibly scary and painful. Um, I was called a liar and a bruiser and a bitter angry ex-gymnast threatened with lawsuits.

20 physically had to cancel readings. Um, the coaches, the athletes in the sport wanted not nothing to hear from them, nothing to hear about this. Um, the head of USA G at the time he was Steve Penny left me somewhat threatening voicemails at work, asking me to stop talking about this, that that was the eighties.

Things have changed. Um, but they hadn't changed. Um, you know, they hadn't. And at the end of the day, they took none of these claims. Seriously. They didn't investigate down here. He wasn't banned until 2011. Um, when Del Yamashiro came forward to talk about what had happened to her. And meanwhile, I did continue to struggle the physical injuries field somewhat in my forties.

I went to see a doctor about the ankle, um, that I trained on. He said, clearly see that it was severely broken. He used the word shattered, and he would do a surgery to clean it up, but that I really needed placement. I had grade four arthritis. There was no cartilage left, and essentially the bones were rubbing on the bones.

And this was all because I trained when it was still injured. Um, so I wrote about it in the book. I continued to write about it. I continue to think about it, um, writing about it in this way, sort of thrust me back into that world. And I got to know a lot of, um, the people who ultimately came forward and then Larry Nassar case, um, the young athletes, the survivors, the grown women, the reporters, the lawyers, um, and so I was able to produce a movie called *Athlete*, a, a documentary, um, that I think connects the Nassar scandal with the broader culture of abuse and has now prompted a reckoning, in the sport.

Gymnasts around the world, um, from different countries, UK, Canada, the Netherlands, and so many more, are, athletes are posting stories of abuse, emotional and physical abuse, not sexual, interestingly enough, because the movie really does connect the two. When you create a culture of silence and obedience, where athletes have no agency, um, where not only can they not speak up, they don't even trust their own perception of the world to be able to speak up, they think any abuse heaped upon them that makes them feel awful is their fault, and therefore they have no right to speak up. Um, Gymnast Alliance has brought attention to the subject and it's different than it was 12 years ago, when my book came out. Athletes are supporting each other, um, even the coaching community to some extent is, is relooking at practices, some of them, but it's divided and it's been this way for a long time.

It's so cool, it's so everywhere, um, that it's almost invisible, but everyone is listening and I'm often asked, "so what happens now?" And while I don't know the answer to that necessarily, I've been sort of screaming from the rooftops for over a decade, just to get people to understand that this is a



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problem, and now all of a sudden people are asking, "well, what do we do?" I'm not sure, but here's a few ideas. Um, well the first is USAG needs to take every claim, seriously, not just the most egregious, but these everyday abuses have longterm impacts on children as they become young adults, and then adults.

Um, there is a process to submit claims. It takes months often for a claim to be responded to if it's even responded to at all. And it often takes pressure, uh, from the outside, [01:00:00] um, athletes have gone to the press for instance, to have their claims taken seriously. Um, there shouldn't need to be a claim if a coach abuses in plain sight on the competition floor, my coaches from the parkettes have abused publicly for decades.

Um, there was a film in 2003 on CNN that shows them abusing. Um, why do we need a claim? Just ban them, suspend them at the very least. And then, um, do an investigation. We need new leadership, um, at USAG, um, that establishes a child-centric organization, a human organization, not even about putting the athlete first, but the whole human being, um, right now the leadership at USAG, um, she's a marketer and you know, I'm a marketer in my real job in my day, day job, and I don't, I don't think that's who should be leading this organization. I think USAG reveals themselves when they put a marketing expert in place. They think it's a branding problem, not a culture problem. The reporting protocol needs to be well outlined athletes contact me every day asking me, "how do I even report?" I think it's still not clear and it needs to be adhered to, um, you know, any member gym that doesn't, uh, comply with the reporting protocol- if a coach, if an owner, sees abuse and doesn't report it, they need to be banned. Um, we have to rid ourselves of this culture of silence. Um, athletes need to continue to speak out to change the culture.

I think that USAG needs to hold up those athletes, those examples of bravery and courage and speaking out, um, show the world, show the other athletes in the community that we celebrate speaking up. We don't, um, cast these young women aside these girls aside, um, but they need to maintain that agency, the good coaches, and there are some, um, they need to hold the bad ones accountable.

Um, there are great coaches out there who are invested in child welfare. Um, how can that become the norm? How can they call out the others? Um, and, and say, this isn't how we do it here. And they should report each other. If they see bad behavior, quite frankly, um, laws can pass and they have the safe sport act has passed. But I think the culture change is what's incredibly difficult. And, you know, I, I was fortunate enough to travel, um, with some of the athletes and some of the survivors, um, of Larry Nasser to DC to meet with Diane Feinstein, Senator Feinstein of California. Um, and she said the same. She said, I can pass a law, but the culture is going to change because you demand it.

And I think that's right, athletes need to demand better. Parents need to demand better. Interrogate a coach that you leave your child with, understand their philosophy. Watch don't accept a gym that doesn't let you inside. Um, make sure you know, what's going on there. Um, athletes, coaches, parents all need to be educated on what is healthy child centric, coaching.

Um, fans need to demand that, or quite frankly, um, vote with your wallet. Don't, don't, don't spend money on brands that support a culture that endorses child abuse. These are just a few examples I'm often asked about elevating the age. I don't think elevating the age, uh, for competition as a silver bullet, um, for international competition, because the fact is in many of the Nasser survivors have talked about this.

If you're abused until the age of 18, there's nothing magical. That happens at 18, that would allow you to stand up for yourself and speak out. So while that could help modestly, I do not think it's the, it's



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the key. Um, at the end of the day, we have to re-imagine this culture as one that puts the welfare of the athlete first.

Um, there's no other, there's no other way to do it. You know, I work as the chief marketing officer of Levi's. We do shoots all the time. We have children on set. [pause] There's a social worker, there's a teacher, we need breaks for them to eat for them to study, um, you know, these kids are looked after and cared for.

No one was overseeing what happened to us. I could train for 10 hours a day without water, without food, miss schoolwork, um, be berated and belittled; why?. And when I've asked, why don't child welfare laws protect, um, these young athletes, I'm told it's because they're not paid. And so to me that just adds insult to injury: just because they're not paid, they can't be protected? It doesn't, it doesn't make any sense. Now lawyers can figure this out. I'm not a lawyer. Um, but there should be no world in which children aren't protected in this country. Uh, I met my husband when I was 42 years old- um, my second husband- and he complimented me all the time, and I had never been with someone that did that.

And I was so it made me anxious and I told him to stop messing with me. Why are you doing this? I felt he was setting me up so that he could come back and destroy me with insults. How sick is that? That is, I thought I was so undeserving of the compliment and he's helped me come to see that, that, that isn't, that is not healthy. Um, his kindness is deserved. Um, we all deserve kindness. Um, medals are great. You know, this kind of coaching is often defended as tough coaching necessary to create winners, but I don't think any of us believe that sacrificing children is what we are about. Um, I think we lose more kids than we gain winners, uh, coaching this way.

And even if we don't, I don't think it's worth it. It's just not, but I, I can all but guarantee you if we provided a safe and supportive coaching culture, uh, that didn't shame and belittle that gave kids time to heal, um, that didn't overtrain, um, that supported them, that coached to their strengths, not their weaknesses, um, that we would also produce great results, and these kids would leave the sport feeling equipped to take on the world. Unlike now, um, you know, I left and struggled for nearly 30 years. Um, it shouldn't have to take that long, but with years of therapy and speaking out and writing books and making a film, I finally kind of put myself together and it shouldn't take that long. I'm 51, no child should have to wait that long. And so I am hopeful that we can harness this moment with the Gymnast Alliance, um, to actually create change once and for all. Thank you.

Marci: Thank you so much, Jennifer. You are, um, you're a hero, um, and, uh, it is, uh, it's horrific what we've been willing to do to children in the United States, in the name of, of, uh, God and Olympics, um, but we need your voice and I want to thank you for being here today. Uh, and for all you're doing right now, it's just amazing. So, uh, I have a couple of questions from, uh, some of our commissioners, but I'm going to take the pride of the moderator and ask you the first question. Um, and, and that is, um, you're the producer of *Athlete A*, could you just describe to the audience what happened, uh, after it was released? Cause it was pretty amazing.

Jennifer: Yeah, of course. I'm one of three producers, but yes. So when the film came out and- you know, I was pretty astonished by this, I will say having had some experience with having spoken out from my book and, you know, the, the backlash from that and the criticism and the threats, even, it were pretty overwhelming as I, as I spoke about- so I certainly didn't expect this from the, from the film. And there was another film, um, released, I think last year on HBO that I don't think kind of provoked the same response, but I mean, essentially gymnasts from all around the world have started telling their stories about abuse in gymnastics, and even in other sports, and they're using the hashtag Gymnast Alliance. Um, sometimes it's Gymnast Alliance with their country on the end of it. Um, Athlete Alliance has also used, there've been other athletes from track and field and skating, but it's





definitely driven by gymnasts. It was started, um, by three gymnasts in the UK. Um, two of whom I believe were Olympians.

Um, and really, it's just the honest telling of their experience in the sport. And the stories are all heartbreaking in my opinion, and also remarkably similar. I mean, it almost at dare, I say it gets boring to read them. I mean, it's not boring because these are real kids and real women, but, um, the shaming and the belittling and the degrading and the denying of food and the forcing to overtrain, it's just everywhere.

So it's UK, Canada, Australia, New Zealand, the Netherlands, um, I mean, I could go on, um, and I, I knew this was an issue in the U S if I had thought about it, I probably would have known it was an international issue, but now that is abundantly clear. And I would say the response from the federations, have, around the world, has been sort of pathetic, you know, quite frankly.

And even when there was sort of an announcement of a response in the sort of near term, um, to some of these stories what's actually happening on the ground is, is nothing. Nothing has changed. And USAG frankly has had zero response. So, um, that's, what's going on and the stories aren't stopping, um, it's kids at every level kids that went to the Olympics, young women, I should say, um, down to, you know, you know, competitive, but not even, you know, not champion level, maybe not even state level.

So this is not treatment that's reserved for elite athletes.

Marci: Right. Right. And, you know, we did this study of elite athletes and I really was doing it to focus on child sex abuse. And I was amazed at the amount of both physical, verbal and emotional abuse. And that's, it's even more, predominant.

Jennifer: Yeah. Yeah. It's interesting. I should've, I should've mentioned that all of the stories, despite the fact that the film and the sort of spine of the film is focused on Nasser, although it does connect Larry Nasser to the broader culture of emotional and physical abuse. And that was really important to me, the stories that are being posted with the hashtag are exclusively about physical and emotional abuse, I don't believe- and I think I've read almost every one; I've read one about sex, sexual abuse, and I'm not saying that doesn't happen. It does, but it speaks to your point about it being more widespread. And I think there are those, you know, I had a sort of little discussion on social media with someone recently, um, that we need to focus on the sex abuse because the impacts of the other kinds of abuse are not as, um, it's not as impactful that it doesn't, you don't carry with you through your life.

And I, I just don't think you can extricate the two. I think one, the emotional and physical creates the conditions for the sexual abuse to occur because it silences, um, the athlete and, two, I think that's absolutely false that the long-term impacts of emotional and physical abuse just aren't the same. I mean, you know, Christy Henrik, this is the famous story in gymnastics because of bullying about her weight starved herself and died in anorexia.

I mean, I'm sorry, the long-term impacts are there. And the stories these young women tell about, you know, what, and know that I describe it, it carries with you into your life, you know, and you accept abuse, um, in all your relationships coming in.

Marci: I mean, it's trauma, it's trauma. And, um, so, uh, let's see, I think, uh, Dr. Sharon Cooper has a question for you.



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Dr. Sharon Cooper: Okay. Thank you so much and say, I just have to say how excited I am to have heard you and thank you for, for your courage and your knowledge. The question I had was how did you manage, uh, the academic demands to all the pain and suffering and depression? How do elite gymnast managed even to get into college? Uh, you know, from the standpoint of the educational neglect that has to occur from all of the hours of work?

Jennifer: Yeah, it's a great question. Um, I will say before I start, I didn't realize that what I was doing was courageous. When I wrote this book, I was just sort of locked in my room, kind of trying to make sense of things. And I had no idea what I was in for, but, um, I'm up for the challenge to continue to talk about it.

Um, in terms of how do you manage it? I would say it's the same way you manage, you know, training with no food and, you know, training when you're sort of- you know, you're, you're disintegrating, you just sort of put on this armor, um, and you keep going, which we all know eventually you will break, you know, which is what I described, but I wasn't in school very much.

You know, I had a very limited school day. I was always a disciplined student, so I could go train six or seven hours and then come home and do my whatever hours of homework. And, um, gosh, it's a great question. I never really thought about it. I just, you know, I did the work, I put my head down and I did it just like in every other instance in the sport.

Um, but I, I don't think that can be expected of all, all kids. And I think lots of kids do suffer academically. Um, for me, you know, an education was always, you know, very important in our house. There was never any doubt that I was going to go to college. I wanted to go to a really good college and, you know, that's what I did.

I, I will say this though, while I continued to do my homework, I didn't, I wasn't committed to learning. I know that sounds, um, sounds odd. And when I, when I got to college and I, you know, did not do gymnastics anymore, and I was at Stanford university, this sort of institution of incredible higher learning, I kind of didn't know what to do.

You know, I didn't know what I was interested in. I didn't know what I wanted to do, which isn't unusual, I think is fine. But like this idea that you would not just go to class to get the grade, but to learn something and learn what you're passionate about. That was very sort of foreign to me. Um, not because of my family.

Um, but just because I just did everything to get through it, if that makes sense. And so, you know, while I was in college, a lot of kids were, you know, had these relationships with their professors and these deep interests. And I was still sort of checking boxes and it took me quite a long time to kind of find what I was, was passionate about and truly interested in.

And I was also afraid. I was afraid to take classes of things that really interested me. I was afraid to be bad at things. I was afraid to ask myself hard questions. I mean, that's one of the saddest things to me is the loss of the agency that you experienced when coach this way. You're never asked how you feel.

You're never asked what you want. And so here I was on my own 3000 miles away, people asking me what I wanted and I was like, oh no, you know? So that was a sort of long process in my twenties and thirties to figure out, I don't know if that answers as a long answer. Yeah. That was an amazing answer. David Corwin has a question.



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Thank you very much. Um, Ms. , uh, thank you so much for all of your honesty and your advocacy against the abuse of athletes, uh, in organized sporting. Um, my, my question has to do. The overall description you gave really, uh, describes psychological maltreatment, which a number of major studies have found to be the most damaging of all specific forms.

And really is the iceberg. Underline, all forms of maltreatment is the meaning is the psychological part. Yet it is the least actionable in terms of many states don't even define it, don't require a reporting. Um, and this cult-like environment that you described is so toxic. I'd just like to hear you talk a little bit more about the meaning of all of this to you as a developing person.

Yeah. Yeah. I couldn't, I couldn't agree with you more. It's the, it's the manipulation and the, the psychological abuse and I mean, it, you go insane a little bit. I don't know how else to describe it. I mean, I, I try to describe it, you know, in the film and, but it's gaslighting of the highest order and imagine being a young person then in the world who doesn't even trust your own perception of what is happening, right.

Because as I said, you believe you're hungry. You're told you're a fat cow. You believe you're in pain. You're told you're lazy and pathetic. So you don't, you know, I can only imagine that for a young child that has gone into Dr. Larry Nasser's office then, and this is what I mean by it sets the foundation, which is what you're describing as well.

You don't trust your own experience in the world. So your son to see this great, great doctor. You're not going to dare question. When you think that this seems kind of off, you're like, it's me, there's something wrong with me because of course, he's great. So imagine you're in the world and you think you're the only one.

I mean, it's like a horror movie, right? You, you think all this stuff feels bad and you're suffering and everyone it's you though, it's you. And so it just reinforces this because then you're ashamed that you're suffering you. It creates, cause that reinforces the idea that you are weak and that you are pathetic.

And it's just this horrible circle cycle of psychological abuse that carries with you into the world. And, you know, I think people say yes, but there's nothing we can do about that because it's, um, harder to identify, right? Like sexual abuse is a hard line. We know it's illegal. Um, Okay, but why can't the sport regulate this?

I mean, teachers couldn't treat, treat children this way. Could they, would that be okay? Would you be allowed to teach if you treated a child this way, if a child was learning to read and was struggling, would you scream at that child and say you're pathetic loser and I don't teach pathetic losers. I believe that teacher would be fired fairly quickly.

So, I mean, I'm not a lawyer I don't profess to be, but I, I don't understand, you know, why there, why there can't be rules. Um, you know, and, and, and maybe it's not punishable with, um, you know, maybe it's not a criminal offense, but w w how can these people be permitted to be around children and, and coach them?

I mean, my father's a pediatrician if he treated the children this way in his practice, and there was proof of it, I assume he would not be allowed to practice anymore. So, you know, I leave it to the lawyers to figure that out. It's not my area of expertise, but I would think that there should be very stringent guidelines.



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Um, for anyone that works with children in terms of what treatment is, is I might just briefly respond. Thank you so much for your answer. I think this commission and groups that want to, and child abuse and neglect to promote public health and wellbeing need to really do a lot more on educating around what is psychological abuse and how harmful it is.

It is.

I think everybody agrees with that. I want to try and get through about three more questions doing up here for you, Jennifer. So, um, Theresa, we are pleased, uh, from, with the national children's Alliance has a question, Jennifer, Jennifer, thank you again for your testimony. My question really relates to you sag.

You talked about the extremely toxic culture that they have, the sort of turnover in CEOs, the latest being a marketing expert and not someone necessarily focused on the wellbeing of children. I'm just wondering if you believe that an entity that has such a toxic culture can actually be changed, can actually be transformed, or if this is more like the Titanic and trying to put a bandaid on it, and maybe we should let this one sink.

Well, I, I mean, I think we do need to let USA G SIG and reconvene a new organization that has a new mission that said I also, you know, when I was doing gymnastics, it didn't, it didn't feel as if USAID had the same power and authority that they have now. Right. You have this very centralized program back then.

We didn't have that. We went to the meet if you were. Top six, you went to the next competition, you know, I mean, there was power in that they could determine. I mean, they could, I guess say you're, you're not going. Or so there were, there were things, but it wasn't nearly as powerful as it is now. So, you know, my feeling was the change had to happen on the ground.

I think the change has to happen as all movements happen, um, because the athletes are pushing for it and the parents are pushing for it. And then the coaches must, um, come along for the ride. Otherwise their businesses will fail because who would send a kid to a gym where they're being berated and belittled.

I think that's where the change happened. I don't even think. I mean, would I love it if USAID took a leadership role, would I love it? If they hosted panels like this and discussions like this, or like the one I hosted last night, um, on behalf of athlete day to better understand the issues. Yes, they have not done that.

They have not done it since the story broke. They are not going to do it. They are not interested, but that doesn't mean change can't happen. That doesn't mean it can't happen on the ground because like I said, movements are created on the ground and that's, to me, what, what gymnast alliances? I think, um, I think, you know, the athletes, at some point, aren't going to stand for it anymore and the parents aren't going to stand for it anymore.

That said there are plenty of parents that still endorse this type of coaching. You know, there is a coach, Maggie Haney who's been suspended. She was Lori Hernandez coach 2016 Olympian. The stories that are told about her are so egregious and heartbreaking. I cry every time I read them, she laughed at a child having a seizure on the ground who hit her head.



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Um, and there are people in secret parents in secret sending their kids to her to be coached despite the fact that she's suspended because they believe she coaches champions. So, um, when I say culture change is hard. It is really hard. It is so entrenched. But yes, I mean to answer your question in short, yes.

I think USA G needs to go away and we need a new organization and its stead. I don't think you can fix it. It's too broken. Um, but I also think change can happen without them. Amen. Um, uh, so let's see Dr. Fields Scrivano of the children's hospital of Philadelphia has a question. My hometown. Yay. Hi, Jennifer.

Pleasure to meet you and thank you so much for sharing, uh, your life story and the challenges that, uh, you continue. I, I suspect have to navigate, but how you're using that with your voice and with your gifts. Um, I was cringing, uh, when you were sharing all of the opportunities that physicians had.

Actually providing care and the derelict nature of the care that you were provided. And I was reminded, you know, in the context of healthcare, there's a specialty of sports medicine now. And since 1987 was the first board exam for that specialty. My question is, and I hope, uh, there might be some improvements, but have you heard, and are you seeing any better or improvements in the way in which the team physicians are practicing for athletes?

Um, because there is a leverage w we're looking at as a commission, all the different, uh, levers and the layers of, uh, intervention that we might be able to introduce. And as a physician, I think that there's opportunity, at least within these organized accreditation organizations for physician practice to hold them accountable.

So I'm curious your thoughts on that. It's a good question. And I did, we had a doctor that I would say was absolutely derelict in his duties as a physician. Um, I think that the modern, I mean, you're a doctor, you can speak to this better than me, but I think that the modern sort of science and understanding from a sports medicine perspective is, is leaps and bounds ahead of where it was in the past.

And, you know, if you look at professional sports teams, um, you know, I think the most up-to-date treatment around injuries and letting injuries heal and athletes are out for a season. They're not pushed to go back too soon, but I think there's a financial incentive to do that, which is great, right?

Because if you've, if you've paid X number of millions of dollars, um, for this athlete and you, he is injured and you don't allow him to heal, and that injury just keeps getting injured and injured and injured again, and you still have to pay out of his contract, that's a really bad financial investment.

Um, and so I, I mean, I'm not saying there aren't caring doctors and caring coaches in, in basketball, for instance. Um, but I do think that financial incentive to keep the athlete healthy, let them heal, um, is, is helpful. And we don't seem to have that in, in, in amateur sports and then in gymnastics. And so there is just still this belief.

Um, and I think the coaches are always able to find somewhat complicit doctors somehow to say, yes, I'll give her the cortisone shot. Yes. I'll just get her back out there at any cost. Right. You know, I'm sure there are great doctors advising, uh, clubs around the country. Um, I did not have that experience.

And from what I hear from other athletes, it happens time and time again. Um, the other issue is the athlete couldn't be getting great treatment, but they they're so fearful of the coach. They go into the



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gym and the coach says, take off the, Aircast do it anyway. Um, you know, the doctor doesn't know that necessarily not every doctor is as integrated into the training as ours was.

I mean, our doctor came into the gym and gave us cortisone shots. He literally saw a knew what was happening. Um, you know, I think in some instances, these are very separate experiences in the child's life. And so the doctor could be giving great advice and, and providing great care, but it's unwelcomed by the coach.

Um, and I, I, I suspect that doctors need to understand that, but you know, that that could be happening and, and, um, and guide that, but these kids or parents are so afraid of the coach and they're so afraid of not doing what the coach says. I it's just, it's just sort of astonishing to me. So I don't, I don't have great advice.

I think there's great doctors out there. Clearly we, we see from the Nassar situation that there are doctors willing to do whatever the coach asks of them and it's clear what he was getting in exchange for that. Um, you know, he was unpaid, why didn't we ask ourselves why he was willing to do this without getting paid?

There was a reason there was a reason it was not that generous with his time. I can tell you Jennifer, that, um, Phil Scrivano and also, uh, Dr. Steven Berkowitz, uh, who also has a question are two of the doctors trying to figure out how do we protect children in these scenarios? Uh, so I will hand it over to Dr.

Steven Berkowitz, uh, university of Colorado med school. I thank you so much for your presentation and frankly, a very profound transparency and honesty that cause to come by many people easily. Um, I think I, and I continually be struck by, um, the cultural issues, which you raised, uh, any number of times, uh, that are so hard to address.

And, um, I'm thinking about the Catholic church and, and other organizations. And it seems to me that what we keep hearing from elite athletes and professional athletes, um, until they got more power, uh, was that we are our training. Our approach is based on a severe patriarchal model. Um, that says, you know, you do what I say, we know what's best.

Um, and, uh, The only thing that matters is winning, and you're just part of that larger culture about winning and however we get there. Um, and so I think when we talk about the issues and the abuse, it's part of this patriarchal approach to, to achieving, uh, to winning. Um, and I'm just curious from, you know, all the work you've done has that in discussed and thought about in that regard and, and how to address it in some way.

Wow. That's a big question. I mean, I, you know, I've thought I don't disagree with anything you've said, I've thought of it more in the context of, you know, how can we be expected to change this culture, this microcosmic culture within this sport that I know, which I think is sort of more broadly, um, true in, in, in other sports, I just don't don't know about them in the context of our sort of this like warrior mindset and warrior culture and win at any cost versus, you know, [01:30:00] a culture that promotes guardianship.

For instance, you know, shouldn't a coach be considered a guardian of a child's wellbeing. Um, and I, it, how do you overcome it when it's the whole world, you know, when it's our entire culture that is American culture winning is worth it, no matter what, and I will beat it out of you. And I, you know, is that linked to patriarchy and to be clear, and I know this, isn't what you're saying.



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The women are just as bad as the men. Um, I know, you know, that and, you know, I had, um, I had, I, you know, the female coaches I had were mind-blowingly, you know, manipulative and, and horrible. And so I think, I, I think that's the challenge. That is how do you change it when the whole world is saying winning is all that matters by any means necessary?

I mean, I, I don't even know how you, like I said, I don't have the answers. I'm here to tell you what it's like, and you guys are probably a lot smarter than I am to figure out how to change it. And I think there's a legal component. Um, but the culture part is just so intransigent. It feels impermeable at times.

Um, um, but again, I think, you know, it happens on the ground and it happens from people demanding better, but it is, it is absolutely linked to that, but it's also late to this culture of this sort of warrior mindset when it all costs mindset. I mean, we see it in America across the board, right. We see it, um, in our financial institutions.

Right. We see it, you know, the problems that we see, even in policing, it's this warrior mindset of policing as opposed to sort of guardianship of the citizen. So it's so widespread. I get really overwhelmed thinking about it. Cause I don't know how you change it, but I, I had always sort of thought and assume we feel differently about children.

Because again, I go back to the teacher example, um, teachers in schools I think are considered guardians of children. They are not meant to kind of beat the education out of them and that's not considered an acceptable way to educate a child. Or hasn't been since the sort of knuckle rapping was, was made, uh, was outlawed, um, in the Catholic schools.

And so, yeah, that is very incomplete answer, but yes, I think it's linked and I think it's linked to this broader culture of win at all costs and winning, justifies anything the ends justify the means. So, so Jennifer, you know, the, uh, it's so hard to change culture, but that's what, uh, this whole commission is working on.

Uh, cause we're determined to at least out it, uh, and out this dangerous culture. Right. Um, but, but looking back on yourself, um, when you were, uh, in the thick of the worst of this, what would have helped, I mean, would a hotline have helped, would, um, uh, having whistleblower protection so that you were told, you can tell an adult about this and you won't get panelized, what would have made things better?

I think the first thing that would have helped with that would have been having some sort of adult say, are you okay? I see that you're really struggling. Like some short of like, should there be a person in, in a gym that comes to look and comes to see, and if they see something, they talk to all the kids.

They, no one ever asked me if I was okay. If somebody had asked me if I was okay, I would have, it would have all come out. It would have all just fallen out. I don't know that I would have had the wherewithal to call an 800 number, but if somebody's a sports psychologist, some sort of authority of some kind that was protecting the welfare of kids was in the gym and interviewing the kids and asked me if I was okay, it all would have just come out.

And I, I would have then felt that that was valid. If somebody said, I see that you're struggling and I see that you're suffering. Can you tell me what's going on? That would have been instant validation of the way that I was feeling and the ways that I was suffering. And I, I didn't have that and that dissonance, right?



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Like that idea that I was suffering and I felt ashamed of my own suffering was really the most traumatic thing for decades coming out because it was my own thought and my own weakness that caused the suffering to begin with. And so just to have. Uh, hand extended and to have someone ask me how I was, you know, there was, uh, there was, I don't remember if I told the story in my testimony.

I write about in my book at a national team training camp in 1987, I believe when I was really kind of unraveling, they did have a sports psychologist there. And I thought I was sort of grateful for that, but I went in to, we all had to meet with her and she clearly had been given an assignment in talking to me and she was asking me why I was having so much difficulty managing my weight.

And she interviewed me and asked me about the members of my family. Were they overweight? Was my father overweight was my mother, was my brother. I said, no. And she said, I'll never forget it. Then. Why do you think you're having such a hard time? I had, I was tested at that, um, at that same training camp I had under 2% body fat and I was 18 years old.

Um, so she was told to go in there. Like I thought we were going to have this person we could talk to, you know, so that's what would have helped me, you know, imagine if, imagine if there were at these training camps, a child welfare expert that was there. Like I said, we have on shoes, like when I do a shoot with underage people for Levi's and we're shooting a television commercial, there's a social worker there, there's a teacher there.

They make sure the kids are fed. They make sure they're doing okay. They ask them a thousand times, are you okay? Do you need a break? That is the one thing that would have made a difference because I would have felt not crazy. And I would have been able to share with someone, um, how I was feeling and it would have validated that.

I think that is the exact perfect moment. Um, to first, thank you, Jennifer. Um, first for all you're doing, but particularly for this, because this is helping us understand just how problematic the culture is. Um, and I made a note to myself. We need to find out how to get wellbeing coaches on set. Um, you're amazing.

Uh, we are so deeply grateful and all the best luck with athlete a, I mean, you're doing what you're doing. Thank you. Thank you for having me. Great questions. You guys. I really appreciate the thoughtful questions. Thank you. So we'll have a one hour break for lunch, everybody, and we'll be back at one 30.[02:00:00] [02:30:00]

Welcome back. Uh, thank you so much for joining us for this next set of hearings, uh, of the game over commission. Um, this afternoon, we have a really impressive group of individuals to talk about things that don't get talked about very much. And this first panel is about the economics of being an elite athlete.

Uh, and we are delighted to have, uh, Eli Bremmer with. Uh, who is a, uh, uh, was an elite athlete pentathlete um, but, uh, he also is someone who is, um, working hard in this arena to help, uh, fix things. Uh, we also have, uh, John Michael Lander with us today and, um, he was also an elite athlete, uh, in diving, uh, and, uh, was, uh, not only a victim, but was put through the ringer by the whole system, uh, and is now bravely, um, standing up for survivors in, uh, in this arena.

So, uh, you can find out more information about each of our presenters on our website, uh, on the game, over commission page. I hope you'll take a look@childusa.org, uh, cause these are amazing



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people, uh, but let's now turn it over. Uh, and we'll hear a presentation by Eli, a presentation by John Michael. Uh, and then we'll do, uh, have a question and answer period.

So thanks for joining us members of the commission. Thank you for your time and interest in the important topic of abuse in sport. As we consider past catastrophic failures in our system, it is important to evaluate the entirety of the system to fully understand how and why abuse takes place while the act of abuse is an individual sin.

The structure that either allows or promotes it deserves even more attention than those who commit the individual acts to understand how abuse occurs in the Olympics. It's useful to have an understanding of the history of governance in the Olympics over the past 42 years, which essentially constitutes the modern era of Olympic governance in 1978, after conducting an extensive commission study process, Congress passed legislation creating the current Olympic system, this established the U S Olympic committee or USC as the official national Olympic committee for the United States.

It also set up a system of individual sport federations for each sport known as NGBs and doing so Congress established and granted monopolistic powers to the various organizations of the Olympics. Importantly, Congress did not allocate government money to the new entities and rightfully assumed that the monopolistic powers granted them could generate sufficient private monies to run the system.

There was no consideration given in the law to protecting the financial or safety interest of athletes because athletes were by definition amateur. At the time, at the time, the Olympics were also a relatively small national and global economic system. The U SOC was described as somewhat of a glorified travel agency.

However things began to change as our national sports ecosystem. Notably the NCAA benefited from the growth of live and televised sports in the two decades, following the creation of the U S C because of title nine and also likely a genuine interest to grow diverse sports at NCAA institutions spending on Olympic sports in the NCAA also grew in 1998, Congress passed an updated version of the law, governing the Olympics.

Despite the fact that Olympians no longer needed to be amateur athletes, there were no changes made to protecting the interests of athletes other than protecting their ability to compete in protected Olympic events. On the governance side of the Olympics, the USFC made substantial governance reforms at the start of the century, upon the recommendation of the commission, the USFC departed their previous model of a constituency based entity and moved into a more corporate governance model.

Senior Olympic leaders believed that revenue growth had been achieved and would continue to be achieved by the parting nonprofit standards and embracing a fortune 500 image for the Olympic committee. As the Olympics entered a new century, the financial situation of the Olympic system began to look drastically different than when it was founded two decades earlier as the NCAA invested more heavily in Olympic sports and offered more scholarships demand for youth and clubs, sports increase as well.

There was, and still remains to this day, a strong correlation between the financial investment in youth sports and NCAA scholarship opportunities in those same sports. Additionally, NBC made an unprecedented investment into the Olympics by contracting with the international Olympic committee for a multi games deal.



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This enabled NBC to create a much stronger TV presence for Olympic sports, both in and out of the games in turn. This created demand for marketing around the Olympics and increased marketing revenues to the Olympic committee as well. I'd like to pause to briefly explain how money flows into the U S Olympic and Paralympic committee.

Now the top three revenue sources for the USFC are one, a kickback from the international Olympic committee for the NBC contract to a contractual kickback from the IOC top sponsorship program, and three domestic Olympic partners in all these amount to around 85% of revenues to the U S OPC for an average annual revenue of around \$190 million.

But to be clear, annual numbers are somewhat tricky because the Olympics operate on a four year cycle with two Olympics in each cycle. But these numbers are a fairly good approximation of how much money enters the system. Importantly, if you look at the aforementioned three financial caps. They effectively come in to the USO PC with little to no ongoing effort and are largely based on the status of the USO PC as the national Olympic committee in the United States, the monopoly guaranteed by Congress 42 years ago, as monopolistic revenues began to grow after 2000, the Olympic system exploded with bureaucratic growth as well.

Despite the fact that according to my estimates, fewer than 20 employees were actually responsible for the vast majority of revenue generation, the U S OPC grew to a strength of approximately 600 employees. So the vast majority of employees, perhaps over 90% were nearly entirely associated with expense and not revenue inside the corporation.

I would also like to point out that the U S OPC does not actually train any athletes directly. Rather each individual sports Federation does that. So this massive organizational and bureaucratic growth has left many sports and business experts puzzled. Even to this day, as bureaucracies grow, they begin to take on a life of their own.

The U S Olympic system has done that. It has become a complex network of systems, personalities and fiefdoms in the pursuit of independent governance. Nearly 20 years ago, the U S LPC also adopted a self-replicating system of governance. So essentially once you achieve leadership in the Olympic system, you get to determine your future and pick your successors.

This along with normal, bureaucratic politics began creating a toxic culture inside the Olympics. Now, my time as an elite athlete span from 2001 to 2013, during which time I was training at the Olympic training center in Colorado Springs, which is the headquarters of the Olympic committee over the years.

And by meeting friends in many Olympic and Paralympic sports, I began to realize that I kept hearing the same problems across the system. This was puzzling as each NGB is an autonomous entity. And so seeing nearly identical problems and over 20 supposedly autonomous entities simultaneously is simply not statistically probable without a common thread.

As I began carefully, considering the system I came to a realization, the Olympic system is not pro comprised of autonomous NGBs and an autonomous Olympic committee. The entity of the system is the actual monopoly. Furthermore, hearkening back on my studies of economics in college, I realized that the entire system was also technically, I'm an offsetting now for everyone.

Who's non economics nerd, and actually had a social life in college. Here are a couple important definitions. Um, monopoly is the sole seller of a good or service while a monopsony is the sole





acquirer of labor. My epiphany that the Olympic system was simultaneously a monopoly and monopoly. Immediately gave me great concern.

As a student of economic history, I realized that never had a business or economic system with this model existed that did not cause human rights level atrocities. In the 18 hundreds, the railroads were com a combination monopoly and monopsony companies, as they brought in Asian workers and effectively enslaved them today, communist governance function has monopoly monopsony systems where you can only sell your labor to the state, and you can only purchase products produced by the state.

Literally in every model I looked at, I saw the model abusing those in the system in a presentation of the U S OSI athlete council around eight or nine years ago. I've always my concerns. I told the athletes that our model was so dangerous that we needed to take immediate action to prevent the system from doing that, which it would naturally do if left to its own devices.

When asked what we should do. I suggested regulatory governance and outside benchmarking of salaries in the system. Interestingly, a USC board member was in the room and challenged me saying they already did outside benchmarking of salaries. I asked the, if the U S O C benchmarked off of any one, and if so, who, and she said they benchmarked off of the large NGBs.

I asked for a show of hands from the athlete reps of who was on their NGB compensation committees, and about five hands went up and I asked each one who they benchmark their salaries on. In every case, they said the same thing, the U S OSI. When I summarize to the group that the USFC benchmark on the NGBs and the NGBs benchmarked on the USFC, thus demonstrating my thesis, that the Olympics are actually a closed monopoly monopsony system.

I received applause while the board member stormed out of the room, many athletes came up to me afterwards and said, that was the first time they felt they understood why there were so many problems in the Olympics. Prior to my presentation at the AAC meeting, I'd set up a six-figure business, working with a business travel management company, providing athlete, appearances, and demonstrations for visiting business groups.

In addition to paying for my training and living, I was able to support about 10 to 15 athletes with larger payments than they were making through the Olympics. Shortly after my presentation, I was contacted by my client company and told that they had to cut all ties with me. When I asked what happened, they said I had gotten on the wrong side of someone at the U S Olympic committee and that the Broadmore, our luxury resort in Colorado Springs, where we did about 75% of our work threatened to cancel their contract.

If they did not cut ties with me immediately, I had a strong suspicion what had happened. The CEO of the Olympic committee, Scott Blackmun was the former chief operating officer for the owners of the Broadmore in talking with numerous senior staff at the Olympics. I discovered Blackman was furious with me and made it clear.

I was dangerous to the. Without going into further details. The USFC and Blackmun worked to make my life miserable for the duration of my sports career. And the years after for that, I signal sympathy. I went to the air force academy and I have friends who died in battle. So rather I say this to point out how the system pushed back on literally the first person who correctly predicted a catastrophic failure leading to abuse.



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Also notable was that during this time black men had become aware of abuse in swimming rather than attempt to fix the problem. He consulted with USA swimming to establish an offshore captive company, to profit from an insurance scheme around the abuse. So it should be no surprise that when Blackman first learned about Nasser, he did nothing and said black men and senior USFC staffer.

Alan Ashley attempted to delete their emails while claiming to know nothing of Nasser. So just to be clear at the time when I first made my prediction, that our governance system would lead to abuse, black men and USA swimming CEO, Chuck Wielgus knew that systemic abuse was in fact already taking place.

And their response was to kill the messenger rather than fix the problem. Now, why is this? And looking back at the corporate finances, we start to see a clearer picture. We'll get salary at swimming, went up somewhere around eight fold in about 15 years during his tenure, as the CEO black men lived like a king would not only report its salary, approximately five times comparative rates for other similar sized nonprofits, but additional benefits.

And under the table deals at least doubling that compensation. When athletes finally succeeded in removing black men, after the 2018 Olympics, he was given a generous \$2.3 million severance and kept a half million dollar annual international job that had been quietly negotiated at some point during his tenure as well.

The culture of self protection inside a monopoly monopsony business is so strong that you can replace the leadership and you'll still see the same actions this can be seen by the fact that after Blackman was let go, Suzanne lions, a longtime USC board member took his place on an interim basis. I had a number of meetings with lions who promised me extensive reforms that would have assisted in dismantling the power system.

Yeah. When it came time to implement these changes, lions took 180 degree turn and actually reinforced. After Mark Jones, the number two at the USC public relations send a defamatory email about me to the Washington post lion's promise swift and substantial punishment. However, his punishment turned out to be a promotion and a pay raise signaling to the staff that abusive behavior to athletes would be covered up or rewarded.

And most notably lions appointed to the board, an NGB CEO who'd publicly attack me and other athlete leaders for talking about reforming the system. Instead of reforming the system. When given the chance lions predictively took the path of embracing the dictatorship and reinforcing the failed governance system, I could go on for hours discussing the governance and cultural problems in the Olympic system, but hopefully I've made my point by now.

As you can see, the system of governance in the Olympics has, and will continue to create an abusive environment for athletes. There is no amount of legislative protection policy change, or even outside reporting systems that will protect our athletes. Unless we fundamentally change the governance model to dis-incentivize bureaucratic growth and corporate protectionism, we will continue to see abuse.

The only way to prevent further abuse is to empower athletes in the system. The current system has left athletes powerless and thus subject to abuse. Thank you for your time. Thank you for your service on this very important commission. Whenever there is power and control, there's always the potential for abuse.



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How does economics affect an elite athlete who were the gatekeepers that can promote success or ensure failure? The answers to these questions depend on so many variables and how an institution works as an organization. Economics refers to a social science concerned chiefly with the description and analysis of the product distribution consumption of the goods and services in sports.

The word economics provides sort of a disassociation between the human, the athlete and the return and investments, the metals, the athlete wins, or the sponsors that he or she may attract by their winnings and all of this together influences the organization's brand today in elite sports. The organization's brand is the most important than the term, the return of investments, and then the athletes, unless the athlete has become identified as their own brand with the likes of Michael Phelps or Simone Biles and who they all provide.

Interesting, unique and additional returns on investments for the organization, not increasing ticket sales or, or attracting sponsors who want to attach their brand to the sport. But these individual sports heroes are rare since every athlete can not become a household name with their own successful brand, they rely on a national governing body that sets the requirements to compete in each sport.

Now, the athlete becomes the product and are expected to produce by winning metals and to attract sponsorships, but who really benefits from the sponsors monies that the athletes attract

in order to understand economics of an, of an elite athlete, you need to look at the components as a pyramid. The peak of the pyramid is the institution organizations, the national governing body of the sport. And then this widens out into the coaches, you know, in the medical team and the managers. And then it finally comes down to this bottom level, which are the athletes and their families.

So generally speaking, the organization is focused on maintaining their brand and appearance through sponsorship, support, and endorsements, which inevitably can provide a nice individual salaries or the leaders of the organization. The coaches are interested in developing champions so that they can increase their monetary value and asking price.

And the athletes are interested in opportunities to achieve their dreams, maybe going to college or to the universities or to the Olympics and to better their lives. When I was an amateur athlete and I was competing, I was not permitted to accept any financial support in direct line of my athletic abilities.

When I started diving in 1976, I had to provide my own means of paying for my coach for the practice times swimsuits, um, traveling to meet lodging, et cetera. The initial investment was incredibly difficult because my parents were struggling financially, living in an old farm house in the Southwest of Ohio with six children, meant that we were barely making ends meet.

I started my career as a struggling athlete and was extremely grateful for the hope of the opportunity and potential that the sport can offer to me, such as college scholarships and potentially the Olympics. This became my avenue and which I focused and invested all my time as I pursue, as I pursued the sport and climb the ranks and started to earn the attention of other coaches and people.

I started realizing that I could do something in this sport. And so I started and made a commitment to focus more time and energy, and this demanded more money. And more time I was faced with the dilemma of finding the funds to pay for myself or lead the sport.

This is a crucial time for many athletes who are dealing with financial issues and they are either forgotten about or pushed aside. Imagine how many potential world and Olympic champions never





had the chance to fulfill their potential because of economics. At this time, in my development as an f-ed, I was just seen by the organization as an immediate money transaction.

And it was not concerned about my potential in the future. That was too much a long-term investment. They wanted to see immediate results from their investments, which led me to have to find my own financial needs.

When I was 15, I took eight at the junior Olympics in Lincoln, Nebraska, and my mother was approached by a lawyer who proposed an offered. She couldn't refuse. He promised to set up a fund at a local bank where people could make donations, he would manage the money and he would pay the diving costs and alignment with the legalities to keep my amateur status.

He indicated that he knew other professionals that wanted to help as well and provide the family with their professional expertise. What the lawyer did not tell my mother was that there was a cost for this transaction. The lawyer groomed to my mother to the point that she decided that this was the only way that I could remain in the sport.

She literally handed me over to the lawyer and the professional and all I had to do was have dinner with them. So they said, but this led to sexual abuse. And I was literally being passed from one professional to another, to another, the lawyer and the professionals were part of a secret group based out of Columbus whose members earn six figure incomes.

This group would look for athletes and students who were in need of financial assistance. This script helped many athletes from 14 different sports at the Ohio state university and several other colleges. I was the first high school student to be assisted that I'm aware of. I came on the radar when their lawyer read about me in the local newspaper, the same time I coach.

So my potential and started prepared me for the international meets that I qualified for. He approached my mother informed her that I had the potential for the Olympics and the colleagues scholarship, but I had to listen and do everything. He said he informed her that he was going to have to take me to overnight trips so that I could practice with the Ohio state team.

He wanted absolute control over my practices and. He needed to develop a trust with me without any influences from outside. Especially my mother extended a payment plan. She assumed the family could manage and would help from the lawyers and the professors. So she agreed to the arrangement. It was only after the coach gains my mother's trust.

Did he even approach me about my future? He started whispering in my [03:00:00] ear so that the other divers couldn't hear the corrections. He informed me that the other teammates were jealous because I was going to go compete at the end of the Norway cup and the Canadian cup. And he began to compliment me on my diving.

And Proceq touched me more and more while giving corrections, he began hugging me after a dive or after a result of a good meet. All this played into normalizing his actions and making me feel special. He informed me that my diving career was not possible without him. And he was the only one that believed in me enough.

Like you get me to the Olympics, he's grooming, proceeded to sexual abuse. He made me promise that although his coaching methods may seem odd, but I was not to let anyone know about them. He





didn't want his coaching techniques being used by other coaches. Our relationship had to be a secret and remain a secret.

No one would be allowed to know about it. And because no one would understand. And if anyone ever found out it would ruin everything. He advised me that no one would believe me since he was a well-known and respected coach. He also threatened me that I would lose some financial support and that he would not be able to coach me.

And that my dreams for college scholarship in the Olympics would end. He also threatened me that nobody would ever, ever want to coach me.

What I didn't know at the time was that the lawyer had set up a private meeting with the coach and made arrangements to give more money to the coach for his attention. To me, he also set up an arrangement with the coach, for the coach to introduce him to the organization. The lawyer met with the organizers and created a sponsorship which allowed the lawyer to bring any professionals to practice and to have access to me at any time, just like they were doing with the athletes at Ohio state university, the team organization was only interested in making a profit.

They did not inquire about the professionals intentions. They only noticed that there was a stream of sponsorship money supporting the organization, the coach and the athlete. These men became known as the sponsors. The organization did not contact the national governing body of diving in fear of losing the sponsorship.

I'm unaware of any other diver on my team experiencing this arrangement. But I did meet Ohio state university athletes who were provided the same opportunity. The fear of coming forward was felt by all of us. We were afraid of losing scholarships, uh, the chance to represent our country and international meets.

It was reinforced in us that we were just numbers and that there were many more waiting to take our place to take advantage of this incredible offer. Fear. Let us to be silent. If you started for me and continued throughout my college years, since the professionals continue to support me

in reference, the economics of athletes is unique and individualized as the family that they come from and ask the coaches methods and functioning of the organizations are unique organizations on the lower level of sports are assumed to be governed by the national governing body of that sport. But that is not always the case.

Many starting sports teams develop bylaws on their own and then use them to help them survive and develop their own brand. As the athlete progresses in sports, the elite teams become fewer and more control the business of producing national international world and Olympic champions translates to money for the head coach and the organization who would not want to join a team where an Olympian came from this prestige allows the coach and the organization to name their own price, figuring in their own personal salaries.

Again, not concerned about the athlete, as long as the athlete can pay the bill, however they can just because there are thousands waiting to take that effort's place. This level of power and control creates a tunnel. Now, as our national teams are even narrower and the amount of divers are smaller, our athletes are smaller in that group and the power in the control becomes even more so, as we have seen with the U S gymnastics team, sometimes power and control and economics can lead to abuse.



What we need to do

is to help our athletes to maintain safety and encourage financial support without any ties or anything connected to. We need to take the consideration of the athletes economic status and well-being, and make them the main focus of sports without the athlete. There is no need for the organization or for coaches.

Thank you so much. Um, Eli and John Michael, those were, um, so powerful and we have been, we've spent about two years trying to find you, uh, and someone like you to explain how athletes get used by the system. So, uh, what I'd like to do now is open this up to questions from the commissioners. Um, and we're going to start with, uh, Teresa, thank you gentlemen, for your testimony.

It's been some helpful in helping us understand this. My question to you both is you've eloquently described the moral hazards involved in the current economic system and the way in which pervasively from top to bottom, from the USO PC, right down to coaches and team physicians and everyone else, how the economics, uh, you know, incentives lie entirely in the wrong direction.

And so my question for you is what would it take in your mind to get the economic incentives moving in the right direction and therefore in a way that will actually influence behavior. Thank you, John. Michael, do you want to start? Sure. Um, that's a tough question there. I think that's something that we've all had been struggling with, trying to figure out an answer to.

I think the most important thing is to follow back to what sports originally was, was to focus on the athlete and not a money-making product. And I think if we can start to grow back and find out what the athletes need and then go from there, we will find an easier and a better solution to the whole system.

But again, I'm coming from an athlete's point of view. I'm not coming from a, uh, a product of, uh, money or how I can make money. It's kind of an idea. And I, and that's where I think where our battle is because people see the opportunity. I can make money on Simone Biles, if I'm a hurt sponsor, and that's where we're getting in trouble and we're not taking in consideration, what's the problem with the athletes?

What are they going through? What's happening to them. We're only looking at numbers and I think that's something we need to change. Eli. Would you like to answer question? Yeah, my apologies. A cutout right there. Would you mind just giving me a brief summary of the question? Um, I had to reboot my computer.

No problem. Sure. My question is the economic incentives in the current system lie entirely in the wrong direction from top to bottom within the system. And so what are your recommendations for realigning those economic. Well, one of the big things is that the athletes provide so much value in the system.

And yet they're always at the very, very, very tail end of the economic system. So, um, when you, the best way I believe to empower athletes is to allow them to read the financial rewards that they've had because an athlete who is financially stabilized is one that's virtually impossible to abuse. Um, and that being said, these are also difficult systems because a number of them are, are necessary monopolies.



Uh, you can't necessarily have, you can't have multiple, let's say Olympic committees. And so it's what we call them business, a natural monopoly. And in those cases, then you actually, you need outside governance and regulation of them, uh, because otherwise they will simply go out and exploit the athletes.

But empowering the athletes financially, I think is a really, really important piece of it, especially as you get into the upper level of sport. So, so Eli, does that mean that you also support the NCAA changing? It's a system of paying athletes and dealing with them? Yes, absolutely. I mean, I think for years we have used the term student athlete and in reality, I think it would be great if that were, if that were true.

Um, you know, if you look at some of the big schools and, and, you know, just being kind of cynical about it, they've always said, well, they, they get a great education. Look at the academic coursework that a lot of these athletes in the bigger sports are taking. And I, I refer to what's happening in the NCAA is potentially the last institutionalized form of, of, uh, quasi slavery in the United States, because you have predominantly a bunch of, of very well-off white males who are going after minority communities and exploiting their labor and not allowing them to reap the rewards from that.

So I, I think from a moral point of view, it's bad. I actually think from a business point of view, it's bad too. If, if these athletes were actually getting world-class educations and they were able to move out of the poverty system and we were, we were steering it back in, that would be great. But if you look at the explosion in the finances of the NCAA over the last couple of decades, here's where it has not gone.

Hasn't gone into helping out more athletes. It hasn't gone into more scholarships. Where has it gone? It's gone into paying the coaches and what they say is what we have to pay the coaches. But the reality of it is it's a monopoly. These coaches have nowhere to go. So if, if you weren't paying the coach \$5 million, he would have to settle for a lowly \$1 million.

And so what's happened is they've used this sort of fo competition. And whether it's the NCAA or inside the Olympics to say, well, we have to, you know, Notre Dame has to pay a competitive rate with USC, which has to pay a competitive rate with UGA. But at the end of the day, they're all colluding. They're all colluding with each other.

And they're saying, well, we have to pay a coach \$5 million. So we can't afford to pay the athletes. If you fix the entire system, then everybody can get paid. Wow. So, uh, let's see, uh, David Corwin has a question for you for the, both of you.

David you're on you.

Sorry at the top. Thank you very much for sharing your experiences and your insights with us. It's really clear that this power and control leads to these, uh, large amounts of money, which contribute to more of the corruption and the kinds of things you've described. Um, have you thought about developing better oversight and governance in terms of how that would work?

Like the founders of this country realize the weaknesses of humans and developed a system of counterbalances where one could keep the others in check and vice versa. Now it doesn't work all the time, but have you thought about how to organize the oversight and governance to try to look out for the parents' interests, the athlete's interests and oversee these managers they're basically managers and they depend upon the athletes for what they manage.



Yes, it was that question to me,

uncle. Absolutely. In fact, I wrote a very long brief several years ago to the United States Senate. That's been a partial used as a blueprint for reforms. Uh, the first thing you have to recognize, and most of these sports organizations, and this is very, very key and fundamental is that they are monopolies you.

They are not sports organizations, they're monopolistic businesses. And as I said, in my testimony, there are monopolies. And oftentimes they're monopsonies as well. When you start to understand that we have, we have best practices for how to manage monopolies. I am about as far of a free market capitalist, as you can get.

Um, I have an undergraduate degree in economics from a very, you know, conservative slash libertarian type of program. So, so I am saying this from that background, that this is a section of the economy that needs to be regulated. You cannot allow a monopoly to go do things, or it will always abuse, et cetera.

You know, the people subject to it. That's why, um, my local utilities department has a regulatory board, not a governance board. And so I think that fundamental understanding that these are not typical free market businesses, that if they, if they don't do a good job, the, the stakeholders can go somewhere else.

That's not how sports entities in America work. If you don't do a good job in the sports entity, the kids have nowhere else to go. The parents have nowhere else to go. And so, uh, I'm a big believer that for a number of these entities, including the Olympic committee, we need to move into a regulatory board as opposed to a governance board.

So the current, um, the current governance board says, well, it's our job to grow revenues and things like that. So what do they do? They do a completely at the expense of the stakeholders, which again, a private business would have a market check, but if you have a regulatory board and it probably needs to have like bipartisan by camel broad, you know, um, it needs to be appointed broadly, not narrowly because you don't want something like this politicized.

Um, you don't want it to become a political football, but you need to have a board that oversees it, that can make sure the monopoly doesn't do the thing that monopolies want to do, which has hurt the people underneath them. John Michael, do you have thoughts on reconfiguring the relationships? I, I agree everything with, with Elijah said, and I think also we need to make sure that we can connect to the athlete whenever there's ever power.

There's always going to be some type of control and potential abuse. And, uh, what makes me nervous about the whole thing is that as the pyramid narrows and we get to the top people they're in such control and such a monopoly, like Eli said that there isn't a checking cadet. And so they continuously will go on and they will protect themselves.

I just read like at, um, uh, Oregon state, a baseball player, whether it had at 15 sexually abused, somebody parked as a sexual predator for the rest of his life, but was given a scholarship and no one knew about it until the team went to the nationals and someone came across it. How did the people not know about that beforehand and do something about it?

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This is the kind of things that we are covering up all over the place, Ohio state Hubbard for years, what was going on up there with Strausser? No one even said anything. Although athletes were going to people and say, is this right? Is this okay? They were more concerned about what was going to happen and who was going to make the money and in protecting the whole brand of it.

And also, I think we're so concerned about winning and we will win at any cost at the cost of the athletes. The athletes are paying for everything emotionally, physically, and everything, so that we can keep the top people where they are. Uh, let's see, uh, Dr. Sharon Cooper, um, has a question for you. Yes. Uh, thank you very much.

This is, this question is for Mr. Landers. Thank you so much for the information that you have given to us. The question that I had was did you feel that the situation that you were in as you were coming up with Ohio state was almost like a sex trafficking scenario because of the nature of passing you around as you spoke of among top tier people.

Well, Dr. Cooper at that time, I would not have used that term because I had no idea what it was happening. I was led to believe that this was normal, that if I was going to be an elite athlete, I was going to have to follow through, and this was the price that I had to pay to be in this incredible opportunity situation.

And so that's where my mind was at. I was constantly trying to justify it and make sure that it was okay. I believe that I could handle it at that age, that our minds are not even fully developed into we're in our twenties and constantly trying to control it and handle it. I remember telling my mother about it for the first time.

And, um, she slapped me across the face and said that this person is a very important person and you don't make lies about this person. And it's your job around here. The family's doing all, they can, you need to do what you need to do. So if my mother didn't believe me, I didn't expect anybody else to. So I guess when I look at it now and listening to it, and then I saw your posts up, is this traffic.

And I just felt this hole inside of me going, oh my God, was that what I was doing? Was I a part of this that I'd never like, all right. Thank you. I appreciate that. Okay. Uh, let's see, uh, Dr. Steven Berkowitz,

uh, again, just to reiterate, thank you both for really, uh, enlightening, uh, perspective, uh, Eli. Um, so my economics is, uh, was the complete opposite. Um, and I, uh, I still am a Marxist at heart. You're talking about slave, you know, uh, wage slavery, right? That's what you're really you're, you're talking about where we're gaining value or making a Northern amount of money off of athletes.

Um, but what I'm really curious about is it's not just at the elite level, it's from, you know, the, the clubs for five-year-olds on up involves the AAU, involves all these organizations. So I was wondering about the perspective of thinking about how you're, you know, how this serve monopoly ends up being from the bottom up and top down, right?

That it's across the board. It's not just universities, it's all the clubs and whatnot, and how that how's, it all get interconnected in such as, you know, obvious and instantly. Well, it's, it is a complex web. And I think a lot of it, we, you know, we address just a, just a second ago, how, um, there's a lot of insider baseball and actually, I wanna, I want to bounce off of that for one second.



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Cause it goes right back to your question. I got a text message earlier from a fairly prominent person informing me that Mark Jones, who was in my testimony, he was the, the, the gentleman who sent, uh, who attacked me at the Washington post. He was just hired by Lisa Baer, the former chief marketing officer of the Olympic committee for the national women's soccer league.

And so that, that is normal in sports. Okay. And that, that culture, then it flows downhill, who are the coaches of good high school teams. It's it's it's, uh, athletes that came out of a college system, you know, so that culture, I think, ripples throughout. So I focus a lot less on the sort of five-year-old seven-year-old ten-year-old.

Now I have a five-year-old who started to get into interesting sports. So this is, this is of interest to me personally, but from a policy point of view, I believe you have to fix it at the top first, because again, where do these coaches come from? They come out of the system. And so if you don't fix it at that level, then when they go to coach, all they do is they replicate the behavior that they saw out of their coach.

And so I'm not sure there is a bottom up fix. I think there's probably a top-down fix now at a, at a broad national level. This is extremely important that we fix this because, um, childhood obesity is soaring. This is a national health crisis. And so this is a, this is something that I believe the government can and should get involved with.

I think that we, we cannot have the government sit on the sidelines and say, we're gonna take a lot of safer approach to these little monopolies over here. And these monopolies have done a tremendous amount of lobbying to prevent oversight, but we have a strategic national interest and making sure our kids can induce safely participate in sports.

But I think that starts from the top down. I don't think it can start at the five-year-old team and rebel up into, you know, when you get into the NCAA is very powerful at the Olympic level. The international Olympics is very, very corrupt. Um, and so, you know, you're not going to, you're not going to have a grassroots club that impacts the international Olympic committee.

You're going to have Olympic committees that impact grassroots clubs. So I would start that way and seek the change there and then push it down through the system. John, Michael, did you want to add anything to yeah, totally agree with him again. Um, our, our grassroots, our group, getting athletes, sports athletes are going to follow what's happening about them.

And if they see that somebody can get away with something, they're going to do the same thing, they just continually will repeat what they see. Well, so do I hear from both of you essentially, we need to dissolve. The USO PC and the NGBs and reconstruct these through, I mean, maybe we need a federal agency, uh, and, uh, that's now has active oversight from the Senate.

I mean, it is that I that's, frankly my view. Um, but you know, I never like half measures. So is that is that's what's needed. Do we need to get rid of the U S OPC and get rid of the NGBs and just start over? Well, I, I think, I think that there is definitely a very strong argument for that Marcy. Um, and we have to be very careful because it's a tricky area because governments can also create problems.

But, uh, I think, I think to say the current system is an abject failure as a, as an understatement. And the, the law that governs the Olympic committee was written 42 years ago. It was literally passed about a month after I was born. And it w it's so outdated and how it is and how it approaches sports in the U S it is simply not capable of dealing with what we have now.



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So I think, um, we have legislation that's expected to be passing actually, almost as we speak through Congress. I expect that by this afternoon, and we'll have passed Senate bill 2330, which will create a commission to review and oversee and suggest fundamental core changes to how the Olympic and NGV system is run.

And I think that we need to take a strong look at that and say, is it a, uh, is it a ministry of sport and government? That would be one extreme on the other hand at a bare minimum. I think we need to recognize this is a government sanctioned monopoly. It's a quasi government organization, whether or not you like it.

And the Olympic committee for years has said we shouldn't have government oversight because we're private. That is a whole bunch of BS because they were granted a monopoly by the government that produces probably half a billion to a billion dollars a year as a system. And they're skimming the cream off profits and hurting the athletes in the process.

I completely agree with that again. And I think Marcy, that's a dream. I would love that to happen, but will our country's ego allow that to happen? Because we were so concerned about winning and being the best that we're not concerned about how are we going to get there? And so a lot of people are being heard at the bottom to support those that are at the top.

And unfortunately, I think the people that are up there are only interested in their own progression or their own, their own means of getting what they want. They're not interested in anybody else. They're interested in about keeping the money and everything, the way that it is so that they can keep living the life that they have, right.

Athletes are failing. It's killing us. I mean, to that point, go ahead to that point. I don't think. They're fixing the system will hurt us on the field of play. I think it does exactly the opposite. When you have an athlete centric system, I've spent the last several years studying genetics and its impact on sport.

Every individual athlete is a unique person. Our system treats them like very hunk of meat into which, you know, they get put into the system run by these professional high paid bureaucrats. And so I actually believe that when we fix the system, my, my goal is not that at the 2028 Olympics, you know, we have a moral team that falls flat on their face in the field of play.

My goal is that we have a team that savages the rest of the world on the field of play. And we get there not despite taking care of our athletes, we get there because we took care of her athletes. Right? Yeah. I agree with you. But there is going to be a law when that transition takes place and not going to be the winners at that time.

We're not going to be able to do that right away. And I think people may lose their patience with that and think that we're failing instead of healing and growing to the point that we could have more of these, um, uh, Michael Phelps and stuff like that happening all over the place. And not just a few, but many, I mean, part of what you're both talking about is the need for an athlete centered.

You know, we think about as, as a child centered universe. So because what we're talking about is, uh, uh, people in power preserving their money, their prestige and their image. Um, and you know, the, the, it is shocking the way in which that paradigm repeats itself across so many youth serving organizations.



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I mean, it is the boy Scouts. It is the Catholic church, it on and on and on. Um, what's sad is that as citizens, uh, people like me who adore the Olympics, uh, I, you know, it, it's just, it's, it's tragic to know all the sacrificing of children that took place in the sacrificing of young adults that took place.

Um, but, uh, let's see. I, uh, James Marsh, I think had a question

you're muted, James, no rare occurrence that I'm muted. Um, thank you both for really describing to us on a very granular and very broad level what's going on with the Olympics. I thought it was really courageous and illuminating testimony. My question is, are there any models from other countries or any other models, uh, across the world that you think would work better than the current structure that we've put in.

Sure. I'll, I'm okay. Tackling that. I've, I've worked extensively with other athletes around the world, um, and I'm actively engaged right now in, for instance, with Guatemala, I spent the better part of an hour last night on the phone with the Guatemalan athlete. Um, I think that, uh, there's a lot of European countries, um, that do it better than we do.

If you look at their efficiency, the number of metals they produce, you know, like the Czech Republic, the number of metals they produce relative to the number of people in the country. So they don't win as many medals as we do, but they win more per capita, which I think is a better, is a better understanding.

Um, I've hosted, you know, several, uh, several delegations of the Czech Olympic team at my house and spent a ton of time with them. They, they definitely at a cultural level have a much better understanding of putting the athlete at the center of the program. And again, I think that's because in the United States we have, you know, let's say a million kids in swimming.

And so we just shove a million bodies down the pipeline and Michael tells, pops out the other end and we say, Hey, that's great. What we don't look at as the five Michael Phelps that didn't make it through the pipeline because it wasn't set up to do that. So, um, in most of the successful Olympic committees, there is a tighter relationship with the government and oftentimes tighter with the military.

I've been a big advocate of, of, um, of a, of a broader integration with the military. So if you look at Brazil, the Brazilian Olympic committee and the Brazilian military are very tightly engaged. That's also true with the Czech Republic and Germany. Uh, they're fairly well integrated with the police. Um, and so we actually see that globally, and that actually comes out of the former Soviet union back when athletes were amateur, the Soviet union would put their athletes in the military, but their job was to train.

So it was a way of getting around professionalism issues. But, um, anyways, so there are some models there. I don't believe there is a successful model or even a successful, um, potential that an Olympic committee without proper oversight, which, which we do not have today, uh, can, can possibly function without fundamentally harming the athletes in the system.

John Michael, did you want to add anything to that? [03:30:00] I think that's well said. Um, my only thing I want to add is that we do and what's going on with those other countries. I think the countries that he did speak of, they are more interested in about the growth of a sports person and how that helps them become a person.



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I think what happens with some of our larger, uh, countries that are really, really powerful in sports, we don't know really what's happening behind the walls. I think they could be just. That is, we are. So we don't know. I know, I know a lot of Canadians who were not happy with what's going on up in Canada.

I know that a lot of athletes from England are going through a lot of stuffs as well there and are beginning to speak out about the abuse and the stuff that's going on behind closed doors. Uh, an athlete, a really triggered this international response that has been, um, quite impressive, Eli well, and yes, to that point, I was going to say, I don't think there is a Olympic committee in the world that we can benchmark off of, but call me crazy.

I think this is something that we in the United States should tackle, you know, people have asked like, why are you not taking on international Olympic committee corruption? I said, because I believe that the us Olympic committee, if done correctly in, in whatever, the new, the next version version 2.0 is can drive change upward because the economics are that the us market drives the Olympics period.

End of statement. If you look at how the money flows through it goes through NBC. NBC is the number one driving force in the IOC. If the U S Olympic system fixes itself, and we start performing that change will drive through the entire rest of the world. So I've been a big proponent of saying, let's let us think very clearly and say, how should we build a new system that the rest of the world can emulate?

Yeah. So the, um, I wonder though, I mean, first of all, it's the whole culture, right? The whole culture is problematic in the way in which we value children. We talk about love of children, but we often sacrifice them to the interests of adults. Um, so, so I'm wondering if, uh, if this isn't just an entire societal movement, I mean, we can't do we have to get everybody in the whole culture on board?

I mean, I think that's what John Michael was saying, right. That if we don't get the whole country on board, uh, treating athletes like humans, uh, then, uh, you know, we're just going to continue to sacrifice them. I, there was a, there was an amazing statistic. The one that really struck me the most that came out of our elite athletes study.

And that was that we have high percentages of sexual abuse and assault among elite athletes. And it's, it's from coaches, it's from, um, uh, other athletes, but only 5% of athletes of elite athletes knew where to report any kind of abuse. I mean, we're not even telling them there's an outlet. If you're being, you know, assaulted, if you're being physically harmed, if you are getting the kind of treatment Jennifer say talked about earlier today, we, we don't even give them a pathway.

Uh, and I think that's, um, partly intended. Uh, the, uh, I don't think it's accidental because the reports actually undermine the product. Marcy. I, I w I would totally agree with you. And, and the, uh, in the words of the software development, they say it's a feature, not a bug, you know, it's built into the system.

And, uh, that being said, do we need to change the culture in America, around child safety, a hundred percent? Uh, is that something we're going to fix directly? No, but the sports are a thought leader. People look up to athletes when people find out I'm an Olympian, they want to talk. They want to ask questions, in fact, so much so that I like in business, I almost never bring it up because I wanted to let you know, if I'm talking about a real estate deal or something, I'm like, Hey, I don't want to get sidelined with this.



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Um, but athletes are our influencers, they're thought leaders. And so if you can fix it at the top and start there, I think we can drive change through society. That's very, very positive. So again, that's why my focus has been on the top. It's not out of a lack of caring for kids. It's understanding that that's a, probably the, the, the path of least resistance to fundamental change is when you start at the top.

And then those athletes are able to say, look, this is inappropriate behavior. This is an inappropriate way to treat an athlete. That'll ripple down into the, the college teams and the, the club teams and, and outward from there. Wow. So I w last, uh, question for this session and sadly is, uh, but let's get to Jim carpenter who has a question.

Yes. Uh, thank you to both of you for, uh, describing the economic system so fully. I really appreciate it. One question I had, uh, first was, um, in terms of athletes actually, unionizing or organizing, um, do you think that that is at all possible since their talent is seen as so fungible in terms of there's so many people that want to take their position, uh, that, that can make it difficult for them to organize and, and working in that manner, they're still not in imbued with power and following up on Marcy's question.

Do you think an ombudsman or somebody being available at least at the higher levels as a contact, um, is a possibility I'd be happy to tackle that one right off the bat. So the current ombudsman in the Olympic system is Casey Wallace. She's paid according to the latest nine 90 report, I believe \$360,000 a year, which is absolutely insane.

In fact, I was having a conversation with a sport leader this morning, and I said, it's, it's fascinating because the previous ombudsman, I believe was paid about 125,000 a year. And the reason for that was because the Olympic committee made sure that they baked in conflict of interest with the new ombudsman, so that she had facility

increase financial incentives to make really sure. That she's very incentivized to, to work for the system, not for the athlete. Um, so I think, you know, I, I don't think that's a particularly, uh, that's a particularly good solution in terms of, of unionizing. I've studied this at life for the better part of a decade, uh, union in the Olympic system won't work for the simple reason that they'll simply just go to the next person in line and the, for the athletes, the system is set up.

So there's no, they get once every four years to go to the Olympics. So if I say, Hey, I won't go to the Olympics. The Olympics say fine, we'll make an example out of you, you're off the team. And so the correct solution is going to be some form of collectivization of the labor force, which is the athletes.

So it's probably going to be an athlete commission, um, because, uh, a threat that a union has as a strike and in the Olympics, there's no credible threat of a strike. So you're, I think you're thinking the right way about it, but it would be collectivization under one umbrella, uh, entity like an athlete commission, as opposed to an independent athlete commission with its own funds, as opposed to a union, because the set of union, they can break apart very easily.

I just want to add one, one quick thing. When I was, depending on what you did before Eli, we had a youth which was kind of like a union. It acted like a union. We pay dues. We are a part of that. And also Faena is now the international level is kind of like a union as well. So you gotta be careful how we set those up because the same problems will happen at the top with those as they are happening now.

Thank you so much. Uh, both Eli and John Michael, this has been so illuminating and we have been struggling to try to understand what the economic structure is that puts athletes, uh, in the system, uh,



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in such a bad stead. So, uh, thank you for the, uh, illuminating brilliance of your presentations and, uh, to everybody else, we're going to take a break.

Uh, we will be back at 2 45 Eastern time, uh, and we'll be turning to, uh, life after reviews. Uh, the continued fight for institutional responsiveness and reform, uh, two survivors who are also amazing. Uh, so we'll see you back here at 2 45. Thanks so much. Thank you.

Welcome back to, uh, our third panel today, uh, during our game over commissions commission hearings. Um, this is, uh, uh, th this is two women who are so inspiring, I, and have gone out of their ways to take their experiences and then turn them into ways in which to help, uh, other athletes and, and basically, uh, the society as a whole, uh, we will hear from, uh, Larissa Boyce, uh, she's a former competitive gymnast.

She's also a survivor, uh, and has done a, an amazing number of things reaching out. Uh, I highly recommend reading her bio on our website, but in particular, she joined the group rise to speak at the 2019 United nations general assembly. Uh, and their goal was to pass a world wide survivor bill of rights.

Uh, and so, uh, she's a, uh, a fervent advocate for, um, the, the human rights side of dealing with athletes. As she's currently planning to build, uh, a healing retreat center for sexual assault survivors in their families. Uh, we also are thrilled to have joining us today. Uh, Kim Llewellyn. Um, she is a former competitive swimmer.

Um, she competed in the 84 Olympics in Los Angeles and the 200 meter breaststroke. Um, she isn't another survivor who was, uh, silent, um, and then decided she simply had to talk. She's become a motivational speaker. Um, she is on, uh, in particular, the Christian circuit. Um, speaking about how her faith in God essentially saved her and is now the author of a new book master of the mask.

Uh, Ana, we are thrilled to have both of you with us today and, uh, we'll hear their comments. And then we will, um, turn to a question and answer with the commission. Hello, my name is Larissa voice. I'm a foreign gymnast and one of the hundreds of sexual assault survivors from the Larry Nassar case. Thank you for inviting me to speak today.

I'm grateful to have the opportunity for, to use my story and experience for such an important and personal issue. I grew up in the east Lansing area rooting for the Spartans in loving Michigan state university. It always felt like a second home to me, even before I became a student at MSU, the majority of my childhood was spent training over 20 hours a week.

Perfecting my gymnastics skills in a Spartan youth gymnastics program run by MSU, then head coach, Kathy Claytons. I believe there are many different angles and concerns to discuss regarding sports, their governing bodies and institutions that oversee them. One that I have experienced firsthand is sexual assault within gymnastics.

When I was only 16 years old, coach Clegg has recommended that I see Nassar after I sustained a back injury during training as a competitive level, age of nets, she told my parents that he was the best in the world and that he treated the Olympians. Sadly, most people believe that a pedophile is a scary person lurking in the dark waiting to attack, but that is rarely the truth.

It is almost always the person who is trusted, friendly, volunteering for everyone, immersing themselves among children and using their status to gain power and trust among their prey. As well as



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their peers, athletes are conditioned to fully trust and obey their coaches and doctors because they are the ones who are trying to make them successful at the sport that they love and are trying to achieve excellence in without their coaches to push them, to achieve their goals and doctors treat their injuries.

Most, most athletes would not have a chance to accomplish their dreams and objectives. This can be a wonderful relationship. However, it can also be a dangerous one where status and power is easily abused. I can attest the abuse of power from my experience with Kathy many other coaches in the gymnastics world and Larry Nasser, as we know, Nasser abused his position of trust and authority in the most unspeakable ways.

My appointments with him left me feeling confused, embarrassed and dirty in 1997, when I was only 16 years old, I tried to tell coach Cletus that I thought NASA was sexually abusing me. Instead of supporting me, I was questioned embarrassed and humiliated by her. Kathy told me that she could file a complaint, but if she followed through with it, I was going to cause problems for both Larry Nasser and myself.

So instead of trusting my instincts, I was conditioned into believing that I was the problem in must have. Kathy knew the proper process would be to file complaints, but she chose not to. She did not notify the authorities or even my parents that betrayal of trust became even worse. And my filing appointment with NASA, where I learned that Kathy disclosed my concerns to him.

He confronted me about it. I felt trapped and embarrassed. So I apologize for misunderstanding the treatments. I told him that it was all my fault and to prove that I did not have a dirty mind, I have to back up onto that medical table and continue to be abused for the next four years. The only, and the only thing that empowered Nasser was this, that Kathy supported him.

He continued to abusing feeling as if he was invincible, Kathy enabled and protected her friends, a pedophile instead of the children and young adults in her care. Kathy Clavius works, worked as the head coach of MSU for 27 years before retiring. She was allowed to retire with her pension in 2017, even though court records showed that she had discouraged children from filing sexual assault complaints against Nassar, gymnastics, coaches and teams are required to register as members of USA G in order to be able to participate in the U S Agee sanctum sanctioned competitions, where they're at the collegiate level as a coach or a club level coach, Kathy was no exception to the rule.

She was also a registered USAP member coach, as well as a competition judge for USA G. This means that she had power at both MSU and USA. G did this help contribute to her ability to evade oversight of each organization? Who was she supposed to report to was MSU or USAID G responsible for oversight of her program?

How was this determines? What about coaches and other sports who are also under multiple organizations when Catherine violated my competence and disclose my concerns to Nasser, should I have reported her to MSU or USA Jean at the young age of 16? I had no idea that I could report to anybody else. In fact, after disclosing to Kathy and being put through her interrogation process, I never wanted to speak the situation again.

I would have been afraid to tell any other adults about it for fear of the same response and feeling that I was causing trouble. However, it makes me ask the question. If I did know where to report her, would it have even made a difference? Would that have changed things for the hundreds of girls who were abused after me?



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All I know is that any chance I may have had to make MSU college gymnastics team was destroyed the night I disclosed Nasser's abuse. I became the black sheep in the gym I was looked at and treated like I was a trouble maker seeking attention, my drive and desire to continue in the sport. I loved so much died.

The night I walked out of Kathy's office. That is why I believe training regarding trauma informed practices is critically important for institutions such as MSU, USC, and USC, to ensure that survivors are empowered to come forward and have their voices heard institutions that interact with children and young adults should have policies in place and yearly mandatory training regarding the reporting of allegations of abuse.

I believe this should include training for athletes and their parents as well. I re recommend this based on my own [04:00:00] experience after I went public with my story. At one point, MSU officials said that my allegation had no value because I did not report to the correct person and authority. I was only 16 years old.

How in the world was I supposed to know that there was a specific adult that I had to report to in order for my claims to be valid. Kathy was the head coach of a big 10 gymnastics program. Why wasn't she the right person to report to who is a head coach, a Dean of precedent or others in positions of authority, accountable to what enabled Kathy and how was she able to remain silence over the course of 20 years?

At least 14 people in authority positions at MSU were given notice about Nasser's abuse, but the abuse victims were ignored or silenced. If even one of them had listened and recorded. Hundreds of women and girls could have been spared. We need to make it clear to coaches and those in authority that they must report abuse.

If they fail to report, they must be held accountable. This is a significant reason why mandatory reporting needs to be more specific and include increased penalties. If reports are not properly handled through my experience, I have come to the realization that the authority figures at Michigan state university failed to protect me.

When I was a child, government institutions are supposed to be leaders and examples that children can look to as role models, adults are supposed to do the right thing. My Alma mater was supposed to protect their students, their athletes, and the community. And unfortunately I experienced firsthand that that does not always happen.

And miss you violated my trust and the trust of hundreds of survivors who are a part of the Nassar case, they cared more about their brand than the wellbeing of women and girls oversight of Michigan state university USA G in the USO seat allowed an atrocity to occur for decades in plain sight. Those in authority chose to ignore the cries from.

The Christ to be saved. And the Christ for justice from far too many children and young adults and misuse board of trustees asked me the Michigan attorney General's office to conduct an investigation into the handling of the Nassar case stating that they would cooperate fully. If that was true, why are they still to this day, refusing to hand over some 6,000 internal documents to special investigators saying they're protected under attorney client privilege, he personnel should have been fired for their negligence and the enabling of the most prolific pedophile in sports history.

Instead, the institutions allowed them to retire with severance packages, pensions as well as other benefits, the three staff members who were charged with crimes related in the Nassar case and their



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legal fees paid for by MSU. As of April, 2020, Kathy Clegg, his legal legal fees had amounted to over \$906,000.

And in February of 2020, she was found guilty of two cons of lying to a peace officer. She was later sentenced in August all the while. MSU has continued paying her legal fees. And as of January, 2019, over a year ago, MSU legal fees amounted to over \$20 million. All of the while they are still fighting to avoid paying money, to wave two and wave three claimants who are abused by Nassar.

How does a public institution get away with this? The taxpayers are the ones funding, MSU legal fees. They are defending their retired staff who have been found guilty and are serving jail time. These enablers are still not being called fiscally responsible for their actions or inactions. How can this be changed?

Something needs to be done to show survivors that they are more important than the brand of an institution. I believe that your hard work and efforts will be a large part of the change that is so needed. I would like to thank you again for inviting me to share my testimony. Thank you for being advocates for those who do not have the strength or voice to fight for themselves because they have been silenced.

I appreciate all of the time and energy you're put into this commission to make the world a safer place for children and athletes everywhere. Thank you. Hi, my name is Kim bread and ball Lou Allen member of the 1984 Olympic swim team, motivational speaker and writer. Over the years, I've read many articles about coaches abusing their athletes.

And of course read about the brave gymnast who came out of the woodwork to share about their abuse from Larry Nassar. But I've read Barry few articles about athletes who had sexually assaulted other athletes. This unfortunately is what happened to. Without getting into all the details. I would like to share some of the accounts of the assaults I went through, which will bring to light areas that I believe need reform in the sport of swimming.

In 1980, at the age of 14, I was on my first us national team, competing at an international meet in Hawaii. One day I was taking a nap in my dorm room at the university of Hawaii, and suddenly woke up to one of my older male teammates sexually assaulting me. This was the first of three swimmers who would end up abusing me in 1982.

I had made the world games team, which ended up being the best meet of my career. After the mate, I joined a few swimmers for a party and one of the hotel rooms to celebrate as the evening went on, I realized all, but one of the older male swimmers had stayed behind. He ended up raping me, taking my virginity.

The third swimmer who sexually assaulted me actually caused the most damage. It was my senior year in high school and Olympic year in 1984. At the beginning of that year, my Cincinnati Marlins team traveled on a bus to a swim meet. I was sitting next to one of the older male swimmers, who I had known since I was a little girl and who had been like a brother to me.

At some point I dozed off. I woke up to the same brother, figure sexually assaulting me. My reasons for coming forward are a little different than some of the other brave athletes you're hearing from today. I chose to not tell the names of my abusers or seek justice because of this. I don't have my own personal story of institutional challenges that some of the other courageous athletes have had when trying to get justice for their own abuse.



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I can simply share my experiences as well as share what I feel would be helpful in protecting young athletes from sexual abuse, as well as necessary reform to help athletes who have been abused. My team in Cincinnati was unfortunately notorious for coaches dating their swimmers. I personally know that three of these relationships ended up in marriage.

This was the culture of our sport. Back then, it was perfectly natural for coaches to find their romantic partners from their athletes. The other strange part of the culture of swimming is that many of my teammates were much older than me because I was very fast at a young age. I was always around much older athletes in the pool, as well as in social environment.

Going to a party with much older swimmers was normal back when I was swimming, it was an amateur sport, but with today's professional status, there is an even greater age gap between swimmers. This creates power imbalances, not only in age, but also a notoriety since some have endorsements based on achievements and popularity, safe sport addresses very little about athlete on athlete abuse in their curriculum, even though it represents 23% of all reported claims teams need to do a better job in making sure the adult athletes follow the same guidelines that safe sport lays out for all other applicable adults teams also need to do background criminal checks on adult athletes.

It wasn't uncommon for our team in Cincinnati to have swimmers come from all over the world to train with us. Proper vetting of adult athletes would be a very important safeguarding measure. Stories are an effective way to get athletes, coaches and parents to take all of this seriously faces with statistics are extremely powerful.

It would also be useful to have athletes run through several scenarios so they can practice what they would say and do if they ever felt threatened or help them know how to respond. If they see an injustice being done to one of their teammates, we can't expect boys and girls or women and men to not socialize in sports like swimming, but we certainly can make sure they're equipped.

If they are put in compromising situations, we need to teach them that even though it's a peer or a teammate, no means no. I would love to see mentorship programs, especially for young men, teaching them to be men of integrity and how important it is to not objectify their female teammates. These programs could help teach young men to take a stand whenever they see an injustice to step in and do the right thing.

So to get back to what happened to me on these national teams, it would have been extremely beneficial to have had an older female swimmer or a manager assigned to me to keep me safe, to look out for me. But unfortunately I was on my own. There were team managers, but not enough of them to be able to keep an eye on all of us.

After I was assaulted by my brother figure, I told a friend who ended up betraying my. Sadly, this is only worse today with the incessant berating of attacks that victims have to endure through cyber bullying. I can only imagine what my life would have looked like. Had my abuse happened in the world we're in now, honestly, I don't think I would be here talking to you today.

Athletes who are abused need to know who to call and that they will be assigned a confidential advocate when they come forward and advocate who can walk with them every step of the way to help them get counseling or legal counsel, if needed to protect them from the media circus, that many times exploit victims for a good story.

This has been a huge concern of mine watching a lot of these young athletes come forward, especially if they're not emotionally prepared because of suicides like Daisy Coleman, a young lady who was





brutally raped and then a mercifully attacked on social media. I think we all should take cyber bullying.

Very seriously. People who are sexually abused are 10 times more likely to attempt suicide. And if that abuse happened before age 16, that statistic is even higher. Teams must take this seriously and act accordingly with a zero tolerance. USA swimming probably has more sexual abuse reports than any other sport.

For some reason, safe sport is still not mandatory. I met recently with our national governing bodies, safe sports staff, and I was amazed that about three women are over 3000 plus swim teams with hundreds of swimmers on each of those teams. Swimming is one of the biggest youth organizations in our country.

And there are only three women who are responsible for helping keep them safe. I believe they're doing the best they can and truly want to protect our athletes, but how can three people do an effective job with that many athletes? So to summarize swimming has a culture that makes it particularly vulnerable for athlete on athlete abuse, due to the power imbalances of age, gender, and notoriety.

Now there is an even greater age gap between athletes or 30 plus year old men are training, traveling and socializing with sometimes 12 and 13 year old females. It's not normal for kids to be socializing with adults, but unfortunately this is normal. Oftentimes in our sport, I looked at the men who sexually assaulted me as peers instead of grown men.

This was the culture back then, and I'm afraid, this is why sexual assault continues. To thrive in sports for boys, girls, men, and women train, travel and socialize together. It took me over 30 years to finally be able to begin healing from sexual abuse. During those years, I battled PTSD, depression, eating disorders, addiction, and tried to commit suicide twice in 2014 at the age of 47, I finally got the help I so desperately needed.

And now I finally know who I am through God's eyes and I no longer live in fear and shame. I pray. My story will not only give survivors hope, but also prevent others from going through the pain of sexual abuse that I went through. In closing, I would like to thank game over commission and child USA for your tireless fight to end sexual abuse in sports, this survivor.

So appreciates you. Thank you so much, uh, to both Larisa and to Kim, uh, you know, the, what you have been through is, uh, individual for each of you, but of course, it's also universal across sport as we're learning, which is, um, kind of terrifying, but, uh, I wanted to ask Larissa to start just, you testified, did you not in the MSU case involving Kathy

Yes, I did. So how was that horrible? Actually, I have no doubt. So if you could give us some insights into, um, what that was like. Um, um, I felt like I was back in her office as a 16 year old. Um, I mean the whole world was watching also, so that didn't help, but, um, being, um, being grilled by the, by her defense team and, and being, um, basically told that I was lying and I didn't remember correctly, what had happened was really difficult to experience.

Uh, it was definitely retraumatizing. Um, and it was, I still right now, I still have a hard time, uh, feeling like I was believed, even though she was found guilty because just all the questions that were asked and how they just made us look to be like, we were liars. I understand why people don't like testifying or don't want to go through with the legal system.



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It's so stressful between even just the deposition, uh, can be extremely stressful, but, but testifying in open court. Uh, your credibility challenged. Uh, it really is, um, cruel. Uh, so, uh, so I am sorry that you ever had to go through that, but I really was glad when she was convicted. I got to say, yeah, I had to, the outcome was good.

So I think, uh, joy Silberg has a question.

Thank you both for such incredible powerful, heartfelt enlightening testimony. It's really thank you. So, so much for that. Um, I have a question for Kim, um, which would perhaps help us as we try to design an improvement in policies, which is beginning to feel harder and harder and harder, the more that we learn, but I wondered what types of thoughts went through your mind as you thought about whether you might tell, I understand there were many reasons not to, and you're very, very brave to talk about that now, but where were the barriers as you thought it through as, as a young person who you might tell and why you realized that that was probably a bad idea or how you ruled it out, it would help us in our consideration of these matters.

Kim you're on mute. Oh, I am. There you go.

Now. yeah. Okay. Sorry. Um, as I was listening to Loris, uh, I, I really, the, the shame, I think that society puts on victims is, is ridiculous. Um, they, I talk about this in my book. They, they ask questions, like, why didn't you tell anybody? And well, what'd, you expect you were drinking, things like that. And, you know, I learned that shame, uh, means that I'm a mistake and guilt means I made a mistake, right.

And neither of which Loris or I did, um, were not mistakes. We didn't make mistakes, but of course that's how victims feel. And so, because as, um, I was actually sexually assaulted as, as a six year old by a neighborhood, a teenager. And I talk about this in my book, but so I think I already had that level of shame that followed me from that experience.

So it, I, I, I truly believe, um, that predators just have a sixth sense to spot those victims. And so I was pretty much an easy target. Um, I actually did tell a friend and, uh, and. Uh, I taught I, yeah, I did tell one friend, um, who proceeded to tell, uh, she basically made it out. Like I was part of it that I, I had, I wasn't assaulted that I actually was basically cheating on my boyfriend with this brother figure and told people.

And so that taught me to never tell anybody. And that's why I talk about that in my testimony about Daisy Coleman. Uh, I can't even imagine if, if that friend at this had happened today, that probably would have been all over social media and, uh, it's just, it's awful. So I think really to answer your question is just the shame that I felt.

Um, I was from a very, very strong, um, supportive family, great parents, but I just, I think being abused as a young child, I learned how to kind of disassociate with what would happen to me. And, um, you know, of course that led to a lot of really, uh, unhealthy things like, um, uh, suicide attempts and addiction and things like that.

So, so what I'm hearing is it never got, even as far as a thought process, it was shut down on the emotional level. There was never a thought process of how might I approach this. It was the shame just paralyzed you yes. A point where there was really no thought process anymore. It was just obvious that in your feeling level, that somehow this was something that had to happen, even though that was a, you know, your shame feelings.



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Okay. Right. Well, a lot of victims also disassociate with the, what has happened. They, they will forget what happened. I actually had some of that. Um, I'm talking about a few years ago, there were still things that I had blocked out. And so I think maybe there were some things that I might've remembered, but I kind of separated feeling and, um, the event.

And so I, you know, I, as kids, we don't know how to deal with that kind of stuff. That's why these programs are so incredibly important to implement, to, to, um, you know, learn how to spot these, these, uh, perpetrators and pedophiles and, and be able to know, uh, what green behavior looks like. And then also for the victims to know how to work through those.

That's why advocates, I think, are so important to help those victims be able to walk through those things. Larissa, did you want to add to that? Um, yeah. You know, I think that if I had been gone through some sort of training of what to do, if I was ever assaulted or if I ever felt uncomfortable. I think I wouldn't have stopped that night, that Kathy shut me down.

I think I would have known the different avenues to go. If the first person doesn't listen, go to somebody else, go to somebody else until they do listen. Um, I think had I been taught that at a young age, I, I would've continued to report Nassar. Wow. Um, uh, James Marshall has a question. Thank you both for participating today.

We really appreciate your stories and the insight and, um, explanation of what happened to you. Um, obviously this is a multifaceted problem that is throughout society, but I think it's especially prevalent in sport, um, where your bodies are so much in the control of other people. And you're in an environment where you're not, you know, talk to question the coach or to even, um, you know, rat out other athletes.

Obviously that's another consideration for you, but what any, you know, we, we talk a lot about consent in our society and boundary issues. Would there be any sort of like training around consent or boundaries or, uh, those kinds of issues that you think would have helped you at least recognize the abuse, um, uh, for what it was and maybe empower you to, to speak out about it?

I know, um, had I been taught that this is what a coach can do? This is what a coach cannot do. This is what your doctor can do. This is what they cannot do. If it gets past this point, if you ever are alone with a doctor, it's not okay, are you, uh, if you're ever alone with another adult of the opposite sex or even same-sex, it's not okay.

Um, there always has to be somebody else in the room, but then that gets a little bit tricky because Nassar also got away with doing it with other people in the room. Um, so I think being taught that this is exactly what's going to happen. If anything else happens, it, you need to tell somebody, um, I think it just needs to be completely, um, taught that these are the, these are the rules.

These are the boundaries. Don't go past it. And what happened? What do you do if somebody does come want to add to that? Yeah. Um, I, you know, we have safe sport. We have a curriculum now. That's that's good. It probably still needs to be tweaked somewhat obviously. And my, my testimony, I think there needs to be more about athlete on athlete, um, focus.

Um, but yeah, I mean, I agree with Larissa. Had known, obviously mine, my stuff happened a very long time ago, so there was nothing like this back then, coaches didn't even talk to her, their kids back then about this kind of stuff. So I'm pretty excited to see that there's programs like safe sport, but each of the national governing bodies under the Olympic and Paralympic movement need to incorporate it.



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You know, some of the, some of the sports, um, they, they make it mandatory and swimming. Um, I actually just had a zoom meeting with them this week and, uh, they, they have a different philosophy. They, instead of making it mandatory, they, they really want to encourage, uh, they do kind of a team recognition program and they, they, they really want to educate and teach why it's important because believer or not people's distill, don't see the significance of this.

I know that sounds crazy because of what all of you do and, and, and, but that's true. And so part of it, rather than just making it mandatory, they have a little different philosophy in, in wanting to, um, you know, encourage these teams to implement it so that it's more effective. Um, and they're, they're more excited about it.

I see both, I think you could make it mandatory and still do that. So I see it a little differently, but we have a great curriculum. Um, let's just use it. Um, I am excited swimming, uh, has, I think COVID kind of helped with this, um, just because they were shut down, but they have, um, actually almost by the end of the year, maybe over a third of all the teams are going to be safe, sport recognized.

So that's exciting to hear they went from, uh, you know, less than 1% when I wrote my book, um, to now, um, 20%. And by the end of the year, they have many that are saved sport. They've already initiated the process. So I'm excited that they're going to have almost over a third, but they're even the board said they didn't want to celebrate that until that was a hundred percent.

So I'm encouraged, you know, I'm excited to see a much needed change that needed to happen in our sport that I love. Um, but you know, we have, uh, we have this curriculum, we've got to, we've got to empower these kids to know what to do. So I learned an interesting wrinkle this week about the safe sport training and being translated into the NGBs, uh, USA gymnastics is not mandating any training for children or parents.

The, the training is only mandated for adult athletes and some coaches. Uh, that's just stunning to me. I mean, how could you, I mean, both of what Larissa and Kim are telling us is the kids need to understand what's going on. So, uh, yeah, no, there's a long way to go. Um, Melissa, uh, Jan, Paul had a.

Hi, I'm sorry. Had to unmute myself. Um, thank you both for your time and your thoughtfulness that you've brought today to us. I think it's tremendously helpful. I know in my own practice some lawyer, um, I do some trainings for institutions. And, um, I'm wondering if both of you could address you. What, what do you think would be effective?

I want to make sure I'm doing everything right. And I think one of the things that we're all trying to figure out as part of this committee is, you know, what will work, what will work with teenagers to get them to, um, you know, speak up if something's happening to them. And I wonder if you could draw on your own experiences to help us with those issues.

Um, you know, I think that

getting, getting kids to speak up a lot of times, they want to be able to relate with somebody else their age. So I think that I don't know how this can be implemented, but giving, having an example of a survivor, having somebody share their story during the training or whatever, um, having a couple of different people share their stories whenever somebody feels like they can [04:30:00] relate to you, that makes them more comfortable.



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And well, for me, I know as a teenager, I would have spoken up more. If I, if I knew that there was somebody else, my age who was going through something maybe similar, you think peer-to-peer counseling would be helpful or peer networks. Yes, Kim. Yeah. I just want to piggyback off of what she said. Um, I think that it's, like I said earlier, faces with statistics are powerful, you know?

And when we, when we're not just having these athletes read, uh, information, it's kind of like Charlie Brown, right. Experience won't want wa you know, they, they aren't really going to, to, I don't think, um, be able to totally receive it, unless it, it makes it a little more real. And like Larissa's said was survivor's stories.

It helps them to connect and it helps them, not just them, but parents, you know, we've got to remember, parents are extremely powerful in these, uh, uh, club teams and, and all the sports. They usually are pulling the strings, right. They, they want their kids to be safe. And so I think it's, uh, very important to reach these, these parents and something I was encouraged about just in our sport.

And they gave me permission to share that. Um, you know, I, I want to be a bridge. I want to be able to use my story, um, for United States swimming. And I think there's been a lot of, and rightly so, a lot of awful stuff that that's happened. A lot of, uh, uh, athletes, victims have not been heard. They haven't, um, you know, just like Larissa, it's just fallen through the cracks.

People have just not listening and worse yet. Like in our sport, it was kind of a good old boy, sorry guys. It was kind of a good old boy system where, um, they were protecting these coaches and they weren't listening. They were listening to the coaches first, not the athletes. And so now fortunately United States swimming, they just agreed to spend \$5 million on new technology.

I just heard that this week and that technology, one of the, the pieces in that is instead of teams just signing up at the club level, when they sign up, it's going to go immediately to United States, swimming to where now they have all of the parents, um, the parents information. So now they can send all of that safe sport information directly to parents.

And I think that that's powerful to teach, not just the athletes, um, and the coaches, but the parents as well. Um, so, um, I was encouraged by, by what I learned this week about the numbers and about some of the other things they had, uh, piggyback and again, off of what Larissa said, I think that it'd be great to have mentorship programs, peer on peer, like you said, um, have a lot of these, like Caleb Dressel, some of these, these swimmers who are so highly respected speaking into these young boys, um, in our sport or any sport, um, about how to, you know, treat a women with integrity, be a man of integrity.

And I was also excited to hear that they, um, uh, what are the names of these they're called futures? And you guys have probably heard these two organizations futures without violence and, um, also athletes as leaders. And there's a program with a futures without violence, that's, um, coaching boys into men.

And so, which is kind of a, it's a mentorship program that United States swimming is incorporating now into their curriculum. So fortunately swimming starting to do some really good things and it was much needed. So I think the mentorship, the peer, I think that's a great thing. Uh, Dr. Phil Scrivano has a question.

I just want to say thank you to both of you for your courageous, uh, words and your voice, uh, and the power that, that brings, uh, to this, to this question. And, uh, Much of what you've shared, both of you,



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uh, is somewhat been answered, but I wanted to at least state publicly that as a commission. Um, we want to make sure that we are not relying upon safety on the shoulders of, of children.

And what I'm hearing today in this session right now is the value of educating and empowering children. Um, but I want us to be focused on the fact that, um, that is not, uh, the way society should function and we shouldn't accept that, but I appreciate, uh, and encouraged, I'm encouraged by the comments that have been made that the education to children and the say support curriculum in particular, uh, that there's, um, significant benefit and value that you're seeing.

Is there anything else that you can think of because, um, that we would want to, uh, foster and promote within that space of, uh, education for children, there are, uh, trainings for adults, darkness to light stewards of children. Well-known nationally to, uh, facilitate an understanding of child sexual abuse and in specific understanding the cues that kids might be, uh, giving to adults around them.

Is there anything else that we should be aware of related to the education that you're describing, uh, to athletes to that we should take away before we leave the today?

Um, I'll I guess I'll go first. Um, I, I think, um, something I'm, I'm going to just talk about athlete on athlete. Like I said, there needs to be more focused on that with some of this training, because it, it encompasses 20%, 20, like 23% of all the sexual abuse claims are athlete on athlete. And, you know, when I came forward, the reason I, one of the reasons I came forward was because I was reading a lot of these articles and stories and they didn't look like my, they didn't look like my story.

Um, it just, I don't know, uh, if, because it's, they look at it as peers and maybe they were drinking, or what did they have a lot of stain, they're just not speaking up about it, um, about this abuse. And so, um, I, I bet that that's higher, but there needs to be more focus on that. Um, and also really kind of looking at the culture of some of these sports.

I think that just like coaches shouldn't be finding their romantic partners and their athletes. Adult athletes don't need to be finding their reader, their romantic partners and younger athletes. Okay. So, so I think that there needs to be a, more of a focus on, um, not just teaching the, the athletes, but also the coaches, um, need to know what they need to look for with athlete on athlete abuse.

And also the parents need to know, um, what's appropriate. What's not appropriate. Cause a lot of them don't them don't know either. So I think there needs to be more focused there. Yeah. I w I would definitely agree with what Kim said. Um, and also I think something that could be helpful for educating kids is actually having them go through the process of what they do when they report so that it's not as scary if they ever have to report.

Um, having that part of the training, I think would be key, especially for kids and teenagers. Um, that way they've gone through it. It's not this daunting experience, but they actually see and do what they are trained to do. So, uh, so Larissa, I, I understand that your parents did report. No. No. So what, what happened with your parents with Cletus?

Um, so when I told Cathy she embarrassed me so much that I never wanted to speak of it ever again. Um, and I thought that I must have a dirty mind. Um, and so I didn't want my parents to know anything. Uh, Kathy did not speak to my parents at all. She didn't tell them anything, even that I was, even if she didn't believe me, she didn't even say that I was talking like that.



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Um, and so my parents never knew until 2016 when I was like, when I saw the allegations. And, um, they said they, I remember them asking me and they said that never happened to you. Right. And I said, well, actually, yup. But I was told that it was a legit legitimate procedure. And so I trained myself. I can just, I was conditioned to believe that what was happening to me was medical, even though inside, I knew that it wasn't, I felt yucky from it.

So yeah, my parents never knew. So, um, and, and Kim, when did your parents find out? Well, um, I actually started, I was triggered when I was about 26 years old in '92, and I started having some memories come back. Um, and I would, I did, uh, share part of what I re I guess at that time, uh, Share it a little bit of what happened with me and I started going to counseling, but I would, I was an alcoholic and so I would go to counseling and then I would come home and drink because I couldn't handle the memories.

Um, so really counseling wasn't very effective for quite a while. And it would take almost a gosh 20, 21 more years before I could finally, I think a lot of, uh, survivors, that's a, that's an element that needs to be stripped away. They've got to get sober clean before they can really start healing, because if that's in there that you're not going to be able to deal, you're just going to want to escape.

Cause it's extremely triggering to talk, obviously. Um, as I know Larissa coming out, I can't even imagine going in a courtroom. I that's, that's extremely triggering. I can only imagine, but just talking about it in therapy one-on-one with a counselor was too much for me. And so, um, I would really like to see, um, not just safe sport curriculum, but also really helping the survivors.

Um, like I said, having an advocate, be able to walk alongside them and help them, um, you know, help the families work together to get treatment, to protect them. I, I, I don't know. I can't speak for any of the LRS or a lot. I've just, I was really concerned at some that this was the first time they're sharing their stories.

And it was like in this major public trial setting, I can't even imagine going through that. And um, I think you gotta have these advocates that can really talk to each of the victims and make sure they're ready for that. Um, and so, yeah, there's a lot of change that needs to happen to protect these young athletes.

Do you know, w we've heard this theme before from our first hearings, it was recommended that if someone comes forward, um, that they should have an advocate like alongside them, um, both through the, the Olympic system and the, in the sports system, but also through the judicial system. Uh, was there a public advocate Larissa that was assigned to you in any way or?

Um, for me personally, no. I mean, there was about one or two advocates for the entire group of girls that was testifying. And so, I mean, they would help us while we were there if we needed anything, but it's not, it was not nothing beyond that. Um, personally, uh, judge Aqualina actually, um, asked one of the advocates that she knew to kind of help me along my way.

And so I, I'm actually still friends with her and we talk and discuss things, but, um, that was very helpful for me. That has been very helpful for me. Uh, so I, I definitely see, I agree with you, Kim. Would be amazing to help navigate how to heal, how to move on and move forward and, and really thrive instead of just get stuck.

Um, and, and also when you mentioned families, I cannot tell you how many people in my life were affected by what just happened to me, my parents, my friends, my husband, my kids, every everybody





was affected. And I think a lot of people don't realize that, that it's not just one person that is going through this trauma.

It's all of them and they all need help. They all need advocates. They all need somebody that they can relate to or talk with or live life with and move on. That's that is so powerful. I mean, the, um, and it it's like, you know, the pebble in the, in the pool and the, the ripples are just remarkable. Uh, there are so many survivors that I've talked to who didn't come forward until their sixties or seventies, because they were waiting for their parents to pass away.

Um, and, uh, you know, you try to protect the people you love. Uh, so, and both, both of you have kids. I mean, how do you, how do you navigate that? I mean, both being an advocate, but also, um, having your own children and trying to, um, protect them and, but also make sure they know the story. They need to know, um, Larissa, you want to start with that?

Sure. It's not easy. Um, yeah. I, you know, my kids, they actually, it was really hard at first while everything was in the spotlight. My kids were shown memes of Larry Nasser's face in school. And, um, so that was really difficult. Um, because you know, my oldest, he would come home and cry because he was, he just didn't know how to handle it.

He didn't know what to do. And, you know, um, he was concerned for me. I was definitely, um, not in a good place emotionally. Um, so now with my kids, I've just been, trying to be more intentional, um, and, and make sure that they're not afraid to talk about sexual assault, that they're okay talking about it and that it's not a dirty word.

Um, and you know, just, just trying to be involved in, because I missed out on a lot of years, the last four years were pretty intense, so we missed out on a lot. So just trying to make new memories, we actually moved to Northern Michigan. So we're making lots of fun memories up here in paradise, but, um, yeah, it's just, it's a daily thing for sure.

Kim. I know you've got kids and grandkids. I do. I don't look old enough to have grandkids. Do I? And I read your bio and that's the grandchildren. We just, we just had a brand new grand baby. So I married, uh, remarried four years ago, became an Instagram also. That's kind of how I became a grandma. So, um, but yeah, my, my kids, um, they're, they've been through a lot, not just with my story, but also our home life.

It's a long story, but, um, they, um, they're just incredible. And I think they're, they're just, they're proud of their mom. They're a lot older than yours lyricists. They, they, uh, they're all in their twenties and one's married. And so, um, they're proud of me. They've seen me come, uh, through, uh, from, from the depths of despair and darkness to coming out and add a shame and fear and, and really it's a miracle.

Um, but they walked through all of that with me. Um, that was really rough and they all had to deal with, um, the, these were things we had to talk about and work through. Um, each of them have dealt with their own types of therapy and faith and, and so, um, it's been a long journey, but currently, yeah, right now they're, they're proud of their mom and they're, they're excited just to see, um, me being all to share my story, to give people hope and hopefully effect change.

So, yeah. Yeah. I will, sorry. I will say something cute that my five-year-old says to me now, are you going to go change the world? Mommy said, yup. Yup. I am. That's a fact. Yeah, you can do it when you grow up, sweetie. Yeah. Well, I ha you're both so inspiring. Um, and, uh, I have to thank you both so much for, uh, both taking the time to make the video for, for coming and talking to us in person.



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Uh, we're, we're seeing a side of it that we just can't see through, um, any other way. Uh, and you're both just, uh, heroes as far as I'm concerned. Thank you. And, um, I hope that we will, uh, be able to stay in touch, uh, and, uh, and good luck with everything. Thanks so much. Thank you so much. And I just want to thank all of you on the commission.

I just, uh, very thankful for all your hard work and Marcy with child USA, we appreciate all of you and your staff. So thank you for having me. Yeah. Thank you for having me also really appreciate what you guys are doing, making the rounds speaker for my babies. Yes. We're going to change their hockey players.

Yeah. So. So, uh, we will be back at, uh, four o'clock. Uh, and we're going to talk about bankruptcy proceedings, which does sound dry, but I promise it's a lot juicier than that. A lot more. Interesting. So we'll see you in 15 minutes and once again, Kim and Larissa, you're the best. Thanks. Thank you.[05:00:00]

Welcome back everybody. Uh, we are, uh, in the first day of hearings of our 2020 hearings for the, uh, game over commission. And, uh, we're moving into the fourth panel, uh, which is really about, uh, justice and, uh, the ways in which we lead institutions, uh, essentially, uh, boy, their responsibilities and accountability.

So we're going to be talking about bankruptcy in proceedings that involve institutions that have been accused of permitting, large numbers of children to be sexually abused. Uh, and of course that has been, uh, something that the, um, Catholic diocese, uh, have been pursuing for quite a few years, but now we have the boy Scouts and we have USA gymnastics.

So this is an issue that is in the forefront. I, and I think you're going to be, uh, transfixed shocked, appalled, uh, by the story you're going to hear today, uh, which, uh, we are very fortunate to have, uh, Taryn Humphrey with us. Uh, she is one of the, uh, gymnastics history stars. Uh it's uh, the list of, uh, uh, achievements is amazing.

2003 world champion, 2004, a two times silver Olympic medalist in the Athens Olympic games. Um, there there's even a skill named the Humphrey. Uh, yeah, I mean, you know, if we had a skill name, the Hamilton, it would be falling over your own feet, so that that's, uh, that's pretty cool. Uh, we have, uh, she's been a two time hall of fame inductee first gymnast inducted in a Missouri state hall of fame.

And of course, a full ride scholarship university of Alabama, not to mention the NCAA titles I and 11 times all American. So, so this woman is a real athlete, gymnast, a star, uh, and, uh, she's going to tell us today her experience with going through USA, gymnastics, bankruptcy proceeding, she's represented by, uh, Robert Allard.

Bob Allard is really one of the, the trailblazers for child sex abuse victims across the United States. He has been a major figure in the sports cases and, uh, as has been, um, every manner of super lawyer, uh, and, and lawyer of the year that you can imagine. What Bob has really been dedicated to is at the same time he's trying and doing an amazing job with his clients.

He's also trying to change the law, uh, in California and nationally, uh, and, uh, is, uh, is dedicated to the cause. So, uh, if, if everyone will, um, put up with me for a few minutes, I'm going to give you the background on these bankruptcy issues, because this has been a bee in my bonnet for a good, oh, I don't know, 20 years.



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And, uh, so I'm going to lay it out and then we have presentations by Taren and Bob, and then we'll be, uh, I have the commission asking questions. So, um, so just to explain what we're dealing with, uh, and just to bring it right up to date Rockville center today, which is, uh, one of the diocese in New York this morning declared bankruptcy.

Why? Because they're being sued under the child victims act in New York. Uh, and so we have yet, again, an instance where an institution faces liability, uh, because it has permitted many, many children to be sexually abused. And so, uh, unfortunately our federal bankruptcy laws, permit child sex abuse victims to be treated as creditors.

Uh, and so the, what happens is, is that the, the entity decides that it's more important to protect its assets than to go through any more discovery or anything else that it has to suffer through. And so when the, when the organization, so USA gymnastics decides the liability is large and they need to do everything they possibly can to preserve whatever they can.

They filed for chapter 11 bankruptcy. Now what happens in chapter 11, bankruptcy is among other things is immediately the star of the show becomes the entity because it's all about them. It's about the estate. It's about whatever wealth or w uh, holdings they have. The victims become part of a committee of creditors, uh, and represented by this committee and their creditors.

Um, under the law bankruptcy, they're really not very different from the roofer who didn't get paid last year, uh, then than anybody else, because, uh, they're now in a federal bankruptcy proceedings. So this is a system that I have thought from the beginning, had the potential to violate due process. And one of the main reasons that I think the federal chapter 11 violates due process is because very early on the biggest fight in the case is over the bar date.

And the bar date is the date that the court. Unilaterally with advice from the parties, but they set a date and the victims have until that date to come forward. And if they don't make that date, it's possible, um, that they're going to be shut out of the bankruptcy, uh, or be, uh, shut out of, you know, the money that was put aside for victims.

And so the bar day creates it's a tremendous incentivizer for organizations like the boy Scouts, like the diocese, like USA gymnastics, because it flushes out the victims. It says to all of the survivors. And let me give you the Milwaukee, uh, example in Milwaukee, there were maybe, oh Wisconsin, maybe 11 or 12 cases that were within the statute of limitations.

That was it. Uh, and I know that because I had a case at the Wisconsin Supreme court, which I won and it yielded about the possibility of about a dozen cases being able to be filed in statute. So that's all the cases that were in existence. The Milwaukee archdiocese go and files for bankruptcy and says to the survivors come forward, everybody.

And they set a bar date and everybody rushed in because they were told they were going to be helped. Well, by the end of the bankruptcy, the only ones who were compensated were the ones in statute, which was not very many. Uh, and, uh, it really was a system that was used for the Milwaukee archdiocese to learn who their potential liability, where their liability lay and had very little to do with either justice or helping the victims.

So USA gymnastics, uh, sets up with the court, sets a bar date. Now what the bar date means is that you can be forced into joining this litigation even before your statute of limitations expires. So you may have a live claim, but the bankruptcy starts up. And when the bar date is set, your live claim may just now get scrunched into the shortened time that the federal bankruptcy court has set.



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Uh, and that's been true in, um, cases around the country. So, uh, so let me stop there. That's the ground work. This is why it can be very troubling from the perspective of survivors. And, uh, let's hear from, um, Taren and Bob, and then we'll come back for a conversation with the commission. Hello, my name is Taryn Humphrey.

I'm a two time Olympic silver medalist in the 2004 Olympic games. I was a part of USA gymnastics national team for six years from the age of 12 to 18, I'm now going to read my stuff. From a young age. I always wanted to be in the Olympics, but I never knew at what cost. This is the one of the first times I'm saying this out loud, I'm a victim of Larry Nassar.

I was 15 years old when it happened a child. I buried this deep down and told nobody for 18 years coming out that you are a victim of child molestation as a hard pill to swallow. Excuse me, coming out publicly is even harder. When I was finally ready to come forward, I was denied by a federal bankruptcy judge.

I was rejected the opportunity to join on the lawsuit. I felt victimized all over again. I felt that I didn't matter in my child. Molestation was less than the other a hundred girls. I don't matter because I didn't meet a deadline under the state of Virginia where my abuse happened. My claim was active and alive for a few more years, but a bankruptcy judge denied my equal protection under the law, simply because USA G declared bankruptcy, a deadline that forces child molestation victims to come forward.

When they are not ready is unfair. Anyone with children will understand. I have a daughter and a step-daughter. I would do anything to protect them. I don't wish this upon them or any children's USA. G is responsible for every child and athlete that went through their programs and sacrifice their childhood to compete for USA.

I came forward late. Yes, but I came forward to hold them accountable. I gave you sag my childhood and most of my adulthood, I put off having a family and quit that job that I loved for the very girls that made an objection to my claim. The only reason I was objected was because of money. It would affect the money they would receive.

After the math, I was objected for less than 2% of what they would receive to give them my wife, my family time for less than 2% is disheartening

to be objected over money. It makes me sick for me. This is not about money. It's about making a change and a difference it's for my daughters. May they never be scared to tell me the truth. I'm asking for a chance to be heard. I understand bankruptcy court is business, but it's not for child molestation.

It's not personable. It did not. It does not take into account. The damaged child molestation does to children and the side effects that causes the rest of your life. I'm asking for you guys to help me stand up for the children because I couldn't for myself. When I was 15, helped me stand up for the women that are still scared to come forward.

Hello, my name is Robert Allard and I'm a civil litigator in San Jose, California, since 2007. I've been specializing in childhood sexual abuse cases, uh, which has progressed to the point where sadly today, uh, each and every one of my clients, uh, was sexually abused as a child about two months ago, uh, Taryn Humphrey, uh, contacted me to find out what rights, if any, she had under the law due to her being sexually abused by, uh, USA gymnastics, physician, Larry Nassar, uh, when she was a minor in the suit of Virginia.



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So the first thing we did was look at what the state laws were in Virginia. And fortunately they were progressive enough to recognize that with sex abuse victims, the factual information, that they need to understand their rights under the law, sometimes don't emerge until later in life due to a whole series of phenomenon, including memory repression, fear, shame, intimidation, perhaps they're under the control of the abuser still.

And for that reason they don't come out. So we reported back to Taryn that she had time under the state law for Virginia, and then we delve further into the matter and realized that USA gymnastics would be one of the defendants in this matter. And all of us probably know by now, at least that USA gymnastics has declared for bankruptcy.

So we learned that there had been an ongoing case venued in Indianapolis for this bankruptcy case involving 60 some odd women who were also abused by Larry Nassar. And there was a deadline, uh, arbitrarily set by the federal judge for claimants like Taron to come forward and present their claims that deadline had expired by well over a year, by the time Taron came to me.

So we filed what's called a motion for a late claim, um, which is something that a court, uh, has to deal with when, when claimants come forward late. And they decided in their infinite wisdom, whether or not to accept the claim, we presented, um, an affidavit from a renowned pediatric psychiatrist at of San Diego, uh, named Steven elig, Dr.

Steven elig, who examined Terran and confirmed. Number one, she had been sexually molested by Larry Nassar as a minor. Uh, number two did not fully understand what happened with her abuse and more importantly, the psychological effects that she had as a result of that abuse until her first child was born.

And this is normal. Any physician who specializes in this field will tell you that sometimes the memories flood back to your level of consciousness, um, during major events in life, um, when you have your first boyfriend, when you are engaged, married, and in this instance, uh, giving birth to a child, uh, it wasn't until Karen delivered the baby, that she came to the full realization that, uh, what happened to her when she was a child was abuse and that she had been suffering greatly as a result of it, but that those injuries had lied dormant.

So when someone should be celebrating the life of a new child and welcoming that child to your family, Taryn was suffering in a big way because of the abuse she suffered when she was a child. Um, this declaration would be more than enough, uh, to allow claimants who were sexually abused to come forward.

Uh, but this, uh, judge disagreed, uh, and in my, of the objection raised by Terence fellow gymnast's, uh, she, uh, sustained the objection and denied Terrance claim. Um, let me emphasize that last part, nobody objected to Terrence Lee claim, other than her fellow teammates, her fellow gymnast's her fellow victims.

Um, they decided they did not want Taron in the case. They, uh, decided for petty reasons. I believe that, um, they were going to object, imagine that, uh, victims objecting to other victims. I personally had never heard of it before until this case, but the fact that they had that power and the fact that a federal judge agreed with it and determined that Taryn had no claim.

Imagine that if this had never happened, if these claimants had never come along, if USA gymnastics to not declare for bankruptcy, we would be proceeding in state court in Virginia, under their laws, which were carefully considered by a whole group of legislators. Who determined that sex abuse



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claimants really should have more time to come forward because of all of these things, the experts are telling us in the case of Virginia, uh, it had not expired.

It's so wrong from so many levels that this happened, that an arbitrary date set by a judge based on nothing other than efficiency, uh, would serve to, uh, bar parent for making her claim. I really hope all of you will consider this, um, sad story and help us enact laws, which will prevent this from happening again.

Uh, basically, uh, a federal magistrate should not be allowed to use SERP carefully considered state laws or any law for that matter. Um, there have to be amendments to our laws to make sure that what happened at Terran doesn't happen to others. Thank you very much for your time.

There we go. Thank you both, uh, Taryn and Bob, uh, you know, this is, uh, this is, uh, a specialty niche in the law, but, uh, it's increasingly the way institutions are dealing with child sex abuse claims. Uh, and I have no doubt that we will see other NGBs following USA, jeez approach, if in fact, um, they are faced with a wide scale liability from a series of survivors.

Uh, remember it, the only reason that, uh, the survivors in the first case of Larry Nassar were capable of coming forward was because Michigan opened a window that was only good for Larry Nassar survivors, um, which was open for a mere 90 days. And so for someone like Terran, uh, who had not come forward yet, uh, it was, uh, that window did her.

No. Good. Uh, and so then her one chance is this and that does her. No. Good. So, um, so I wanted to ask, um, uh, Terran, what, what is it that you think, um, should happen next? I mean, what is it just in your own mind? What would be the right result here? Um, no, the reason why I came forward was accountability and that's what I want done.

And that's the only thing I want done is accountability for USA. I'm sorry, sorry. Um, and I did this because of my daughters. I don't want my kids to feel like they can't ever come forward.

Bob, what is your, um, your, uh, is, what is your sense of the, the, um, I guess the mood of the USA gymnastics, bankruptcy, uh, is it being controlled by a certain subset of individuals or, uh, how, how did this happen? Well, first off, thank you for allowing me to talk. This is the fabulous, uh, organization I'm so happy and humbled to be a part of it.

Um, MARCE, you do a great job with this, uh, and I'm pleased to be here first off. Um, this all happened, I think because we have a group of gymnast's who, uh, are controlled by an attorney who runs the survivor committee. Um, this lawyer's name is John Manley. You may have seen, seen him on a 60 minutes and so forth.

And, uh, John and I have a bit of a personal history, but more importantly, John and Terran have a personal history, um, involving an innocuous meme that Taryn published some time ago about hard coaching. John somehow spun that into Taron being anti sex abuse victim. And when Taran came forward, uh, I knew that he controlled the committee.

I knew that he had the ability to object to the claim, and I asked him for his support in advance. Um, and the response I got back was she's not part of this, cause she's no good. She doesn't back up the fellow gymnasts and, uh, you're not going to get our help. So when the objection came forward, I w I really wasn't surprised, um, because John number one wants to control completely that group of gymnast.



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So number two, he didn't want me poking around his case. Um, and those are the reasons why I believe they were petty in nature. Uh, it can't be money because as Taryn said earlier, we're talking about a very small reduction of the claims of the other 60 we're talking just chump change, really. Um, and because John had that power, not necessarily John, but any survivor committee, um, has that power to object and literally control [05:30:00] whether or not her constitutional rights can be fulfilled as it should be.

Um, that's the first problem. And the second problem is, as I mentioned earlier, is that there's nothing in the magistrates' unilateral setting of a deadline that has anything to do with anything other than her just wanting to be efficient and getting the case off her docket. Uh, that should not be the reason why.

Mike Terran should not be able to come forward when they're ready. You cannot force a sex abuse victim to come forward when they're not ready. Um, that much I can tell you. Um, and she'll tell you that too. So those are the two main problems I see in this process. So, uh, we have a question from, um, Theresa who's Weezer who's with the national children's Alliance.

She on mute, Teresa. Sorry about that. I was on mute. Um, yeah. Thank you both for your testimony. Uh, Bob, my question for you is what specific recommendations do you have for changes in the law around this? You've talked about, you know, the very brief and sort of arbitrary period, um, for the bar date, you've talked a little bit about the fact that others in the case can raise an objection that can essentially derail a survivor altogether, you know, beyond that.

Are there other things that in your view need to be changed in the law that would make this a less onerous process and yield, you know, more justice for victims? Yeah. Thank you, Theresa. I'm learning more as we go about federal law and particularly bankruptcy law, because up until I'd say a couple years ago, before my involvement in the Ohio state case involving Dr.

Strauss, I had very little if any federal law, uh, experience, but it seems to me going back to our constitutional law, um, uh, law school seminar days, that there's clearly a conflict conflict in laws here, right? You've got a Virginia state law, which gives Taron additional time and you have a federal magistrate, uh, usurping that and setting her own, uh, deadlines.

So, uh, I'll leave it to you smart people out there to figure out how to reconcile those two things. But it seems to me that that judges should not be allowed to do that. So James Marsh has a question. Hi Tara, thank you for your bravery and coming forward today and really appreciate your testimony as part of this commission.

Um, I was wondering beyond your own personal story, do you, are there factors that would have encouraged you to come forward earlier or do you think there's some structural problems that are out there concerning either notice or just, um, you know, maybe an ability to sub to file like a notice in the case, but not pursue a claim to sort of reserve your rights?

I mean, is there any part of the process that turns you off or, or you felt that you could not be part of the process based on personalities or sort of any legal procedures or anything like that? Um, for me personally, um, like Bob said, um, I had a pass with this attorney. Um, so I w I, I was honestly scared of him and what he would do to me on that.

Um, and I think the important thing to remember is this is really, really hard topic and it's really hard to come forward. Um, a lot of girls I know have told me they're scared of what their family would say and completely understand. They're scared of being blamed. Um, if they're older than the kids that were came forward, they're scared of being blamed for it.



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Um, um, so just, I think them being scared,

Bob, is there, um, what, so you guys, so Taryn approaches you and the, um, uh, the, the bar date's already passed. Uh, and so, but, but there was a procedure for you to follow. Right? Right. And, and I take it, was it the committee that had the power to do this just by itself? Yeah. So, uh, USA G um, as the bankrupt estate had the ability to object, it did not object.

Um, the, the survivor committee was the only entity which objected, and that was led by John Manley and, um, Allie Raisman. So, um, I was going to raise one more point, but I forgot, oh, the determining factor in the judge's decision to deny the motion for late claim was the undisputed fact that Taran knew of the deadline.

We admitted to that she was part of the gymnastics committee at the time, the athletes committee, and she was aware of that date. And when we presented to her, the declaration of Dr. Elan, her comment was, well, it sounds like Terran knew what happened way back when, when she was 14, but she didn't realize how good her claim was until she started realizing that she was really damaged by all of this in the last year when her child was born to watch.

I said, yeah, that's exactly right, because you cannot put a claim together unless you know, what your damages are. It just goes back to basic tort law. So it's, it's a combination. I think Marcy of, of I had to call judge ignorant, but she didn't understand sex abuse victims. She does not understand how these things come together and all the things that Taryn mentioned that, uh, experience after experience with these victims, they are terrified to come forward.

Let me tell you this, everybody, no one wants to be a sex abuse victim. It just does a fact, uh, there's embarrassment there, shame. There's a whole litany of things that prevent them from coming forward. But in this case, particular. Taryn didn't know that you suffered some PTSD. She never knew that until her child was born.

And that's why states when they enact these laws, they tie together the recognition of a claim, uh, with the abuse. So for example, the, the, the second there's a nexus between your realization that you're a sex abuse victim, and you've been damaged by it as a result that starts the clock ticking. So, uh, Monica Rowan has a question.

Yeah. Hi, I'm Taren first. I'm cannot believe that you're, um, in this position after having the strength encouraged to come forward and then, you know, being, being denied this, um, this claim and this opportunity, it's, it's just horrific and I'm sorry you're going through it, but I think I thank you for bringing this to our group so we can, you know, understand all the implications of filing for bankruptcy.

Um, I had two questions sort of, um, are there any other avenues that you're able to pursue, um, you know, and, and seeking justice other than this bankruptcy claim, and also is USA jeez foundation protected by filing bankruptcy because typically the foundation, you know, I know that they've moved a lot of money out of the NGB into the foundation.

Um, and at some point they had over 20 or \$40 million in that foundation.

I mean, is it, does that, I don't know. I'm not a lawyer, so I don't know if that's protected. Uh, Bob, can you answer that? I'm sorry. I was, I was writing James separately with a question he had about the



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appeal, which we're working on right now, Marcy together, uh, to Denovo review of the appeal. Uh, but I'm sorry.

I apologize. Profusely. Can you repeat the question please? I was wondering if USA gymnastics foundation is protected in this bankruptcy claim. I don't know anything about that. Um, Monica I'm so sorry, is this really is my first foray into USA gymnastics. So I don't know about that piece of it. I apologize.

I'll look into it. Yeah. I mean, as you know, Monica, us soci, and then there's USO's PC foundation and they've always argued that their charitable foundation is untouchable. And of course they've got \$3 in the other one. Right. So I'm sure that's playing a role in this. That's a real, that's a really good question about, but so I guess the other part of it is if you can, if you now can't be part of the bankruptcy and they under federal bankruptcy law, they settle all their debts.

They're supposedly protected. So that's what makes it hard to just go forward in Virginia? I take it. Yeah. Uh, fortunately though, we do have a potential claim against the us Olympic committee. You guys may know that sitting in the California Supreme court, as we speak, uh, isn't appeal from an appellate decision, uh, in a TaeKwonDo case, we are handling involving three women who were sexually abused by their TaeKwonDo coach in Las Vegas.

And the issue is whether or not the U S O C has a duty to protect athletes under the law. In addition to the underlying national governing bodies, such as gymnastics, swimming, TaeKwonDo, um, the appellate court determined that while the, in California, that while the NGB does have such a duty, in addition to the individual clubs, uh, the us Olympic committee did not, uh, we took that up for review to the California Supreme court, and they shortly thereafter accepted review, which is a very good sign.

We think, um, since that time, the NCAA of all entities has, uh, filed an Amicus brief in support of the U S O C. So this is a long way of me saying that if that decision goes our way as we expect, uh, there will be a case filed against the us Olympic committee, uh, in Virginia on behalf of, um, uh, Taron. And, uh, the other suggestion of looking into the foundation is a great one.

I will look into that as well. Thank you for that idea. So I, so that is the, um, and then we'll have USO PC decide to go into bankruptcy. Uh, but, uh, but then you'll be before the bar date. That's that's for sure. Right. So Dave Corwin, um, did you have a question or a comment

you're muted, Dave, but I'm back. Um, you know, it seems to me that this really sounds like organized crime in the various cells that it operates. And I'm just wondering about Rico and whether there's avenues there, or whether there's a need for new federal legislation of, uh, sort of victim's rights that would expand and address some of these gaps in state laws.

Um, and it might, you know, if, if we, uh, don't go into a dictatorship and we go into a free government, we might have an opening by, uh, uh, Congress and federal administration that is more, uh, victim's rights oriented. Yeah, David. Great question. Um, and, um, falling back on my lack of experience in federal court, I did not even did not even know what Rica was until about three years ago when we handled some claims on behalf of some other TaeKwonDo athletes who were abused by if you know the sports Steven Lopez, who was the LeBron James of TaeKwonDo for a number of years, and his brother, uh, Jean Lopez, his coach, uh, these two brothers raped countless women over 15 to 20 years all across the world.



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Um, and we did allege Rico violations against TaeKwonDo and the us Olympic committee in federal court, in Denver, the federal judge dismissed those claims. I can't articulate for you the reasons why, but I'm happy to get you the pleadings, uh, on that issue when it is an issue we explored and it was rejected by at least one judge, it almost always is.

Uh, so, you know, federal Rico, uh, you need a predicate claim that fits the categories and their specific categories will child sexual abuse and personal injury are not predicate claims under Rico. So business loss. Yup. And so you can't, uh, and so yes, I really do believe, um, that we should amend the federal Rico.

I think the federal Rico should create the possibility of, uh, lawsuits based on child sex abuse. And then, then I'm going to flip it and say, and get rid of the possibility of letting the bankruptcy code handle child sex abuse. So that flips the power relationship, right? So instead of the entity having all control, um, you have the victims have the capacity to make, to take action.

And they're not just thrown into a creditors committee where they're just supposed to be treated like people waiting to be paid for bills that are, that are due. So, um, I mean that it is, uh, it's uncanny. How much of our legal system has been crafted to the betterment of the institutions that put children at risk.

It's just, and that's why I wanted to talk about this with you guys. Cause it's, so it's just another example of the legal system putting children at risk, but it would make sense because the laws are made with those with power and money because they're the ones with the lobbyists and can influence Congress unless there's a large grassroots rise rate, rising of awareness and demand that society do better by these.

Well, and it's around, you know, peg in a square hole problem because, you know, bankruptcy was not designed to deal necessarily with these kinds of issues. You know, bankruptcy was designed to deal with, you know, the phone company and the, you know, the creditors and the, the, you know, joiners and the people that, you know, were, were creditors of a bankrupt entity.

What's, you know, ironic about this is that this, this organization is reorganizing. It's not liquidating. Um, it's reorganizing in a way that it can continue on to S to live a new day, which is what all the Catholic church bankruptcies are also, and the boy Scouts of America. So these are not liquidation bankruptcies.

I think that's another important thing that people need to understand. These are bankruptcies as, as Dave, you know, remarked that are done for the benefit of the creditor, which is the bankrupt estate. So these are, these are not necessarily done for the victims and they were not even designed for victims and survivors of child sex abuse.

Um, that being said, Bob, are there any other potential defendants that Taryn consu, uh, any individual defendants or any gyms or any other possible, uh, venues in, in Virginia, uh, where some of this happened that, that, that she has available to her? Yeah. Great question, James. Thank you. And Marcy did mention Michigan state, uh, Taryn was not part of, of that.

Um, she was not abused in Michigan, uh, or under the control or any time while she was under the control of Michigan state. So that's why, well, in addition to the racial, we're talking about the benefit of that window, right? So to answer David's question, um, it, uh, uh, James's question, excuse me, is, um, the only defendants we see, uh, in Virginia and a state law complaint would be, um, USA, gymnastics, perhaps us Olympic committee and, uh, NASA individually, which gets you nowhere.



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Why would you say the committee? Uh, I'm gonna, I'm gonna wait until this decision. I didn't say that on the camera did not say that on the camera. I just brainstorm the survivor committee. Yes, I wish I could. I wish I, could we have a question from, uh, attorney James Carpenter, Jim? Yeah. Thanks so much for, uh, teaching me about bankruptcy law, which I don't know.

But, um, the question I have is, uh, is there any, uh, movement towards supporting, getting priority of claim to the, uh, victims of sexual assault or requiring a liquidation? If there's like semi criminal conduct that was occurring under their guys? I know it's not the same as Rico. You need the predicate act and all that, but, um, are there thoughts along those lines or creating a reserve fund passed the bar date that goes to people that respond later?

I mean, it's. Uh, an effort in that respect, um, since this law is being used, it's really being used in the incorrect way. And the entity that allows us to happen should be liquidated quite frankly. Um, but I don't know if there's been any efforts on that behalf or whether that's even realistic. Marcy, can you handle that one since you probably know about this far more than I do?

Yeah. Sadly, I've been involved since Portland declared bankruptcy in Spokane, but, uh, I was involved when, uh, the Catholic Bishop argued that Canon law would determine federal bankruptcy law, which was a very entertaining moment in court. Um, but then some of these bankruptcies have winter claw called future claims.

Um, but they are, they tend to be for future bad acts, not the bad acts from the past, uh, and they tend to be underfunded. And so, um, so I, I liked the idea of putting it into the statute. Um, I also liked the idea of forcing them into liquidation if there's criminal behavior that's. Um, I mean, the, the problem with that is that we have had so few criminal prosecutions of people in power who permitted child sex abuse to proliferate.

Right. I mean, if you think about it, uh, no Bishop has been charged. I mean, there were plenty of claims in the Pennsylvania grand jury report, um, that they, they could have charged a number of bishops with child endangerment, not one, not one criminal charge against a Bishop. Um, the only criminal charge we've had against the Bishop in the United States was for failure to report, uh, in, uh, in Missouri.

So, uh, so you'd have to have, uh, you know, the criminal behavior within the organization to justify if there were criminal, be it, you know, uh, the justification for liquidation. Um, but I mean, I would love to testify at those hearings because I just, I can't imagine, um, the support we get from the church's lobbyists, uh, to liquidate them, uh, anytime that they declared bankruptcy, that would be, uh, that that's worth the price of admission.

So, Jim, I'm definitely going to recommend that. And, and, and I can't say this jam to answer your question, um, and I'm reading the notes as, um, um, as I'm talking, there is a reserve fund that typically is set aside for future claimants in bankruptcy proceedings. The problem in this case is that the survivor committee is run by John Manley who represents 60 women approximately, and he wants as much of the money available for that group.

So what he did and what the judge signed off on was a very small percentage of the available funds were set aside for future claims. I want to say no more than five. I mean, we're talking hundreds of dollars for Taryn as opposed to hundreds of thousands of dollars. So that's another problem is that you've got the reserve.



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You've got conflicted people who are making very important decisions about, uh, pools of money being made available for future claimants. It's really unfair. The other challenge here, just for the benefit of the committee haven't gone through now, I guess our third bankruptcy in New York is that a to Dave's point about criminal activity, the vast majority of these claims are paid by insurance, and there is an inherent tension in the law, uh, across the board, uh, in sex abuse claims about, um, you know, the, by alleging criminal wrongdoing, you in effect strip out the availability of insurance because insurance doesn't cover criminal acts.

So your wife walking a tight rope here, if 80% of the claims are paid by insurance and you go in there screaming criminal liability, well, you can Sue the Bishop. What do you think the Bishop is worth? Uh, you know, what do you think the, the monastery is worth? What do you think? You know, uh, you know, USA a jeez, you know, building is worth because, cause that's all there's going to be.

So there is this inherent tension between what we see as the lawyers and malfeasance, miss seasons, you know, knowing, you know, behavior, knowing activity. But as soon as we alleged those claims, the insurance agencies will come back and certain companies will come back and say, well, Mr. Marsh, who you alleged criminal activity, you know, we're not insuring criminal activity.

You know, this was an accident, right? So there's an inherent tension in the law between survivors like Taran, who are really motivated by the wrong that was done to them and a legal system and an insurance system, which basically says we only cover accidental injuries. And if this isn't an intentional and expected in this industry in injury, if people knew about Nassar and let it to happen, there's no coverage.

So you can Sue Larry Nasser, you can get his car, you can get his house. You can Sue the head of, uh, you know, us Olympic committee, get his car and get his house. But the insurance agents are also going to be at the table to say, we're not paying for a criminal enterprise. We're not paying if it was expected and intended that this would happen.

And there's a whole bunch of other defenses. So when you're looking at bankruptcy and when you're looking at child sex abuse cases, it is a three legged stool and it, and it makes some unusual politics. Uh, you know, oftentimes we're on the side of the diocese and trying to secure as much insurance as possible.

I think it's safe to say that the insurers are against all that. And sometimes, you know, we, we have to recast our claim as, uh, as an accident, quote, unquote, an accident in order to access coverage. So there are no easy answers here. It's a, it's a complicated system and obvious, you know, we want the insurers at the table because that's the source of recovery for our clients.

On the other side, you've got victims like Terran and say, well, you know, it wasn't an accident to me. And you got judges to say that Larry Nassar, wasn't an accident. And you've got public hearings like this, that say, we know that this was intentional and they allowed this to happen. So you can kiss your insurance goodbye.

You can kiss your recovery goodbye. So this is an inherent conflict in the system with no simple resolution. Unfortunately, a lot of people, you know, having done a lot of legal reform over the years think, well, it's just simple. Let's just change this definition. Well, in this case, you know, it's going to have a lot of subsequent, you know, affects because this is not a system that was dreamed up overnight, but something that has been built over the years and when it works well, it works as it should.



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These cases don't fit the mold that traditional mold, uh, of, of, of corporate bankruptcies, where you've got a lot of creditors, you know, who've given you tools and power and all, all the normal things and take 10 cents on the dollar to resolve their claims. Well, this is a different kind of bankruptcy. So clearly, you know, additional solutions are, are necessary, get changed.

You're exactly right. One quick, one quick point. Um, genuine, uh, no, I, I had not thought of the insurance, but obviously you're going to have declaratory actions and then you have no coverage. So I think, I think, uh, James is completely right. That there's a lot of competing interests. Um, and I, it's a lot more complicated than, you know, those of us on the commission may think.

I mean, the unintended consequences are our best, I guess. Right. And you know, the lawyers are the smartest ones anyway. So these ologists is asking these questions, you know, these communists who want the world to be, you know, perfect welcome to our world. Okay. All right. Uh, David Corwin had a point. It tried to take it away from the lawyers here.

You're, you're, you're muted, David

mute, but, um, the, um, you know, these athletes, they serve the public. This is, this is public entertainment. I mean, you know, maybe I'm trivializing, but the TV, you know, so my question is kind of like there's a vaccine fund to pay the people who are harmed by new vaccines or bold vaccines. What about a general fund for those who can't obtain redress from any of these other types of actions?

Um, because the public is really the ultimate consumer. Right. Well, you know what, that's one of the things that, so the harder we push per statute of limitations reform, the greater liability we create for some of these insurance companies, that's what some of them are starting to suggest behind the scenes, which is that there would be just like a flood recovery fund that they pay into.

Um, it would be much more predictable in terms of the costs for the insurance companies. If they were paying into this kind of a fund then to be assaulted, as they say with, um, statute of limitations reform. So that's, um, you know, that's going to end up on the table, but it seems to me that what we're fundamentally dealing with is just another example of how the system is anti victim, right?

It it's, it's not just that it is neutral as between these parties. Um, but we're throwing, uh, people like, um, Terran, uh, into a bankruptcy proceeding in front of a bankruptcy bankruptcy judge that is likely, never dealt with these issues before. They're not taught what to do on these issues. They know nothing about child sex abuse.

And so what they will, what will tend to happen is they will take all the claims and they'll say, and the, the lawyers will say, uh, well, I want to be able to get discovery. I want to continue to be able to end. Then the bankruptcy judges answer is all of that's. That's ridiculous. We're not going to do discovery for 500 victims that are now part of this bankruptcy.

That would just be too much. Um, we have to focus on the finances here. And so it drives all discussion away from the facts and, uh, of, of exactly the coverup and it just makes it a financial transaction. And, and so I think that's fundamentally why the federal bankruptcy laws just should not be able, um, to, to provide this kind of, um, it's really a, it's a comfort blanket for institutions that are facing these kinds of claims.





Um, uh, and we just said there's, uh, but, but just like statute limitations reform, which we've made tremendous progress and we continue to, but there's hard edge opposition to it and hard edge opposition to the victims. Is it the magnitude of harm done by all the abuse, by all the institutions and all the individuals roughly on the same scale as the harm by tobacco.

And if you look at the billions of dollars, the tobacco industry, and as best as, as you know, class action, as best as suits, that's what the insurers are regarding this. As right now, the insurers are seeing child sex. On a par with asbestos or some of these other mass tort claims. And the problem is sex abuse is now uninsurable.

So we can talk all we want about legal solutions, but zero times zero is zero. And at the end of the day, there's going to be zero because we have litigated ourselves out of coverage. But national reserve is a great [06:00:00] idea, Marcy, I think this was my idea, actually, Marcy

child USA. I had that put him on mute please.

Tomorrow it's Bloomberg's idea. Okay. It's not, Hey, we're happy to sell this on wall street, but you know, there should be some kind of re-insurance or some sort of a fund or some sort of a recovery setup or a tax on insurance policies. Because right now, today, obviously with this as a, as a national health crisis, there is no coverage for anyone actually.

Yeah. Wait, why can't we pass state laws that require coverage? We could, I mean, what we need is we need a model legislation, right? We need legislation, which says, sorry, you have to have coverage. Um, now, you know, you can protect yourself with really good audits, uh, child protection audits, uh, which is, you know, that's what, I mean, our ultimate goal is to come up with the gold standard for institutions.

But, um, I don't, I, I spoke to some insurance executives yesterday and also, um, some folks who medical insurance field and, um, they off the record, they all said, well, you know, until the state legislature tells us to cover it just like they had to tell them to cover women's reproductive health, just like, um, you know, they had to mandate the wearing of seat belts in order to save the insurance companies money.

Um, this is just another example. So, you know, I think it's one of those legislative recommendations that we can make. Um, but I mean, I know we're not at the point yet where we're deciding how we're going to solve all these problems. Well, I mean, the problem is right now, we're also asking at a time when the industry sees this as a trillion dollar, you know, a trillion dollar check, they're going to write over the next few years.

So to go to state legislatures right now against the insurance lobby, who's basically going to say, no, we just paid a trillion dollars. We're not insuring this mess. You know, it's, it's like nuclear waste, you know, like, no, no, we're not, nobody's gonna underwrite it. And you know, I mean, these are obviously not victim-centered discussions we're having, these are the practical realities of being in this world of bankruptcy insurance and these claims not to reduce it to a monetary value, but these are the real, you know, public policy implications of some of these choices.

Right, James, just to add on to what you said about insurance, just. To add my own experience. So if we have a case here in California involving a third grade teacher, for example, who was molesting his third grade students, that conduct is not insurable because it's intentional. There's no doubt about that.



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However, if the school and the administration negligently failed to supervise this man such that it led to abuse, that is insurable now in California, um, up until very recently, it would be impossible to allege an attentional coverup. So in that example, the, they know the teacher's molesting. They don't do anything about it.

They cover up for him and he goes on the molest others. This is a case I have right now, California now provides a treble damages provision under civil code, section three 40.1 that establishes that if there is evidence of a concerted coverup, the damages are tripled. That may be a way for us to figure this out.

That may be a, a resolution elsewhere in the country, but the problem is not so much that the conduct is uninsurable because the negligence is what the insurance companies are now doing is they're writing in sexual misconduct, exclusions. That's that's going to be the fight. Yeah. Yeah. And, and that's, that's really, the question is how what's the mechanism you use.

Um, so, well, I, let me think, Taryn, thank you so much. Um, for, I mean, th this is, uh, such a painful thing and you are just a gutsy lady and I wish you all the best, um, study. She's got a baby and she's studying to go into the law. So when you're ready to go to law school, you call me and we'll talk about that.

Well, Warren, you better to go with and a follower and Silbert, right? I mean, look how calm they look, guys. I got first dibs. Sorry. She's she's she's working for me. Oh, okay. All right. Well, you know, so now you're an indentured servant that's 13th amendment problem. Exactly. No problem. Thank you. Thanks for bringing this issue.

My intention. Thank you very much. Uh, we have done a lot of great stuff today. Tomorrow, 11:00 AM oversight of coaches and gyms. Um, really amazing, um, of what we've been able to put together with, uh, what's really going on. So we'll see. I hope you have a lovely evening time for a glass of wine. It's 5:00 PM.

Uh, we will see you tomorrow. Thanks gift box, right? Yeah, I've got three more hours, but I'll be with you guys in spirit. Thanks for your testimony. Thank you very much for your great coming forward. You too.

