

# INVESTIGATIONS OVERVIEW

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

## COMMON QUESTIONS FROM INVOLVED PARTIES

### What is the role of the Investigator?

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

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### What happens after an investigation concludes?

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

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

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

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

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

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

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

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## **COMMON QUESTIONS FROM A RESPONDENT**

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

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

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Do I get an attorney?

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

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Do I have to talk to you?

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

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How long will this process take?

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

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

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

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## **COMMON QUESTIONS FROM A CLAIMANT**

Can I be anonymous?

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

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

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

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

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

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## **COMMON QUESTIONS FOR A WITNESS**

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

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

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Who will know that I participated in an investigation?

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

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

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

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Will I get a copy of my statement?

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