

TEMPORARY MEASURES OVERVIEW

This is intended as an overview of the Temporary Measures process. For the rules governing Temporary Measures, you should consult the U.S. Center for SafeSport Code available online at www.uscenterforsafesport.org. In particular, Rule 40 governs Temporary Measure hearings.

What are Temporary Measures?

Temporary Measures are tools that allow the Center flexibility to mitigate potential risks to the sport community and to protect the well-being of individuals. They are implemented on a case-by-case basis and tailored to the specific needs of a matter. They can include many different tools, including, for example, no-contact orders, restrictions on travel or event attendance, restrictions on interactions with minors and temporary suspensions.

When are Temporary Measures Implemented?

Temporary Measures can be implemented at any time during the Center's process.

Do you use Temporary Measures in every case?

No. Measures are implemented when the Center believes, based on the current information and evidence, that they are necessary to protect sport community or athletes. Generally, Measures are implemented based on the severity of the allegations, the evidentiary support for the allegations and/or the perceived risk to athletes or the sport community.

Are Temporary Measures Permanent?

No. As the name suggests, measures are temporary pending completion of the investigation and a final decision being made.

Does a Temporary Measure mean the Center has determined someone violated the Code or did something wrong?

No. Issuance of a Temporary Measure is not a finding or decision that someone has engaged in misconduct. Instead, Measures are a tool that the Center uses to protect athletes and sport based on the current state of the evidence.

Are Temporary Measures ever modified?

Yes. The Center consistently reevaluates the need for Temporary Measures as new information becomes available. In some instances, the Center may modify measures to include additional restrictions, up to and including a suspension. In other instances, the Center may lift one or more restrictions for a specific timeframe or until new information becomes available. These determinations are made on a case-by-case basis based on the current information available to the Center.

If I'm a Respondent, when am I told that a Temporary Measure has been put in place?

The Center provides Respondents with a detailed letter called a *Notice of Allegations & Temporary Measures*, which includes:

1. The reasons for the Temporary Measure and the allegations upon which it has been issued. If you do not understand the reasons set forth in the letter, please contact the Center at resolutions@safesport.org or call (720) 965-1524.
 2. Your right to immediately request a hearing in front of a neutral arbitrator to challenge the need for the Temporary Measure. The Center must provide the hearing within 72 hours of your request if you so desire.
 3. Information regarding the investigative process, next steps, and your option to have an advisor (who may be an attorney) to guide you through the process.
 4. Your right to identify witnesses and provide other relevant evidence as part of the investigative process.
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I have been temporarily restricted or suspended. What should I do?

First, review the *Notice of Allegations & Temporary Measures* letter carefully. You should also go to www.uscenterforsafesport.org and review or download the SafeSport Code. Temporary Measures are covered in Section XII of the Code, and Temporary Measures Hearings are governed by Rule 40..

Are Temporary Measures published?

Yes, if those measures are designed to mitigate risks to the broader sport community, it will be published on the Center's Centralized Disciplinary Database. In all instances, the Center will communicate imposition of Temporary Measures to the relevant National Governing Body(ies), as the NGB is responsible for ensuring that the Center's Measures are properly enforced.

Can I talk about the Temporary Measure?

In no way does the Center restrict an individual from speaking for themselves, though it may advise caution in the interest of protecting individuals' privacy and safety, especially that of minors. The Code does generally prohibit the identification of Reporting Parties or Claimants.

Does a hearing cost money?

Yes. Hearings are provided by an independent neutral arbitrator unaffiliated with the Center. At this time, the Center utilizes a pool of arbitrators from JAMS. The cost of a Temporary Measures hearing is currently \$1,500. The Center pays \$1000 of that amount, and the person requesting the hearing is responsible for \$500.

What happens at the Hearing?

A hearing on a Temporary Measure is governed by SafeSport Rule 40.