
July 20, 2023

Dear United States Soccer Federation Athletes:

The U.S. Center for SafeSport's (the Center) mission is consistent with the priorities voiced in your July 19, 2023 letter to Congress. Ending abuse and misconduct in sport and keeping athletes safe is all of our priority.

The Center was created to serve as an independent oversight authority, unaffiliated with any sport organization, to ensure allegations of misconduct and abuse are handled professionally, fairly, and without interference from National Governing Bodies (NGBs).

In addition to setting policies and driving organizational and individual accountability, we also focus on preventing the very actions that have impacted so many of our nation's athletes. Millions have been trained across the U.S. Olympic and Paralympic Movement to recognize, respond, and report abuse and misconduct.

Every aspect of the Center's work is the first of its kind, including launching and maintaining a Centralized Disciplinary Database (CDD) which, to-date, lists more than 1,800 individuals who are permanently ineligible or otherwise restricted from participating in sport.

Reports of abuse and misconduct made to the Center increased by more than 50% in 2022 and continue to increase this year. The increase demonstrates progress toward culture change as more individuals and bystanders are recognizing abuse as well as its early warning signs such as grooming behaviors. When more people speak up and report, it encourages more reporting and further demonstrates the trust the Center is building with athletes.

Culture change is hard, and it's a team effort. My team is ambitious and continues to do our part to ensure we get to a place where athlete well-being is truly the top priority across all sport. Whether it's survivors of abuse, their advocates, families or others committed to ending abuse, there's a universal recognition that returning to the way things were cannot be an option. Allowing NGBs to investigate allegations of sexual abuse, even those that have been administratively closed, would undo years of progress.

Of course, we also recognize that there is more work to be done to ensure the process continues to serve athletes - and we need the voices and support of athletes to continue evolving.

Regarding the items included in your July 19, 2023 letter, I respectfully offer the following:

Administrative Closures

Administrative closures are a tool used by the Center to preserve its ability to re-open a matter when a Claimant is able to participate or when sufficient information becomes available. It's important to note

that the Center's decisions are binding, meaning administrative closures give the Center a mechanism to pause an investigation instead of issuing a premature no-finding decision on cases lacking Claimant participation or sufficient evidence.

Administrative closures are most often used when a Claimant chooses not to participate in an investigation. This is a key reason the Center does not have a statute of limitations. Claimants are never required to participate in Center processes and are always made aware that a case may be re-opened at any time if and when they are ready to proceed.

It is also important to recognize that the Center accepts reports from third parties and may administratively close a case when someone other than the Claimant makes a report, and the Claimant chooses not to participate or cannot be identified.

Administrative closures are also often used when there is not enough information available to move forward with an investigation. The Center must meet a preponderance of the evidence standard to make a finding.

To date, the Center has re-opened more than 200 administratively closed cases.

Exclusive Jurisdiction

The Center was created in response to widespread abuse across sport and the need for a truly independent entity to tackle the sexual, emotional, or physical misconduct that was robbing so many of the benefits of participation. Congress underscored the importance of the Center's work by furthering its independence and ensuring it had adequate resources to do the work that they determined NGBs were incapable of doing.

The Center was created, vested with, and exercises jurisdiction as the sole and exclusive authority in the U.S. Olympic and Paralympic Movement to investigate and resolve sexual misconduct claims.

Even though NGBs may not investigate matters that the Center has exercised jurisdiction over, they are able to impose safety plans, restrict an individuals' access to athletes, make employment decisions, and/or refuse to offer or renew NGB membership.

Arbitration Process

The SafeSport Code, supported by Federal law, provides Respondents with certain procedural due process rights, including the ability to challenge the Center's decision through arbitration.

We agree the process should be fair and fact-based and are deeply invested in preventing further trauma that can stem from participating in the arbitration process. We strongly believe that a fair and fact-based process can, and should, coexist with trauma informed practices.

The SafeSport Code requires that independent arbitrators "have a demonstrated working knowledge of sexual assault, domestic violence, child sexual abuse, grooming, trust dynamics, and trauma-informed questioning/forensic interviewing protocol" and strongly preferred "experience involving emotional, physical, and sexual misconduct in sport."

If a Claimant chooses not to participate in an arbitration, the decision is not automatically overturned. However, upholding sanctions without Claimant participation is more difficult. The Center offers

alternative methods for Claimants to participate in an arbitration, including ensuring that they are not cross-examined by Respondent advisors.

It is important to put into perspective that arbitrations are relatively rare. As of December 31, 2022, only 67 cases went to a merits arbitration. In 55 of those cases an arbitrator agreed with the Center that there was a violation of the SafeSport Code and supported the Center's decision to sanction the Participant (this includes cases for which there may have been modifications to strengthen or reduce the Center's initial sanctions). In 12 cases, the merits arbitrator did not agree with the Center's findings or sanctions, or did not believe there was enough evidence to justify the Center's position.

As a neutral and independent organization not beholden to any sport or individual, we recognize that criticism is inherent to this work and are open to feedback. There is no way to satisfy every party in a Response and Resolution outcome, but the Center is deeply committed to continuous improvement. As an example, since opening our doors in 2017, the SafeSport Code has been expanded and modified numerous times, and includes feedback from various stakeholders, including athletes. We are proud that the Code has dramatically improved the experiences of sport participants, but that doesn't mean it shouldn't continue to evolve to reflect emerging issues, data, and other information gathered through our collective experience.

Other examples of how we continue and are committed to improve include:

- Growing our Response and Resolution staff from 20 in 2019 to 60 in 2023
- Rolling out a feedback mechanism for our Response and Resolution participants to improve and build trust in our process
- Launching new a data collection and case management system to improve case efficiencies
- Continuing trauma-informed communication training to make sure that participants in a Response and Resolution matter understand the process

I recognize that these are tough issues and that we must endeavor to improve. To truly change sport culture, we must do so together. I invite you to meet and engage in a meaningful dialogue about recommended changes and how we can work together to make sport safer for all.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ju'Riese Colon'.

Ju'Riese Colon
Chief Executive Officer
U.S. Center for SafeSport