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# Know Your Rights: What is SafeSport?

*#WeRideTogether is committed to providing resources and information to survivors so that they can navigate various reporting processes armed with all the information they need. Survivors have the right to know what to expect and to know their rights in every reporting situation. Our Know Your Rights series will explore Title IX, SafeSport, civil processes, criminal cases and more to provide survivors with straightforward, useful information. This Know Your Rights guide is meant to serve as an informative source to easily answer frequently asked questions about the SafeSport process. This guide does not constitute legal advice.*

*Special thanks to [Cari Simon](#), [Doug Fierberg](#), and [Elysse Stolpe](#) for their support on #WeRideTogether's Know Your Rights series.*

*Note: this resource has been updated to reflect changes to the SafeSport Code, which went into effect on January 1, 2026.*

The US Center for SafeSport (SafeSport) is an independent non-profit organization meant to receive, investigate, and resolve complaints of abuse from within the US Olympic and Paralympic Committee (USOPC). The USOPC oversees 50+ Olympic, Paralympic, Pan-American, and Para Pan-American sports' National Governing Bodies (NGBs). This means that SafeSport is a reporting mechanism for millions of athletes who are members of sporting organizations such as the US Equestrian Federation, USRowing, or USA Gymnastics.<sup>1</sup>

SafeSport was founded in 2017 when the U.S. Congress passed the **Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017**. This legislation was a response to the investigation and prosecution of Larry Nassar, a Michigan doctor found to have [abused at least 156 athletes](#) who came to him for treatment for sports-related injuries.

The Act increased the [standard of care](#) for all youth athletic organizations. While the act's primary goal is to prevent sexual abuse of minors, other kinds of abuse are also prohibited under the SafeSport code, including emotional and physical abuse, as well as abuse against adults and sexual abuse in the context of a power imbalance.

SafeSport ensures that all adults who partake in sports must be educated about sexual misconduct and report it when they see it, especially when the abuse is being committed against children.<sup>1</sup> For more information about Participants' reporting responsibilities, see "[What are my SafeSport Reporting Requirements?](#)"

SafeSport covers more than 11 million minor and adult athletes across dozens of sports, [significantly fewer than the estimated 27 million American children](#) who participate in sports in total. While the organization is primarily funded by the USOPC, it is fully independent from the governing body. The USOPC and NGBs are expressly forbidden

from interfering with or influencing a SafeSport case.<sup>2</sup> To see if your sport is covered under SafeSport, check [here](#).

SafeSport isn't meant to operate under the strict standards of the criminal justice system.<sup>3</sup> The criminal justice system's stringent standard of proof – "beyond a reasonable doubt" – makes prosecution of sexual abuse cases incredibly difficult. About [97.5% of perpetrators will never face jail time](#) for their crimes. SafeSport, however, operates under the "preponderance of the evidence" standard. This means that for SafeSport to find a perpetrator responsible and take action against them, they only need to determine that it is "more likely than not" that abuse happened. This is the same standard of evidence used in civil court.

SafeSport uses a lower standard of proof than the criminal justice system because participation in athletics is considered a privilege, not a right. The harshest punishment SafeSport can hand down to a perpetrator is lifetime ineligibility to participate in USOPC sports – revoking a privilege, but not their liberty through incarceration, as in the criminal justice system. "Participation in the private associations making up the Olympic & Paralympic Movement is a privilege, not a right," according to the Code.

One of the ways SafeSport enforces its sanctions is through its [Centralized Disciplinary Database](#). The database lists participants who have pending allegations against them or who have been found responsible for misconduct. It also lists the actions taken against them, such as ineligibility or temporary suspensions. The database information also includes the sport these respondents participate in so that other members of the sport may be made aware of the allegations and restrictions.

SafeSport complaints can be made directly on [SafeSport's website](#), through a phone call to the Center at 833-587-7233, or through an NGB's website. Reports to NGBs are likely to be escalated to the Center<sup>4</sup>. Currently, all complaints involving sexual misconduct are automatically elevated to the U.S. Center for SafeSport, so for these instances, reporting directly to the Center may be more efficient.

SafeSport receives about 155 reports a week, which adds up to about [8,100 a year](#). Timelines for the resolution of complaints can range from weeks to years, with a little over a quarter of open cases being a year old or older.

## The Gist

SafeSport is an independent reporting entity designed to make sports safer by receiving, investigating, and resolving complaints about abuse, especially sexual misconduct. SafeSport is funded by the USOPC and NGBs, but the USOPC and sport-level NGBs are forbidden from influencing SafeSport's investigation and resolution process.

Reports of misconduct can be made on [SafeSport's website](#), through a phone call to the Center at 833-587-7233, or through an NGB's website. SafeSport is meant to operate

under a lower standard of evidence than the criminal justice system, allowing victims to receive justice that they would not otherwise receive and ensuring broader protection of other athletes. Over 11 million US athletes are covered under SafeSport.

## Essential SafeSport Vocabulary

*To find more definitions, see Section VIII of the [SafeSport Code](#).*

*Claimant:* the victim of the reported abuse

*Respondent:* the perpetrator of the reported abuse

*Third-Party Reporter:* a person who was not a victim of the reported abuse, but had reason to believe it was happening and reported it to SafeSport

*Third-Party Report:* a report made by someone other than the claimant

*Standard of proof:* the amount of evidence necessary to prove a claim

*Advisor:* an individual, generally an attorney, who provides support and advice to a claimant or respondent. Advisors can be present to advise and support parties at meetings and proceedings, but may not speak for them. While advisors are not *required* to be attorneys, it is advised to consult with an attorney as your SafeSport advisor.

Certain individuals are not permitted to serve as Advisors, like witnesses to the investigation, employees/board members of an NGB or LAO, or legal counsel for an NGB or LAO. Check page 6 of the [SafeSport Code](#) for more information.

*Power Imbalance:* a circumstance in which one person has actual or perceived power over another due to supervision, knowledge, or other factors.

SafeSport assumes there is a power imbalance in any coach-athlete relationship. For more details on what SafeSport defines as a power imbalance, read page 10 of the [SafeSport Code](#).

*Minor:* a person under 18 or believed to be under 18 by the respondent

*Participant:* a current, former, or prospective member of an NGB or LAO; an employee or board member of an NGB or LAO; someone approved, authorized, or appointed by an NGB or LAO to be in contact with minor athletes<sup>5</sup>

*Adult Participant:* a Participant over the age of 18. Adult Participants are **required** by SafeSport to report all suspected, observed, or learned of child abuse to both the Center **and** law enforcement within **24 hours**. Additionally, Adult Participants are required to report all suspected sexual misconduct to the Center.

*Support Person:* an individual who is authorized to be at SafeSport hearings, investigations, and meetings with one of the involved parties to provide support

*Intimate Relationship:* “a close personal relationship – other than a familial relationship – that exists independently and outside of the sport relationship”<sup>5</sup>

*Mandatory reporter:* An applicable adult who is required to report misconduct against minors to the authorities. Many professionals in medical, education, mental health, and other child-interacting careers are state-required mandatory reporters. To check the mandatory reporting laws in your state, click [here](#).

If you are a member of any sporting organization under the USOPC umbrella, you must report any and all suspected Child Abuse, regardless of the type of abuse, to SafeSport. Additionally, you must report any and all suspected Sexual Misconduct, regardless of the age of the victim.

*Criminal Disposition:* a circumstance in which a Participant has been found guilty, taken a plea deal, pled no contest, entered a diversion program, or otherwise been charged with a crime, and the resulting trial has returned any verdict other than “not guilty”

*Retaliation:* an action or threat against any claimant or person related to allegations of misconduct meant to punish or harm the victim, reporter, or witness

*NGB:* National Governing Body of a certain sport, like US Equestrian or USA Gymnastics

*LAO:* Local Affiliated Organization, such as the [Illinois Hunter Jumper Association](#), [Colorado Swimming](#), or the [California Soccer Association North](#)

*Who can report to SafeSport?* Anyone can report to SafeSport, including minor and adult participants, former participants, and third parties. A reporter need not be a Participant in a USOPC organization, NGB, LAO, etc., to report

*Who can be reported to SafeSport?* Any participant (or person you think is a participant) in USOPC sports can be reported to SafeSport for violations of the Code. Former participants may also be reported, although the case will be placed on a jurisdictional hold until the accused tries to rejoin an NGB, at which point the Center can reopen the case

## Why does SafeSport exist?

SafeSport was created primarily in response to the USA Gymnastics case of [Larry Nassar](#), a doctor who was found to have abused over 150 athletes. However, the need for SafeSport had existed long before the 2017 case. According to the Government Accountability Office, SafeSport “was established in response to concerns about the

consistency of investigations conducted and resolutions reached by amateur sports organizations of allegations of misconduct and abuse.”<sup>6</sup>

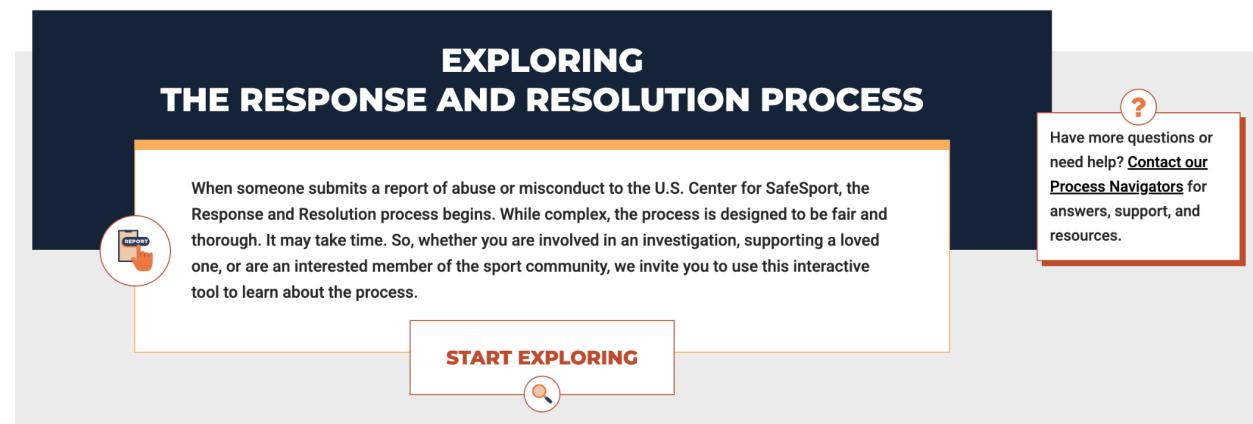
Different NGBs had different protocols for handling allegations of abuse against athletes, allowing victims to slip through the cracks and perpetrators to escape justice. SafeSport is intended to ensure that all USOPC sports handle these allegations through an independent entity, to ensure that neither bias nor corruption affects the outcome of a case and that cases are handled uniformly across all USOPC sports.

## Who oversees SafeSport?

SafeSport is overseen by Congress, and only [Congress](#) and the [court system](#) have the ability to change its functions and responsibilities.<sup>7</sup>

SafeSport's code, its governing and guiding document, is [revised frequently](#) by the Center. The bulk of SafeSport's revenue comes from the [USOPC, as required by the Empowering Olympic, Paralympic and Amateur Athletes Act](#), as well as from grants. However, the USOPC does not have the power to oversee SafeSport so as to maintain the Center's independence.

## How does reporting to SafeSport work?



When someone submits a report of abuse or misconduct to the U.S. Center for SafeSport, the Response and Resolution process begins. While complex, the process is designed to be fair and thorough. It may take time. So, whether you are involved in an investigation, supporting a loved one, or are an interested member of the sport community, we invite you to use this interactive tool to learn about the process.

Have more questions or need help? [Contact our Process Navigators](#) for answers, support, and resources.

<sup>8</sup> The SafeSport [reporting process](#). Follow the link for an interactive flowchart.

### Step One: Making a report

It is advisable to retain the services of an attorney prior to filing a report, if possible.

Reports of misconduct can be made to SafeSport by anyone, not just victims of misconduct. In fact, sometimes reports are *required* to be made by [third-party mandatory reporters](#). When an adult subject to the Center's jurisdiction has reason to believe a minor may be being abused by another participant, that adult *must* report the behavior both to SafeSport and law enforcement **within 24 hours**; Adult Participants

must report even if they think someone else has already reported. Additionally, sexual misconduct against athletes of all ages must also be reported.

However, victims are *never* required to self-report, even if they are minors.<sup>5</sup> That means that a minor cannot get in trouble for failing to report abuse that is happening against themselves or a friend, but adult participants who don't report abuse against minors can face consequences.

Reports can be made through the Center's [website](#), on the phone at 833-587-7233, or through your NGB. To find your NGB's information, click [here](#).

If you choose to report online, you will be asked for general personal information such as your name and phone number, although you are not required to provide that information to SafeSport. SafeSport allows for anonymous reporting, with the caveat that doing such may impair their ability to investigate the accusations. Furthermore, if you are a third-party mandatory reporter and you report anonymously to the Center, you are at risk of being found in violation of the Code for not reporting, since the Center cannot verify your identity.

The reporting form will also ask for incident details, such as the timeframe and nature of the misconduct, involved parties, such as advisors, respondents, and witnesses, and supporting documentation for the case, if you have any. It will also ask if you wish for SafeSport to follow up on the case. This allows you to confidentially follow up with the Center, allowing you to view what you submitted and communicate with the Center. This can be done anonymously if you choose.

Note that the age of the incident of abuse is not considered in the SafeSport process. That means that even if the abuse that you experienced happened years or even decades ago, you can still report it to the Center.

Remember, you may also submit reports related to sports you are not a Participant in. In some cases, you are required to make these reports as a mandatory reporter. Read #WeRideTogether's "[What are my SafeSport Reporting Requirements?](#)" article to learn more.

If you are the Claimant and submitting a report to the Center on your own behalf, it can be extremely beneficial to go through this process with an attorney. An attorney can advise on all steps in the process, including the drafting of the report, which can affect the outcome of the intake, the investigation, and the Decision. Athletes who cannot afford or do not want to employ an attorney are still encouraged to report misconduct. Having an attorney or advisor and a support person can improve the experience of reporting.

## ***Step Two: Who has jurisdiction?***

*Jurisdiction* means the power to make decisions and judgments. In any case of sexual misconduct, SafeSport has *exclusive jurisdiction*, meaning that only SafeSport is allowed to investigate and decide on cases, not NGBs.

However, in some cases of emotional or physical abuse, the Center may choose whether or not to take the case or to allow it to be resolved by the NGB from which it originated. If the Center decides it has jurisdiction, it will issue a Notice of Exercise of Jurisdiction to the relevant organizations. At that time, the NGB or LAO may no longer make disciplinary decisions, but may make employment or membership decisions regarding the Respondent. If the NGB has jurisdiction, it will commence its own investigation process.

Notably, the Center does not have jurisdiction over the NCAA. See “What SafeSport rights do I have if I participate in a non-USOPC sport?” on page 18 for more information.

### **Step Three: Intake**

Intake at SafeSport involves “gathering preliminary information, assessing potential risk to athletes, and referring allegations for formal investigation.”<sup>8</sup> Intake staff generally includes people who have prior experience working with victims of violent crimes, such as probation officers, CPS investigators, and social workers. It’s important for Minor Athletes to know that SafeSport staff are mandatory reporters of child abuse and therefore must report it to relevant law enforcement; this means that if minors report to SafeSport, the details will be reported to law enforcement as well.

The intake process is used to identify claimants and contact them to discuss potential options and how the process works. The reporter and the claimant will likely both be interviewed during this stage. The Center gauges whether a claimant wants or does not want to participate in an investigation into the misconduct. If the claimant elects to participate, the Center gathers general information such as the names of witnesses and a general outline of the allegations.

The intake process is *not* a formal interview, and the Center does not record the meeting(s). During this time, SafeSport has a Process Navigator available to both the Claimant and the Respondent to answer questions about the process. At the end of the intake process, SafeSport determines whether or not there is sufficient evidence to open an investigation. If there is not, SafeSport “administratively holds” the case. This allows them to reopen it if more information becomes available at a later date.<sup>9</sup>

If there is sufficient evidence, SafeSport opens an investigation, initiating a separate process handled by different staff. Note that if there are several accusers of one Participant, SafeSport may consolidate all those matters into one investigation.

During intake, SafeSport can choose to implement temporary measures against the respondent. These can include a temporary suspension, no contact provisions, required supervision of practices or training sessions, and altered training schedules. The

purpose of a temporary measure is to protect the claimant and other members of the community from the alleged misconduct while the investigation is pending. If the Center does not implement a temporary measure during intake, it may still do so during the investigation.

If SafeSport implements temporary measures, the respondent may challenge the decision. If challenged, the Center must hold a hearing on the temporary measure within 72 hours, after which it can uphold or modify the decision.

At the end of intake, SafeSport may coordinate with law enforcement if they are also involved in the case. However, law enforcement investigations take precedence; if SafeSport is asked not to speak to certain individuals involved in the case or to postpone the case, they comply.

### ***Step Four: Referred, resolved, held, or closed***

At the end of intake, the Center may either refer a case for a formal investigation, administratively close it, administratively hold it, or proceed with an informal resolution.<sup>9</sup> In an informal resolution, the respondent accepts responsibility for the misconduct, and a resolution is worked out with the Center.

An administrative hold happens when there is not enough evidence to proceed with an investigation or when the claimant does not wish to participate. The Center can reopen these cases later if circumstances change.

#### **An administrative hold happens in these situations:**

- There is insufficient evidence to proceed with an investigation, but the Center wants to be able to reopen the case should evidence be presented
- The Claimant does not want to participate
- The Claimant has not responded to the Center
- The Claimant cannot be identified

#### **An administrative closure happens in a few situations:**

- When, even if true, the alleged behavior would not be a Code violation
- When the allegations reported have already been appropriately adjudicated by the USOPC, NGB, or LAO, and no new information has surfaced
- When the Respondent is deceased
- When the Claimant denies they have experienced misconduct, and there is no evidence to suggest misconduct occurred
- When the Respondent is a minor, and the Center sends a Letter of Concern to their parent or guardian, and has an educational conversation with them
- When the Center sends a Letter of Admonishment notifying the Respondent that the behavior may constitute a Code violation in the future

Administrative closures can only be reopened in extreme circumstances.

If a case is referred for formal investigation, it moves into the investigation phase.

### ***Step Five: Investigation***

When a case is referred to a formal investigation, an investigator assumes responsibility for the process. SafeSport investigators are generally professionals with a background in law enforcement.<sup>9</sup> This investigator interviews the involved parties, including the claimant, respondent, and any relevant witnesses.

Advisors are allowed and advised during this time. Although they may not speak on behalf of a party during the formal interview process, they may help the involved party prepare for the investigator's questions.

During the investigation, the respondent receives a Notice of Allegations from the Center and has the opportunity to speak to the investigator.

Claimants and respondents may submit other evidence during this time. This evidence can include documents such as screenshots, pictures, and videos, or other evidence that supports their claim. Both parties may also recommend other witnesses.

Witnesses who are recommended by either party may be interviewed during the investigation. Witnesses are not entitled to an advisor, but are entitled to a support person. The Center generally does not include character witnesses (witnesses who didn't observe certain behaviors but are instead included to make statements about a person's reputation or personality). However, prior or subsequent conduct of the respondent *can* be considered – that means if the respondent is a repeat perpetrator, the Center may consider that information, even if there has never been a finding of a Code violation before.

After all the available information has been gathered, the assigned investigator works with a supervisor to draft the investigation report. This report includes an outline of the alleged misconduct, an analysis of the available evidence, records of interviews, and findings. After this report is done, it is sent to SafeSport's legal team for review.

### ***Step Six: Fourteen-day period of review***

After the conclusion of the investigation, but prior to the drafting of the Investigation Report and Notice of Decision, both the claimant and the respondent have the right to a fourteen-day [period of review](#). During this time, both parties can review all the submitted evidence and information, and, if necessary, "can provide the Investigator with any additional information or evidence, in writing, that you believe is relevant to the investigation." Claimants are not required to participate in this period of review if they do not want to. The goal of the two-week window is to prevent respondents from presenting unseen evidence in arbitration and to allow all parties to review and correct information if necessary.

## ***Step Seven: Decision Making and Notice of Decision***

After the report is sent, a Notice of Decision is written by the Center's attorneys.

If the investigation finds that a violation did occur, the report is presented to a Case Resolution Committee. This committee will consist of experienced legal and investigative staff and will not include the investigator who managed the case or the attorney who wrote the decision.

This committee will decide sanctions. The purpose of having sanctions decided by a separate, uninvolved committee is to ensure impartiality. Sanctions can range from a written warning to probation to permanent ineligibility to participate in USOPC sports.

After the committee decides sanctions, a Notice of Decision and Investigation Report is sent to the claimant and respondent through a secure link. The parties both have 10 days to view these documents.

If misconduct is found to have occurred and sanctions are delivered, the respondent may challenge these sanctions through arbitration. However, if the claimant is unhappy with the sanctions, they have no right to challenge the outcome.

If it finds that a violation has not occurred, the claimant and respondent are both notified, and there are no appeals or arbitration options for the claimant. A SafeSport decision **does not** preclude a Claimant from reporting the misconduct to law enforcement or suing the respondent civilly.

## ***Step Eight: Merits Arbitration***

Merits Arbitration is SafeSport's version of an appeals process. Only the respondent has the right to appeal through arbitration in a SafeSport case, and **the claimant has no right to request arbitration**.

In arbitration, the parties are the Center and the respondent. The claimant may be called as a witness but is not a party to the hearing.

The claimant does have a right to be present during the hearing, along with their Advisor and Support Person.

SafeSport's arbitration process is managed by an independent, outside firm called JAMS. JAMS arbitrators are former attorneys and judges who have experience working in similar areas of study, such as Title IX. Arbitrators also must go through SafeSport training.

Arbitration only happens if a respondent chooses to challenge a SafeSport decision in which they have been found responsible for misconduct. This happened in about 6% of

[cases](#) in 2022. Arbitrators sided with the Center [83%](#) of the time in 2022, although that number was as low as [58%](#) previously.

## What SafeSport rights do I have if I'm a minor?

Adults' interactions with minors are governed by the [Minor Athlete Abuse Prevention Policies](#) (MAAPP) put out by SafeSport. The USOPC, NGBs, and LAOs are required to adhere to these policies.

MAAPP exists as a guideline for adult-minor interactions. Under MAAPP, adult participants who interact with minors are required to complete certain SafeSport trainings to remain in good standing. These trainings cover child abuse prevention, and some minors are encouraged to complete them too, as long as they have parental consent.

MAAPP lays out certain standards for adults' interactions with minors. Namely, limiting one-on-one interactions, including requiring that training be easily observable and interruptible; athletic training modalities such as massages or rubdowns must be "in an open and interruptible location" and another adult must be present; an adult and a minor cannot be in a locker room alone, and no recording devices may be used in locker rooms; electronic communications between an adult and a minor must also include the minor's guardian, be professional in nature, and guardians can request the contact stops at any time; adults can't be in a vehicle with a minor alone; and adults may not share a hotel room with a minor. Some of these requirements are waivable with written parental consent.<sup>11</sup>

Other than MAAPP's requirements, minors have the same rights as adult participants in SafeSport.

## What SafeSport rights do the parents of minor victims have?

Parents of Minor athletes can be involved in the SafeSport process in a few ways. Athletes may choose to have a parent as a Support Person, in which case all the privileges conferred to a Support Person apply. Support Persons may attend meetings and hearings with the claimant. However, they may not speak on behalf of a claimant. See "*The right to a Support Person*" below for more information.

In addition to Minors, the 2026 Code allows Adults with Intellectual and Developmental Disabilities the right to a Support Person.

## What SafeSport rights do I have if I'm an adult?

***The right to submit evidence.***

## Complaint Review Process

Section XI of the *SafeSport Code* includes standards for the management and disposition of complaints. When the Center receives or accepts a complaint that falls within its jurisdiction, it is to notify USOPC or the relevant NGB and make a preliminary inquiry to determine whether to conduct a full investigation.

During an investigation by the Center, both the claimant (who has alleged wrongdoing) and the respondent (who is under investigation) are allowed to submit relevant evidence and identify potential witnesses. Neither party is required to cooperate with or participate in this process. Respondents have certain procedural rights, including a right to written notice, to be represented by counsel, and to be heard during the investigation.

Decisions of the Center are based on a preponderance-of-the-evidence standard. The findings of each investigation are included in a confidential report that is provided to the claimant and respondent along with the Center's decisions regarding violations and sanctions.

**After a decision is issued, the respondent has a right to a review hearing before an arbitrator.**

From the [Congressional Research Service](#).

Both the claimant and the respondent have the right to submit evidence. This could be anything from screenshots of text conversations to the results of a sexual assault forensic exam. Hearsay evidence is also admissible in SafeSport cases.<sup>5</sup> Hearsay is evidence based on information received from another person. In a SafeSport case, an example of this could be your teammate's sister asserting that your teammate saw your coach behave inappropriately.

In SafeSport, a claimant's prior sexual history is inadmissible as evidence. The only exception to this is for extreme cases, such as a history of criminal prostitution convictions.

### ***The right to privileged communications.***

If you are an adult, any mental health professional who treats you **cannot** be required to provide testimony or report to SafeSport. An update to the 2026 SafeSport Code clarifies that mental health and medical professionals who have professional ethical obligations to privileged communications **do not** have to report abuse unless the Minor patient waives that right.

### ***The right to speak with the investigator.***

The investigator will interview the claimant during the investigation process. The claimant is not *required* to participate, but must be *allowed* to participate if they so wish. The claimant may choose to cease participating at any time, although this will generally lead to an administrative closure or hold of the investigation until the claimant is ready to participate again.

### ***The right to access a Process Navigator.***

The claimant has the right to access a Process Navigator during SafeSport intake and investigation.

"The Resource and Process Advisor is a neutral party employed by the Center who serves as a source of information to the parties, answers procedural questions, provides a roadmap for each step of the process, explains various options regarding a party's participation, and addresses any concerns the claimant or respondent may have," according to the SafeSport Code. Note that *Resource and Process Advisor* is the former name for Process Navigators.

### ***The right to an advisor.***

Both the claimant and the respondent are entitled to an advisor, although they are not required to have one. This is generally an attorney. It's best practice to retain the services of an attorney prior to filing an initial complaint.

If planning to have an advisor, the claimant must notify the Center no less than 24 hours before the date on which the first hearing at which the advisor is to be present is scheduled. The advisor cannot speak for any party during the investigation but can advise the claimant on how to talk to the investigator, what evidence to provide, and other information and strategy.

### ***The right to a Support Person.***

Both the claimant and the respondent have the right to a support person. The support person may be a friend, loved one, or another individual who attends meetings and hearings with the claimant or respondent to provide emotional support. However, advisors and support persons cannot be witnesses involved in the case.

### ***The right to recommend witnesses.***

The claimant has the right to recommend witnesses to the investigator. This could be anyone who may have seen or known about the misconduct, or to whom the claimant told about it. Witnesses are also interviewed by the investigator during the investigation. Witnesses do not have the right to an advisor but do have the right to a support person.

### ***The right to submit questions.***

Claimants have the right to submit questions to the investigator to help guide the investigation.

Claimants are not required to submit questions, but doing so helps ensure that all the relevant information is presented to the Center to help it determine whether a Code violation has occurred. Having the guidance of an attorney in submitting questions can be extremely helpful.

### ***The right to freedom from influence by your sport's NGB.***

NGBs are not allowed to influence the outcomes of SafeSport investigations, and although the bulk of SafeSport's funding comes from the USOPC, SafeSport is entirely independent from it.

### ***The right to be informed of the outcome.***

Claimants have the right to be informed of the outcome of the investigation. After the investigation concludes, all parties will receive a Notice of Decision, which includes an Investigation Report. Parties have 10 days to view the decision once it is sent. This decision is confidential.

### ***The right to be free from retaliation.***

"Retaliation is any adverse action or threat to take any adverse action against any person related to allegations of Prohibited Conduct,"<sup>5</sup> and is prohibited by SafeSport.

Retaliation can take place at any time during the investigation, arbitration, or afterward, and retaliation constitutes an entirely new and separate Code violation. Furthermore, retaliation can happen even if no violation is found.

### ***The right to confidentiality.***

The Center's Notice of Decision and reports are confidential. However, the Center provides a Summary of Decision to the relevant NGBs and LAOs. Furthermore, the Center does not prohibit the respondent or the claimant from talking about the case, their experience with SafeSport, the outcome, or the incident of misconduct; the effect of this is that claimants should not expect 100% confidentiality.

## What is the SafeSport merits arbitration process, and what rights do I have in it?

The SafeSport arbitration process happens after the initial investigation, findings, and Notice of Decision. Claimants have very few rights in this process. The official name of this process is **“Merits Arbitration.”**

The SafeSport arbitration process is between the Center and the respondent, *not* the claimant and the respondent. This is because it's a challenge of the Center's decision regarding punishment for the respondent, as well as the Center's finding of wrongdoing.<sup>9</sup> While the claimant may be called as a witness during this process, they are not required to participate. However, the claimant's failure to participate can sometimes make it easier for the respondent to receive a more favorable outcome.

Merits Arbitration is essentially SafeSport's version of an appeals process. If the Center finds that the respondent *did* perpetrate the abuse of which they are accused, the Center may hand down sanctions. These can be as severe as permanently barring the respondent from participating in USOPC sports. If the Center hands down sanctions, the respondent may challenge them and the finding in the arbitration process.

While respondents may challenge SafeSport decisions, claimants may not. After SafeSport releases a Notice of Decision, the parties to the arbitration case become the Center and the respondent. This means that if a claimant does not agree with the Center's decision, they have no way to challenge it.<sup>9</sup> However, both claimants and respondents have a fourteen-day period of review to submit new evidence or information before the Investigation Report is drafted. This means that if a claimant has any new or outstanding evidence they feel the Center should have, this is their chance to share it.

Arbitration is run through the independent firm [JAMS](#). JAMS investigators are former judges and practicing attorneys with subject matter expertise.<sup>10</sup> In arbitration, the respondent is responsible for paying JAMS' fees, not the Center. This process works similarly to a trial. Both SafeSport and the respondent are entitled to opening statements, presenting evidence and witnesses, and closing statements. The claimant may be called as a witness. The arbitration process also uses the same preponderance of the evidence standard, meaning that the Center must prove the violation “more likely than not” happened.

The respondent must request arbitration within 10 days, or the Center's decision is final.<sup>10</sup> Because it can be incredibly emotionally challenging for a victim to provide testimony during arbitration, the Center allows some accommodations to be made, such as testifying over video conference and being questioned by the arbitrator, not the respondent or the respondent's advisor. If the claimant chooses not to testify in arbitration, SafeSport may withdraw its decision, thereby removing the sanctions for the respondent. This can be revisited when the claimant is ready to participate. They may also continue with the arbitration process without the participation of the claimant if they think they can prove their case without the claimant's help.

After an arbitration, the arbitrator must issue their decision within 14 days. This decision is final and cannot be appealed.

## **What if I don't agree with a SafeSport decision?**

Unfortunately, if a claimant is unhappy with a SafeSport decision or sanctions, they do not have the right to request arbitration. Many SafeSport investigations happen concurrently with law enforcement investigations, which may result in criminal charges, and claimants may have the opportunity to pursue a civil suit. If, after SafeSport issues its Notice of Decision, the claimant is unhappy with the findings, a civil suit is a possible next step.

However, the Center may reopen a matter at any time, at its discretion. Reopening a matter may be requested by the respondent or by the claimant. The Center can reopen a matter if new evidence that was previously unavailable is found, or if there is a change in circumstance that could substantially impact the original finding or sanction.

## **Do I need an attorney for the SafeSport reporting process?**

Nobody is required to have an attorney for the SafeSport process. However, claimants and respondents both have the right to have an *advisor*.<sup>5</sup>

According to the Code, "the advisor may be any person, including an attorney."

While having an advisor or attorney is not required, it is advisable to seek legal counsel. An attorney can help decipher the rules of the SafeSport Code, advise on the process, and prepare for the investigation and arbitration. Many SafeSport cases also go hand-in-hand with criminal investigations because of SafeSport's mandatory reporting rules or with civil suits. Having an attorney can help ensure that the claimant is as prepared as possible for the difficult and frequently retraumatizing investigation process in SafeSport or the discovery process in civil or criminal court. While SafeSport doesn't require anyone to have an attorney, it is in the claimant's best interest to seek legal representation.

## How long does the SafeSport process take?

The SafeSport process can take months to years. About 72% of cases are resolved in under a year, while about 28% are a year old or older, according to former SafeSport CEO Ju'riese Colon.<sup>3</sup> The more complicated a case, the more likely it is that it will take longer to move through the SafeSport process.

## What SafeSport rights do I have if I participate in a non-USOPC sport?

At this time, SafeSport only covers participants in [USOPC sports](#) and [affiliate organizations](#). One noticeable exception to this is the NCAA. If a coach or athlete is suspended or banned by SafeSport, the NCAA is under no obligation to sanction, ban, or otherwise notify participants of the coach or athlete's SafeSport sanctions.<sup>12</sup>

If the organization, team, or club you participate in does not fall under SafeSport, then SafeSport has no jurisdiction to investigate your claim and cannot do so. However, your sport's individual governing body may have a reporting mechanism or procedures for handling misconduct. Check with your sport's governing body for these procedures. You can also always report to law enforcement, your school or university's Title IX office if you are a student-athlete, or use the [Courage First Athlete Helpline](#) at 888-279-1026 for assistance. For tips on information you should seek out about the sports professionals in your life, check out "[4 Things You Should Know About Your Coach](#)."

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