

# Questions Surrounding SafeSport

## PART TWO OF TWO

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*In the previous issue, Armand Leone explained the mission of the U.S. Center for SafeSport and how it works to protect athletes from emotional, physical and sexual abuse. In part two this month, Armand delves deeper, discussing common questions and situations surrounding SafeSport.*

### Are trainers responsible for the SafeSport wrongdoings of their staff? For example, if a trainer employs a barn manager who is frequently alone at the barn with a minor and misconduct occurs, is the trainer liable?

If it's believed that the trainer had any knowledge as to the misconduct or a high risk of misconduct, the trainer could be found liable, as failure to report sexual misconduct is considered a crime under federal law. In addition to being punishable as a criminal offense, failure to report could result in a sanction against the trainer.

### I'd like to report a sexual misconduct, but I'm worried about speaking out and any backlash I may receive. Am I able to remain anonymous? How do I report the misconduct, and what happens when I do?

Anyone in the sport with a reasonable suspicion of sexual misconduct such as child sexual abuse, non-consensual sexual conduct, sexual harassment or intimate relationships involving an imbalance of power should make a report to the SafeSport Center. Once the claimant files a complaint with SafeSport, a confidential investigation is begun. A claimant's decision to remain anonymous to the respondent or to limit his or her 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, but the claimant is able to remain anonymous throughout the process.

Reports of misconduct can be made at [www.SafeSport.org](http://www.SafeSport.org) or by calling (720)531-0340.

Once sexual misconduct is reported, the SafeSport Center will preliminarily determine whether the misconduct alleged is covered under the SafeSport Code and was committed by a participant within the U.S. Olympic and Paralympic Committee.

If SafeSport finds that the alleged misconduct is covered by the code and committed by a participant in an Olympic or Paralympic sport, then SafeSport has jurisdiction to investigate and act on the complaint, and the claimant will likely be involved in investigative interviews. If the alleged misconduct involves sexual abuse, the Center has exclusive jurisdiction to address and resolve the matter. If the alleged misconduct involves emotional and/or physical misconduct, the Center may address and resolve the matter or refer it to the relevant national governing body for resolution. Equestrian sport is a covered entity.

### As a trainer, I heard that I'm no longer allowed to be friends with my students on social media because of SafeSport rules. Is this true?

This misconception was circulating following the announcement of the SafeSport Minor Athlete Abuse Prevention policies in 2019; however, it's just that: a misconception. You can still be friends with clients on social media outlets; what you must forego is private messaging with minors on these social media channels. You can engage and comment on one

another's public social media posts, but private, direct messaging is to be avoided.

The same policy applies for text messaging, and a parent or guardian of the minor should be included in all text communications. If the minor reaches out to the trainer first, with no other adult included, the trainer should only respond with another adult included in the messaging.

### What additional steps could US Equestrian take to help SafeSport maintain a safe environment for equestrian athletes?

US Equestrian could collect more information concerning the parents of junior athletes who participate in competitions. Most organized athletic programs collect detailed information about both parents at time of registration and use this information for emergencies and to reach out on a regular basis. Town and school sports are good examples. The person signing the parent/guardian acknowledgment on the horse show entry form is not necessarily either. US Equestrian does not have a database of the parents of junior athletes to verify the parent/guardian and has no way to easily reach out to them.

One way to accomplish this would be to require that at least one parent register with US Equestrian whenever a junior rider registers. The parent need not join at a competing level but should be a member. The parent's US Equestrian membership number would have to be on the entry blank for the junior. This would ensure that each junior exhibitor has a readily identifiable parent to directly contact in case of any emergency.

US Equestrian could also form a parent committee specifically to be responsible for overseeing and maintaining a safe equestrian sporting environment for children. Parents have the greatest incentive to ensure safe sport. They're best able to know what information parents need to know, including where and in what form to provide it. This committee could communicate directly with all parents who have juniors registered with US Equestrian. **ES**



Armand Leone, Jr., MD, JD, MBA, and attorney Jessica Choper of Leone Equestrian Law provide legal services and consultation for equestrians, ranging from riders and trainers to owners and show managers in the FEI disciplines on a wide variety of issues. Learn more by visiting [www.equestriancounsel.com](http://www.equestriancounsel.com).

Do you have a question you want Armand and Jessica to answer?  
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