

Confidential

NGB RESOURCE

OVERVIEW OF CENTER'S INVESTIGATION REPORT

Response & Resolution Office

Several documents are generated and disseminated when the Center resolves a matter through formal investigation, each with their own level of confidentiality:

- The Investigation Report is only provided to the parties (Claimant(s) and Respondent, and/or their advisors).
- The Notice of Decision is provided to the parties and to the NGB.
- The Summary of Decision is provided only to the NGB.
- The Investigation Report and the Notice of Decision are confidential documents, not to be shared beyond their intended recipients.
- The Summary of Decision may be shared by the NGB with those individuals or organizations with a need to know, to ensure the outcome is properly effectuated and/or understood.
- Witnesses and Third-Party Reporters (TPRs) are not provided any Notices or documents.

Since the Investigation Report is not a document the NGB receives, this resource is intended to provide an overview of what information is and is not contained in the Investigation Report, to help the NGBs understand the purpose and content of the various communications. This resource is being provided only to the NGBs and should not be shared beyond NGB staff.

Prior to reviewing the resource below, it is important to understand a few things about the Investigation Report:

- Each Investigation Report is reviewed by multiple Center staff from the investigations and legal team prior to being finalized.
- For a fundamentally fair process, a Respondent is entitled to review all relevant evidence considered in reaching a determination that they violated the SafeSport Code. Accordingly, the Respondent's copy of the Investigation Report provides the identities of relevant witnesses and testimony, and other physical, electronic, or documentary evidence.
- Personally identifying and other sensitive information is redacted (*see* Appendix section).
- Cases often involve multiple Claimants and the Center takes additional steps to protect their privacy. While some Claimants are aware of other Claimants and are comfortable being identified to one another through the Investigation Report, others are not.
- Prior to finalizing an Investigation Report, the Center connects with Claimants regarding privacy and makes any necessary redactions to personally identifying information in the Investigation Report and Appendices that are provided to other Claimants.
- A Third-Party Reporter (TPR) who is not a material witness will not be disclosed. If they are a material witness, the fact that they are also a TPR is not relevant and not included.



CONFIDENTIAL INVESTIGATION REPORT

Case No. XXXX-XXXX

**U.S. Center for SafeSport
Response & Resolution Office**

Confidentiality and Use

This Investigation Report and any appendices, exhibits, or other attached materials are *confidential documents* under the SafeSport Code for the U.S. Olympic and Paralympic Movement, including if they are used as part of any arbitration conducted under the Code. Disclosure or dissemination of these confidential documents to anyone not expressly authorized to view them is strictly prohibited. Failure to maintain these documents as confidential constitutes an independent violation of the Code and may subject the offending party to sanction. Only the U.S. Center for SafeSport, a Claimant (and any advisor), and a Respondent (and any advisor) may view these documents.

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CONFIDENTIAL

CONFIDENTIAL INVESTIGATION REPORT

Case No.: XXXX-XXXX

In re: (First/Last Name)

I. EXECUTIVE SUMMARY

This confidential investigation report addresses possible violations of the SafeSport Code for the U.S. Olympic and Paralympic Movement (“the Code”). The U.S. Center for SafeSport issues this report through its administrative authority under the bylaws of the United States Olympic & Paralympic Committee, section 8.7(1).

A. Scope of Investigation

The Center’s administrative process addresses the limited question of whether an individual violated the Code. Sanctions are limited to determining the effect of any policy violation on an individual’s opportunity to participate in the Olympic and Paralympic movement.

B. Allegations

The total summary of allegations investigated by the Center is listed here, often pulled directly from the Formal Notice(s) of Allegations that were sent to the Respondent.

C. Findings

A summary of investigative finding(s) is listed here, addressing each of the above-listed allegations in some form.

II. PROCEDURAL HISTORY

A brief summary of the investigative process is provided here, typically documenting significant procedural steps such as:

- *Date the incident report(s) received by the Center,*
- *Date the matter was assigned to an investigator,*
- *Date the investigator made initial contact with Claimant,*
- *Date the Notice of Allegations was provided, to include any imposition of temporary measures,*
- *Dates and nature of any modifications to temporary measures,*
- *Date the investigator made contact with the Respondent, and*
- *Explanation of any significant delays, such as a law enforcement hold.*

III. APPLICABLE RULES

A Participant shall not violate: (a) the SafeSport Code for the U.S. Olympic and Paralympic Movements, (b) any previous US Center for SafeSport, NGB, or LAO standards analogous to Prohibited Conduct that existed at the time of the alleged conduct, and (c) community standards analogous to Prohibited Conduct that existed at the time of the alleged conduct, including then applicable criminal and/or civil laws. *See* the Code at Section IX (2020).

A. Personal Jurisdiction

A description of the Respondent's status as a Participant within the Olympic Movement is provided here. Typically, this includes a reference to documentation provided by the NGB.

B. SafeSport Code for the U.S. Olympic and Paralympic Movement

Citation of relevant SafeSport Code provisions (if any) are provided here.

C. Relevant NGB Policies

Citation of relevant NGB policies (if any) are provided here.

D. Relevant Laws and/or Community Standards

Citation of relevant laws or standards (if any) are provided here.

IV. INFORMATION CONSIDERED

A. Information reviewed

All information used to determine whether Respondent violated the Code is set forth or referenced in the Appendix.

B. Witness Interviews

A list of witnesses and other involved parties is included at Appendix A; Exhibit 1. Summaries of witness interviews are attached as exhibits to Appendix C.

V. STANDARD OF PROOF

To determine that a Respondent has violated the Code, the standard of proof required is a preponderance (i.e., the evidence demonstrates that it is more likely than not that a violation occurred). *See* the Code at Section XI.C.

VI. FINDINGS OF FACT

Factual findings are provided in bulleted format, with all relevant and/or supporting facts that were considered provided in sub-bullets with citations to the relevant evidence contained in the Appendices.

Example formatting is below:

1. [Finding #1.]
 - a. [Relevant Fact #1a.] *See* App. C; Ex. 2, 5.
 - i. [Supporting Fact #1a(i).]
 - b. [Relevant Fact #1b. *See id.*]

VIII. ANALYSIS & CONCLUSION

The investigator provides a detailed rationale supporting the investigative findings. Analyses may include discussion of the relevant and/or supportive facts, the weight of the evidence, corroboration and reliability of relevant evidence, and credibility assessments of involved parties. Conclusions will be based on a determination as to what more likely than not occurred regarding each allegation.

Notably, the Investigator renders findings are limited to what conduct occurred, based on a preponderance of the evidence, and does not include an application of policy, does not determine whether a violation of policy occurred, and does not assess potential sanctions.

APPENDICES
U.S. Center for SafeSport

The Appendices will include:

- *Party / Witness list,*
- *Respondent participation status,*
- *Relevant policies,*
- *Interview transcripts / summaries,*
- *Documentary evidence (e.g., screenshots, emails, text messages, documents/reports)*
- *Reference to videos or other multimedia*

The Appendices will not include or be redacted to remove:

- *Personally identifying information of the involved parties, such as date of birth, addresses, phone numbers, email addresses, usernames, etc.*
- *Medical records*
- *Information regarding witnesses / parties who are non-participatory*
- *Irrelevant information*
- *Other sensitive information*