



## SEX ABUSE MOLESTATION, AND PHYSICAL ABUSE POLICY AND SCREENING

### a. Introduction

US JUDO, INC. T/A USA JUDO, is involved in the contact sport of Judo which is practiced by men and women of all ages in the United States. The sport of Judo and its practice often results in significant bodily contact between participants and between participants and coaches or instructors. Although USA Judo has few employees, it does have numerous members and volunteers throughout the United States. It is the position of US Judo Inc./USA Judo that due to the physical contact involved in the practice of the sport of Judo that its volunteers, participants and members should not be exposed to unnecessary risk to their health and safety.

USA Judo encourages its local organizers to adopt policies consistent with each state's applicable laws relative to the detection of child abusers, child molesters, persons involved in criminal offenses of a sexual nature, or criminal offenses that are adverse to the administration of the sport.

If any member, volunteer, or participant is charged with a criminal offense of a sexual nature, child abuse, child molestation or other disqualifying offense, membership privileges and participation may be suspended pending the resolution of said charges and the completion of a background check.

Membership and participation in U.S. Judo, Inc./USA Judo programs or activities may be terminated, refused, or denied to an individual who has been convicted of a criminal offense, of a sexual nature, child abuse, child molestation or other disqualifying convictions.

In matters under the jurisdiction of US Judo, Inc./USA Judo, the Standards Committee of US Judo, Inc. may make such confidential investigations as would be necessary to implement these policies and procedures.

### B. SEX ABUSE POLICY

It is the policy of USA Judo that there should be no sexual abuse of any minor participant involved in any of its sanctioned programs, its training camps, Judo clinics, coaches clinics, referees clinics, regional and national tournaments or other USA Judo sanctioned events, by an employee, volunteer or independent contractor. A minor is an individual who has not reached the age of consent or has not been emancipated. Sexual abuse of a minor participant occurs when an employee, volunteer, or independent contractor touches a minor participant for the purposes of causing sexual arousal or gratification of either the minor participant or the employee volunteer or independent contractor. Sexual abuse of a minor participant also occurs when a minor player touches an employee, volunteer or independent contractor for the sexual arousal or sexual gratification of either the minor participant or the employee, volunteer or

independent contractor if the touching occurs at the request or with the consent of the employee, volunteer or independent contractor. Neither consent of the athlete to the sexual contact, mistakes as to the participant's age, nor the fact that the sexual contact did not take place at a Judo function are defenses to a complaint of sexual abuse. Upon proof of violation of this policy, the violator will be permanently banned and/or suspended from USA Judo sanctioned programs and/or the programs of its group A, B or C members.

#### C. PHYSICAL ABUSE POLICY

It is the policy of USA Judo that there should be no physical abuse of any participant involved in any of its sanctioned programs, its training camps, judo clinics, coaches clinics, referees clinics, regional and national tournaments or other USA Judo sanctioned events by any employee, volunteer, or independent contractor. Physical abuse means physical contact with a participant that intentionally causes the participant to sustain bodily harm or personal injury other than physical contact that would be normal when participating in the sport of Judo and in accordance with the rules with the sport of Judo. Physical abuse also includes physical contact with a participant that intentionally creates a threat of immediate bodily harm or personal injury that is inconsistent with the normal activities experienced in practicing the sport of Judo and/or that is inconsistent with the rules of the sport of Judo.

Physical abuse does not include physical contact that is reasonably designed to coach, teach or demonstrate Judo skills. Permitted physical contact may include but is not necessarily limited to teaching Judo techniques, participating in rondori (free practice), ne waza (groundwork), warm-up exercises, and communicating with or directing participants during the course of tournaments or practice by touching them in a non-threatening non-sexual manner.

#### D. SCREENING POLICY

It is the policy of USA Judo that it will not authorize or sanction, in its programs that it directly controls or sanctions, any volunteer or employee who has routine access to children (anyone under the age of majority) who refuses to consent to be screened by USA Judo/US Judo, Inc. before he/she is allowed to have routine access to children in USA Judo/ US Judo, Inc. sanctioned programs. Further it is the policy of USA Judo that it would require its affiliates and group A, B and C members to adopt this policy as a condition of its affiliation with USA Judo.

A person may be disqualified and prohibited from serving as an employee, volunteer, coach, teacher or a referee of USA Judo if the person has: 1) been convicted (including crimes the record of which has been expunged and pleas of no contest) of a crime of child abuse, sexual abuse of a minor, physical abuse, causing a child's death, neglect of the child, murder, manslaughter, felony assault, any assault against a minor, kidnapping, arson, criminal/sexual conduct, prostitution, crimes relating to controlled dangerous substance or crimes related to said offenses. 2) being adjudged, liable for civil penalties or damages involving sexual or physical abuse of children. 3) Being subject to any current or permanent Court Order involving any sexual abuse or physical abuse of a minor; 4) Had their parental rights terminated; 5) A history with another organization (volunteer, employment, etc.) of complaints of sexual or physical

abuse of a minor; 6) Resigned, been terminated or been asked to resign from a position whether paid or unpaid due to complaints of sexual or physical abuse of minors: or having had a history of other behavior that indicates that they may be a danger to children in USA Judo or USA Judo activities or related events.

#### E. CONSUMPTION/USE/ABUSE OF MOOD ALTERING SUBSTANCES

It is the judgment of the Board of Directors of USA Judo that consumption/use/abuse of mood altering substance/or controlled dangerous substances is detrimental to the health, state of mind, body and spirit of an athletic participant. This is especially true for those participants aspiring to develop their talents in the furtherance of their playing or coaching or officiating careers in the sport of judo. Therefore, with the best interest of its participants in mind, USA Judo prohibits the use by any participant of mood altering substances/controlled dangerous substances during active participation in its programs. Upon discovery of any violation, they will take action to remove the participant from participation in its programs for a reasonable period of time. Further, USA Judo hereby recommends to each and all of its teams, associations, programs and Group A, B and C members to adopt reasonable regulation concerning the prohibition of consumption/, use/, abuse of mood altering substances/, controlled and dangerous substances and a reasonable enforcement procedure thereafter in order to maintain the health of our athletic participants, the integrity of our programs and the eligibility of all of our competitors for national, international, collegiate and regional competition. For the purposes of this policy the word mood altering substances/controlled dangerous substances shall include the following:

1. Intoxicating beverages including but not limited to alcohol;
2. Non-prescription or prescribed controlled substances;
3. Prescription or prescribed controlled substances when used to excess in violation of doctors orders or to produce the state of impairment or intoxication in the participant;
4. Further, a participant shall include, players, coaches, referees and all persons involved in the conduct of a judo practice session or tournament.

#### F. CRIMINAL BACKGROUND CHECK

A criminal background check is mandatory for all teachers, coaches, instructors, assistant coaches, assistant instructors and referees whether the coach, instructor or assistant coach or teacher is officially designated as a head coach or teacher or not. An assistant coach or an assistant instructor or teacher includes anyone who will be alone with the player or responsible for a player or a team member during a game or practice. A written authorization form allowing USA Judo to order an individual criminal background check as required by USA Judo is the responsibility of the candidate for a coaching position, teaching position, referee position, instructors position, or who seeks club recognition to fill out the background check form and return it to the USA Judo national office along with the appropriate processing fee. USA Judo, in conjunction with its Group A, B, and C members, shall appoint a five-member committee which will be designated the Background Check Committee to administer all background check procedures. The Committee shall be made up of a representative from the USJA, a representative from the USJF, a representative from the USJI, a representative from the

Group B organizations and an athlete representative. The chair of the Background Check Committee will receive the completed background check authorization forms and shall submit the forms to the Background Check agency selected by USA Judo. The Background Check Committee shall receive and review the results of the background check reports from the investigating agency. The Background Check Committee shall determine if any individual does not meet the USA Judo minimum standards for coaches, teachers, instructors or referee and shall use the criterion stated herein as a guide.

The Backgrounds Check Committee shall notify the affected applicant that a disqualifying entry has been reported on the criminal background check and determine, if the applicant chooses, whether to withdraw their name from consideration or request a review by the Standards Committee of USA Judo or the Standards Committee of the respective Group A organization. If a review is requested, a meeting of the respective Standards Committee will be called and the applicant will be notified of a meeting date and time and location in writing and shall be afforded the opportunity to address the respective Standards Committee. A full written disclosure of the criminal background history may be made to the Standards Committee as part of the review process and the applicant is encouraged and entitled to attend a special meeting and provide any additional information as he/she chooses. A decision of the Standards Committee shall be final and shall be based on a majority vote of the members in attendance at the meeting. The appeal procedures of USA Judo and/or the respective Group A organization shall apply to the determinations made by the Standards Committee with the further proviso that the applicant should be advised that all activities pursuant to the background check committee in the matters pending before the Standards Committee would be confidential in nature, but the appeal process as implemented pursuant to the appeal procedure of USA Judo and/or one of their Group A, B, or C members could necessarily result in disclosures that would not remain confidential.

To the extent possible, all information contained in response to the criminal background checks or disclosed in the review process shall be kept confidential and not disclosed or discussed outside of the review process or the Standards Committee. In the event that an applicant feels a mistake has been reported in their criminal background check, it is the applicant's responsibility to contact the reporting agency and resolve any issues. USA Judo and its A, B, and C members are not responsible for errors or omissions that may be reported on background checks. The Background Check Committee of USA Judo shall maintain all authorizations, records and reports in a confidential matter.

## G. IMPLEMENTATION

This policy shall be implemented in a progressive manner at all coach certification programs, teachers' clinics, teachers' certification programs, Referee certification programs, and through the Group A, B, and C members of USA Judo and their affiliated clubs. Any clubs, instructors, or assistant instructors that apply for recognition as a club affiliated with USA Judo or any of its A, B, or C members shall submit the applicable forms and fees relating to criminal background checks for all of this designated coaches, instructors, teachers or referees including any assistant instructors, whether certified or uncertified as defined herein.

## COMMITTEE NOTES FOR SCREENING POLICY

1. The age of an offense should be a factor considered by the Committee when making any determination concerning disqualification. Criminal convictions 15 years old or older should not generally disqualify an individual, but may disqualify an individual when appropriate.
2. The Committee will honor each jurisdiction's limitations on disclosures, e.g., confidentiality of juvenile offenses etc., and shall also honor any privileges or rights relating to expungement.
3. This policy shall be progressively implemented at coach certification clinics, teacher certification clinics, and when clubs register their instructors and assistant instructors. Since clubs are registered annually and since teachers or instructors are certified or re-certified every four years, it is recommended that a screening occur every four years, or more frequently, if there is cause. Referees will be screened when they apply for national referee certification.