legal notes

By Daniel Pollack



Children, Sports, and Sexual Predators: Ten Commandments for Parents to Follow

ymnastics. Soccer. Swimming. Skating. Whatever the sport, even the nicest parents can lose their cool when they're rooting for their own child. To remind parents that good sportsmanship really is more important than winning, youth sport leagues have developed codes of conduct for parents. These usually mention things like not arguing or getting physical with the officials, coaches, or other parents; not cursing; and not heaping blame on anyone if your child's team loses. These rules of conduct are usually so obvious that they hardly need to be spelled out. Other rules for parents of children involved in competitive sports are not so obvious.

The tragic sexual, physical, and emotional abuse of more than 300 children involving Dr. Larry Nassar, USA Gymnastics national team doctor and an osteopathic physician at Michigan State University, was a wake-up call to the entire sports world. It should also alert parents to be vigilant in protecting their children from such predators. Here is a set of "Ten Commandments" for parents to ensure their children steer clear of a coach, trainer, or doctor who is really a sexual predator:

- 1. Never leave your child alone with a coach, physician, or trainer. At least one other responsible person should be there. This includes when your child is in a gym, a medical examination room, or a car.
- 2. Do your own background check into adults who interact with your child. Just because the coach, doctor, or trainer has a reputation for winning, do not assume they are to be



trusted with your child. Winning is not everything.

- 3. Do not allow the coach, trainer, or doctor to ridicule or shame your child. You know the difference between someone who is tough, firm, and demanding versus explosive, belittling, and contemptuous. If that line is crossed, your child and that team official are not a good fit.
- **4. Do not give up your authority and power as your child's parent.** If the coach, trainer, or doctor suggests a course of training or treatment, you are the one to make that decision.
- 5. Be aware of a coach, gym, or team's general culture. Choose

an environment that does not stress "winning at any cost." Choose one that is it mindful that a child's self-esteem and emotional health come first.

6. If a coach, trainer, doctor, or other team-affiliated person is physically inappropriate, report it immediately to the proper authorities. This might include law enforcement, child protective services, the governing body with which the team is affiliated, other oversight bodies, or all of the above. Do not try to smooth things over.

See Predators on page 33

CPS employees, in conjunction with law enforcement and school officials, are the key officials making tough legal and ethical calls. And, as we know very well, citizen, legislative, and legal oversight is, and should be, omnipresent. Particularly from a legal perspective, making the right call on a consistent basis is a matter of understanding, training, and attention to detail.

Our primary concern is to protect children, not prosecute them. One hasty decision to click the

"send" button by a child—or a CPS employee—can ruin many lives.

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Reference Notes

1. Strassberg, D. S., Cann, D., & Velarde, V. (2017). Sexting by High School Students. Archives of Sexual Behavior, 46(6),

- 1667–1672. https://doi.org/10.1007/ s10508-016-0926-9
- 2. Lorang, M., McNiel, D., & Binder, R. (2016). Minors and sexting: Legal implications. Journal of the American Academy of *Psychiatry and the Law, 44(1) 73–81.*
- Numerous states have enacted specific laws that address sexting by minors: Arizona, Arkansas, Connecticut, Florida, Georgia, Hawaii, Illinois, Louisiana, Nebraska, Nevada, New Jersey, New York, North Dakota, Pennsylvania, Rhode Island, South Dakota, Texas, Utah, Vermont, West Virginia. See http://bit.ly/20WzWYh

PREDATORS continued from page 24

- 7. Your child should only receive texts from team officials that are part of a group chat. The coach, trainer, or doctor should never individually text your child.
- 8. Do not allow your child to be forced into a radical diet. Yes, sports can be demanding, especially at the elite level, but that is no excuse to condone your child being on a starvation diet.
- 9. Team coaches, trainers, and doctors are not your child's friend. They can be friendly, but they are not your child's (or your!) friend. Outside activities with coaches, trainers, and doctors unrelated to the team and sport are inappropriate.
- 10. Maintain maximum honest and open communication with **your child.** Genuinely listen to what your child is saying. Nothing will foster mutual respect and help to keep your child safe more than open communication.

It is hoped that Congress and the formal international and national sports governing bodies will adopt a similar set of directives soon. Even then, parents, you are the first line of defense for your child's safety.

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Key components of Game Over: Commission to Protect Youth Athletes

- Fact-Finding, Data Collection
- Creation of Publicly Available, Searchable Database of All Information
- Legal and Policy Review by Legal Experts in the United States
- Public Participation and Transparency

Upon completion of the fact finding, data collection, and public hearings, the commission will compose and release its findings to the public and policymakers. All materials gathered and testimony obtained will be archived and made available to the public.

Chair

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Steven Ungerleider, PhD, Co-founder of the Foundation for Global Sports Development

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Pat Ciarrocchi, former CBS3 Philadelphia news anchor who has covered the sex abuse crisis in depth

Sharon Cooper, MD, CEO, Developmental and Forensic Pediatrics, P.A. David Corwin, MD, Professor and Director of Forensic Services, Pediatrics Department, University of Utah

James Carpenter, Esq., Former Chief, Family Violence and Sexual Assault Unit, Philadelphia District Attorney's Office

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