

## USA Weightlifting Investigation Final Report

April 8, 2021

### Executive Summary

USA Weightlifting (“USAW”) retained us to look into certain allegations of race discrimination and retaliation as well as the organization’s climate, policies, and procedures. Through representatives of its Board and USAW’s senior leadership, we were urged – over and over again – to probe deeply and widely, hunting for problems and gathering every conceivable suggestion for improvement. Our requests for additional information, follow-up interviews with Board members, committee members, and staff were always met quickly, often on the spot.

We interviewed nearly four dozen witnesses from every corner of the sport. Many were referred by others, helping us identify those who may have encountered the problems on our agenda. We are new to weightlifting, but we learned a great deal about the sport and its people.

Ultimately, we found no race discrimination or retaliation, much less a pattern. Few may be surprised by this general conclusion given the rule-bound nature of the sport and the difficulty of pointing to a decision, misunderstanding, mishap, or mistake that was *intentionally directed* at anyone, much less aimed at anyone’s race. Often, those disappointed by a rule or policy change were counterbalanced by others who benefitted.

We also found a community that is surprisingly cohesive on first principles – clean sport, safe sport, non-discrimination, transparency, and objectivity – but one that has been torn in one corner by a fundamental disagreement about the best way to achieve these shared objectives. Tensions arise, anger flares, people become divided and, inevitably, slide towards demonizing the “other.” We were not hired to find this particular problem, widely known as it is. But we did learn in first-hand witness accounts the sadness and frustration over the impasse. Anyone as privileged as we have been to speak for hours on end with so many different athletes, coaches, referees, and administrators cannot help but be struck by their shared love for this unique sport.

This common bond should help the weightlifting community address the diversity, equity, and inclusion (“DEI”) challenges we did find. Few, if any, are unique to weightlifting. Everyone involved in this sport, however, has a unique advantage in tackling DEI challenges. USAW is widely applauded by its membership for its many recent successes, particularly over the past five years. Even more important for our present purposes, we have yet to find a group of people who better understand the importance of commitment, discipline, and making daily steps towards Olympian goals. That, we believe, is exactly what is required to make all of our communities more diverse, equitable, and inclusive. Far from being a straggler on DEI, we hope that weightlifting and other Olympic sports will not only recognize, but also leverage its unique leadership opportunity.

This report is organized into seven sections: Investigation Background (Sections 1-9); Background on the Sport of Weightlifting (Sections 10-33); Background on USA Weightlifting (Sections 34-43); Background on DEI at USAW and in the Sport (Sections 44-57); Ongoing DEI Challenges (Sections 58-83); Discrimination and Retaliation Findings (Findings 1-15); and Recommendations (1-28).

## **Investigation Background**

### **1. Investigation**

In October 2020, the Board of Directors for USA Weightlifting (“USAW”) retained Prince Lobel & Tye, along with Bruce Melton of Aequitask LLC, to investigate specific allegations raised by certain elite weightlifters of color and also to conduct a thorough evaluation of USA Weightlifting’s climate, policies, and procedures and recommend potential improvements. The Board’s announcement separately confirmed the engagement of sports inclusion expert Ashland Johnson of the Inclusion Playbook to conduct an audit of the organization’s approach to diversity, equity, and inclusion.

This is our only report to USAW, and its Board confirmed from the outset that our independent report “will be made available, in its entirety, to the USA Weightlifting membership.”

### **2. Allegations**

The specific allegations under review were raised in complaints filed with the United States Olympic and Paralympic Committee in May 2020 that primarily relate to USAW team selection and athlete funding decisions during the period 2014-2020. Our investigation focused on allegations of race discrimination as well as retaliation for certain public anti-doping commentary. Related social media posts have been taken into consideration as appropriate, but no specific findings are offered in this regard.

### **3. Timing and Complainants’ Participation**

This investigation was expected to conclude by the end of year, but several factors intervened to delay this report. First, we mediated negotiations between USAW and counsel for the complainants from late October through mid-January regarding the complainants’ proposed “panel discussion” in lieu of our requested interviews. Although USAW acceded to the complainants’ requirements communicated through counsel, they ultimately declined to participate in this investigation, as is their right. Second, owing to the complainants’ lack of participation in the investigation, additional witness testimony was required to assess certain allegations and related issues. Third, COVID-19 has generally prolonged and complicated many investigations, including this one.

### **4. Witnesses**

In addition to information obtained through dedicated email and telephone “hotlines” noted in USAW’s announcement, we interviewed 46 witnesses. Interviews were typically conducted by online video-conference and lasted approximately two hours each; some witnesses provided multiple interviews.

Of all the current and former athletes, coaches, administrators, technical officials, and outside diversity experts we interviewed, a total of 22 are currently or formerly affiliated as officers, employees, Board, or committee members of USAW; 21 were women; 21 identified as Black or persons of color.

We encountered a legitimate question of whether our witness pool might have been tilted towards people of color. The demographic breakdown above indicates otherwise, and we identified our witness pool by, among other things, asking *every* witness to help us find members of the weightlifting community who could shed light on the discrimination and retaliation concerns under review.

Our interviews with people of color raise four related concerns. First, there is a risk of appearing to pit one member of a minority group against another, which we mitigate by allowing witnesses to decline to answer questions as they see fit. Second, we are mindful of asking people of color to “justify” or “prove” the existence of well known, systemic discrimination. Third, we are vigilant of “re-traumatizing” those who have surely encountered painful discrimination and exclusion in their daily lives, if not in the sport itself. Finally, we know that we have taken precious time – without compensation – from witnesses of color who have already volunteered so much to advance diversity and inclusion in the sport and beyond. We hope to honor the contributions of each by showcasing their wisdom, experience, differences of opinion, and constructive suggestions below.

Survivorship bias is yet another challenge in any analysis of potential discrimination and systemic bias in elite (and at least nominally meritocratic) organizations. Witnesses who first “come to mind” in such highly competitive environments are typically the winners. We tried to identify witnesses who did not find ultimate success in this sport, seeking “lost” perspectives on potential barriers and the support that might have helped overcome them. Regrettably, we were unable to identify many, much less track them down and encourage their participation. We nonetheless explored these issues to the best of our ability with other witnesses; some gave affecting accounts of a friend, acquaintance, teammate, or mentee who fell by the wayside for personal or professional reasons.

As we promised every witness, we have tried to reflect their comments in this report with accuracy from our personal notes (by agreement with each witness, no interviews were recorded). We anonymized and aggregated information below to protect identities to the best of our ability, recognizing that weightlifting is a relatively small community and that it is human nature to guess who said what. Our report, however, is grounded on sentiments that are often quite widespread or at least corroborated by more than one witness.

## 5. Credibility Assessments

Because we were unable to interview the complainants, we offer no opinions regarding their credibility. In the absence of competing or conflicting testimony, it is also difficult to test and assess the credibility of other witnesses; we do note, however, that all participants in this investigation certainly appeared to volunteer their time, effort, and information to the best of their ability and in the utmost good faith.

Indeed, with the exception of the complainants who declined to participate (as is their right, like every other witness), our invitations were typically accepted with enthusiasm. Witnesses came forward with candor and admirable affection and concern for the sport. Cautious as we must be about the risks of stereotyping, we found the weightlifting community to be articulate, direct, cooperative, and caring. Virtually every interview concluded with the witness’s expression of gratitude for the process and USAW’s willingness to undertake this effort. Typically, participants openly hoped that their own contribution to this investigation would “make the sport better.”

## 6. Documents

The investigators were not retained to sequester data, emails, and the like or conduct a forensic analysis; no such expertise appeared to be required given the specific allegations and our more generalized charge with respect to diversity and inclusion. Some witnesses provided supporting documentation; we asked USA Weightlifting for extensive records, summaries, and backup information, and no such requests were resisted or denied.

## 7. Standard of Review

Our review relies on the “preponderance of the evidence standard,” which means only that a finding is *more likely than not*. As investigators having little or no weightlifting experience, we have no personal knowledge of any incident alleged in the complaints or the general climate of the sport, and we reiterate that we have not had the opportunity to interview the complainants or review any documentation they consider relevant to their claims. Likewise, we have no subpoena power, no ability to question (much less cross-examine) any witness under oath. Participation was wholly voluntary. Accordingly, the findings below are made only on information and belief gained through witnesses we have every reason to believe have been cooperative and documentation represented as authentic and complete.

Things go wrong in every elite athlete’s career, and it is not our place to second-guess every USAW decision; nor do we second-guess every athlete’s decision or explain why an incident might not have the “kingdom for a nail” consequence that competitors, like anyone else, are inclined to assume in the face of disappointment. Instead, the preponderance of the evidence standard gives room for these opposing perspectives because we look only to the *more likely* explanation, the big picture. We acknowledge that facts we find to be “more likely than not” could, perhaps, be disputed and susceptible to contrary proof in a more formal, robust, and adversarial adjudicative proceeding.

## 8. Terminology

Generally, this report adheres to accepted conventions regarding terms such as “persons of color” and “Black,” recognizing that the former is broader and that “African-American” is subsumed under both (increasingly questioned, as it is, for lumping many different people into one continental category).

We also hew to terminology used in the December 2020 DEI Audit by Ashland Johnson of The Inclusion Playbook (more in Section 44 below), including our default reference to “DEI” (diversity, equity, and inclusion) as a broader acronym covering “D&I” (diversity and inclusion) and the colloquial catch-all, “diversity.” We appreciate the differences between each and underscore that “equity” is a comparatively new and important addition to the lexicon. Equity concerns were indeed raised in our interviews and reflected below.

References to sex, gender, and gender identity likewise follow these same conventions. Below, we generally use the broadest category in common use today, LGBTQAI+. We avoid surnames (Mr., Ms., etc.) and employ standard pronouns unless a witness indicated a preference.

Again, however, specific quotations below reflect each witness’s own statements. In interviews, we are loath to parse, pigeonhole, or dabble in semantics because this discourages witnesses from

speaking about sensitive matters of race on their own terms, using their own terminology. Indeed, we found that witnesses of different backgrounds and generations use these terms differently, but the (encouraging) trend is towards a more complex, nuanced understanding of our many differences.

## 9. Demographics

Our charge did not include statistical analyses, nor were they required to reach findings below. This report does rely on demographic data gathered, analyzed, and vetted by other professionals, including the 2020 DEI Audit and the USOPC's D&I Scorecards. Both apparently rely on a typical definition of Persons of Color ("POC") that includes Blacks, African-Americans, Asian-Americans, Native-Americans, Pacific Islander Americans, multiracial Americans, and some Latino Americans who identify as persons of color. USAW also refers to "BIPOC" (Black, Indigenous, and Other People of Color) in its materials.

Many witnesses in our review, however, focused on concerns relating to "Blacks" (or "African Americans") rather than the broader POC category. We suspect that this default-to-binary approach comes from our national context today (particularly, Black Lives Matter) and the more specific context of social media posts concerning the allegations that prompted this investigation. We strive below to make these distinctions clear.

### **Background on the Sport of Weightlifting**

## 10. Administrative Architecture

Witnesses generally describe a highly complex, regulated environment for Olympic sport in the United States that is beyond the scope of this report. USAW is a National Governing Body, or "NGB." NGBs are non-profit, non-governmental organizations responsible for promoting and developing a particular sport within a nation.

In essence, USAW captains a hand-picked, experienced crew in a relatively small, stalwart vessel of limited horsepower through a choppy sea of acronyms with ocean liners nearby. Key decisions in this sport are often made on high, at the International Olympic Committee ("IOC"), the International Weightlifting Federation ("IWF"), our own National Olympic Committee – known as the United States Olympic and Paralympic Committee ("USOPC") – as well as other legislatively-mandated compliance and athlete-protection bodies such as the World Anti-Doping Agency ("WADA"), the U.S. Anti-Doping Agency ("USADA"), the USOC Anti-Doping Policy, and the U.S. Center for SafeSport ("SafeSport"). Other external decision-making bodies include National Olympic Committees around the world, their respective sub-units, and their related affiliations such as the Pan American Federation.

Oversimplify as we must, witnesses consistently describe USAW as something of a middleman, qualifying and ranking American competitors according to rules largely established by others to winnow athletes according to USAW's own policies and procedures (and in conjunction with 45 Local Weightlifting Committees or "LWCs") with the ultimate goal of qualifying as many of our athletes as possible for major international competitions, particularly the World Championships, the Pan American Games and Championships, and the Olympics.

## 11. Personal Impact on Athletes

Athlete after athlete remarked, “weightlifting changed my life.” “Honest, it changed my life.” “Lifting is therapeutic, cathartic.” The sport gives athletes “life skills” such as persistence, determination, and learning to overcome personal failure; it broadens minds by gathering devotees of all stripes “from around the world.” More than one witness recalled his or her competitive weightlifting career “as the best time of my life.” One parent who worried about the impact of this challenging sport might have on her minor child volunteered, “USAW gave experiences that made [her child] a better person.”

For some, weightlifting offered a path out of a difficult neighborhood or challenging home environment. For others, the sport was a way to get healthy, boost self-confidence, or obtain outstanding training in humility and grit. For many, it turned out to be a sport uniquely suited to their personality, which they tend to describe as “quiet,” “keep to myself,” “introverted,” “self-reliant,” and “shy” even though we have yet to meet a shrinking violet in this crowd. These qualities are of course not universal; prominent counterexamples abound, particularly in the coaching community. Nonetheless, the pattern holds and informs our understanding of the sport and the diversity and inclusion challenges facing USAW today.

## 12. Entry and Access

“You stumble onto it” or “fall into” weightlifting, many witnesses told us. More bluntly, one explained, “Nobody sets out to be a weightlifter!” One Olympian remarked, “In high school, I didn’t even know weightlifting was an Olympic sport.” The parents of one of the most successful young lifters in the country today lamented that their child “did not even get a mention for weightlifting in the high school yearbook.”

This “weightlifter by accident” narrative arises, witnesses reason, because few high school and collegiate athletes are familiar with Olympic style weightlifting, in contrast to more popular (and more highly publicized) sports such as football, basketball, baseball, and track & field. These more popular sports are also played at thousands of colleges and universities across the country, offering many scholarship opportunities. With the notable exceptions of Florida and Minnesota, weightlifting as a varsity sport is found in few high school athletic programs, and there are but a “handful” of collegiate weightlifting programs and scholarships in the country. It is “not an NCAA sport.”<sup>1</sup>

These more popular team sports nonetheless offer a gateway to weightlifting through strength training, usually via coaches who do double duty. Another proffered reason for the relative obscurity of weightlifting is that few know that they have a talent for the sport until they try it for a while. Promising runners, jumpers, jump shooters, and pitchers are easier to identify – and recruit – at an earlier age.

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<sup>1</sup> USAW developed a “University Incentive Program” to encourage inter-collegiate weightlifting competitions across the country, offering 5 scholarships in each of 5 regions for a total of 25 new club teams this year. (<https://www.teamusa.org/USA-Weightlifting/Clubs-LWC/University-Programs/2021-University-Incentive-Program>)

### 13. Money

“No one says they do it for the money,” more than one witness told us. Instead, all agree, they “do it for the love of the sport.” This “love not money” thread ran through all of the interviews, from athletes to coaches, technical officials, USAW administrators, and Board members. As many observed, there is no “pot of gold at the end of the rainbow,” no “NFL pension,” and relatively few lucrative sponsorship opportunities. Less than 2% of USAW’s funding comes from the USOPC. International competitors, by contrast, often enjoy state-sponsored subsidies.

The effects of modest revenue streams (at least here in the United States) are visible throughout the sport, even though USAW proudly notes that it is a leader among NGBs in financial support for athletes. Still, USAW’s 2019 Form 990 tax return, annual budget for 2020, and audited financial statements (all posted on USAW’s website) confirm that Board members receive no compensation for their services (*see also* Bylaws, Section 6.28) and the top staff salary was \$140,000 in 2019.<sup>2</sup>

Tightened belts all around can make it particularly challenging for athletes from underprivileged circumstances, including weightlifters of color, to remain in the sport. “Lots of people of color who have lifted,” one longtime athlete and administrator explained, “have gone on to figure out different ways to pay their bills.” As another experienced administrator explained, weightlifters often “try lots of things” to stay in the sport, looking for “who can support me.” “You see gypsism,” he continued, and it “would be worse for someone from a weak socio-economic background.”

Still, as many noted, the humble ‘garage sport’ beginnings of the sport help lower the barriers to entry. Equipment is far from inexpensive, but many have described weightlifting as more “affordable” than some of the other Olympic sports.

### 14. Sophistication

“It’s pretty technical,” as one witness described Olympic weightlifting. Some happily digressed on how it differs from powerlifting and bodybuilding. We were told that mastering the two Olympic lifts (snatch, clean and jerk) can entail years of repetitive practice with scrupulous attention to technique. Strength matters, of course, but so does speed, velocity, mobility, precision, and finesse. At its best, Olympic weightlifting – particularly the snatch – is described as “explosive.” By contrast, CrossFit and Powerlifting are described as “more about muscle.” Witnesses remarked, “CrossFit is ‘go big or go home’” and “the powerlifters don’t talk to us much” at the gym.

### 15. Discipline

“We fight gravity and steel for hours a day,” remarked one administrator, which makes weightlifters “very hard to dissuade.” No one characterized weightlifters (or coaches) as stubborn, but tenacity surely comes with the territory. Again, the prevalence of a “hard to dissuade” attitude in the sport offers valuable insights into the discrimination, diversity, and inclusion issues detailed below. Weightlifting is routinely described as a “punishing” sport, often posing outer-limits challenges for mind and body alike. Success requires fortitude. The sport has its superstars and even prodigies,

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<sup>2</sup> We did not gather individual tax returns to assess additional sources of personal income; we also note that some who serve on the board do earn annual compensation from USAW (in 2019, ranging from \$5 to just under \$20,000) for separate services rendered to the organization as authorized under the Bylaws (*e.g.*, coaching services or instruction).

but every one of them must put in hundreds – perhaps thousands – of hours to develop and maintain their talent. There are no geniuses of the sport so preternaturally gifted and precocious that they can win without working hard. “If you don’t practice, you won’t progress, you’ll lose it.”

## 16. Exactitude

“It’s weight-lifting, not weight-missing.” Many describe the sport as “brutal,” “heartbreaking,” “relentless,” and “a grind,” love it as they do. As with all inherently objective, “cross the finish line” types of sports, athletes often describe weightlifting as something of a ‘zero sum game.’ First, “somebody’s always going to be unhappy.” And because there’s no “judging” for, say, artistic merit, it is just “you against the bar.” “You lift it or you don’t, and everybody can see.” The unforgiving, no-coasting nature of the sport, again, influences many perceptions and experiences of importance in this inquiry. Consistency is key; “you’re only as good as your last lift,” and lifters can be bumped when a competitor “has a good day.” Coaches and administrators in particular recall athletes complaining about not making a team “because I am an Olympian/American record holder, etc.” The inevitable, seemingly unsympathetic response is, “Okay, but what have you done *lately*, because we’re competing *tomorrow*.” “Peak performance forces athletes to perform *on a specific day*.”

## 17. Investment

Weightlifting takes “time,” “effort,” and “money.” Many witnesses have trained for hours each day, “four, five days a week” while holding down a job (or two) and, for some, raising a family (“you can’t live like a hobo,” “you’ve got to eat!”). Coaches and athletes alike told us it “can take years to develop.” At the highest level, athletes describe a simple regimen: “train, sleep,” and repeat. One top female competitor noted that “Others may be going out on a Friday or a Saturday, but not me.” “You need to stay in this a long time to be good at it.”

In addition to investing their time, many remarked on the cost of gym membership and competing. CrossFit gyms can have monthly fees of \$200 or more, and competitors often pay their own way to competitions. Unless and until they reach the higher levels of the sport entitling them to USAW stipends and supplemental funding, more success costs more. Many also remarked on the high cost of outfitting home gyms (for those fortunate enough to have the funds *and* the space), a more pressing need after the pandemic shuttered so many facilities previously open to the public.

## 18. Personal Weight

A lifter’s own personal weight can be just as important as the weight hefted on the barbell. Lifters compete in weight classes determined by the IWF. When those classes change, lifters may need to choose to go up or down. Some feel caught in the switches, particularly when fewer than all weight classes are allowed to compete in the Olympic Games given shrinking athlete quotas for the sport. Time and time again, we were told what every dieter already knows: it’s easier to go up in weight than down.

“Cutting weight” to get down to a weight class lower than an athlete’s “walking around weight” can be a good competition strategy, but it has risks. First, cutting weight is difficult, and many coaches told us that it becomes more difficult with age. Some athletes are known for “excessive cutting,” particularly before international competitions that inevitably involve weight gain from air travel, salty local food, and inadequate local sauna and bath facilities (“it’s really difficult to make extreme cuts in

country,” that is, abroad.) What’s more, aggressive weight cutting in lighter classes can create particular challenges because the lighter classes are dominated by international lifters (who are, perhaps, unfairly drug-assisted). On top of all this, success abroad is *required* to win a spot at one of the major international competitions. In this respect, as one witness told us, “American records don’t matter.”

Another harsh reality is the need to “qualify” or “re-qualify” when moving to a lower weight category. No witness could remember a weightlifter being able to take qualifying totals in one weight class and “carry them down” to a lighter weight class. Proving yourself in a lower weight category is required, we were told, because it is hard to lose weight and maintain strength. “Carrying down” totals to a lower weight class would also be considered unfair if “others would be bumped.” Thus, knowledgeable witnesses repeatedly confirmed that “no one gets a pass” on qualifying lifts: “you need to make weight and make standards *at that weight*.”

One thing everyone can agree on, however, is the positive impact weight classes have on team spirit and camaraderie. “We cheer each other on,” one Olympic hopeful explained with a notable degree of wonder, having seen first-hand the “rivalry” of other team sports in high school. Lifters on a team are chosen to compete in different weight categories, and although they may move up or down as a result of coaching strategies far beyond the scope of this report, weightlifters generally compete directly only against those of similar weight.

## 19. Age

Experts explained how weightlifting naturally requires something of a delayed start. Bodies are insufficiently developed in the early years, so weightlifters often happen upon the sport somewhat closer to adulthood than, say, gymnasts. Upon entry, however, one expert explained, “a kid needs to hang in the sport for four years” to assess their ability.

Moreover, reasonable people can and do disagree about the emphasis on encouraging youth in the sport. Some, for example, argue that stipend funding for young athletes is a waste of money even when juniors appear to be headed to the Olympics because some (but certainly not all, as discussed further in Section 73 below) are able to live at home, at no cost. Moreover, some argue that funding young weightlifters is risky because many do not pan out due to injury, disinterest, or more alluring collegiate (or even professional) opportunities in football, basketball, and the like. One former competitor and administrator argues that winning junior championships is no guarantee of long-term commitment or success; seniors, by contrast, have proven that they “are in it for the long haul.”

These “long haul” seniors can also enjoy relatively long athletic careers and benefit from repeat exposure to high-pressure competitions, particularly at the elite international level. On the other hand, advancing age can be a harbinger of decreasing strength, increasing difficulty in cutting weight, longer recovery times, and increased risk of injury. One seasoned coach believes that a lifter’s body can tolerate “only so many extreme cuts” over the years. Regardless of “cutting,” “research tells us” one widely regarded expert explained, “that a weightlifter physiologically peaks around 26; the heavier they are, the more they can postpone” that peak.

## 20. Sex, Gender, and Identity

All witnesses remarked on the transformative impact of women in the sport. By all accounts, the United States led the world in welcoming women and advocating for their participation in the Olympics. According to one eyewitness, “in the first major competition in Budapest in 1985, USAW female athletes did a fantastic job,” sparking “change in the culture of the sport at the world level, pushing for acceptance at the same level as men.” “By the time of the first Olympics” in 2000, the witness continued, they were role models for young girls” due to Tara Nott-Cunningham’s groundbreaking gold medal performance in Sydney.

Witnesses universally acknowledge the many benefits of opening the sport to women. Many remark on how women are easier to coach (“they listen!”) and have changed the male-dominated culture of weightlifting in many positive ways. Most notably for our present purposes, some senior male lifters who now champion the demise of sex discrimination in the sport initially questioned whether women would even want to participate, given all the “callouses, chalk, blood, and sweat.” Indisputably, such stereotypes were shattered by Team USA’s women, whom by overwhelming consensus are “doing better than the men.” A relatively new competitor observes, “women always attract the bigger audience” at meets.

USAW has also opened its doors to LGBTQIA+ and transgender lifters pursuant to its Bylaws (Section 5.7) as well as its separate USAW Transgender Policy. And although the issue is beyond the scope of the report, some witnesses remarked with evident concern about the significant dangers of sexual harassment in the sport, like so many others, particularly in light of its close coaching relationships, power imbalances, international travel, and athlete turnover.

## 21. Race

To no one’s surprise, witnesses uniformly acknowledge that the sport, especially at the “grass roots” level, has long been predominantly “white,” “male,” and “blue collar.” Many, however, point with great pride to the sport’s history of non-exclusion. One of the most legendary Black weightlifters in history, American John Davis, had an undefeated record that included two Olympics, six world championships, and a dozen national titles from 1938 until his retirement from the sport in 1953; Jackie Robinson broke the Major League Baseball color barrier in 1947.

Noteworthy examples of diversity and inclusion over the years do not, of course, prove the absence of discrimination, implicit bias, or systemic inequality. All witnesses acknowledge that the administration of the sport remains predominantly white, although it has seen a dramatic increase in the participation of women (including the Board’s current chair, former chair, and about 45% of the Colorado Springs staff) as well as a notable rise in Hispanic representation. Until this year, the Board included no Black directors and the member-elected Diversity & Inclusion committee is all white. USAW’s staff is also predominantly white, as is the surrounding community of Colorado Springs.

## 22. Location

The importance of “decentralizing” the sport after USAW’s loss of its “Olympic Training Center” privileges in 2016 and the related demise of the Resident Athlete Program cannot be understated; it is detailed in Section 65 below.

Witnesses also told us that local gyms and clubs have played an important role in the sport. Many remarked on the challenges of finding a convenient local gym certified for Olympic weightlifting. Some told stories of commuting an hour or two a day on top of lengthy practice sessions, and these are the athletes and coaches who could not relocate for their athletic careers. Seasoned weightlifters talk of the 'old days' when *Strength & Health* magazine was a bible of the sport and there were few gyms where you could "drop weight." (To the uninitiated like us, "dropping weight" is explained as a technique that discourages lowering the bar to the floor after an Olympic-style lift. Letting go is intended to prevent injury, not grab attention with a loud bang.)

Notably, many remarked on the sport's origins "on the coasts," where it is still concentrated today. Senior lifters, coaches, and administrators also recalled how the dearth of lifting facilities was compensated for by "garage" and home gyms, but urban lifting opportunities remained sparse. "We would compete in Detroit, and all the clubs were in the wealthy suburbs, nothing downtown."

Many proclaim that today, "no matter where you live, you can find a club," but this seems to be true more on the coasts and, increasingly, in the virtual space. A vaunted coach spoke to the challenges of finding certified, "safe" weightlifting facilities in his Midwestern hometown ("it was and still is our biggest challenge"). Another witness recounted having to relocate back home in the pandemic but was unable to find a local club or gym in a predominantly rural state; it was a challenge to pay for the requisite equipment and squeeze it into the basement.

### 23. Size of the Sport

"It's tiny," witnesses often noted, even with the dramatic upswing in interest in Olympic weightlifting occasioned by the explosion of CrossFit in the past decade. As one administrator explained, "2011 was our year," when CrossFit helped swell USAW's membership from "6,000 to 15,000 members." Still, membership today is below 25,000, far smaller than the largest NGBs.

Size matters, in multiple ways. First, the weightlifting community was so small that "whoever was involved was embraced," with "no anti- group, culture, or ethnicity," one minority lifter observed (echoing the comments of many peers). Indeed, a number of witnesses noted how the U.S. weightlifting community bonded over opposition to drugs in the sport, describing an "us against the world" mentality.

Second, the problem of small numbers pervades every nook and cranny of the sport. Despite its recent growth, weightlifting does not garner the media attention, television revenues and sponsorship opportunities of some Olympic sports. The pipeline for athletes remains comparatively small, and the pipelines for coaches, technical officials, and top administrators seem even smaller. Budgets are tight, even though USAW is proud of its unmatched financial support for athletes.

### 24. Camaraderie

"It's pretty friendly." Virtually every witness remarked on their love of the sport and kinship with those who by necessity must dedicate so much of their lives to it. "We're all outsiders," one legend of the sport told us. "I was welcomed with open arms," many noted. This is also true at the international level, some told us: from Anaheim to Turkmenistan, "they're all weightlifters." As one preeminent weightlifter observed after describing how a weight category change led to his loss of a longstanding

American record, “It’s good for the sport; it’s a thrill to see people behind you succeed –that’s progress.” As noted above, one top competitor proudly exclaimed, “We cheer each other on.”

Camaraderie at the top, however, does not necessarily filter down to local gyms and clubs, the biggest portal to the sport. As noted in Sections 78-79 below, some weightlifters, most particularly women of color, describe feeling uncomfortable at the local gym or club; they may relocate two or three times in the hope of finding one that truly welcomes them. If and when they do, “it’s great.” As one witness explained, gyms should be a respite from the “microaggressions I deal with all day.”

## 25. Individuality

As noted at the outset, weightlifting can be a lonely endeavor, hours spent with “just you against the bar.” Lifters talk of the intensely personal nature of the sport. “You need to focus and believe in yourself.” As one non-lifter administrator described weightlifting, “they can make 4,000 lifts, but only six are seen.” This turns out to be important to the issues at hand, in several respects.

First, self-reliance is prized in this sport as in many others. Weightlifters and coaches credit some success to their “independent streak.” But this streak may also make weightlifters “hard on themselves” and even others, if silently. “It’s just about me, not rising or falling with a team.” We found many witnesses who are inclined to discount those who do not accept full personal responsibility for their competitive misfortunes. Over and over, we heard, “You can’t blame anybody but yourself,” “you control your own performance,” and words to that effect. This is surely a commonplace sentiment in Olympic sports (and beyond), but it may offer particular insight into the discrimination, diversity, and inclusion challenges addressed below.

Second, the “independent streak” and separation-by-weight-class model makes weightlifting, as one experienced administrator described it, “a team sport in name only.” One weightlifter of color joked, “it takes a team to lose in softball.” Some are quick to disagree, but they tend to focus on their local club or weightlifting team more than Team USA. Again, camaraderie abounds, but there is little question that weightlifting (like many other Olympic sports) has no “positions” that must play together as a team to win a game. Team USA’s High Performance Staff plays a significant role in helping prepare elite athletes for competition and managing competition strategies to maximize overall Team USA success, but no witness indicated that “team spirit” or “chemistry” are decisive.

Third, there are always perceptions of favoritism in competitive sport. As discussed immediately below, the trend towards increasing objectivity in Team USA selection procedures still leaves room for a measure of discretion and flexibility needed for competitive success. Still, one person’s subjective judgment is another’s favoritism –or worse. We heard rumblings throughout our interviews that coaches and USAW administrators “have their favorites,” and we were also told by those administrators that many athletes feel slighted even if a team selection decision is objectively undeniable, a point detailed immediately below.

## 26. Objectivity

As attorneys experienced in discrimination claims, we are always on the hunt for subjectivity in decision-making processes because this is where the most obvious discrimination usually lurks. Time and time again, we were told that this sport is remarkably objective – and, for that reason, “it’s hard to discriminate.” “It’s cut-and-dried.” It’s not like “a dance, that gets a ‘5.0’ or a ‘10.’” “You do it

or not.” Instead, as one senior administrator explained, weightlifting has the same clarity as a “finish line” sport: “you lift, you go.” There is no hiding from failure in weightlifting, no finessing your way out. “You’re right there in front of everybody.” “You perform, you do your best, you can’t blame anyone else.” Indeed, “that’s the *beauty* of weightlifting: you can’t apply standards differently. There’s a standard you have to meet or you don’t. It’s objective, and it applies to all.”

Many seasoned witnesses told us that weightlifting was not always so “beautiful” –indeed, the “old days” are sometimes described as “ugly.” “Politics used to be more important,” particularly when working “coaches were on the Board” and “had power” to prefer “their own athletes.” There is every indication that the march towards ever-increasing objectivity continues, but many weightlifters (including the complainants) surely experienced the “bad old days” and should not be expected to forget them.

Some witnesses (particularly elite coaches) acknowledge room for gamesmanship and strategy even within a very objective, rule-based structure. Rules do change, and frequently. “You have to stay on top of it,” many athletes and coaches remarked. The changes can affect competitors in subtle ways; when asked if USAW should post proposed rule changes in advance and request public comment (akin to the federal regulatory framework), one witness shrewdly observed, “only a handful of people – coaches – really understand this stuff, and if a change benefits their athlete, they won’t comment.”

As detailed in Findings 3-8 below however, not a single witness indicated that USAW rule changes have the purpose or effect of disadvantaging anyone by race. “It’s hard to game it.” Witnesses told us about one athlete’s being upset by a new rule or policy that, on the other side of the coin, benefits another athlete (and vice versa). Although one leading coach jokes that USAW rules are “arithmetic, not algebra,” the math makes for winners and losers. “Someone’s always going to be unhappy.”

We also heard many examples of how rigid rules still leave ample room for mistakes, selfishness, and self-defeating strategies for coaches and lifters alike. Witnesses detailed examples of lifters who would “go for a personal record” or “an American record” instead of “the total they needed” to qualify for an important upcoming competition. Others recounted examples of how a decision to allow one weightlifter to compete rather than another worked to reduce the number of Olympic slots available to the team –sometimes disadvantaging the very weightlifter who had been allowed to compete. We also heard of athletes who “think it’s better to miss big than win little.” As a former High Performance expert confided, “I never understood it, bombing out.” One metric that matters is a lifter’s percentage of successful lifts, particularly in the weeks or months leading up to an important team selection.

Indeed, the “kingdom for want of a nail” proverb resonated time and time again with witnesses. Many acknowledge that, like most highly competitive athletes, weightlifters can focus on one perceived misstep, disadvantage, or rule change as the proximate cause of career failure. As one minority weightlifter remarked, some athletes “try to deflect onto procedural things, communication things, but at the end of the day, it’s the snatch and clean and jerk. That’s all there is to it.” As one witness wryly observed, “If you win, that’s how it is; when you don’t win, you’re looking for shortcuts to buy yourself another chance.”

## 27. Coaching

Coaches may be disappointed but unsurprised to find themselves so far down this list, but they are here because everything they do is informed by the attributes of the sport noted above. Also, as one coach mused, “coaches don’t win medals.” Nonetheless, athletes, administrators, and technical officials alike credit the roughly “ten thousand coaches around the country” who play this supporting role as key to ultimate weightlifting success. “It is not possible to be an elite lifter and coach yourself,” one legendary coach explained. Others, including top athletes, uniformly confirmed that “coaching matters.” “You can’t coach yourself to the Olympics.” A number of witnesses also remarked on the importance of finding a good coach and sticking with them.

Many described the popular “image” of the most senior and influential weightlifting coaches as “a bunch of old white guys” or, as one minority athlete noted, “the white man authority figure.” “Certain people look like they *belong* in certain fields.” Although some were Olympians, most were not. As is detailed in Section 64 below, however, there is a sense that coaches of color, particularly females, must “do more,” and “prove themselves” by having competed at the highest level of the sport regardless of their coaching credentials.

Coaches, too, love this sport. Again, they joke, “No one does it for the money.” Often, coaches volunteer their services. Some feel strongly that coaches and competitors alike should never “be out of pocket” while working with Team USA athletes, and USAW has, one outspoken coach noted, “been responsive on this, without a doubt.”

Intramural competition among coaches is inevitable, but minimized somewhat by a shared understanding that poaching another coach’s athlete is “not okay.” Overall, witnesses describe the culture of coaching in the sport as remarkably open, collaborative, and, generally respectful (albeit highly opinionated). One remarked, “these coaches are pretty darn open with their training philosophy, and they don’t hoard athletes.”

Climbing the coach certification ladder from Levels 1 to 2 to National to International to Senior International takes effort, and – at the highest echelons – luck. “The fact of the matter is this: you have to get lucky.” It can “take years” to find a good prospect, a “diamond in the rough.” A coach needs these diamonds to achieve the highest level of coaching certification, which requires “athlete production” at major international competitions. At the most elite level, coaches must get athletes to *choose them* as their personal coach. All agree that this is largely a matter of personal preference, a subjective decision that inevitably raises questions about diversity and inclusion. Athletes and coaches also tout the importance of “fit” and “trust” in their relationships, but employment lawyers know that such qualitative judgments can be tainted by bias.

Putting aside coach selection challenges, top athletes often speak of their own coaches with evident emotion, appreciation, and respect. This is particularly so when we heard stories of athletes from relatively disadvantaged backgrounds who benefitted from coaches who cared about them as a person, not just a competitor. USAW’s legendary coach Dragomir Ciroaslan, for example, drove athletes to night school at the local community college; Ciroaslan napped outside in the Jeep Wagoneer, waiting for classes to finish so he could give a lift back to the Olympic Training Center. As he described the job, it is “an all-encompassing, tremendous responsibility.” Indeed, this comprehensive, holistic approach to coaching is proving decisive in working with underprivileged

populations, for which Derrick Johnson, Kevin and Paul Doherty, Kerri Goodrich, Jimmy Duke, and others are justly renowned.

As addressed in Section 64 below, however, many attributes of the most elite coaches are hard to achieve (or demonstrate) for new entrants to the field. First, the most successful coaches are full time, but few younger entrants to the field are able to go “all in” or make the financial commitments required to develop a club or gym. They have “day jobs.” Second, younger coaches do not have the reputations, the track records, or ready references from leaders in the sport. These challenges are further magnified for some coaches of color, particularly females. As one who is breaking into the sport with excellent credentials noted, “I don’t look like a top coach.” Others remarked as well on how stereotypes and “white privilege” have, over the years, created the image of a top coach as an “old white guy.” The only coach “who looks like me,” the well-credentialed witness continued, is “Cara” (Heads Slaughter). “She is an Olympian, and I will never be.”

## 28. Quads and Quotas

Athletes spend years training and competing for a spot on a quadrennial Olympic team. The number of these spots, however, can and do change under the IOC’s athlete “quotas.” In December, allocated spots recently decreased about 40% from Tokyo levels. By necessity, fewer berths make for tougher Team USA selection decisions and tends to pressurize training regimens and competition schedules. As noted in Section 43 below, quads also affect the administration of NGBs like USAW in another important respect: organizational change tends to follow the Olympic games.

## 29. Doping

Discussions of doping and drug use in the sport of weightlifting often invoke images of an “800 pound gorilla” or “the elephant in the room.” Every witness noted the adverse influence of drugs on the sport, particularly here in the United States. The advent of drugs is credited with the ascendance of foreign weightlifting superpowers, a long “medal drought” here in the United States, a recent fundamental shift in Olympic qualifications away from team performance to individual performance, and – it is hoped – the best chance in recent memory for Team USA to earn Olympic medals in Tokyo and Paris. As one expert and historian of the sport recounted, “the U.S. was dominant from the 1920s to the 1950s” and is still the “leading country in the world” over the past century with “248 medals” to America’s credit. But “the rise of doping in the ‘60s and ‘70s led to a drought in the mid-‘70s to the late ‘90s –one medal in ‘76, a bronze later, then a drought.”

As one highly successful weightlifter and administrator recalled during his time with USAW, “we were always against drugs, cheating,” putting Team USA “at a competitive disadvantage.” “We’d bind together, our rallying point was us against the world. But it was not always that way, the generation before was different.” Back then, his historical account continued, “drugs were as much a part of the sport” as “a bat is to baseball.” USAW pivoted, creating “strong incentives” for athletes getting financial support from the organization to get frequent, random drug tests. (One retired elite lifter joked, “I got drug tested all the time, even at my birthday dinner.”) The assumption that “drugs are for those who can’t succeed on their own” ultimately “made us better,” the witness continued. Foreign coaches’ “minds were boggled” by how much Americans could lift as “clean athletes,” and “we are doing even better today.”

Drugs can also taint legends in the sport, sometimes if only by innuendo and implication. Despite allegations that current and former USAW representatives have at times ignored or minimized the drug problem or were co-opted by the IWF, not a single witness we spoke to even questioned USAW's commitment to clean sport. Indeed, witness after witness praised USAW's leadership on the drug issue and their commitment to reforming the sport at the international level. "USAW has tirelessly tried for clean sport." "They're doing everything they can."

Reasonable people have long disagreed about whether change needs to come from within or without, but there appears to be little question that the complainants and USAW agree on the goal – indeed, the urgency – of cleaning up the sport for the benefit of athletes around the world, but especially for American athletes. As detailed in Section 82, a key difference of opinion we found is how best to achieve this shared goal. Of the weightlifters, coaches, and administrators we were able to interview, all who spoke to this issue came down on the side of constructive engagement. "Change must come from within."

### 30. Complaint Procedures

All matters other than those initiated pursuant to SafeSport, USADA, Sections 9 and 10 of the USOPC bylaws, or through the USOPC Office of the Athlete Ombuds office are handled internally by USAW according to its own procedures. Athlete claims of emotional, physical, and sexual abuse may be directed to USAW as well, but are typically routed through SafeSport (<https://uscenterforsafesport.org/report-a-concern/>); USADA has exclusive jurisdiction over doping control matters (<https://www.usada.org/resources/playclean/>).

USAW has a Code of Ethics (<https://www.teamusa.org/USA-Weightlifting/About-Us/Governance-and-Financial/Bylaws-Technical-Rules-and-Policies>) and a Member Code of Conduct (<https://www.teamusa.org/USA-Weightlifting/Membership/Member-Code-of-Conduct>) that bind all members (*i.e.*, all athletes, coaches, technical officials, USAW staff, and the organization's Board) as well as "any individual otherwise involved in the course of USA Weightlifting business." (*Id.*)<sup>3</sup>

Although a detailed textual analysis of the intricacies of these two codes is beyond the scope of this review, we note that solely with respect to our particular focus – diversity, inclusion, and anti-discrimination – both codes prohibit similar conduct: discrimination on the basis of age, civil status, language, mental ability, military/veteran status, national origin, physical ability, race, religion, sexual preference, and social condition. The Code of Ethics separately covers creed, disability, ethnicity, sex, and sexual orientation; the Code of Conduct adds gender identity and marital status. Generally speaking, complaints are required to be filed within 30 to 180 days of an occurrence.<sup>4</sup>

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<sup>3</sup> The text of the Member Code of Conduct is posted on the website, while the Code of Ethics is linked to a downloadable PDF that may elude external search engines.

<sup>4</sup> The time limits for filing complaints are not entirely clear in the Bylaws, the codes, and related USAW guidance. The Bylaws impose a "Statute of Limitations" requiring any complaint to be filed "within 180 days of the occurrence." The Code of Ethics requires complaints to be filed "within two years of the date of the alleged contravention of the [Ethics] Code." USAW's Code of Conduct limits a member's "right to file a written request" to the Board for any "grievance related to this Code of Conduct" "within 30 days of the action giving rise to the member's claimed grievance" for review pursuant to the "Bylaws and Grievance Procedures."

Complaints are handled by the organization’s Ethics Committee and Judicial Committee. The Bylaws create a firewall of sorts, leaving investigations and fact-finding to the elected and independent Ethics Committee (no members can have any “material relationship with USA Weightlifting”) while final decisions are made and sanctions imposed by the appointed Judicial Committee. Decisions are published, although largely anonymized.<sup>5</sup> Respondent identities and other related information are, however, disclosed for SafeSport violations, USAW SafeSport policies, USAW Bylaw infractions, anti-doping policy violations.

Additional complaint procedures for athletes and staff are available through the USOPC (<https://www.teamusa.org/ethics-and-compliance>) including its Ethics Policy, Ethics Procedure, Code of Conduct, and Speak Up Policy, which generally assure, among other things, that allegations and proceedings are treated as confidentially as possible. (*Id.*)

### 31. Retirement

“Athletes don’t think it will stop.” But of course everything comes to an end, sometimes precipitously so. Many witnesses offered anecdotal accounts of weightlifters leaving the sport due to insufficient support networks, more lucrative scholarship opportunities, careers, and family obligations. We also heard of highly talented weightlifters whose careers were unexpectedly cut short by the ever-present risk of injury or the more general pressures of the sport. Not surprisingly, we were also told how this sport – like every other – appears to forever favor young, upcoming potential stars.

One legend of the sport expressed concern that “many can’t handle the transition” from elite competition “into life,” downshifting from being a “revered” competitor to just holding down a workaday job. “It’s a heavy blow to people’s ego.” “Suicide, depression” were not discussed much, this witness continued, until “Michael Phelps brought attention to the problem.”

Even for those leaving the sport with egos intact, many still find that a delayed entry into the world of full-time work or business to be challenging. Worse, the sport’s ‘retirees’ cannot look forward to any “NFL pension plan.” “When you’re done, you’re done.” For these reasons, a few particularly thoughtful witnesses reflected on importance of ‘retirement planning,’ so to speak, on diversity and inclusion in the sport; young athletes (particularly those from underprivileged backgrounds) dedicate so much time and effort to the sport that they may need help exiting it successfully.<sup>6</sup>

### 32. Angst

More than a few witnesses acknowledged the importance of anti-discrimination efforts, diversity, and inclusion in weightlifting while warning of an even more immediate existential challenge: “our biggest crisis is the future of the sport.” Not only have Olympic athlete quotas for weightlifters dropped to new lows not seen since the 1950s, but “sexy,” new, “alternative” sports are also simultaneously

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<sup>5</sup> “Ethics and Judicial Committee Cases” can be found under “USA Weightlifting / Become a USAW Member” (<https://www.teamusa.org/USA-Weightlifting/Membership/Ethics-Judicial-Committee-Cases>). Published sanctions are listed by name, while Ethics Committee decisions are anonymized; only general outcome information is available.

<sup>6</sup> Through its Wellness Program, USAW offers referrals to Licensed Professional Counselors, Licensed Professional Clinical Counselors, LP, Licensed Marriage and Family Therapists, Licensed Clinical Mental Health Counselors, and Licensed Clinical Social Workers (<https://www.teamusa.org/USA-Weightlifting/Features/2018/October/10/USA-Weightlifting-Launches-Athlete-Wellness-Program>), including referrals and resources “for athletes experiencing post-career transition issues.” (*Id.*)

seeking official Olympic status. Everyone also seems attuned to the ongoing turmoil at the IWF and questions over its governance and commitment to clean sport. “It keeps me up at night,” one leader confided. Some are more sanguine, predicting that such a “failure” could spark a renaissance in lifting in the United States and around the world, with new organizational structures and rules. Others describe this as a tough pull, if not an impossible one. Time will tell, but current and former USAW representatives are campaigning for the future of the sport here at home and in the upcoming IWF elections.

### **33. Opportunity**

Every witness remarked on the surge of interest in weightlifting sparked by the success of CrossFit. Indeed, if we were called upon to identify three pivotal eras in the modern history of the sport as reflected in witness comments, they would be the advent of drugs and doping in the ‘60s, the ascendance of women in the ‘80s, and the “explosion” of CrossFit around 2011.

Now, women weightlifters are expected to keep topping leader boards; USAW’s commitment to better lifting through clean sport is anticipated to give Team USA an unprecedented “shot at Olympic medals”; and CrossFit has opened doors to entirely new “markets” for weightlifting. Our most senior witnesses with the longest view of this sport acknowledge that none of these successes were assured (or, with respect to CrossFit, even imagined), and this offers some profound and encouraging insights into what many hope may be the next step forward in the sport: enhancing its diversity and inclusion.

## **Background on USA Weightlifting**

### **34. USAW’s Leadership and Management**

The overwhelming majority of witnesses praised USAW’s current leadership and management. As if on cue, plaudits were nearly always trailed by accounts of how bad things were before. In the words of one Board member, “They were dark days, I’m not exaggerating.”

The problems, witnesses explained, largely rained down from above, sometimes drenching beleaguered Executive Directors. Looming overhead was a Board that included “powerful coaches” who wielded substantial influence over the administration of the sport. “It used to be that you needed a friend on the board,” one insider explained.

It is hardly surprising that this power structure was “so political.” One witness described USAW’s governance model as “guys fighting in the sandbox,” and “it all came to a head at Board election time.”

Actually, it all came to a head in 2008. USAW verged on bankruptcy, owing to questionable investments and a board increasingly disconnected from the membership. Available funds had evaporated by nearly two-thirds. The organization was in crisis.

“At the end of the day,” one witness explained, USAW “was desperate to make a move” because it had “lost its credibility with the USOPC,” hurting its chances for USOPC “money” and even weightlifting’s future “as an Olympic sport.” As other witnesses explained, broader change was in the offing anyway because the “USOC... tried to push NGBs” away from “this micromanaging.”

USAW, like other NGBs, thus adopted new governance policies in 2007-08 to “avoid decertification by the USOC.” “The idea,” one retired expert in the sport explained, “was to put management in the hands of the CEO” and “retract the board from those kinds of decisions.” Another way to limit the Board’s influence was to segment its electoral process, allowing only certain constituencies to vote for certain pre-determined slots on the board.

USOPC funding long ago dwindled to a relatively small line item in USAW’s budget, “\$30,000 here, \$70,000 there,” “not a financial dependency on the USOPC.” One Board member noted, “the sport struggled to find revenue streams that are sustainable and consistent over time.”

### **35. Phil Andrews**

We heard from a Board member that Phil Andrews came to USAW “as an intern,” but most remember his early days as USAW’s Events Manager. In that role, Andrews is still praised. “You could see how he set up competitions, tirelessly, there from morning till night,” remarked one veteran coach.

Many noted initial skepticism about Andrews’s suitability for the CEO role given his age and lack of personal experience in weightlifting. Others were confident that a highly organized outsider with an MBA degree was the kind of leader USAW needed at the time. “It was really important to get an outsider to make changes,” one witness explained.

Andrews quipped, “We came in with a chip on our shoulder, something to prove.” Witnesses recall that Andrews was “super hungry” and willing to take “a substantial pay cut” over his predecessor.

### **36. Growth**

As noted in Section 23 above, USAW got an unexpected hand in climbing out of the hole dug by its Board. Within a year or two of USAW’s freefall, CrossFit exploded, bringing an upsurge interest in Olympic weightlifting and a nationwide demand for well-trained coaches to teach it. Around 2010-11, USAW’s membership ranks began to swell; some more seasoned members recall a tenfold increase over the years. Thanks in part to CrossFit, USAW’s coffers began to replenish, opportunities opened for coaches, and excitement mounted.

### **37. Philosophy**

Andrews advocates an “Athlete First” philosophy. “Athlete first became our mantra,” one staffer noted, no longer just “Olympic excellence.” According to one Board member, Andrews also broadened USAW’s reach, “funding for athletes of all ages and groups.” While some question whether this approach may have been too broad and insufficiently focused on Olympic success, others disagree. “Phil brought in the idea that America is world class” and set out to prove it. Still, this witness continued, “Phil embraced diversity. Tons of people are competing.”

Anti-doping was a cornerstone of the new Andrews administration, according to many witnesses. One who worked at USAW during this transitional time but who since moved to the USOPC remarked, “Phil has done a great job of turning the tide on doping.” “Juicing,” this witness noted, remains an existential threat to the sport.

Another key area for improvement at USAW, a number of witnesses explained, was to make its processes less political, more objective, and more transparent. “We have a long history of politics” in weightlifting, Andrews explained, “and it’s just not worth it.”

### **38. Culture**

USAW staff describe the atmosphere as casual (“Phil doesn’t wear suits”) but hard-charging and fast-paced. The office was redesigned, with a lounge for staff to work together. And work they do, by all accounts. Andrews describes his motto, his “hashtag,” as “It can be done.” As one staffer remarked, “we try to do as much as a large NGB.”

One staffer described the office culture as one where people “wear lots of hats.” “Speed” also matters. “It’s a very fast pace, with lots of change.” Sometimes, this staffer acknowledged, this “takes its toll on staff.”

### **39. Staffing**

Compounding the relentless pace of the organization is its relatively small crew of a baker’s dozen. Andrews began to “whittle down” the staffing, witnesses recall, to make USAW more focused, more efficient. “We’re pretty lean,” as Andrews describes it.

Of particular importance to many witnesses, USAW hired what many regard as the greatest living weightlifter as its Technical Director, Pyrrros Dimas. Mike Gattone serves as the Senior Director of Sport Performance and Coaching Education. Gattone is uniformly admired for his knowledge and demeanor (“an unbelievable ambassador in the sport, the most respected guy in the sport”). This is not to discount the rest of the USAW crew; indeed, we heard little or no criticism and much praise for other staff. “The organization is good,” noted one knowledgeable witness no longer at USAW, and “they are lucky to have kept the talent given the pay.” “They have the right people in place, they all mean well, the heart’s in the right place” even though, this witness observed, “they’re all outsiders – only Suzy and Mike are weightlifters.”

### **40. Results**

In the words of one Olympian, “Everything is so much easier” than it was when this witness joined the sport. “It is awesome to see the work the Board, Phil, the whole staff is doing.” “Weightlifting is doing really well as NGBs go,” another echoed. One former staffer summarized, “Progress... has been very good overall. [Andrews] put in a lot of things that were way more objective than before.” “The bones of the organization seem to have improved.” As one competitor noted, “to give you an idea, we had our Nationals in a skating rink” back in 2013”; now, “it is a different level of professionalism.”

For Andrews, success must be won not only at home, but also on the international stage. The culture now is one in which success has become an expectation. Gattone’s “hashtag,” Andrews notes, is “The New Normal.” “We are starting to win medals.”

#### 41. Acknowledged Areas for Improvement

Most witnesses remarked on Andrews's accessibility and work ethic. "He likes to take a lot on his plate." Delegation can be a challenge. Sometimes, a handful of witnesses noted, he is "overworked" and "doesn't have time." "He can be curt, but the man is *busy*."

#### 42. COVID-19 Impact

"We're all tired; it's been a difficult year," Andrews volunteered. Coaching courses have become particularly important in a year with few competitions, and this has taken its toll on some staff. USAW has tried to keep the plates spinning, offering new "hybrid" competitions tailored to the pandemic.

"Back in March," Andrews recalled, "we expected to win the most medals in any year" and "expected a fundraising bump," so it's "rough to be where we are" due to COVID-19. "We were hard hit with the Coronavirus this year," echoed a board member, particularly because USAW's revenue depends in large part on events and instructional programs. "We've taken a big hit."

#### 43. Succession

Many knowledgeable witnesses explained how NGB staff tend to change jobs after an "Olympic quad." Some openly worry that reform efforts in NGBs can be "like making sandcastles close to the water." If reformers move on, "it can all wash away," with the "same people taking over" again. This is "a common experience" in NGBs, an insider observed.

Andrews is open about the challenge of leadership change. "The biggest thing I raise with the board is a succession plan, especially because we work with quadrennials." Moreover, as a Board member explained, USAW's rolling elections mean that "we will refresh 50% of the Board in the next four years."

As one vaunted legend remarked about the risks to the organization, "USAW is not easy to govern, to manage. It's a diverse organism, a living organism that has so many diverse opinions, philosophies, ways of training. They have a mission, but I'm not sure all members are aligned with it."

### **Background on DEI at USAW and in the Sport**

#### 44. USAW DEI Initiatives

Owing in part to ongoing challenges with the architecture and functionality of the USOPC website template for all NGBs and the flood of emails and social media activity these days, many members of the weightlifting community told us they were unaware of USAW's specific efforts with respect to diversity and inclusion. A summary is offered below; many were announced or implemented in the past two years.

The summary also includes the most recent available information regarding USAW's response to the December 2020 DEI Audit by Ashland Johnson of The Inclusion Playbook, publicly posted on the USAW site (<https://www.teamusa.org/USA-Weightlifting/Diversity-Equity-Inclusion/Reports-Audits>)

(hereinafter, “2020 DEI Audit”) Specifically, USAW completed 21 of 26 recommended action items as reflected in a publicly-posted “DEI Audit Tracking” spreadsheet. (*Id.*)

USAW created a “Diversity, Equity & Inclusion Hub” (<https://www.teamusa.org/USA-Weightlifting/Diversity-Equity-Inclusion>) now on the organization’s homepage highlighting the DE&I Action Plan and offering button links to the following: Reports and Audits, DE&I Action Plan, BIPOC Resources & Scholarships, HBCU Mentorship Programs, Racial Injustice Guide, Weightlifting Pride, Transgender Athlete Policy, Women in Weightlifting, Female Referee Fund, Hardship Fund, Equitable Hiring Practices, and Athlete Wellness Program. Links are also offered for Combatting Hate, Implicit Bias, Racial Justice, RISE Curriculum, and “Report a Concern.” The “Report a Concern” button invites those who have generally “witnessed something that goes against our values” to learn more about USAW’s complaint procedures.

#### **45. DEI Initiatives: Governance**

In 2017, USAW amended the Bylaws to require gender balance on the Board of Directors as well as a commitment to diversity. Specifically, the Bylaws confirm “the desirability of diversity at all levels of USAW, including among the membership of the board and among its athletes.” (Section 6.3) The Board committed to “develop and implement a policy of diversity at all levels, supported by meaningful efforts to accomplish diversity” and “develop norms that favor open discussion and favor the presentation of different views.” (*Id.*)

Also in 2017, USAW also created its Diversity & Inclusion Committee; the Board is currently considering an amendment to the Bylaws allowing the Board to appoint members to the D&I Committee rather than have Committee members chosen by popular vote.

In December 2020, USAW updated its Mission Statement “following five months of work between our board, our staff, and our community.” Specifically, “the new mission statement... expands on USAW’s desire to further develop the weightlifting and strength community by fostering an environment that is diverse, equitable, and inclusive. Simply, weightlifting is for anyone; anywhere.”

Late last year, the organization welcomed its first Black member of the Board, Independent Director Shameeka Quallo. Quallo is a lawyer with particular experience in compliance, professional sports, and diversity, equity, and inclusion matters. She also serves as the Board Liaison to USAW’s Judicial Committee, its Marketing Commission, and its Legal Committee.

In keeping with recommendations from the 2020 DEI Audit, USAW has partnered with a search firm to continue identifying diverse candidates for open Board positions.

#### **46. DEI Initiatives: Strategic Plan 2021-2024**

USAW’s Strategic Plan for 2021-2024 identifies “Inclusive” as one of the organization’s five Guiding Principles: “We welcome and embrace members of all backgrounds, origins, identities and beliefs, recognizing the importance of making our diverse membership feel respected, included and a valued part of our sport and community.”

The current Strategic Plan also commits to, among other things, “a 10% increase in BIPOC Athlete Numbers, a 20% Increase in BIPOC Coaches & Technical Officials, a 20% increase in Female Coaches.”

#### **47. DEI Initiatives: *Policies and Procedures***

In 2016, USAW announced its Policy for Transgender Inclusion and updated its language in March 2021. USAW separately implemented the Adaptive Athlete Competition Requirements for people with disabilities.

Last year, USAW announced the adoption of its version of the NFL’s “Rooney Rule,” now posted on the “Employment & Internship Opportunities” webpage: “USA Weightlifting provides all candidates equal opportunity for employment through blind resume review and by ensuring the top four candidates are composed of at least one female candidate and 2 BIPOC candidates to promote the inclusion of diverse talent at the highest level.”

In response to the DEI Audit noted above, USAW updated the following policies and procedures among others specifically identified elsewhere in this summary: the Staff Handbook was revised to include updated terminology for sexual orientation and gender identity and address salary transparency concerns; job postings widen qualified applicant pools by adding “or equivalent experience” to degree requirements; paid leave practices have been updated; and updated member forms in BARS offer options for more inclusive terminology with respect to gender identity and preferred pronouns.

USAW also adopted a “best practices” Athlete Protest Policy recognizing the right of every athlete to “advocate for social and racial justice” “peacefully and within the confines of the rules of the sport so long as the protest does not interfere with other participants...or the competition generally.”

#### **48. DEI Initiatives: *Infrastructure and Budget***

Although USAW has no dedicated DEI staff member, these responsibilities have been assigned to one staff member, Director of Culture, Community, and Outreach Suzy Sanchez. USAW is now tracking staff hours and DEI-related costs to begin developing a “dedicated DEI budget” as recommended in the 2020 DEI Audit.

#### **49. DEI Initiatives: *Internal Training***

In January, USAW’s Board engaged in a DEI training session and has retained outside consultants for yearly Board training going forward. In connection with the 2020 DEI Audit, USAW also established and retained outside consultants for yearly staff training.

#### **50. DEI Initiatives: *Data, Tracking, and Analysis***

In addition to the 2020 DEI Audit and USOPC D&I Scorecards, USAW has included DEI-related questions in its annual member survey since 2017.

### **51. DEI Initiatives: *Direct Financial Support***

USAW has implemented multiple programs to encourage broader participation in all levels of the sport, including: the Coach Education BIPOC Community Scholarship Program; the Women in Coaching Scholarship Program; the Black Community National Referee Fund; the Entry Fee Hardship Fund and Scholarship Fund; and the Female Referee National Testing Assistance Fund.

### **52. DEI Initiatives: *Athlete and Coach Mentoring Programs***

As part of its “Women in Weightlifting” initiative, USAW created a mentoring program with a directory of 16 female mentors offering over 40 “mentorship slots” to help “connect members with coaches, club owners, technical officials and athletes” to “elevate our existing female leadership in the sport and help grow the number of coaches, club owners, meet directors, and technical officials.”

### **53. DEI Initiatives: *Pipeline Programs and Community Engagement***

After USAW’s withdrawal from the Olympic Training Center Resident Athlete Program in 2016, the organization donated equipment to USA Weightlifting clubs that primarily support underserved communities.

USAW also launched a Community Development Training Site program to help grow the sport at the grassroots level by recognizing clubs with active outreach programs. Currently, there are 23 sites nationwide (three sites in the Northeast region, seven in the Southeast, six in the Midwest, three in the Southwest, and four in the West). USAW also posts guidance on “How to Start a Community Outreach Program.”

Last year, USAW implemented the USA Weightlifting – HBCU Mentorship Program seeking to expose students of two Historically Black Colleges and Universities to the “administrative and governance side of sports organizations in the Olympic movement.”

USAW recently posted a “Membership Services Internship” and targeted related publicity to HBCUs and DEI job boards.

Sanchez, Andrews and other USAW staff regularly participate in the USOPC annual FLAME program (Finding Leaders Among Minorities Everywhere) that brings undergraduate and graduate students of color to the Olympic Training Center in Colorado Springs to learn more about career opportunities in the Olympic and Paralympic movements.

### **54. DEI Initiatives: *Affinity Groups and Camps***

In addition to launching a club for female lifters who are unaffiliated with a coach or team, USAW established an annual women’s weightlifting camp to provide an opportunity for female weightlifters to improve their lifting and coaching skills and foster community and solidarity.

## **55. DEI Initiatives: *Procurement and Contracting***

USAW recently updated its contracting policies to confirm that the organization “encourages and supports Black, LGBTQIA+, and other minority owned businesses to submit vendor applications for inclusion into our preferred vendor program for minority owned businesses.”

An explicit Anti-Discrimination Policy is now required for all USAW competition venues “to ensure all athletes, spectators, coaches, members and stakeholders are protected from discrimination” by incorporating the policy and a detailed questionnaire into existing RFPs and future bidding processes.

## **56. DEI Initiatives: *Guidance and Resources***

USAW published its “Diversity Playbook” and Diversity, Equity and Inclusion Action Plan for 2020-2024, articulating goals and associated programs for increasing the number of women and BIPOC coaches.

The USAW D&I Committee, in collaboration with Sanchez, published a Racial Inclusion and Social Justice Guide to provide resources to local clubs on issues of diversity and inclusion.

The DE&I Hub now includes, as part of the USAW Learning Academy in the BARS membership platform, access to ten curriculums developed by the Ross Initiative for Sports Equality (“RISE”). The DE&I Hub also links to The Ohio State University Kirwan Institute for the Study of Race and Ethnicity four-module implicit bias training program; the Impactree Racial Justice Action Hub; the Boston College Racial Trauma Toolkit; online Bystander Intervention Training by Hollaback.org; the Asian American Federation’s Anti-Hate Safety Resources; and the Asian Mental Health Collective’s resources for mental health.

USAW also created a free “Athlete Speaker Series” that is addressing, among other topics, “Creating Inclusive Environments for LGBTQIA+ Athletes,” “Recruiting Diversity and Benefits of Diversity in Your Club,” and “Athlete Perspective as an Athlete of Color, an Athlete of Low Vision, and an Athlete with Albinism.”

## **57. DEI Initiatives: *Statements and Solidarity***

USAW has issued a variety of press releases, statements, and demonstrations of support for underrepresented communities including: leadership among NGBs in modifying the USAW logo in honor of Black History Month and Pride Month; feature stories on “USA Weightlifting Celebrates African-American Legends,” “Hispanic Americans that Have Shaped USA Weightlifting” (also posted in Spanish), “18 Women who Shaped Women’s Weightlifting,” and daily posts during Black History Month honoring African-American contributors to the sport.

## **Ongoing DEI Challenges**

### **58. Call to Action**

As one new USAW Board member observed, “there’s no magic bullet” for enhancing organizational diversity and inclusion. It requires a loud statement of commitment from leadership, followed by accountability throughout the organization.

As noted in Section 45 above, USAW updated its Mission Statement to confirm that the organization “is committed to support, promote, and educate a diverse and inclusive community of weightlifting.” It also created a “Diversity, Equity & Inclusion Hub” webpage and a separate Action Plan. In the introduction to the Action Plan, CEO Andrews and Board chair Paula Aranda confirm USAW’s “priority to make our sport available to ‘Anyone, Anywhere,’ regardless “of their socio economic status, race, religion, sexual orientation or any other matter.”

A surprising number of witnesses were unaware of these initiatives, however. Many complain, some bitterly, that they use the webpage less frequently these days due to ongoing navigability and searchability frustrations with the USOPC-standard format; USAW plans to move to another web platform at the end of this year.

### **59. Proactivity**

A number of witnesses, particularly those of color, questioned whether USAW has been “reactive.” “Honestly,” Andrews noted, “we tend to focus on three things” at a time, and DEI was not at the top of the agenda “five years ago” even though it is now. Like many other companies and non-profits around the world, USAW ramped up efforts in response to headlines in “the past year.” As one staffer noted, “Minneapolis opened the eyes of many, certainly our eyes.” “We asked, are we doing enough to walk the walk?”

USAW’s Board chair credits Andrews “as the one who raised the need for Board discussion around what we can do to continue to improve D&I.” A DEI expert working in Olympic sport observed, “In my assessment, Phil was *ready to go*.”

Witnesses report that the discrimination claims like those prompting this investigation are unusual at USAW, with none in recent memory. Indeed, the 25 most recent reported Ethics Committee decisions involve no race discrimination claims. (<https://www.teamusa.org/USA-Weightlifting/Membership/Ethics-Judicial-Committee-Cases>)

### **60. Historical Background of DEI in the Sport**

Multiple witnesses spoke to longstanding traditions of non-discrimination in weightlifting. Older athletes and coaches, in particular, point to the legendary John Davis, whose accomplishments are described above in Section 21 above. Witnesses also praised many more recent champion weightlifters of color, of course including the best-known Olympians. Finally, many noted that weightlifters of color have long been well represented in the highest echelons of the sport, including the Olympic Games. “We’ve had African-Americans on teams each year,” one legendary coach noted.

Likewise, many spoke of the welcoming nature of the weightlifting community: “there is a strong communal feeling based on the hard work and dedication the sport demands.” Many weightlifters of color recounted stories of having been welcomed to the sport “with open arms,” or words to that effect. Resident athletes at the Olympic Training Center tended to be particularly effusive about their experience living and training with its diverse mix of elite weightlifters from around the country. “It was the best time of my life,” they frequently reported.<sup>7</sup>

While the overwhelming majority of weightlifters, including those of color, reported few if any recent examples of racism in the sport, we also heard that weightlifting can be “welcoming” but at the same time “not inclusive.” Some witnesses also spoke to broad, societal concerns regarding implicit bias, systemic inequality, and other inherent disadvantages disproportionately borne by people of color that inevitably also impact the sport as discussed further below.

“I just want to help make the sport better,” witnesses nearly always told us at the end of their interviews, but they were often nonplussed when asked, “How?” As one notable lifter of color despaired, “I’m not sure what else we can do; fix America?”

## 61. Choices

Particularly thoughtful witnesses impressed on us that – unlike unlawful discrimination – DEI is less about “yes or no” (“right or wrong”) than about *choices* that can lead to predictable results, good or bad.

In this respect, weightlifters may have a unique advantage. They told us how discipline – that is, everyday choices – matter so much in this sport because success depends on setting goals and inching towards them methodically, relentlessly. Just as there are “no shortcuts” to success in weightlifting, diversity and inclusion admits of no timesavers, no magic bullets, no ‘one and done.’

As one DEI expert analogized, “it’s like dieting.” It is the “pattern,” not the patter, that makes the difference. “You have to know how to operationalize, make it systematic.” Competitive weightlifters surely understand this. As one champion weightlifter told us, the challenge is not just choosing to work out, but choosing to work out “on a Friday or Saturday night” when “others are going out” instead.

Similarly, progress on diversity and inclusion is perhaps best understood as the sum total of many choices, decisions ranging from the mundane, thoughtless, and unarticulated to the agonizing. Part of the challenge is that some shrug off what others see as consequential. We heard witnesses of color exclaim “I don’t see race at all” while others warned, “you see what you want to see.” “Race is always entangled.”

## 62. Culture

To recap Sections 11-26 above, weightlifting is deeply personal, a way of life. People generally do not aspire to be weightlifters; they “stumble upon it.” They joke about its paltry financial rewards and

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<sup>7</sup> One weightlifter of color who trained with resident athletes at the OTC but has since left the sport, however, candidly recounted personal stories of, among other things, jealousy, less-inclusive behaviors, and an organization that appeared to “care about you when you’re doing well.”

tight budgets. Discipline, precision, time, money (or, more typically, the willingness to forego its pursuit), and effort are essential. The sport draws largely from the coasts and has humble, blue-collar, largely suburban roots here, with a history of domination by white faces in the sport's coaching, technical, and administrative ranks.

Women arrived on the scene so recently that many remember their stunning debut but now cannot imagine weightlifting without them. This is a "tiny" sport that can be done at home alone, no teams or stadiums required. Few would label weightlifting as elitist ("I'm a blue collar guy, not an equestrian"), but all confirm that the sport is hierarchical and, by necessity, ruthlessly achievement-oriented.

Rules can be complex and ever-changing. Coaching matters, and elite athletes choose their own elite coaches (who can only get to the top by coaching top athletes). Anti-doping surely unified Team USA but also contributed to a long medal drought and reduced its athlete quotas in the Olympic Games.

All of the attributes, these factors, figure into USAW's diversity puzzle.

### 63. Status Quo

It is not surprising that witnesses immediately think of minority *athletes* when asked about diversity in the sport, but only modest prompting is required to confirm that there is significantly less diversity in the coaching, referee, and administrative ranks.

With rare exception, coaches at the highest level of the sport are jokingly described as "old white guys" (indeed, some of the jokers *are* old white guys). Women, particularly those who identify as Hispanic, are more involved in the management of the sport than ever, but USAW's overseers nonetheless include relatively few people of color and no Blacks until recently.

We cannot overstate the importance of this lopsidedness. Showcasing athletes of color is always important because it gets new people in the door –interest in coaching, refereeing, or managing usually comes later, even after an athlete retires. But every witness agrees on the problem of having relatively little diversity – particularly with respect to Blacks – among *the leaders, the experts, the deciders, and the planners in this sport*. One young competitor of color poignantly observed, "I know only two Black referees... there are girls seeing only older white men judging."

USAW is trying to diversify its staffing in a number of ways, including outreach to HBCUs with sports administration degrees. Athletes and coaches of color are also being recruited to learn how to gain certification as a referee, or "technical official."<sup>8</sup>

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<sup>8</sup> One coach-athlete of color was delighted to receive such an invitation via email, but had difficulty navigating the website to learn how to become a national referee. Indeed, USAW's general website menu offers tabs for, among other things, "Athletes," "Coaches," "Members \* Clubs," and "Join," but no obvious choice for information on how to become a technical official.

## 64. Ripple Effects

Widespread whiteness, without more, does not prove discrimination. However, a homogenous status quo – particularly one with little or no representation of Blacks – can have predictable ripple effects on diversity and inclusion.

First, small nonprofit organizations like USAW often have “institutional knowledge” that one Board member described as “handed down” from previous generations of directors and administrators. There is nothing discriminatory about undocumented history, but it can discourage the *underrepresented* from getting involved when mystery cloaks an organization’s norms, expectations, and way of doing things and the keepers are all of a different color. Worse, rank and file members of the organization, one recent addition to the Board noted, may have no idea how the directors actually work together to “make hard decisions” in a fair and principled way.

Second, disproportionate representation in a power structure creates inevitable pressures to conform. Some told us of a Black weightlifter who was criticized for wearing face paint on the platform because it was considered “disrespectful,” or words to that effect. “Disrespectful to whom,” one (white) coach asked testily in his interview. The establishment? Times change, often because people refuse to conform to the status quo. They *try* to break barriers. They *try* to attract new people, new voices, new ideas. Hopefully, they bend organizational trajectories for the benefit of all – and particularly those who were not at the table before. As one Black weightlifter analogized, “Don’t welcome us to the sport but ask us to keep things the same, ask us in and make us attend the same old party.” USAW is cognizant of the need to hear different voices, even when the message may roil the status quo. As discussed in Section 47 above, USAW adopted a “best practices” Athlete Protest Policy recognizing the right of every athlete to “advocate for social and racial justice.”

A third inherent challenge with a relatively homogeneous status quo is expecting someone in an underrepresented group to speak up with candor to the majority in power. Some outspoken minorities courageously do. But it is all too easy for people of color to keep silent when, as witnesses told us, they see “no one like me” in positions of authority. USAW was led by an Executive Director of color from 2002-06, but that was several administrations ago. Meanwhile, USAW backslid to less racial diversity even though the representation of women in leadership soared, particularly those who identify as Hispanic. USAW’s elected Diversity & Inclusion committee includes no people of color.

Fourth, relatively homogeneous power structures can, without effort or intention, incubate implicit bias and self-censorship. People of color may be inclined to edit themselves, pulling their punches when speaking to white authority figures, assiduously avoiding references to “racism,” “discrimination,” “white privilege,” or “social justice” in the name of “civility,” cooperation, and flattery. On the other side, we should not be surprised when those topping predominantly white hierarchies have trouble fully understanding the concerns of people of color. Often, those in control resent any implication of racial bias, much less accusations of racism. As one Black athlete told us about others of color who flatly deny the existence of racism in Olympic sport, “you see what you want to see.” That is surely also true for the many white coaches, referees, and administrators occupying positions of authority in this sport.

Fifth, those in relatively homogeneous power structures may have difficulty understanding how their own actions (or inaction) might be interpreted by those from different backgrounds. Every witness

told us USAW is “tiny,” that the staff works tirelessly to manage frequent competitions (and everything else) smoothly behind the scenes. Many joke that Andrews is “too accessible.” The ‘can do’ culture Andrews has inculcated at USAW can, however, only do so much with a staff of just over a dozen full time employees. Time can be short, tempers may flare in high-pressure competitions, things can fall through the cracks. Personalities and temperaments vary (we heard of “European bluntness”). A white athlete or coach will probably never question whether his or her race has anything to do with a brusque email or impatient comment; centuries of injustice, however, do make people of color wonder.

Sixth, a status quo that includes few minorities sometimes perpetuates unintended legacy effects that can hobble the underrepresented even if no discrimination is involved. For example, we found credible, non-discriminatory policies and procedures with respect to designating “Instructors,” those who teach coaching. To avoid confusing overlaps and competing courses, USAW limits Instructors by geographical region. Similarly, the highest level of coaching certification requires experience bringing world-class athletes to the biggest international events, but those elite athletes choose their own coaches; these decisions are subject to the usual implicit and explicit biases. Moreover, USAW norms and ethical rules discourage poaching another coach’s athlete, even if it could be a perfect match.

Although not by design, these sensible structures are inherently conservative, favoring those at the top. Some coaches of color, particularly those without Olympic credentials, talked frankly of the challenge “breaking in” to the network, “the club,” and getting around the “chicken and egg” problem. Because they do not conform to the “old white guy” stereotype for elite coaches, they feel a need to “prove themselves more,” to “work harder” to be viewed as equal despite their excellent teaching skills and advanced degrees.

Some Black coaches are particularly frustrated that USAW’s Coach Directory has never gotten off the ground; apparently, BARS has little support for this functionality. (<https://www.teamusa.org/USA-Weightlifting/Coaching/Coach-Directory>) Currently, there is no official USAW list, much less a platform, that would enable coaches to post their credentials, experience, testimonials, language skills, and photographs.<sup>9</sup>

## 65. Localism

Witnesses told us how much weightlifting takes place at the local level, in gyms and clubs across the country. Many facilities are shared or subleased from CrossFit megaplexes. Like America more generally, some locations have far less diversity than others (as one athlete of color noted, “it’s great” to see diversity among “top lifters” in the sport, “but in your home gym, you’re not seeing those people”).

All weightlifting facilities must be certified by USAW for their members to compete in Olympic-style weightlifting events, but local outfits are independently owned and operated. USAW regulates them mostly by requiring their coaches to abide by USAW’s Code of Conduct and Code of Ethics. USAW representatives explained that the majority of complaints under these policies actually arise in local gyms and clubs, and many such problems can be handled informally and on a case-by-case basis

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<sup>9</sup> Likewise, USAW’s “Referee Directory” is under construction. (<https://www.teamusa.org/USA-Weightlifting/Referees>)

(and, we generally heard, effectively).<sup>10</sup> Violations and sanctions against individuals can, of course, affect the whole club – typically, Andrews explained, “the club closes down.”

Not surprisingly, local gyms and their coaches can also have very different attitudes towards diversity and inclusion. Some, a DEI consultant noted, are touchy. When DEI advice or assistance is offered, defensive local gym owners and coaches may interpret the suggestion as an accusation of racism and disengage.

One coach of color spoke to another “local” challenge: state-level competitions outside of USAW’s purview. This witness coached a young Black male athlete who was disqualified for “not having his singlet,” while a “white girl who overslept and had car trouble missed her weigh-in but somehow was still able to compete and she medaled.” This was the fault of “state level referees, not USAW,” the witness disclaimed, but that does not make the frustration any less real or concerning for the sport.

Indeed, every new USAW member’s seminal experiences will likely occur at their nearby gym or club, far from the rarified atmosphere of national-level competitions tightly managed by the sport’s highest professionals. “It’s gym by gym,” we were told, so your experience may vary. Some weightlifters, particularly those from more “intersectional” backgrounds, report repeat frustrations in finding a place to lift where they feel “comfortable” and truly welcome. “Nobody would talk to me.” When these minority-within-a-minority weightlifters do find a good fit, “the vibe is great” with “an air of excellence” that “brings out the best in people.” Thus, as one weightlifter explained, “diversity starts at the club level,” but it can also “crumble” there.

Witness after witness explained how the “decentralization” of the sport after the 2016 termination of USAW’s resident program at the Colorado Springs Olympic Training Center had a profound impact on athletes, particularly those from disadvantaged circumstances. Some surely benefitted because decentralization meant they could train near home, close to friends and family. Others explained with evident emotion that *leaving* their neighborhoods changed the arc of their lives (“it was my first plane ride”). Moreover, all of the resident athletes at the OTC were under the watchful eyes of USAW coaches and high performance directors and roomed with other weightlifters from a deliberately diversified group. By contrast, elite athletes today are scattered across the country, more atomized than before. As explained by USAW’s Senior Director of Sport Performance & Coaching Education, the organization now relies on local coaches to train and develop Team USA athletes in the first instance.

## 66. Coaches

Some particularly thoughtful witnesses of color pointed to the “significant drop-off in women and coaches of color after Level 2.” Although *all* coaching progress “drops off after Level 2,” this witness surmises that some coaches face particular obstacles even if USAW is not to blame.

Coaches of color who took advantage of USAW’s minority coaching scholarships praised the support and activism represented by these awards (“money takes away a barrier and says you are

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<sup>10</sup> One incident involving a local gym was mentioned by several witnesses. Apparently, a white female weightlifter complained of racist, sexist, misogynistic behavior at her local club, prompting a “mass exodus” of USAW members. The nature of the allegation triggered SafeSport concerns and procedures outside of USAW’s control, but Andrews also brought the matter to the attention of the Board.

welcome”), but some problems cannot be solved by cost-cutting. In reality, one coach of color explained, “few can earn a living as a full time coach,” particularly if they did not rise to fame as Olympian athletes.

The problem for some coaches of color, one explained, is “not discriminatory, but economic.” Many “don’t have *enough time* to coach.” Whatever the reasons, the impact is clear: as one coach of color observed about a USAW coaching video, “here we are, learning from ‘the best of the best’ and there are no Black people.”

## 67. Demographics

Looks can be deceiving, observed one USAW administrator. “There was a perception about the sport that it’s a bunch of guys lifting weight. But that doesn’t reflect our true membership.” He added, “Phil wanted to celebrate our differences.”

Nonetheless, USAW lacks robust, easily processed demographic data on its membership, like many other NGBs (and particularly those which followed USAW’s lead in implementing the same Sport:80 software platform). Optional demographic information can now be provided at a member’s discretion, but relatively few members do so (“about a thousand”); some witnesses of color also noted understandable data privacy concerns that can discourage participation. Promised upgrades to BARS are challenging in part because they apply to other NGBs who also adopted the same software platform.

USAW’s annual member survey also seeks information relating to diversity and inclusion, but the tool’s effectiveness is hampered by a “25-30% participation rate.” All witnesses acknowledge, however, the importance of tracking USAW’s membership trends to help spot problems and opportunities. In this regard, USAW is just off the starting line. USAW’s Director of Culture, Community, and Outreach Suzy Sanchez is well-versed in data analytics. For her, October 2020 is “my year zero.”

While athletes and coaches are all captured in the membership database, another obvious important source of demographic information – small as it is – is USAW’s own staff and Board. The USOPC developed a “diversity scorecard” for each NGB tracking progress and benchmarking against other NGBs.<sup>11</sup> USAW is generally in the top third on benchmarks and expects to go higher given its recent DEI-related successes.

Additional demographic information on USAW and its membership was separately gathered and made available to the public in the December 2020 DEI Audit conducted by Ashland Johnson of the Inclusion Playbook (<https://www.teamusa.org/USA-Weightlifting/Diversity-Equity-Inclusion/Reports-Audits>). Generally, the data reflect more gender diversity in the athlete ranks, on the Board, and in

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<sup>11</sup> The D&I Scorecards were developed in response to Section 220511 of the Ted Stevens Olympic and Amateur Sports Act, which mandates USOPC reporting to Congress every four years regarding, among other things, information on the participation of women, military veterans, disabled individuals, and racial/ethnic minorities in NGB athletic, governance, and management activities. Scorecards from 2013 to 2019 are available at <https://www.teamusa.org/diversityscorecards>.

Thoughtful witnesses explained that USOPC scorecard data are “self-reported,” and some NGBs “interpret questions differently from others.” More problematic to Andrews, the D&I Scorecards measure representation in certain categories (People of Color, Women, Persons with Disabilities, and Military Veterans) and not others (transgender, LGBTQIA+).

USAW staff; less representation is seen for People of Color, less still for those who identify as LGBTQIA+ (which, USAW representatives surmise, is underreported).

Few witnesses, however, were yet aware of the December 2020 DEI Audit or even the USOPC D&I Scorecards dating back to 2013. Many do not know that USAW demographics are similar to other NGBs, although notably better with respect to the representation of women (“over 50% women are members of USAW; that’s very surprising, and a cool thing”).

According to a former USAW sport administrator who has since moved on to the USOPC, “Phil brags of USAW’s diversity,” and “it is hard to rival for other NGBs.” Indeed, he considers weightlifting as “a bit of a melting pot” compared to other Olympic sports.

## 68. Intersectionality

One message we consistently received from some witnesses of color (and few others) is sensitivity to “intersectionality,” a conceptual framework developed by critical race theory and legal scholar Kimberlé Williams Crenshaw to better understand how different aspects of a person’s political and social identities combine to create advantages and disadvantages.

These witnesses spoke to how sex, sexuality, class, and physical ability, among others, affected their comfort level at gyms and, indeed, their view of the sport itself. They have become woefully accustomed to having to explain how traditional interpretations of race assume that all “Blacks” should be grouped together when some identify as multiracial, of different ethnicities, as women, or as LGBTQIA+.

One telling example of intersectionality arose in a USAW women’s event, where “almost everybody was white.” Black women, one witness of color explained, can have very different experiences from white women; treating them as all the same can ignore these important differences. Such differences can include, for example, “different body image dissatisfaction” issues owing, in part, to “how the media portrays women.”

## 69. Budgets and Bandwidth

“Money” threads through every discussion of diversity and inclusion in the sport. Obviously, many witnesses explain, the “biggest barrier to diversity and inclusion is money.” As DEI experts outside the organization note, diversity and inclusion talk is cheap and action can be very expensive, sometimes surprisingly so.

At the top of the funnel where athletes enter the sport, coach after coach spoke of the challenges of competing with basketball and football for new talent. As one coach of color explained, “A mother tells me: you want my son *not* to play football? He’ll get a ride to a D1 college.” By contrast, the coach continued, “I can count on one hand” the schools offering weightlifting scholarships.

One of the greatest challenges in non-profit organizations like USAW, we were told by knowledgeable witnesses, is spending limited resources wisely. USAW is a small organization with a budget that goes largely to managing competitions, athlete stipends, athlete support payments, coaching instruction, and staff salaries. Unlike the largest NGBs or the USOPC, Andrews explained, USAW has no “DEI department, no DEI director.” Day-to-day responsibilities for diversity and

inclusion fall to Suzy Sanchez. As one of Sanchez’s colleagues explained, “diversifying is on everyone’s radar [but] the biggest challenge is bandwidth,” given USAW’s lean staffing and the “majority of the budget” going to “the high performance department.”

Andrews is eager to embrace many ideas in the diversity and inclusion space, but he also is responsible for keeping the organization out of the red. When asked if USAW would consider hiring an “ambassador” to help bridge a gap with athletes and coaches of color, Andrews noted that “none of the 56 NGBs have a full time athlete ambassador.” Clearly having thought about such an innovation, Andrews explained the real-world challenges of creating new positions, choosing people to fill them in a legally compliant fashion, anticipating turnover, and assuring the long-term funding needed to guarantee reasonable job security. Still, one staffer remarked, “I’ve never proposed something in D&I that has been shot down.” As one coach of color noted, “anything I want to do, they’ll put lights to.”<sup>12</sup>

Again, as noted at the outset of this section, DEI experts explained how efforts must be supported with resources – people and funding – when both may be in short supply. Tradeoffs are inevitable, but many witnesses are hopeful that certain USAW DEI initiatives have already attracted targeted donor support – most notably, minority scholarship programs – and that this philanthropic trend will continue.

## 70. Equality and Systemic Disadvantage

In a sport populated by self-described literalists and dominated by the unforgiving reality of making a total or not, our general non-discrimination Findings 2-14 below may be unsurprising. This is particularly true for those who witnessed the “bad old days” of the “good old boys.” That era, one Board member explained, was “loosey-goosey,” marked by “favoritism.” For this reason, “inclusivity was not just a nice idea, but a way of moving to the future, a better place.”

By all accounts, politics and preferences have yielded over the years (particularly in the past five) to far more objective, logically-defensible outcomes. As one highly respected weightlifting expert for Team USA explained, he always tries to explain difficult decisions “on the numbers” because he knows how upsetting they can be for these hard-working, dedicated, and ambitious athletes.

Indeed, frequent descriptors of this sport – “rule-based,” “metric,” “cut-and-dried” – are often found in other perceived meritocracies (think: standardized test scores, grading curves, performance bonuses, Key Performance Indicators). In such organizations, the theory goes, winners and losers are separated only by their talent, training, ability (and, some admit, luck).

In reality, however, some weightlifters of color – and, most notably, coaches working in disadvantaged communities – told us that some athletes arrive at meritocracy’s doorstep burdened by social, societal, familial, educational, and financial disadvantages. We heard heartbreaking stories of talented weightlifters – many, but certainly not all of color – who fell by the wayside because they did not have the “scaffolding,” the support networks, the advice, the money, the

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<sup>12</sup> One weightlifter recounted a somewhat different experience. Her proposal for an academic research project on USAW membership was initially met with “excitement” but ultimately did not gain traction due to timing problems; she and USAW later did engage on DEI-related programming.

sympathetic coach, or other navigational assistance to help steer them through a new, unfamiliar, and complicated world –and, at the same time, weather all of the “normal” vicissitudes of life.

To put systemic disadvantage in perspective, many weightlifters told us how “a little can mean a lot” on the sport’s weigh-in scales and competition platforms. As one coach explained, “snatching, cleaning, jerking, and sprinting use 90% of our available neurological resources.” “When you’re stressed,” he continued, “some of those resources have to go to dealing with stress.” Thus, the coach concluded, reducing your weight by “one kilo,” for example, “can mean a lot.” If one kilo can mean the difference between success and “bombing out,” surely one’s additional life burdens and disadvantages can, too.

Indeed, in a perceived meritocracy governed by clear rules and standards that sharply separate the winners from the losers, competitors – and especially those winners – are probably inclined to ignore the invisible weight plates that some lifters find on their barbells. We naturally assume that equal energy is required to lift the same barbell, and it certainly *looks* that way to spectators. So we heard comments from witnesses like this: “He bombs out.” “Snatches well, can’t make the totals.” “Has a history of not being able to deliver at the big meets.” “Just didn’t progress.” “Talented, but a disappointing career.” Some particularly thoughtful members of the weightlifting community reminded us, however, to ask “Why?” They know that the standard “meritocratic” answer – “didn’t work hard enough” – is not always true.

This tension between the reality and perception of meritocracies may explain the disconnect we also found in many interviews with athletes and coaches of color. On the one hand, some of the most vocal advocates for social justice in this cohort noted how – particularly in investigations just like this one – they feel as if they are being asked to “prove” or “justify” that “systemic racism exists.” “There is systemic racism in *every* institution,” one observed. On the other hand, many witnesses of color offered a contrary perspective: “it’s all on you; no one picked me because of my race, there’s no reason to believe that [race] is an advantage or a disadvantage.” “It’s a pretty even [playing] field.”

## 71. Broader Culture

Some witnesses of color frankly recounted their experiences with “microaggressions,” for which they blame the broader culture far more than USAW. “People say dumb things,... especially when they aren’t around people of color much.” (For example, witnesses of color told us of how people often assume that the handful of Black members of a gym all know each other.) “Just offhand comments,” witnesses would mention dismissively and without detail. “Every now and then, we get a kid who is so sheltered, they don’t get it, and I say, hey, that’s racist, that’s rude.”<sup>13</sup>

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<sup>13</sup> In one of the few racially-tinged incidents we heard about in this investigation, a white junior weightlifter was apparently goaded by athletes of color into using a racially derogatory term popularized in rap music. Another athlete of color present for the dare took offense. Still another told a parent, who complained. Ultimately, multiple coaches, including coaches of color, learned of the incident. An outside investigator frequently involved in Ethics Committee complaints interviewed eyewitnesses and prepared a four-page report. Because the facts were undisputed, the investigation focused primarily on the emotional impact of the incident on the athlete of color who witnessed the remark and was upset by it; apparently, no other athletes of color (including the daughter of the complainant), were interviewed. That daughter, however, was scheduled to share a room with the respondent in an upcoming competition. According to Andrews, the respondent was “a kid,” upset, remorseful, and apologized; roommates were switched; the complaining parent was generally informed of the outcome of the investigation but not, in hindsight, to the complainant’s satisfaction. Communication is almost always an issue in these matters.

## 72. Recriminations

Even though metrics are “true” and many witnesses dismissed allegations of discrimination as simple mistakes, misfortunes, and misunderstandings, *all* such arguments sidestep emotion. Indeed, that is the point. “You lift it or you don’t” explains one aspect of the DEI problem and *explains away* another. As one witness sympathetically observed, “the emotional part for these guys hasn’t been addressed.” Others, including but certainly not limited to athletes and coaches of color, acknowledge, “these are important issues.”

## 73. Elitism

As noted above, members of the weightlifting community are of different minds on whether it is a “true” meritocracy. A related tension arose in our discussions about elitism in the sport. Witnesses disagree on the few-versus-many problem. Should USAW focus on its top athletes? Or should the organization shift more resources more broadly to new competitors who may never take the platform at a World Championship, much less the podium? One seasoned administrator explained that this debate has been around for decades, with USAW policies shifting back and forth over the years. Surely this is true of other NGBs having limited resources and, perhaps, dwindling athlete quotas for the Olympics. Strategy matters even more in constrained circumstances, and people can and do disagree.

As one retired administrator argued, do “you give \$1 to a hundred people or \$25 to four?” He came down hard on the side of \$25, “raising the bar” to incentivize the very highest levels of performance. Without question, this was the majority view among our witnesses regardless of personal background. A handful of others, however, advocate for adjusting athlete funding mechanisms to give a little more help to a lot more people, a “better ground game” that could increase superstar yields tomorrow. “Should the organization help seven instead of three? That’s seven *contenders*.” This witness reasoned that wider member support would attract more to the sport, leading to more dues, more donations, and “a bigger pie” for all.

A similar, related difference of opinion arose in discussing whether USAW should invest more in young, talented athletes or its more seasoned seniors. As noted in Section 19 above, some believe that precious dollars are wasted on the young because they may not need the money if they live at home; they may drop out of the sport; or they may peak too early. By contrast, seniors have proven staying power, “they’re in it for the long haul.” Others vigorously disagree, pointing to today’s young superstars who bring fresh attention to the sport and offer Team USA its best shot in years at Olympic medals in Tokyo.

Ultimately, everyone acknowledges the importance of winning medals for Team USA. Every member of the weightlifting community basks in their kinship with world champions. At the same time, a relatively small cadre of witnesses of color urged us to remind USAW’s leadership that focusing on these few can make others feel less relevant, more marginalized, “less than.” “They only care about you when you’re doing well.”

## 74. Transparency

Transparency was a consistent theme in our witness interviews. Many spoke to how opaque USAW was in the “old days,” when the organization was run by “good old boys” —especially “powerful

coaches” who sidestepped conflicts of interest in making and bending rules to benefit their own athletes. Now, USAW’s strategic plan confirms that “We operate openly and share information quickly to the maximum extent possible.” (<https://www.teamusa.org/USA-Weightlifting/Features/2020/December/16/USAW-Looks-to-the-Future>). According to Andrews, so much of the organization’s work is posted online today that members complain of ‘too much information.’ One Olympian noted, the website “is overwhelming... for a beginner, someone looking to join, those things need to be made a little more simple.”

Still, the press of time and expectations of privacy often preclude a public airing of decision-making processes. We learned that USAW governance operates largely through its full Board and not through a commonplace structure of powerful Board committees. Executive sessions are generally reserved for personnel matters and sensitive issues that are inappropriate to share more broadly in meetings open to the membership; we found little, if any, predilection for secrecy at the organization. Communication, however, can be a different story. Effective communication takes time, coordination, and great care. Sometimes, silence is just the path of least resistance in a small, strapped organization like USAW.

For example, some witnesses questioned the communications around the Board’s decision to waive typical qualification procedures to allow a weightlifter to participate in a competition shortly after the expiration of a suspension. As one wise veteran of the sport explained, a failure to explain fully to the membership the reasons for this decision gave power to those who might later complain. “Transparency,” he instructed, “removes future power from others.” Eyewitnesses to the Board deliberations characterize them as less a cover-up than a messy decision on the fly by a member-elected Board discharging its duty to act in the organization’s best interests by maximizing Olympic slots. Many witnesses, however, did not enjoy our bird’s eye view of this controversy, and some still mistrust the powers that be.

Another example of the power of transparency is seen in USAW’s financial support of athletes. For a time, stipend allocations were published to the entire membership, a practice discontinued for no apparent reason other than busyness and a perceived lack of interest by the membership. Such casual opacity, however, can create hidden problems. Without access to funding information, athletes are left to compare notes in private, left to wonder whether they are being treated fairly, as noted in Finding 10 below. Worse, opacity with respect to USAW stipends and other financial support puts the burden on athletes – particularly athletes of color who, understandably, may be reticent about raising discrimination concerns – in the uncomfortable position of having to *ask the authorities* for more information. (We understand that USAW will once again be posting all future athlete funding data online.)

## 75. Fairness

Throughout our interviews, athletes, coaches, administrators, and Board members alike acknowledged that the sport does not always seem “fair,” even though they saw no discriminatory animus. Weightlifters from all walks of life explained that bad things happen to some, good things happen to others. One white weightlifter, for example, recalled being upset at losing his spot to a Black athlete, a move he considered unfair at the time but in no way discriminatory. Indeed, on further reflection, he concedes that USAW made the right decision.

Some witnesses, particularly coaches and competition experts having deep experience in the arcane

strategies of the sport, detailed how weightlifting rules can indeed operate in ways that seem unfair – just as life can be unfair – but which involve no discrimination. Invariably, these witnesses would point to comparators. Without question, they explained, some weightlifters were “screwed” by the new IWF weight classes or disadvantaged by the ROBI scoring system implemented in 2018. But for each such “loser,” there was often a “winner.” More to the point, race never explained the difference. As one champion female Black weightlifter noted, ROBI “impacted me positively.”

Likewise, team selection rules – including, for example, the maligned pop-up qualifiers that left no safe harbor for even the most elite competitor – certainly disadvantaged some. But for every athlete who got “bumped,” who “lost their spot,” there was another who made the team, who got the spot, who snatched victory regardless of his or her race.

## 76. Symbolism

A clear pattern emerged in our interviews regarding USAW’s statements of support for Black Lives Matter, the organization’s statement on George Floyd, changing the logo, or, as many described it, “putting up boxes” and “flags” on the website. Most who praised these efforts were white.

Witnesses of color were often less impressed by such “performative” gestures. “Soft solidarity letters,” one weightlifter of color noted, “are just words.” “What are we doing to make it more than ‘it matters,’ but to *prioritize*, make up for lost ground.”

As one lifter of color with particular expertise in diversity and inclusion scholarship remarked, “It’s one thing to not be racist, to play ‘spot the racist,’” and quite another to “*do* things that are *anti-racist*.” A legendary athlete of color echoed, “symbolism doesn’t mean anything to me; action is real.” “You don’t have to let *me* in” to the organization’s leadership, but “you need to let *someone like me* in.”

A number of witnesses also hinted that USAW should do a better job of acknowledging past problems, lapses, and flaws in addition to taking a stand, launching inspiring initiatives, and trumpeting successes. Andrews responds, “we try to be transparent with members, including when we screw up.” Indeed, witnesses told us that USAW’s commitment to release this full report to its membership aligns with Andrews’s “we’ll raise our hand and take the foul” attitude.

One kind of symbolism that sparked some debate in our interviews is the “imagery” on the USAW website and social media posts. Indeed, the topic was open to much interpretation, with some doubting that there was any over- or under-representation in posted pictures of athletes who are “just winning at the time.” Others speculated that more attractive lifters get more screen time. Still others suspect that athletes with bigger social media followings get more attention to drive more traffic to weightlifting (and some argue, “that’s a good thing”). USAW spot-checked their own Instagram posts over recent months for us, confirming that BIPOC imagery accounted for 51% of posts and white imagery representing 49% of the total. Parity, of course, is hardly representative of the sport’s demographics. Few who raised questions about under-representation of people of color saw it that way, however. Indeed, the whole subject of imagery may be another example of that useful insight, “you see what you want to see.”

One thing is clear: this particular form of symbolism – imagery – is uniquely powerful. Multiple female lifters of color told us they came to the sport because “I saw Cara on YouTube,” or words to that

effect. “She looked like me,” “I could relate.” “Finding... Cara was huge for me.” Another female weightlifter of color remarked, “I saw Jenny Arthur at the 2016 Olympics, and *I am sold*: strong, powerful, beautiful, Black.”

Visibility matters. If USAW wonders whether anyone is paying attention to images, we can certainly confirm that people of color, in particular, are watching with a discerning eye.

## 77. Follow Through

As noted in Sections 44-57 above, USAW has implemented a variety of initiatives seeking to enhance diversity and inclusion in the sport and USAW itself. Still, some of this messaging struck witnesses as one-off, announcements scattered across the website and social media (these comments do, however, pre-date the new “DE&I Hub” on USAW’s website). Many witnesses were simply unaware of many of these initiatives. After-action reports and follow-up stories on announced programs are in short supply (not surprising, given USAW’s bandwidth), but we heard that follow-through and follow up are especially important in diversity and inclusion efforts. Announcements are important, but so is accountability for the results and transparency in reporting on them.

A positive example of the importance of follow up and follow through is USAW’s Diversity & Inclusion Committee, created in 2017. The Committee is elected by the organization’s general membership. Two challenges became apparent: first, Committee members candidly describe the Committee as reactive, a “review and recommend” group, not a “develop and recommend.” One Committee member says, “we should do more.” Second, because the D&I Committee is “all white,” as one USAW representative acknowledged, its credibility is undermined. The composition of the D&I Committee, however, is the notable result of an *outwardly fair and objective electoral system* that can advantage better-known candidates in what many describe as a “popularity contest.” A member of the D&I Committee despaired that there were “outstanding candidates of color on the slate,” but not as many people “know them.” Accordingly, USAW’s Board recently followed up with a recommendation to amend the Bylaws to allow for the appointment, rather than election, of D&I Committee members.

## 78. Complacency

Virtually every witness told us how much the sport has changed, indubitably for the better. Many witnesses credit USAW’s leadership with making fundamental improvements in the organization, its transparency, and its competitiveness over the past five years.

Women weightlifters, for example, have not only achieved platform parity with males, but they are more often medaling on the podium. To put those gains in sharp perspective, one veteran female coach dredged up painful memories of sexist, misogynist behavior from “the old days.” She recounted having been being told by a champion male weightlifter that “women shouldn’t coach.”

Some, particularly newer entrants to the sport, are unsatisfied with the progress of the past and see obstacles ahead to overcome. They urge USAW to push through the pain of confronting the effects of systemic inequality, implicit bias, and the all-too-convenient mythologizing of meritocracies in our country today. Younger witnesses, particularly women of color, do not believe they should have to accept feeling uncomfortable at local gyms or countenance implicit bias and structural racism anywhere. To them, USAW’s windshield is bigger and more urgent than its rearview mirror.

Indeed, differences of opinion on whether the diversity and inclusion ‘glass is half full or half empty’ flared in perhaps the most notable controversy uncovered in our investigation, discussed immediately below.

## 79. Women in Weightlifting Facebook Page

Many witnesses suggest that USAW can and should play a role in facilitating dialogues about race in multiple forums, but the key is to not only open the door, but also to have a doorstop handy should strong winds try to blow it closed.

USAW’s “Women in Weightlifting” initiative (<https://www.teamusa.org/USA-Weightlifting/Resources/Women-in-Weightlifting> and <https://www.teamusa.org/USA-Weightlifting/Clubs-LWC/Women-in-Weightlifting-Club>) arose from comments in the annual member survey. The project included the creation of a Facebook group for women. Andrews announced the effort, managed by Suzy Sanchez. Andrews then exited the forum because “obviously, I’m a man.” Sanchez posted an invitation for group members to share their experiences with others, which she characterizes as a “crowdsourcing opportunity.”

At some point, a poster long affiliated with but not employed by USAW echoed comments noted in the Section immediately above, namely, that the undeniable, fantastic progress of women in the sport left relatively little to discuss in response to Sanchez’s “crowdsourcing” idea.

After talking among themselves, some female athletes and coaches of color responded online. They noted that many issues remain for women in the sport, particularly those of color. One participant pointed out in a subsequent post how some women can still feel “uncomfortable” in their local gym. The online challenge prompted a vivid reply from the original poster describing specific, outrageous examples of sexist behavior she encountered during a less enlightened period of the sport (*e.g.*, no bathroom facilities for women, pornographic magazines scattered about, “bra-snapping”). As tensions began to mount, “the next thing I know,” this string of comments vanished, without a trace or explanation.

Not surprisingly, these women of color were frustrated. After all, they welcomed the invitation to share thoughts in a “safe space” for women only to learn, painfully, that “we aren’t supposed to have this discussion.” They assumed that Sanchez deleted the string, but this turned out not to be the case (the original poster took hers down and the rest disappeared along with it). Even though the take-down was not her doing, Sanchez expressed concern in her interview about the need to maintain civility in USAW-sanctioned dialogues. This is admirable, but sensitive discussions about race and gender can be bruising. Indeed, some DEI experts told us that discomfort is *required* for progress. (Pain before progress is surely familiar to anyone who has lifted a barbell “thousands upon thousands of times.”)

Andrews was unaware of the controversy, having exited the group after praising its launch. But those in the organization who were aware of what happened, including Sanchez, did not escalate the matter or, more important, offer supportive commentary to those who had the courage to speak up and were seemingly silenced. The Board’s lack of knowledge of this situation also appeared to be at odds with its having been alerted to a white female weightlifter’s complaint of racist and sexist behavior at her local gym as reflected in n.10 above. The difference appears to have been

occasioned by Andrews's understandable decision to disengage from the women's forum. Enhanced internal escalation procedures, however, could have brought Andrews (and, by extension, the Board) back into the loop.

As noted below, all witnesses involved agree, in hindsight, that USAW must be steadfast, prepared to follow through on everything they launch. For example, many praise Andrews for not shying away from infrequent member criticism of USAW's diversity and inclusion efforts ("from only a vocal few"). "You've got to be ready and willing to deal with backlash," one witness of color warned. Another added, "You need to have steel in your spine."<sup>14</sup> Second, all witnesses involved agreed that opening a dialogue carries the responsibility of helping moderators know when and how to escalate matters to superiors within the organization. Third, witnesses acknowledge that censorship is always a problem, but it is a particularly serious problem when *underrepresented voices* are silenced with no transparency, accountability, or explanation.

## 80. Education

Many witnesses, particularly those steeped in diversity and inclusion matters, talked of the importance of education. Without question, training, education, and resources must be readily available to make a difference. Sometimes, however, it is easy to buy off-the-shelf help when what is really needed is hard work: scrutinizing your organization's own policies and procedures to see how they may adversely affect constituencies of color. Some of the most thoughtful activists on diversity and inclusion we interviewed spoke to the importance of such "interrogation" and "reflection," hopefully through a racial justice lens. "USAW is not really good at the internal work, the introspection; they spend time on growing, but not thinking what's keeping them from growing."<sup>15</sup>

We also asked USAW representatives how the Code of Ethics and Code of Conduct complaint process worked in practice, particularly with respect to discrimination concerns. For example, which "Safety and Security" button on USAW's home page should a victim use to complain of race discrimination? There are four choices: "Report a SafeSport Concern," "Report Doping Concern," "Report Ethics Concern," or "Suggestion Box." USAW representatives suggested clicking the "Report Ethics Concern" button. Many users, however – and particularly those of color – might not think of *unlawful race discrimination* as an *ethics concern*.<sup>16</sup>

We also noted inconsistent and overlapping coverage between the Code of Ethics and Code of Conduct regarding matters of discrimination and harassment that are difficult to untangle, particularly when they may also trigger SafeSport reporting. Andrews explained that the ultimate goal, not

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<sup>14</sup> Andrews recalled receiving complaints from some Board members after he publicly condemned – initially, on his personal webpage – an "unacceptable comment" by the founder of CrossFit comparing the death of George Floyd to the Coronavirus. Andrews is proud to have stepped in, even though he regrets any confusion over his personal views and official statements authorized by USAW's Board.

<sup>15</sup> In one example of an internal education gap that did not bear directly on race but could have, a witness assumed that the Ethics Committee has no jurisdiction over a matter unless the actual victim lodges a complaint. Andrews confirmed otherwise, acknowledging the importance of bystander intervention as an important tool in addressing sensitive problems of discrimination and harassment. Indeed, the new "Report a Concern" button on the DE&I Hub explicitly states, "*Witnessed* something that goes against our values? Make a report to the USAW Ethics Committee" (emphasis added).

<sup>16</sup> As noted in the footnote above, USAW's new DE&I Hub now includes a "Report a Concern" button that generally covers anything "that goes against our values."

possible with today's website architecture but hopefully coming "after the end of the year," is a simple complaint portal that helps people get their complaint to the right place, with additional help from USAW staff as needed.

## 81. Allies

Organizations that choose to "lean in" on diversity and inclusion tend to "lean on" their people of color for help, sometimes too much. Witnesses acknowledge that the tendency is understandable because the underrepresented bring their unique perspective and experience to the table. Nonetheless, challenges arise when so many rely on so few in the "diversity space."

First, multiple witnesses rightly shared concerns about "tokenizing" athletes and coaches of color (indeed, some witnesses mistakenly assumed that this investigation focused only on Black athletes). As one noted, "you can put people of color on a pedestal, but what did *you* do to assure their success?" Second, we heard from busy athletes and coaches of color who feel uncomfortable saying "no" when everyone has grown accustomed to "yes" answers on DEI initiatives. Third, much diversity work is done for little or no compensation, even though many contributors of color are working harder than many already. The problem can be particularly acute in non-profits like USAW, where budgets are tight. Thoughtful witnesses reminded us that getting DEI services for free may leave a lasting misimpression that the work itself is of little value.

A somewhat related, if opposite, point arose in interviews with some legendary weightlifters of color, who were surprised and delighted to be invited to give us their thoughts. Some confided how they would like to "give back" to weightlifting but never get "a call." It is all too easy to say that these veterans of the sport should take the initiative in offering their services to USAW, but this highlights a well-known myth in the diversity and inclusion space. There is a monumental difference between someone's saying, "my door is always open" and having an authority figure come and knock on *your* door.

Ironically, Andrews explained to us that he is keenly aware that retired athletes, coaches, and administrators of color wish to "give back," preferably through mentoring programs. The problem, Andrews explained, is less one of supply than of demand. Many younger lifters simply do not avail themselves of these opportunities.

Sometimes, however, economists explain supply/demand mismatches as the result of information asymmetry, which is surely the case in our national discussion of race. Thus, two senior, highly-decorated coaches – one white, one Black – offer a slightly different perspective on the mentoring gap. They both remarked – *as did many other leading coaches, regardless of color* – on the need for young weightlifters of color to connect with people of their own background, preferably from their own communities. The Black coach talked of competitors of color who have highly reputable white coaches but still want to talk to an experienced weightlifter who resembles them. The white coach offered stories of enthusiasts from underprivileged minority communities seeking remote coaching when what they really need is help nurturing talent in their own communities. Thus, this coach explained, they "don't need to learn from me" as much as to "learn from me *how to teach others*." Again, there may be no demand to meet this supply, but surely there are alternative ways to test the market or at least study exactly why it can fail.

## 82. Ends and Means

We found no disagreement – literally, no daylight – between members of the weightlifting community on USAW’s fundamental goals: Putting athletes first. Competitive success. Safe sport. Clean Sport. Diversity and Inclusion. We did, however, find profound differences of opinion about the best way to achieve these goals. Indeed, this is where we found some flash points, occasional anger, and ample opportunities for mutual suspicion and distrust.

We scouted two camps, one large and one small. The large camp advocates change from within, not without. This majority camp – populated by athletes, coaches, and administrators of *all* backgrounds – surely grew in response to USAW’s long struggle against doping and the related troubles with the IWF, which governs key aspects of the sport. Likewise, the weightlifting community collectively worries about the Olympian ‘Sword of Damocles’ that seems to hang over the sport. Whatever the reason, folks in this camp swear by constructive engagement. They advocate “getting involved,” “running for the Board,” and “stepping up.” “Why not get closer to make change?” “You must have a voice on the *inside*.” “You’ve got to get involved,” even if it is just by serving on “Local Weightlifting Committees.” “I just put in a proposal that makes sense,” one coach of color noted, and USAW “puts lights to it.”

The other camp urges athletes to boycott USAW-sanctioned competitions and USAW leadership to cut ties with the IWF. Witnesses widely and sometimes forcefully disagreed, even though none doubted the importance of combatting racism and doping. Without question, these tensions have frayed the fabric of this otherwise close community.

## 83. Inspiration

Every single witness we met professed their love of the sport and a heartfelt desire to make it better. Many see great opportunities ahead for diversity and inclusion given the remarkable growth of the sport thanks to CrossFit, the unprecedented opportunity to win Olympic medals in Tokyo, and the opportunity for introspection, reflection, discussion, progress, and healing that many hope will rise from our country’s racial reckoning.

Witnesses generally and genuinely wished us well and thanked us for our efforts because many understand that the success of this investigation – wherever it leads, however success is defined – is intended to enhance diversity and inclusion in the sport.

We offer the findings and recommendations below in this same spirit.

### **Discrimination and Retaliation Findings**

#### **Introduction to Findings Regarding Allegations of Discrimination and Retaliation**

Readers looking for a detailed analysis of the complainants’ allegations may be disappointed, but there are many prudential reasons to demur. Most important, USAW wants to put all athletes first, which it hopes to do by underscoring the utmost respect for each complainant’s privacy. Even though some have spoken publicly about their disputes, not all have. Meanwhile, USAW has been

mum. The best way to encourage people to complain about sensitive, personal matters is to honor their confidentiality expectations, whatever they may be. As noted above, the complainants declined to speak with us, as is their right, so we do not know their expectations in this regard.

Finally, avoiding detail helps de-personalize disputes. Just as we refrained from “naming names” above, we want the reader to focus on the problems, not the people.

### **Finding 1: No General Pattern or Practice of Race Discrimination at USAW.**

The preponderance of the evidence gathered in the course of our review established no pattern or practice of race discrimination at USAW or in the sport itself, although there were, unsurprisingly, localized and largely isolated examples of inappropriate comments and behaviors generally (not directly involving USAW employees or Board members) triggering sensitive issues of race and gender that can still leave scars or make certain lifters of color, particularly women, uncomfortable.

Overall, we were struck by the initial observations of a great many witnesses – notably including many athletes and coaches of color – who flatly denied the existence of racism in the sport. Still, even minority athletes and coaches who disavowed any implications of race discrimination in the sport pointed to “feelings” of perceived favoritism, that is, favoring some athletes over others for a variety of non-discriminatory reasons including, for example, the size of their social media followings.<sup>17</sup>

### **Finding 2: No Race Discrimination in the Composition of USAW’s Board, its Administration, and its Coaching, Instructor, and Technical Official Ranks.**

We heard widespread – indeed, undisputed – concerns in the weightlifting community (and, particularly among USAW’s senior leadership) regarding the need for more diversity in positions of authority in the sport. Although we were not retained to conduct a labor economist’s analysis of, for example, applicant flow data or decisions with respect to hiring, coach or referee certifications, or board election processes, the preponderance of anecdotal evidence gathered in the course of our review found no examples of a discriminatory intent or effect with respect to the organization’s staffing, governance, or certification processes for coaches and technical officials. On the contrary, our review identified a number of diversity and inclusion initiatives identified in Sections 44-57 above.

Even though USAW has had a CEO of color and Hispanic women in top leadership roles, there are no Black employees at USAW today. USAW’s recent adoption of a version of the “Rooney Rule” (as noted in Section 47 above) is expected to bring change despite USAW’s location in predominantly white Colorado Springs, “Olympic City USA.” Of course, it is a small organization and typically makes few hiring decisions annually. USAW’s Diversity & Inclusion committee is also overwhelmingly white, having a liaison, the Board Chair, who identifies as Hispanic; as noted in Section 45 above, however, efforts are underway to amend the Bylaws to allow this committee to be appointed by the Board.

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<sup>17</sup> Our limited, non-statistical review of isolated allegations of perceived favoritism (which included witness interviews, a review of internal assessments of minority athlete visibility on the USAW website, promotional materials, and various social media posts) found little, if any, evidence of actual favoritism in the recent history of USAW.

Finally, witness after witness acknowledged the reality – and many remarked on the frustration – that coaches in the sport, and particularly at the highest level of certification, are predominantly white and male. Likewise, technical officials confirmed that the referee ranks are even less diverse. Again, USAW has implemented policies, programs, and procedures to address these diversity and inclusion challenges, as addressed in Sections 51 and 53 above.

### **Finding 3: No Race Discrimination in Team USA Selection Processes.**

The preponderance of the evidence gathered in the course of our review does not establish that the oft-changing USAW team selection procedures in effect after 2014 had the intention or effect of discriminating on the basis of race. In connection with our assessment of each allegation in the complaints and on our own initiative, we scrutinized all applicable policies, procedures, and practices to ascertain whether they were overtly discriminatory, could be applied in a discriminatory fashion, or were in fact applied in a discriminatory manner. We found credible, non-pretextual, non-discriminatory, objective explanations for each team selection decision complained of; invariably, witnesses inside and outside USAW confirmed that the rules (and their changes) were motivated by a desire to help the team succeed in international competitions.

Mistakes and differences of opinion about rules are inevitable in any highly competitive sport, including weightlifting, but no witness we interviewed indicated that USAW's team selection procedures or decision-making was tainted by racial bias, much less motivated by it.

### **Finding 4: No Race Discrimination in USAW's Decision Early Adoption of ROBI.**

The preponderance of the evidence gathered in the course of our review does not establish that USAW's early adoption of the IWF's ROBI scoring rubric for USAW's own team selection procedures had the purpose or effect of discriminating against athletes on the basis of race. We found credible, non-pretextual, non-discriminatory explanations for USAW's decision to follow the IWF's lead and to do so at the earliest opportunity to transition athletes and USAW staff to the new paradigm as far in advance of upcoming international competitions as practicable.

The preponderance of the evidence gathered in the course of our review also establishes that some athletes were genuinely disadvantaged by USAW's adoption of ROBI even though there is no reason to believe that those disadvantages were motivated by racial bias or skewed in that fashion. On the contrary, the disadvantages were repeatedly described as more acutely affecting male athletes of any race who compete in lighter weight categories dominated by foreign weightlifters (and with World Records described as questionable "outliers" given suspicions of doping). Indeed, we heard from Black athletes who felt they benefitted from ROBI and white athletes whose weightlifting careers were compromised by ROBI.

Finally, we note that in January 2019, USAW announced a move from ROBI for the 2020-24 Olympic "quad" even though the system is still in force for the 2020 Olympic qualifying events delayed by the pandemic.

### **Finding 5: No Race Discrimination in Team USA "Pop-Up" Qualifiers.**

As an initial matter, we note that many athletes and coaches expressed reservations regarding USAW's practice, for a time, of announcing additional qualifying events for upcoming international

competitions, known colloquially in the sport as “pop-ups.” Two such pop-up qualifiers of note – the 2014 National University Championships (final qualifier for 2014 World Championships) and the 2016 Pan American Championships (final qualifier for 2016 Rio Games) – were, however, referenced in the annual *Athletes Handbook & Reference Guide* issued at the beginning of each of those years.

The preponderance of the evidence gathered in the course of our review does not establish that USAW decisions to authorize “pop-up” qualifier events had the purpose or effect of discriminating against any athlete on the basis of race. We found credible, non-pretextual, non-discriminatory explanations for pop-ups when they did occur, and no witness we interviewed even questioned whether racial bias was behind any decision to add additional qualifier events that were open to lifters from every background. Witnesses who discussed the subject were in general agreement that pop-ups were intended to provide opportunities to identify the best weightlifters for international competitions using objective standards.

Again, multiple witnesses did confirm that some athletes were adversely affected (physically, mentally, emotionally, and financially) by these pop-up events, but we adduced no evidence suggesting that such adverse effects were borne disproportionately by athletes of color; indeed, we learned that pop-up competitions are largely a relic of the past precisely because they were widely unpopular and counterproductive. Moreover, the preponderance of the evidence did not establish that the actual competitive impact of a pop-up on an athlete’s chance for making a team – making it or breaking it – was skewed by race; totals are totals, regardless of who makes them.

#### **Finding 6: No Race Discrimination in Favoring International Performance and “Totals” over Individual American Records.**

The preponderance of the evidence gathered in the course of our review does not establish that USAW’s post-2014 shift to emphasizing international outcomes over domestic results in selecting competitors for Team USA had the purpose or effect of discriminating against athletes on the basis of race. Many witnesses explained that Team USA’s ultimate goal is success on the world stage, and meeting that goal requires focus on international lifter results regardless of perceived doping concerns. Moreover, witnesses often told us about the unique competitive challenges and pressures of international events and the effort, resolve, and consistency required to post strong totals abroad.

Although we heard from many witnesses that some weightlifters may choose to pursue American records (or personal records and “medals”) in competitions rather than secure the “total” needed to qualify for an upcoming international event, no witness indicated that USAW’s focus on international results over American records in making team selection decisions has the purpose or effect of discriminating against any athlete on the basis of race. On the contrary, no witness indicated to us that a record-setting lift (especially in a single lift discipline) should take precedence over a consistent pattern of solid totals in selecting athletes for Team USA. Finally, we found no evidence that USAW’s shift towards international standards was a pretext for discrimination. Indeed, many witnesses credit this strategy for Team USA’s recent successes on the international stage, including the upcoming Olympic Games in Tokyo.

#### **Finding 7: No Race Discrimination in Team USA Alternate Decisions.**

The preponderance of the evidence gathered in the course of our review does not establish that USAW's policies, procedures, and decisions with respect to selecting alternates, choosing when alternates will travel to an international competition, or when to have alternates lift in international competitions had the purpose or effect of discriminating against athletes on the basis of race. According to the athletes, personal coaches, Team USA coaches, High Performance personnel, USAW senior administrators, and Board members we interviewed (which, again, did not include the complainants), these placements are the product of objective criteria. There was also little, if any, evidence that Team USA makes promises or guarantees about an alternate's ability to lift in a competition (indeed, were often told that such guarantees make no sense because they would limit a team's flexibility and, essentially, presume that a lifter named to the team would be bumped).

While some witnesses question the controversial decision to allow a weightlifter to compete as an alternate (*see* Section 74 above), we found no evidence that this decision had the purpose or effect of advantaging or disadvantaging any lifter due to race. Instead, by all accounts (even hostile ones), the maneuver was intended to maximize "slots" at the 2016 Olympics, and that strategy succeeded.

#### **Finding 8: No Race Discrimination in New Weight Class Decisions and Performance Requirements.**

The preponderance of the evidence gathered in the course of our review does not establish that USAW's 2018 decisions with respect to recognizing new weight classes to align with recent IWF changes had the purpose or effect of discriminating against any athlete on the basis of race. USAW gave lifters advance notice of these changes to allow them time to decide how to adjust to the new weight classes which would be applicable to the 2020 Olympic Games. Further, the preponderance of the evidence does not establish that USAW's decision to allow weightlifters to use previous "totals" in moving up to higher weight classes but not in moving down to lower weight classes had the purpose or effect of discriminating against any athlete on the basis of race. On the contrary, we found credible, non-pretextual reasons for requiring weightlifters to post new "totals" when competing in a lower weight category, including the inherent (indeed, undisputed) challenge in maintaining totals earned at a higher weight after "cutting" to compete in a lower weight class.

#### **Finding 9: No Race Discrimination in On-Site Athlete Support at Competitions or in Meeting Competition Requirements.**

Although this is a broad category that covers a variety of allegations that, for the reasons noted above, are not detailed in this report, the preponderance of the evidence gathered in the course of our review does not establish that acts or omissions of USAW representatives in certain competitions had the purpose or effect of discriminating against any Team USA athlete on the basis of his or her race. Our interviews (and repeat interviews) with multiple eyewitnesses and our review of available, related documentation established credible, non-pretextual, non-discriminatory reasons for each alleged mistake, misfortune, and misunderstanding in connection with each competition incident under review, some of which were attributable to third parties not employed by USAW.

Similarly, the preponderance of the evidence established no pattern, practice, or even a questionable example of an on-site, competition-related athlete support situation that had the purpose of *disadvantaging* that athlete, let alone on the basis of race.

Finally, although we were unable to interview any complainant with respect to an incident involving a missed weigh-in, multiple witnesses recounted costly, above-and-beyond efforts to assist a Team USA competitor in preparing for the competition and in cutting weight that rebut the implication that race was involved in the cascade of mistakes, misfortunes, and misunderstandings (some attributable to third parties) culminating in the disqualification of a highly-anticipated lifter –a frustrating outcome that key USAW representatives lament to this day.

We also evaluated concerns about USAW support for an athlete who encountered difficulties in filing routine USADA paperwork prior to a competition. The preponderance of the evidence did not establish any discriminatory motive or effect with respect to USAW’s interventions on the athlete’s behalf, and we learned that the only similar situation since the rule went into effect involved a white athlete and had the same outcome. As noted in Section 41 above, however, legitimate frustrations have been raised about perceived brusqueness in occasional official communications even though the preponderance of the evidence established that these particular communications involved no references to race and no racially discriminatory undertones.

#### **Finding 10: No Race Discrimination in USAW Athlete Stipends.**

The preponderance of the evidence gathered in the course of our review does not establish that USAW’s policies, procedures, and practices with respect to monthly stipends (also known as “Direct Athlete Support Payments” or “Incentive Payments”) at any time after 2014 had the purpose or effect of discriminating on the basis of race. Our review of the various stipend programs and rules, informed by consistent testimony of multiple witnesses knowledgeable about the program, confirmed that stipends have been awarded under highly objective standards, namely, an athlete’s competition performance; since 2017, in particular, the stipend system leaves very little room for discretion.

We interviewed many athletes and coaches, including those of color, and none offered any knowledge, information, or belief that the stipend system was, in practice, discriminatory on the basis of race. There are always concerns of favoritism and bias when a rule change dashes an athlete’s legitimate expectations, and that appears to have occurred when, for example, USAW’s “Bronze” level stipend was awarded for a time to weightlifters setting an American record in a total; the program was subsequently eliminated, surely to the disappointment of those who were close. Nonetheless, we adduced no evidence that this change had the purpose or effect of disadvantaging athletes due to their race.

We also heard a second-hand account that some athletes of color conjecture potential racial bias in stipend funding; we were unable to gather any additional details, succeed in getting any such witnesses to come forward, or validate or corroborate these unarticulated concerns through direct witness testimony or our review of funding records. In any case, the preponderance of the evidence available to us did not establish that USAW’s athlete stipend funding program is motivated by race discrimination or leads to discriminatory outcomes.

#### **Finding 11: No Race Discrimination in USAW Athlete Support Payments.**

The preponderance of the evidence gathered in the course of our review does not establish that USAW’s policies, procedures, and practices with respect to “supplemental” athlete support payments had the purpose or effect of discriminating on the basis of race. We heard compelling reasons for

USAW's decision to launch the support payment program in 2017 in response to the "decentralization" of the sport following the termination of USAW's participation in USOPC's Resident Athlete Program at the Olympic Training Center in Colorado Springs. Documents and witness testimony confirmed that the program (initially known as the Incentive Payment Program or "IPP") was intended to defray the cost of supplemental services, equipment, and supplies to Team USA Athletes (*e.g.*, massage therapy, nutritionist assistance, sports psychology services) or to "bridge" a world class athlete who has become ineligible for a stipend for a time. The program was largely discretionary in its first year, a tool at the disposal of USAW's High Performance staff. We found credible, non-pretextual evidence that this effort was modeled on the USOPC "philosophy" at the time to "invest" where opportunities for performance gains were identified.

The preponderance of the evidence also established some misunderstandings within USAW regarding the dissemination of information about the program and athlete eligibility in the first year; in any event, the responsible USAW representative at the time indicated that early decisions in the program were at his discretion. The preponderance of the evidence available to us, including a review of High Performance records, corroborates the former decision-maker's account that in the first year, he selected athletes to participate in the program based on an assessment of an athlete's prospects in light of his or her record of success on individual lifts, consistent totals over time, and a close eye to recent trends, positive or negative.

The preponderance of the evidence gathered in the course of our review also confirmed that such discretionary decision-making with respect to athlete support payments was controversial, even among members of the Board; the discretionary program was quickly phased out in 2018 and replaced with an objective, formulaic model pegged directly to an athlete's monthly stipend.

#### **Finding 12: No Race Discrimination in USAW's Handling of Athlete Injuries and Insurance Claims.**

The preponderance of the evidence gathered in the course of our review does not establish that USAW's policies, procedures, and practices with respect to certain injuries and related insurance claims had the purpose or effect of discriminating on the basis of race, even though sincere concerns were raised about the related documentation, coordination, empathy, and patience of the USAW administrators involved. Our interviews (and repeat interviews) with multiple eyewitnesses, along with our review of available, related documentation established credible, non-pretextual, non-discriminatory reasons for USAW's decision not to pay out of pocket for an untimely insurance claim or for unusually lengthy rehabilitation services.

#### **Finding 13: No Race Discrimination in USAW Board Selection Procedures.**

Although we did not conduct a statistical analysis of board nominating and election data, our review of the USAW bylaws, USOPC governance rules, and the testimony of multiple witnesses familiar with the Board selection process showed, by a preponderance of the evidence, that all but the independent members of the board are elected by the membership, with some positions elected only by members of designated cohorts (*e.g.*, Grassroots, Athlete Representative, Technical Member) in an objective and transparent manner.

The preponderance of the evidence gathered in the course of our review also shows a desire among current members of the Board (most notably its Chair) and USAW's CEO to continue to increase the diversity and inclusiveness of the Board.

#### **Finding 14: No Race Discrimination with Respect to the Board's Handling of a Complainant.**

Although we did not audit all Board practices with respect to addressing discrimination complaints or referring them to the Ethics Committee, the preponderance of the evidence gathered in the course of our review does not establish that USAW Board members were aware of discrimination claims by any of the complainants significantly before their complaints were filed with the USOPC.

Instead, the preponderance of the evidence available to us, including the consistent testimony of two separate eyewitnesses, establishes that a board member did learn, in separate discussions with a former USAW representative and a complainant, that the complainant had multiple concerns but never mentioned race, race discrimination, or retaliation; moreover, we are aware of no contemporaneous documentation to the contrary.

#### **Finding 15: No Retaliation for Public Commentary.**

At the outset, we note that we are not aware of any allegation that a current or former USAW representative discouraged any athlete from speaking up about doping.

The preponderance of evidence gathered in the course of our review does not establish that any of the complainants were retaliated against with regard to team selection, stipend, supplemental support, or in-person competition support. Instead, these processes, decisions, and even the mistakes, misfortunes, and misunderstandings noted in Finding 9 above all had credible, non-pretexual and non-retaliatory explanations. Accordingly, the preponderance of the evidence does not establish any acts or omissions relating to any complainant that had a *retaliatory effect*. Nor does the preponderance of the evidence indicate a *retaliatory motive* with respect to certain complainants' public advocacy, much of which was general in nature and largely directed at the IWF, not USAW, until recently.

Moreover, interviews of nearly four dozen witnesses inside and outside the organization, as informed by our review of policy statements, guidance documents, and other documentation, establishes by the preponderance of the evidence that current and former USAW representatives generally (and particularly including Andrews and former President Ursula Garza Papandrea) are widely acknowledged by these witnesses to be strong advocates for clean sport. Indeed, the preponderance of the evidence we could adduce established no genuine difference of opinion about the adverse impact of doping on the sport but profound disagreement about how to prevent it; the overwhelming majority of witnesses we interviewed argued for a form of constructive engagement, advocating for change from within the IWF rather than withdrawing from or boycotting the IWF.

Finally, the preponderance of the evidence available to us, including the June 2020 Independent Investigator Report to the Oversight and Integrity Commission of International Weightlifting Federation by McLaren Global Sport Solutions ("Public McLaren Report") and related interviews with USAW representatives involved, indicates that neither USAW nor its current or former officers and employees are in any way implicated in the Public McLaren Report. Some questions arose during the course of our investigation regarding a separate, "private" report by McLaren Global Sport

Solutions that was not released to the public. We were offered access to this document but declined in deference to the authors' confidentiality concerns. Witnesses with personal knowledge of the contents of the private report, however, confirmed that this document in no way implicates USAW or any of its current or former leadership in any improper or unlawful activity; our investigation adduced no evidence to the contrary.

## **Recommendations**

In light of the findings above and specific suggestions from witnesses, we offer the following recommendations for consideration by USAW's Board of Directors. The recommendations are grouped into seven categories: Visibility and Participation; Community; Communications; Transparency; Information Gathering; Governance; and Complaint and Resolution Procedures.

Neither the categories nor the recommendations are prioritized. Witnesses acknowledge that some may be controversial, others straightforward. All are left to those who know the organization best, its leadership and administration.

We note that many witness suggestions had already been implemented by USAW, highlighting a communications gap that is hardly unique to weightlifting. "You see what you want to see," as we keep noting in this report. USAW has also mooted a number of other recommendations that are now completed action items in wake of the 2020 DEI Audit, as noted in Section 44 above; they are not repeated here.

Finally, while "training" is perhaps the most common recommendation in the DEI space today, we offer no recommendations in this regard. As noted in Section 49 above, USAW has already engaged consultants for yearly Board and staff training going forward. We do, however, see opportunities for USAW to help its members' gyms and clubs obtain high quality DEI training and develop incentives for them to do so.

### **Visibility and Participation**

**1. Placing diverse coaches at national level camps and in instructor roles.** Inclusiveness and equity only happen through intentionality. The imprimatur of the NGB matters and can be employed as a resource to lift the profile of talented minority coaches. Participants in these important teaching events receive visibility, credibility, and networking opportunities and help build a demonstrably diverse, equitable, and inclusive community. We heard of the many practical challenges involved, but some witnesses urged the organization to think creatively to broaden the opportunities for participation.

**2. Keeping diverse faces on USAW's website and social media posts.** While our admittedly unscientific survey of USAW's website, training materials, and collateral documents suggests that USAW is already paying close attention to imagery, we still heard from minority members of the weightlifting community that "I just don't see faces like mine." Perception is reality, and USAW should try to find ways to assure that the competition news of the day does not, by chance, crowd out people of color and other, more intersectional community members.

**3. Adding even more human interest, DEI “spotlight” features.** During the course of our investigation, we heard many inspiring DEI success stories in which barriers were broken, differences were appreciated, helping hands extended. Particularly affecting accounts were offered by those who, as noted in Section 70 above, arrived at the sport’s doorstep from disadvantaged circumstances or other personal (even physical) challenges that may not always be obvious to others. Showcasing efforts to help and the gratitude engendered raises awareness, sensitivity, and may even foster some healthy competition in making this sport even more accessible and welcoming. Developing an annual donor-funded or externally-sponsored DEI-related award (*e.g.*, a “Person of the Year”) can be an effective way to engage the Board, the staff, and the membership in gathering nominations and talking about actual role models who have made a difference; showcasing the winner’s efforts would be a positive and energizing experience for all concerned.

**4. Fixing the coach and referee directories.** We heard concerns from coaches of color that being “chosen” by athletes can be more difficult for new and/or underrepresented members of the community. Some had given up on the idea that USAW’s “under construction” directory for coaches (as well as its referee directory) could provide a low-cost, easy-to-find, “official” solution that is not subject to Google ranking algorithms and advertising. USAW representatives explained the limitations of the BARS platform in this regard, but some coaches of color, in particular, wished for directory that gives the option for coaches to provide personal information and then allows athletes to search by location, coaching level, other credentials, race and ethnicity, gender or sexual orientation, foreign language skills, experience in meeting the needs of adaptive athletes, testimonials, and the like; personal pictures can also help people feel more connected. The need and opportunity are particularly great today given the rise in remote coaching in response to the pandemic. Moreover, searchable directories of the sport’s professionals – its coaches and referees – can help build community, allowing members to identify potential mentors, friends, and business partners. Finally, a central repository of coach and referee information could nudge athletes, especially those from underrepresented cohorts, to pursue certification because they “see someone like me” in these roles.

**5. Re-filming training videos.** Training videos are a key means for USAW to introduce people to the sport and help them develop into better athletes and begin learning how to coach. While it is true that the real focus of the training videos is on the athletes demonstrating proper techniques, some viewers told us that they would also like to see people of color in the background, reinforcing perceptions of expertise and authority.

**6. Upgrading efforts to attract, train, and retain more technical officials of color.** We heard again and again about the scarcity of minority technical officials. We understand the challenges, including the difficult economics and the relatively small numbers of people involved, but the sport only suffers by the dearth of authority figures of color in competitions across the country. Again, optics matter, often in visceral and subliminal ways. DEI can only be enhanced by being mindful of who appears to be “running the show.” One relatively easy fix would be to add “Referees” to the USAW sidebar menu, gathering all relevant information in one place on the website to encourage more interest and participation.

**7. Moving “Diversity, Equity & Inclusion” up the USAW sidebar menu.** This is a small suggestion indeed, but placement implies priority. The new DE&I Hub is on the front page, with bold graphics, and it is also linked to the sidebar menu option for “Diversity, Equity & Inclusion.” That

sidebar menu option, however, should probably not remain near the bottom of the list, below “About USAW” and above “Join” and “Member login.” Perhaps a move above “Clubs” is in order.

## Community

**8. Creating and supporting more “Affinity Groups.”** Affinity Groups are formed around a shared identity or common goal to build community among members of non-dominant groups and to foster inclusion and awareness in the broader community. Done well (which usually requires some central funding and administrative support), affinity groups can help build informal support networks, help recruit and retain members from underrepresented groups, and serve as springboards for advocacy and innovation within the organization. Again, witnesses told us of the challenges of Affinity Groups, particularly with respect to anticipating intersectionality concerns. We also heard some skepticism about how well these groups work in practice, whether at USAW or in people’s day jobs. The membership seems willing to experiment more with Affinity Groups, and such experimentation requires USAW to pay close attention to *why* some groups succeed and others fail; sometimes, the busiest, best-known people are the best choice to seed a new affinity group, but not always. Also, there is always a danger in assuming that disappointing turnout for one innovation “proves” that all such efforts are futile. Persistence and perspicacity can make all the difference.

**9. Organizing diversity events at competitions.** While this undoubtedly already occurs in an informal way, some witnesses told us that the occasional get-together in connection with competitions can create opportunities for solidarity, community-building, and sharing. USAW should consider enhancing inclusiveness by sponsoring focused diversity events. We understand that USAW has had difficulty getting traction for content-driven programs at competitions, often resulting in very low turnout. Short, focused, but purely social events could provide meaningful opportunities for diversity and inclusion.

**10. Expanding the Community Development Training Site program.** We heard from witnesses familiar with the program that it is somewhat limited by geography (“you can’t have them in the same locations”), but there are surely opportunities to expand the program beyond the current roster of three in the Northeast, seven in the Southeast, six in the Midwest, three in the Southwest, and four in the West. By all accounts, the program has not fully met its potential, but there are legendary coaches in the sport who have done much good work with underprivileged communities as noted in Section 27 above; their knowledge and experience could be leveraged to either help grow the Community Development Training Site Program or identify other ways to expand outreach to underserved populations. Reporting not just on the number and location of Community Development Training Sites but also following up with individual success stories could encourage more participation, help share best practices, and energize more donor support.

**11. Refining USAW’s pilot mentorship program.** Mentorship, like good coaching, is one of the keys to success in the sport. Yet, like good coaching, it is by no means equitably distributed. The current mentorship program for women has potential, but needs more energy and urgency to make it what it can be. One challenge we heard with the current women’s mentoring program is that many of the sport’s leading female coaches signed on, but these are some of the busiest coaches in the country. Perhaps more senior, retired athletes could “give back” in this fashion. And one refrain we heard very consistently in the interviews is the need for mentors or “ambassadors” of color to help young, underprivileged athletes of color meet the challenges in the sport and their daily lives.

**12. Helping local gyms and clubs obtain effective DEI training.** Although USAW’s own DEI training needs have been secured, it may be able to help facilitate referrals of high quality DEI training programs, whether online or in-person, to local gyms and clubs and devise ways to incentivize participation. DEI programming designed and delivered by those familiar with Olympic sport in general or weightlifting in particular will likely be more effective than generic offerings.

## Communications

**13. Reviewing strategies for publicizing and enhancing DEI-related scholarship programs.** We heard from some coaches of color that they would be interested in USAW’s Coach Education BIPOC Community Scholarship Program but knew nothing about it. We heard from others who benefitted from the program and saw it as an encouraging sign of progress. USAW should make sure that this program, and others like it, are well socialized. Recognizing that social media, email, and other electronic forms of communication are less likely to be “tuned-out” than in-person communications, all members of the Board, USAW’s committees, and staff should be prepared to discuss these scholarship opportunities at every event and through more targeted, personal communications. Another suggestion is to consider developing clear, easy “crowdsourcing” pathways for members and even those outside the weightlifting community to donate funds for these specific scholarship programs.

**14. Embracing DEI controversy.** Although we did not learn of many such controversies, the Women in Weightlifting Facebook dispute highlights the need to anticipate challenges and train moderators on recognizing problems and escalating them appropriately within the organization (and even getting outside help). We also heard how very quick, pointed, informed, and consistent responses to upsetting comments on forums moderated by USAW (e.g., “All lives matter”) can make all the difference. Developing a list of shared “DEI Talking Points” can help get all USAW representatives on the same page and bolster their confidence in handling everyday problems with speed and sensitivity.

**15. Explaining “Why” before “How.”** Busy administrators like to get to the nuts and bolts as quickly as possible, often forgetting to explain why an initiative is important. Time and time again, we heard witnesses apologize for the dearth of policy statements, explanations of the reasons for a given initiative, or a rallying cry before a reader gets down to the rules, regulations, and application forms. Few things are more inclusive than being ever-ready to explain why the organization cares and why its membership should, too. One example for improvement is the Community Development Training Site program. USAW’s link takes the reader right to the details, the requirements, and the application –missing the critical opportunity to explain up front why the program was launched in the first place or reporting on the lives affected. DEI depends on more than getting folks to sign up for a particular *solution* –they need to share the *problem*.

## Transparency

**16. Giving more information about USAW Board and committee roles.** We heard from members of the weightlifting community who were curious about serving in a Board or committee role but did not step up. Again, a key to inclusion is reducing barriers to entry, and we heard of three in this regard: information asymmetry, the natural reluctance to ask for help filling the information gap, and inconsistent outreach. Some witnesses fondly recall having been recruited to serve by others in the organization or the membership, and this should of course continue but with particular attention on

encouraging more participation by persons of color. Information helps, too, but USAW's current offerings regarding Board service may not provide a well-rounded picture of the "why," "how," and "what" involved in running for or serving on the Board. No one likes to "sound dumb" by asking about how things work, and this can be particularly true for those in underrepresented groups. Even a short smartphone video of a current or former office holder explaining their journey, their USAW role, and how they made a difference in the organization could help.

**17. Publishing stipends and EAPF payments awarded to athletes.** USAW is rightly proud of its unusually large and objective athlete funding programs, but a lack of transparency about who receives what financial support fosters needless suspicions about the process and outcomes. Indeed, formulaic decisions are particularly easy to share and, just as important, can also provide organizational contact information for those having questions or concerns. Indeed, staff often benefit from developing a simple, shared rubric or rule of thumb on the kinds of information that should be disclosed routinely, enabling them to honor transparency goals in a practicable, consistent fashion.

**18. Developing a "cheat sheet" or FAQs on rule changes and how they affect athletes.** Our review of USAW's published rules and manuals for team qualification and financial support going back to 2014 showed that the rules can be complex and frequently changing, and witnesses corroborated this over and over again. We understand that USAW works hard to socialize and explain rules changes, however, some witnesses hope for greater clarity and, above all, simplicity.

**19. Being more vulnerable.** Witnesses told us that they often hear just the "good news," the "happy talk" about DEI rather than the problems. Results on DEI initiatives can be slow, even halting. Sometimes, demonstrating that the organization is looking back to painful beginnings and disappointments along the way underscores credibility, dogged commitment, and progress.

## Information Gathering

**20. Adding more questions to membership surveys.** We heard from some that the annual satisfaction survey has been much improved over the years but can be even better, asking for more information on perceived barriers, needs, and even personal stories of success and failure. The key, again, is to let users know why the organization wants more of this information, what they will do with it, and what users can expect with respect to their privacy interests. Even if USAW has no bandwidth to use such information today, there is every reason to gather it for tomorrow.

**21. Adding optional data fields to the membership database and tracking over time.** Membership-driven organizations seeking to enhance DEI need to understand the demographics of their members and spot changes in real time. USAW has been addressing this issue, but is constrained by the limitations of BARS, the needs of other NGBs using the Sport:80 platform, and low participation rates. An optional, unexplained data field in BARS inspires little, but USAW's leadership can explain to members why a data field is important to the future of the sport, describe how privacy will be protected, and call on members to help by sharing more about themselves.

**22. Exploring opportunities to coordinate with leading academic research institutions on diversity in sport.** In addition to Ashland Johnson's Inclusion Playbook, witnesses suggested other organizations such as The Institute for Diversity and Ethics in Sport (TIDES) and the Tucker Center for Research on Girls & Women in Sports for resources, programming, and services related to gender and race in sport.

## Governance

**23. Empowering Athlete Representatives to socialize the message of participation.** The role of Athlete Representative can be a powerful platform, yet we heard that few athletes are willing to run. The Athlete Representatives surely have traction within their constituency. Some witnesses suggest that USAW consider a role for athlete representatives at competitions, encouraging them to spread the message (through words and actions) about the possibilities and value of Board or committee service.

**24. Continuing to recruit diverse candidates to USAW's staff and Board.** Building more diversity at the Board level organically takes work; in addition to USAW's retention of a recruiting firm in this regard, *everyone* in the organization – not just its top people – should be on the lookout for new talent, suggesting them to the Nominating Governance Committee, and encouraging them to come forward.

**25. Diversifying the D&I Committee and considering "lessons learned."** We understand that USAW is considering amending its Bylaws to allow appointments to the D&I Committee given the results of the traditional electoral process. This is an important step in the right direction. The lesson learned, however, is even broader and should be internalized by the organization: indisputably fair and neutral processes (in this case, elections) should be "interrogated" when outcomes perpetuate DEI challenges rather than help solve them.

## Complaint and Resolution Procedures

**26. Addressing the Ethics Committee backlog.** Witnesses told us about the backlog of complaints pending before the Ethics Committee, likely the result of enhanced reporting mechanisms and the abolition of filing fees for complaints. Although we heard headway is being made against the backlog, delay in addressing complaints can lead to mistrust and escalate problems.

**27. Clarifying complaint and resolution procedures.** As lawyers, we found the interplay of the Code of Ethics, Code of Conduct, Bylaws, and certain related USAW guidance to be somewhat inconsistent and confusing. Many organizations focus on assuring due process without paying enough attention to barriers that may discourage complaints in the first place. In USAW's case, much is required to understand the process after one presses a complaint button on the website. For example, the praiseworthy new button on the DE&I Hub invites users in the most general terms to "Report a Concern" about "something that goes against our values," but this button escorts the user to a more complicated "USA Weightlifting Complaint Procedure Outline" that, again, links to the overlapping coverage of discrimination issues in the Code of Ethics and the Code of Conduct. Clearly delineating the scope of these two codes and streamlining the related processes could help.

**28. Board training on handling discrimination and retaliation complaints.** Some members of the weightlifting community will feel more comfortable approaching individual Board members in informal sidebars than taking up a matter directly with USAW staff in the first instance. Organizations should welcome concerns from all quarters, but Board members have compliance responsibilities. Not only should directors be well-trained in understanding their fiduciary duties, their ability to

promise confidentiality, and their ability to speak or act on behalf of the organization, but also on their responsibility to escalate even offhand or elliptical remarks touching on discrimination or retaliation concerns quickly and in some documented fashion.



**Walter Prince**  
Prince, Lobel & Tye

**Daniel S. Tarlow**  
Prince, Lobel & Tye

**Bruce Melton**  
Aequitask LLC,  
Bruce Melton Ltd.