

August 23, 2017

To: Board of Directors
USA Weightlifting

From: Ethics Committee

Re: Ethics Grievance: Michael Graber; *Report and Recommendation*

Introduction

Pursuant to Section 8.14(b) of the Bylaws of USA Weightlifting, Inc. (“*USAW*”), adopted November 14, 2008 (the “*Bylaws*”), the Ethics Committee is charged to “review and investigate matters of ethical propriety and make recommendations on such matters” to the Board of Directors. The ethical conduct of the members of USAW (including administrators, officials, coaches, and athletes) is governed by the USAW Code of Ethics, approved July 2012 (the “*Code*”). The Code dictates that, “[a]fter review by the Ethics Committee, and, where appropriate, after additional discussions with the complainant and/or member who is the subject of the complaint, the Ethics Committee will recommend [a course of action] to the Board of Directors,” which can range from “no further action” to termination of membership or the imposition of such other sanctions as may be warranted by the circumstances.

Background

On or about May 16, 2017, Ursula Garza Papandrea filed a complaint alleging that USAW member Michael Graber engaged in unethical behavior during the 2017 National Championships in Chicago, Illinois. In particular, Papandrea alleged that Graber made inappropriate comments to her concerning the attempts of another lifter on the platform at the meet. The Ethics Committee was provided a screenshot of the statements (made by text message), which described the lifter competing in a sexually profane manner. Papandrea responded to the text message with a request that Graber not send any other similar messages. As the Ethics Committee has been provided with no other such messages from Graber, the Ethics Committee concludes that the text message described above is the only such message sent by Graber to Papandrea relating to this incident.

No violation of any specific part of the Code was alleged, and the Committee concluded no additional information was necessary.

Report and Recommendation

Alleged Ethical Violation: Disorderly Behavior

There is no provision of the Code that directly addresses the use of profanity or profane statements such as those contained in Graber’s text message. The closest provision of

the Code is found in Article II, which states that it is a violation of the Code for any member of USAW to “engage in behavior so disorderly or inappropriate as to interfere with the normal conduct of the activity or other member’s participation in, or enjoyment of, the activity.” Code, § II.C.3. The Ethics Committee has considered this provision before, in *Matter of Doherty*. In that matter, the Ethics Committee concluded that an isolated expletive shouted by a coach during his athlete’s attempt, while inappropriate, does not rise to the level of “behavior so disorderly or inappropriate” that it interfered with the proper conduct of the event.

Many of the ethical rules embodied in the Code are subjective by nature, and Section II.C.3. is no exception. In that light, the Ethics Committee seeks to strike a balance between enforcing the Code to ensure the ethical conduct of all USAW members and participants in the sport, while not transforming inadvertently into the “morality police” and penalizing the sort of behavior that, while inappropriate, may not warrant formal sanction.

For better or worse, from time to time people use profanity and make profane statements. It is an established component of human interaction, and athletic competition is no different. Indeed, as the Ethics Committee noted in *Matter of Doherty*, the emotional highs and lows of competition sometimes may even animate its use. Moreover, the Ethics Committee recognizes that, unlike the public outburst in *Matter of Doherty*, the present matter involves a private text between two individuals. Still, as is true in all social situations, it is incumbent on people to “know their audience” and consider their surroundings before they speak.

The Ethics Committee does not believe that either its purpose or the purpose of the Code is to prohibit the use of profanity in all circumstances; rather, it is to ensure that USAW members and other participants conduct themselves in a manner in keeping with the ethical principles set out in the Code.

That Graber’s text message was inappropriate is undeniable, and does not reflect positively on USAW. Nevertheless, the Ethics Committee concludes that a single such instance does not rise to the level of behavior “so disorderly or inappropriate” as to warrant formal sanction.

Recommendation: Michael Graber should be cautioned privately to “watch his language” in communications with other USAW members and participants, and consider whether his statements are appropriate for the intended recipient. The Ethics Committee recommends that no further action be taken against Graber at this time. Should additional examples of similar behavior come to light, the Ethics Committee reserves the right to take appropriate action.