

OPEN LETTER TO THE UNITED STATES OLYMPIC COMMITTEE

March 31, 2017

Mr. Scott Blackmun
CEO USOC
National Headquarters
1 Olympic Plaza
Colorado Springs, CO 80909

Dear Mr. Blackmun,

Four years ago we implored you, in your leadership capacity as head of the Olympic movement, to intervene in the way Chuck Wielgus and USA Swimming were addressing the nation's largest sexual abuse scandal in sport. You refused, telling us that “[w]e have high regard for the work that [USA Swimming’s] board and staff are doing, including their efforts to protect young swimmers from sexual abuse.” Your decision to support your friend, Chuck Wielgus, while at the same time you and the USOC were also deliberately and strategically failing to protect athletes, was a moral lapse in judgment, and left America’s athletes uniquely vulnerable to sexual abuse.

We are writing today to demand that effect the termination of Chuck Wielgus immediately.

While Mr. Wielgus has announced he will retire in August of 2017, the USOC must send a message that the Olympic movement will no longer tolerate those leaders who have actively harbored abusers and failed to address the culture that fosters sex abuse. If Chuck Wielgus had been the president of a university, instead of the head of a national governing body, he would probably be in prison. Indeed, former Penn State President Graham Spanier was recently found guilty of child endangerment when he failed to report just a *single instance* of child sexual abuse. Chuck Wielgus, in contrast, failed to report *dozens* of instances of sexual abuse; he even worked mightily to conceal the abuse from the swimming community. For virtually his entire career, he prioritized “money and medals” over the welfare and safety of athletes.

Below are just some of the reasons why Mr. Wielgus must be fired.

Chuck Wielgus’ behavior is indistinguishable from Steve Penny’s at USA Gymnastics. They both failed to pursue sexual abuse complaints by victims with phony rules, such as “The victim did not state that they wished to file a formal complaint.” Or, “Without the victim’s cooperation and testimony, we cannot move forward.” Or “The Sports Act impedes our ability to address sexual abuse forcefully.” Chuck Wielgus even tried to assert, under oath, that the Sports Act provided coaches with a right of “privacy.” In addition, both Steve Penny and Chuck Wielgus failed to report known sexual abuse to police.

At least twice, Chuck Wielgus fired USA Swimming employees for sexual abuse of minors. In both cases, he did so quietly, did not report them to police, and did not use his position as head of the sport to apprise other clubs about the dangers these men presented to children.

First, in 1997, Chuck Wielgus secretly fired his employee Will Colebank for child sexual abuse. He then withheld reporting Colebank to law enforcement for sexual misconduct with minors. Because Chuck Wielgus concealed the reasons for being fired, Colebank was again able to gain access to children through a new career as a teacher. Colebank was later arrested on child pornography charges.

Second, in 2006, a parent presented Chuck Wielgus with compelling evidence of child sexual abuse of Everett Uchiyama, who was USA Swimming's National Team Director. Within 24 hours, Chuck Wielgus allowed Uchiyama to resign quietly and had removed his membership in USA Swimming. Tragically, Wielgus informed no one — not even his directors or other senior staff at USA Swimming. Consequently, Pat Hogan, the Managing Director of Club Development, enthusiastically endorsed Uchiyama for a position working with children at a local country club; a club that many of Chuck Wielgus' friends and their families would have been members.

When the same parent of Uchiyama's victim found out Uchiyama had access to children, he beseeched Wielgus to contact the country club to apprise them that Uchiyama was a pedophile and should not be around children. Chuck Wielgus' response? "...[Uchiyama] is not employed by USA Swimming and he is not a member of our organization." In another email Chuck Wielgus stated, "I have heard that Everett is working at the Country Club of Colorado as an Aquatics Director, but I was not aware that he was working with the swim team. What I can tell you is that Everett is not a coach member of USA Swimming." The parent went on to identify the person and the phone number necessary for Chuck Wielgus to contact, but Chuck Wielgus refused to call the country club. He apparently did not believe that protecting children was his professional or moral responsibility.

Besides allowing his direct employees to be fired without a mark on their employment history, Chuck Wielgus also covered up two separate sexual misconduct complaints against club coach Andy King. In 2002, a parent told Chuck Wielgus that Andy King sexually abused her daughter. In an attempt to assuage the parent, Chuck Wielgus falsely represented that he would conduct an investigation into the matter — that never happened. He otherwise did nothing in response to this complaint. Shortly thereafter, in 2003, Chuck Wielgus was notified that Andy King had forced a swimmer to engage in an open sex act against her will on the pool deck, traumatizing her. Not only did Wielgus fail to investigate, but he ordered that his staff keep the matter "confidential". Chuck Wielgus again did not contact the police, even after this second report. Demonstrating an astounding lack of concern for athlete welfare, Chuck Wielgus allowed Andy King to continue coaching without restriction. Predictably, Andy King sexually molested at least one minor female swimmer after these reports to Chuck Wielgus.

Making matters worse, Chuck Wielgus lied about this knowledge in a nationally televised interview with ESPN, claiming that Andy King was never on the USA Swimming "radar" until his arrest in 2009. Moreover, in 2010, he declared under penalty of perjury in conjunction with civil litigation that no prior claims involving King had ever been brought to his attention.

Chuck Wielgus admitted in a 2010 deposition that he knew of a secret settlement between club swim coach Rick Curl and a child molestation victim. Not only did Wielgus fail to banish this child molester from the sport of swimming, he *rewarded* him with VIP-deck passes to the 2012 Olympic Trials. Curl was not banned from coaching until he was sentenced to 15 years in prison for sexual abuse.

It took Chuck Wielgus and USA Swimming over 30 years to ban swim coach Mitch Ivey, when they finally acted on information they had known since *at least* 1984. In 1993, Ivey was even featured in an ESPN “Outside the Lines” television segment that detailed his sexual abuse of his underage swimmers, in 1978 and 1983, abuse that Ivey *never even hid* from the swimming community. Although Ivey was fired from his school-based employment after the 1993 ESPN segment, he continued to coach in the unregulated field of USA Swimming; club swimming. In 2011, USA Swimming received a formal complaint against Ivey, but yet again Chuck Wielgus still failed to remove him from membership.

Then Congressman George Miller began investigating USA Swimming. While one of Ivey's swimming victims had committed suicide, we located another one of his swimming victims via a 15 minute on-line search. This victim, Suzette Moran, had already been featured in the ESPN segment. She boldly disclosed Ivey's criminal conduct to the media. Moran refused to cooperate with USA Swimming's investigation; she only trusted the media to report her story fairly. Only after this media attention was garnered was USA Swimming finally spurred into action by banning Ivey ...in 2013.

Chuck Wielgus allowed known predators like coaches Paul Bergen and Murray Stephens to conclude their careers as members-in-good standing in the sport of swimming. In a now-familiar pattern, it was media pressure that forced these coaches off the deck. Chuck Wielgus has never included them on the banned coaches list. Stephens remains in the Hall of Fame. This means that his victims do not feel comfortable at club events and reunions where they grew up; women know Stephens will be present and will forever be a part of the swimming community.

Chuck Wielgus claimed he was unaware of sex abuse claims against Coach Norm Havercroft. Yet, USA Swimming's insurance carrier had previously settled a sex abuse claim for hundreds of thousands of dollars with one of his victims; another minor female swimmer. Again, Chuck Wielgus lied when he was under oath, under penalty of perjury.

Chuck Wielgus has used “scorched earth” litigation tactics when victims attempting to recover their damages. USA Swimming retained at least 12 separate law firms and over 24 lawyers in an attempt to thwart justice and compensation for sex abuse victims. To date, a vast majority of USA Swimming victims have not received a penny from USA Swimming or the USOC, while legal fees to USA Swimming attorneys have likely exceeded \$10 million. Chuck Wielgus could have directed that money to be used to help victims of child abuse, and to prevent future abuse, rather than to line the pockets of unscrupulous defense lawyers.

You stated in Chuck Wielgus' retirement announcement that he has performed “good work” which has “made the difference for the lives of athletes for many years to come.” If the standard is “money and medals” – then we would agree. But Chuck Wielgus made the sport intolerably dangerous for children over many years and an effective haven for pedophiles when he refused to investigate sexual abuse, refused to ban romantic and sexual relationships between coaches and the athletes they coached and failed to discipline the offenders until forced to do so by bad publicity, Congressional oversight or new USOC bylaws.

Today's article in USA Today divulged that Chuck Wielgus knew child sexual abuse was a problem, even writing a letter asking for help to the USOC back in 2004. In the same article, you admitted that your organization has failed to protect athletes from predator coaches. You indicated that you are “sorry” and

that, in hindsight, you wished that you would have acted “sooner and more aggressively”. We have now provided you with this factual narrative; now is the time to be honorable and to put those words into action. Terminating Chuck Wielgus is an absolutely necessary step towards eradicating a culture of indifference on childhood sexual abuse issues. American athletes deserve more.

In closing, we are asking that you *for once* to take the side of the athlete; the abused athlete, rather than your friend and colleague. Money and medals cannot be more important than the wreckage he know about and did not remedy. Nineteen (19) victims of swimming coach sexual abuse had the courage to come forward and demand that the International Swimming Hall of Fame rescind Chuck Wielgus' nomination in 2014. We ask you to demonstrate this same courage and -- on behalf of the hundreds, if not thousands of sexual abuse victims – take steps serving to immediately remove Chuck Wielgus from his position before he exits under undeserved pomp and circumstance.

Sincerely,

Nancy Hogshead-Makar, Esq., Champion Women
Jon Little, Esq., Saeed & Little, LLP
Robert Allard, Esq., Corsiglia, Mc Mahon and Allard, LLP