

**To: International Swimming Hall of Fame (ISHOF) Executive Director:** Bruce Wigo

**To: ISHOF Board of Directors:** Dennis Carey, Donna de Varona, Jim Ellis, Eldon Charles Godfrey, Richard Korhammer, Tod Spieker, Mike Snyder, Tony Corbisero, Aaron Peirsol, Terry Carlise, Bill Kent and Mark Spitz.

**From: Victims of Coaching Sexual Abuse:** Diana Nyad, Deena Deardurff Schmidt, Kelly Davies, Caren McKay, Suzette Moran, Brooke Taflinger, Jancy Thompson, Caren Bonnet, Stephanie Tyler Vieira, Anna Strzempko, Katie Kelly, Laura Tocheny, Michele Kurtzman Greenfield, Laurie Priest, Julia Thompson, Allyson Turner, Gretchen Ash, Anonymous victim of Everett Uchiyama, Debra Denithorne-Grodensky

**Supporters of Victims of Coaching Sexual Abuse:** Terry Carlise, Frank Comfort, Jennifer Hooker Brinegar, Randy Reese, Linda Jezek Wittwer, Megan Neyer, Ph.D., LPC, Robert Culliver, David Belowich, Lisa Burt, mother of deceased daughter and victim Sarah Burt, Carrie Steinseifer Bates, Linda Thompson Ayres, Bonnie Glasgow, Connie Beemer, Kelly Legaspi, Adrian Legaspi, MD, Kim Carlisle, Shelley Carlisle, Donna Decker, Dia Rianda, Janis Hape Dowd, Chris Breedy, Amy Wieland, Steven Breiter, Jim Bonnet, Chuck Thompson, Warren Deppong, Tony Ciccolella, Walt Lopus, J.J. Shaughnessy, MD, The Women's Sports Foundation

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We are survivors and childhood sexual abuse victims of USA Swimming coaches. We are stalwarts of our sport; as current and former swimmers, coaches and family members and advocates of victims who are impacted by the sexual abuse scandal rocking the swimming world.

We've been told that the ISHOF Board of Directors did not have information or materials regarding Chuck Wielgus' handling of sexual abuse prior to voting. These materials have been assembled for you to re-consider your prior vote.

Together, and with these materials, we are asking that the International Swimming Hall of Fame (ISHOF) immediately rescind the upcoming June 13, 2014 induction of USA Swimming Executive Director Chuck Wielgus to its Hall of Fame.

Chuck Wielgus has been the Executive Director of USA Swimming for 17 years, earning \$908,432.00 in 2012, (Exh. 1, p.2) yet he has not shown leadership in combating sexual abuse in the sport of swimming for most of that time. As of May 1, 2014, more than 100 USA Swimming coaches have been banned for life, making this one of the worst sexual abuse scandals in the US Olympics sports world. Many of these coaches had well-known, long histories of sexual abuse, yet Wielgus enabled these men to continue to coach for years. Not until Wielgus was heavily pressured by the United States Congress, by heart-breaking [media stories](#) on the unrelenting parade of victims, by lawsuits, and by new United States Olympic Committee (USOC) rules, did USA Swimming start to protect victims. In short, when it comes to sexual abuse, Chuck Wielgus has not been a leader in protecting victims; he has instead responded to outside pressure, and only after other avenues of obfuscation have been exhausted. The details are below.

## **1. Chuck Wielgus Failed to Remove Known Serial Molesters from Swimming.**

**Andy King:** From 2002-2003, Wielgus covered up two separate sexual misconduct complaints against coach Andy King, going so far in one of them to direct the club to [keep the matter “confidential”](#) and that he would not conduct an investigation. Had King been investigated, Wielgus would have learned that King sexually abused numerous swimmers prior to 2003. By allowing King to continue coaching, Wielgus enabled King to continue molesting kids up until he was arrested in 2009 as a serial predator.

In 2010, Chuck Wielgus [lied to ESPN's Outside the Lines](#) by claiming that USA Swimming had never heard of Andy King until he was arrested in 2010. The segment details the email exchange in 2003 that demonstrated Wielgus knew about King and ordered the cover up of an Andy King complaint. King was sentenced to 40 years in prison for molesting underage swimmers.

**Everett Uchiyama:** When Wielgus discovered USA Swimming employee, Everett Uchiyama, [had molested a minor swimmer](#) over a period of years, Wielgus responded by allowing Uchiyama to quietly and secretly resign his employment as USA Swimming National Team Director. USA Swimming issued a press release entitled, “USA Swimming Announces Staff Changes” with no mention of his sexual abuse. (Exhibit 2) Not only was Uchiyama not reported to the authorities, but USA Swimming provided [a positive recommendation for Uchiyama](#) to a private country club about five miles from USA Swimming headquarters, where he once again gained access to minor swimmers as a swim coach.

Worse, Wielgus, when asked by the media and again under oath, denied that USA Swimming had provided a recommendation. (Exhibit 3) Moreover, Wielgus knew Uchiyama was coaching at a nearby club, but did not think it was his responsibility to inform the club. (Exhibit 3) [Only after the media pressured Wielgus into making the list of banned coaches public](#) did the [new club learn](#) that USA Swimming had not disclosed that Uchiyama had been secretly banned by the sport.

**Mitch Ivey:** It took USA Swimming over [30 years](#) to ban Mitch Ivey, acting on information known since at least 1984. In 1993, Mitch Ivey was featured in an ESPN “Outside the Lines” television segment that detailed his sexual abuse of his underage swimmers a decade earlier, in 1978 and 1983, abuse that surprisingly, Ivey never hid from the swimming community. The 1993 segment resulted in Ivey being [fired from the University of Florida](#), but he continued to coach club swimming teams. In 2011, USA Swimming responded to a [formal complaint](#) and conducted an investigation, yet Wielgus still failed to remove Ivey from membership. Not until [Congressional oversight and bad publicity](#) from multiple channels, and the threat of litigation did Swimming act to ban Mitch Ivey ...in 2013.

**Rick Curl:** This coach molested his swimmer, Kelly Davies Currin, starting at age 13. Wielgus learned about the abuse from many sources, but in May of 2010, Wielgus admitted under oath that he had heard Coach Rick Curl had molested Kelly Davies Currin. (Exhibit 4) Despite the knowledge, Wielgus allowed Curl to continue coaching and access to young swimmers. Curl even received rare and highly rationed deck passes at the 2012 US Olympic Trials, even [after the formal investigation had commenced](#). Curl was not banned from USA Swimming until after the London Olympics in 2012. [Curl is now in prison](#) for his sexual

molestation of Davies. Her statement and story are [here](#). The [Washington Post compared](#) the victim's timeline with that of USA Swimming, and believed the victim, writing in an opinion piece, "...e-mails and other information provided by [Currin's] attorney call [USA Swimming's] accounts into question."

These coaches and their sordid tales are intended to be a representative list, not an exhaustive one. Prior to the 2010 media coverage, [USA Swimming did not release its list of banned coaches to its members or clubs](#). Whatever rules were applicable, member clubs had no way of knowing whether rules were enforced, or whether it was safe to hire a coach. Yet these four coaches illustrate the way Chuck Wielgus has responded to reports of abuses, his behavior in litigation and his failure to protect future victims.

## **2. Chuck Wielgus Has Not Shown Leadership To Protect Swimmers From Sexual Harassment and Abuse, the Way Students and Employees Are Protected.**

Chuck Wielgus has allowed a culture of sexual harassment and abuse to foster by condoning sexual relationships between coaches and the swimmers they coach; policies inconsistent with the [USOC's Coaching Ethics Policies](#). Indeed, some of Wielgus' [highest-ranking employees](#) and associates either married swimmers very near the legal age of consent, or married their coaches around the same time.

Wielgus was well-aware the risk that this culture within swimming posed to its athletes. For example, during Andy King's criminal sentencing hearing, King protested to the court that he didn't do anything wrong; that his behavior of having "relationships" with his swimmers was normal for coaches. Yet Wielgus initiated no educational push to change Swimming's culture after Andy King exposed it so glaringly.

[In 2012, US Swimming rejected a rule that would have prohibited a coach's sexual access to the swimmers they coached](#). In 2013, the USOC [forced Wielgus to flatly prohibit romantic and sexual relationships](#) between coaches and the swimmers they coach, bringing the sport in line with prohibitions on family members, teachers, doctors, clergy, therapists or others in a position of power and trust that are taken for granted throughout society. If USA Swimming did not change its policies that allowed sexual access to swimmers, US Swimming risked losing USOC's Sport Performance funds.

Even after the Andy King trial and this significant rule change, many coaches still see nothing untoward about having sex with the athletes they coach, so long as they are over 18 years of age. (See [Gundersen](#), p. 14) Moreover, the new 2013 rule is not included in the recent annual sexual abuse training for coaches. By not educating coaches on the impermissibility of coach-athlete relationships, Wielgus is failing to change the culture that allows athletes to be groomed and abused for years. (See, *Id.*)

## **3. Chuck Wielgus' Legislative Strategy Has Been Hostile to Victims:**

Victims of childhood sexual abuse and molestation often wait until mid-life to report their molestation, and short statutes of limitation allow these molesters to take advantage this common victim-reluctance. Yet in 2013, Chuck Wielgus and USA Swimming hired one of California's most influential lobbying firms to fight with the [Catholic Church lobbyists](#) and kill legislation

that would have given sexual abuse victims more time to report their molestation before being faced with a legal statute of limitations deadlines.

#### **4. Chuck Wielgus' USA Swimming Policies Are Hostile to Victims:**

USA Swimming has adopted two policies – that are voluntary and not required by law – that make it difficult for victims and for those that advocate on behalf of victims.

First, USA Swimming has a policy that grandfathers in abusing coaches, so long as the coach molested prior to a certain date, and then give up their membership in the organization. The policy makes it is impossible for victims to remove their abusers from the Swimming Hall of Fame, and also leaves these molesters in good standing within the swimming community. More importantly, USA Swimming's failure to oust these molesters provides them with ample opportunities to be around swimmers.

Second, USA Swimming's retaliation policy limits the protection for advocates or whistleblowers. Swimming requires advocates to file an official complaint to USA Swimming before they are protected by the rules. So if, for example, an assistant coach calls USA Swimming and discusses the questionable abuse witnessed and appropriate avenues to remedy the problem, they are not protected by USA Swimming's retaliation policy. If they are fired, demoted or removed from club membership, the assistant coach is out of luck.

This USA Swimming policy is voluntary, and is out of step with retaliation law in employment and education, where retaliation policies protect whistleblowers when they were fired because they complained about prohibited conduct. *Jackson v. Birmingham*, 544 U.S. 167 (2005).

These two voluntary policies allow USA Swimming to dismiss complaints on “technicalities.”

#### **5. Chuck Wielgus Has Been Hostile Towards Victims That Report Sexual Abuse.**

In 2010, Olympic gold [medalist Deena Deardurff Schmidt publicly disclosed she was molested by her coach](#), beginning when she was 11. As a long-time swimming coach herself, and one of the very few elite female coaches, she spoke to expose the culture within USA Swimming that she believed protects known sexual predators. When Chuck Wielgus was asked about Deena's molestation during a [news interview](#), [Wielgus responded that he would “call her up and talk to her”](#). But rather than pick up the phone, Weilgus reached out to her by serving her with a [subpoena for a grueling \(and unnecessary\) deposition](#), even though Deardurff Schmidt had never hinted at litigation; she had spoken out in an effort to improve the sport.

- Meanwhile, Wielgus never conducted an investigation into her molestation, even after Deardurff Schmidt's deposition.
- Consequently, this coach is still in the Swimming Hall of Fame.

As of May 1, 2014, USA Swimming has paid its *defense* lawyers an estimated \$3.5 million to defend a single case, involving Jancy Thompson. Thompson claims that she and her then teammate were both sexually molested by [Coach Norm Havercroft](#). Wielgus has not denied that Thompson and her teammate were molested.

In 2008, Brooke Taflinger learned that as a young swimmer she was one of many being secretly videotaped by Coach Brian Hindson. Chuck Wielgus knew about the dangers of secret videotaping from as far back as 2004, yet did nothing to protect swimmers from this danger. In fact, Wielgus lied and perjured himself in a May 2010 deposition by claiming he had [no knowledge of any USA Swimming athletes ever being videotaped](#). Hindson was arrested by the FBI and later convicted.

## **6. USA Swimming's Mandatory Insurance Policies Made It Unlikely Victims Would Get The Counseling Help They Needed To Move On With Their Lives.**

As anyone with a pool knows, insurance companies' requirements and oversight keep claims low by making the environment safer.

USA Swimming requires member clubs to purchase insurance through USA Swimming. Yet sexual abuse of swimmers, a well-known risk in swimming, was explicitly *excluded* from insurance coverage until 1999.

First, it was the USOC that pressured Wielgus and Swimming, since Swimming was the only sport under the Olympic umbrella to exclude coverage for sexual abuse. When US Swimming finally relented, [the insurance was crafted](#) to provide for unusually low amounts, and required that defense lawyers were paid first, out of the already-low amount available. Thereby, Wielgus ensured victims were very unlikely to get the help they needed.

The second set of insurance reforms came again from more outside pressure - from the United States Congress, lawsuits, the media and pressure from the re-insurers - to require USA Swimming's insurance limitations to conform to other youth-serving organizations, and to provide victims with adequate insurance coverage for the well-known risk of sexual abuse. (See [Gundersen](#), p. 10)

Without meaningful insurance coverage for sexual abuse, Wielgus made it very inexpensive for clubs to ignore sexual abuse for most of his 17 years as Executive Director.

## **7. Chuck Wielgus Has Refused to Apologize to Victims of Sexual Abuse**

Finally, in an [ABC News 20/20 segment](#), Wielgus was defiant; claiming he should not have to apologize to victims, defending his actions and USA Swimming. He has apologized to coaches for his poor PR performance, but not to victims for the harm he has caused, as detailed by the actions and inactions listed above.

To put Chuck Wielgus in the International Swimming Hall of Fame is adding insult to injury for the hundreds of victims of USA Swimming sexual abuse. He has not been truthful under oath, and has frequently displayed a lack of remorse or compassion towards victims and survivors.

The International Swimming Hall of Fame is for people who have excelled in their respective sports and been exemplary role models and leaders within the aquatics community. Particularly for a non-swimmer and someone in a leadership position, qualifications must include an evaluation of the top executive's leadership performance. For the 13 years prior to the 2010 20/20 investigation, just 46 coaches were technically banned on a secret list that was not available to member clubs. Rehabilitation from 2010 was possible, but did not happen. In the

past year, changes have happened, particularly a fund for those abused, consistent with other youth serving organizations.

But it does not require leadership to move an organization that is under pressure from its excess insurance carriers, that is under a Congressional investigation, that is under an FBI investigation, and that is under constant media scrutiny.

Instead, it takes leadership to avoid that level of inquiry.

Chuck Wielgus has not demonstrated leadership and is undeserving of the honor of the Hall of Fame. We ask that you join us in making the voices of the victims heard, and send a message to the swimming world that we cannot have either sexual predators or those that enable predators such as Chuck Wielgus glorified as heroes worthy of Hall of Fame consideration.