
SPECIAL REPORT



THE NATIONAL ASSOCIATION OF SPORTS OFFICIALS



OFFICIALS UNDER ASSAULT

UPDATE 2002

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NASO Special Report: Officials Under Assault — Update 2002

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NASO SPECIAL REPORT: OFFICIALS UNDER ASSAULT – UPDATE 2002

I. INTRODUCTION

Since first publishing the *NASO Special Report: Assaults On Sports Officials* in the spring of 1998, the National Association of Sports Officials (NASO), has received hundreds of calls from members of the media, legislators, sports officials, athletic administrators and fans seeking additional information on the issue.

Attacks on sports officials continue, despite efforts of national governing bodies and sports organizations to emphasize sportsmanship. Today, not only are officials at risk, but coaches have faced similar verbal and physical attacks by overzealous parents and players.

Noticeable changes are occurring, but the pace of those changes is slow and assaults continue to occur at an alarming rate. Public awareness of the issue and efforts to impact change are increasing. The media has done a credible job of reporting incidents that occur in their community and has followed cases through the judicial system. Judges have taken note of the media attention and have used their pulpit as a forum to preach sportsmanship and civility.

“One minute of bad judgment destroyed a lifetime of accomplishment,” Massillon Ohio Municipal Judge Edward Elum told Steven Smith of Perry Township, Ohio, after convicting Smith in February of 2001, for assaulting an official. Smith was sentenced to five days in jail, 85 days of house arrest and received a \$250 fine. An additional 90-day jail sentence was suspended.

Community recreational programs have embraced “zero-tolerance” policies with respect to player and fan behavior.

On July 18, 2001, the American Youth Soccer Organization (AYSO), handed down its toughest punishment in history, banning “for life” three adult coaches who took part in a melee in June at a Southern California youth soccer tournament.

“The message we are sending with these decisions is unmistakable,” said AYSO National Executive Director Cherie Tucker. “The AYSO will not tolerate such conduct ... and we are working to eliminate it.”

Also in July, a youth sports league disbanded a girls’ soccer team from Crofton, Md., and accepted the coach’s resignation after allegations that team parents harassed a teen-age referee.

According to a story in the *Annapolis Capital* on July 17, the unanimous decision by the 13-member board of directors of the Crofton Athletic

Council to disband the team followed a growing trend of hostile and rude behavior from parents and coaches in Anne Arundel County and nationwide. The paper quoted Jeff Shackelford, president of the Cardinals Athletic League in Anne Arundel as saying, "This has been a growing problem in youth sports for quite some time. I think the problem is more than baby-boomers living vicariously through their children. Until we eliminate the mandate to win, we're never going to eliminate these situations."

NASO is supportive of such actions and believes they will have impact over the long term.

NASO has aggressively worked to educate its own members and the officiating community by supporting the publishing of articles in *Referee* magazine and in 2000, NASO and Referee Enterprises, Inc. (REI), created a 32-page brochure advising officials on how to deal with aggressive behavior. The booklet is called, *When They're In Your Face and How to Deal with It*.

These are steps in the right direction to change the perception of how to deal with outrageous fan and athlete behavior. Teaching sportsmanship and acceptable public behavior at sporting events is an ongoing challenge.

In the original *NASO Special Report: Assaults On Sports Officials* written by Marquette law student Troy Cross, it was noted that, "Sports participation has become a part of American life. Today, sporting events have become further ingrained into the consciousness of society due to the constant exposure they are given."

So what makes sports, "life with the volume turned up," as NASO Founder and President Barry Mano says?

No matter where you go and what you do sports and its personalities, team logos and merchandising products surround you.

For example: one quarter of the *USA Today* newspaper is devoted to the sports section; ESPN and Fox Sports have numerous channels devoted entirely to sports; and sports talk radio stations can be found in every major American market. Many people no longer are involved in sports merely for the pure enjoyment of the game. At almost every level sports have become a major business with large amounts of revenue involved. Professional sports leagues and teams garner huge television rights fees; the college level receives enormous funding for its events; high school programs receive rights fees for television and radio broadcasting of games; and even youth league programs invest thousands of dollars so that teams can travel to various contests and competitions. Financially managing any of those levels requires full-time attention.

Nearly \$10 billion was spent in 2001 on sports sponsorship according to the *IEG Sponsorship Report*. That \$10 billion amounts to 69 percent of all

dollars directed at sponsorship of events of any kind.

We are inundated with sports. From the moment children are born they are clothed in team logo apparel; have their rooms papered and adorned with sports figures and posters and more. At every corner you see people wearing team jackets, T-shirts and caps. Cars display bumper stickers, flags and even personalized plates. Entire communities can have their reputation affected by their sports team and its reputation as a “winner” or “loser.”

Similar to other businesses, sporting events have components essential to their survival. The most basic components are the players or participants. There must be coaches in order to guide the players and lead them to their goals. Fans are also necessary at the higher levels of sports participation in order to pay for tickets and merchandise to help finance the salaries of the players, coaches and other expenses associated with the sport. Finally, and in some sense most importantly, there must be officials to enforce the rules of the game and judge potential disputes between participants on the field.

Sports officials act as the on-field judges for their respective sports. They are brought in from the outside, as neutral participants who have no stake in the outcome of the game.

In order to clearly understand the purpose of the official, Mano, who also is the publisher of *Referee* magazine wrote in his “Publisher’s Memo” in March 2001; “As an official you are a vital ingredient in the sports equation. Without you the games become something the world doesn’t want. That makes you important but not preeminent. You are on hand to observe and enforce. You are not there to have the spotlight shine upon you. If you want center stage, join the entertainment business. Your role is to be as transparent as possible while having your very presence act as a calming force — a force on behalf of order.”

And so, when an official comes under attack it is an act that usually creates chaos. Chaos among the participants as well as those in the stands observing.

When sports officials act in what could be called their “judging” capacity, they should be afforded protection from assaults and other negative reactions by participants, coaches and fans. Unfortunately, in most states, that does not seem to be the case. “Kill the ump,” has become more than just a taunt by some disgruntled fans. In fact, certain players, coaches, and fans have engaged in actions in which it seemed as if they were indeed trying to “kill the ump.”

That phrase has led to a disturbing trend in the United States over the past few years. That trend at its foundation shows a lack of respect for the authority exemplified by sports officials. Of course, that lack of respect is symptomatic of a general lack of respect for many authority figures including sports officials, police officers and teachers.

II. THE PROBLEM AT THE PROFESSIONAL LEVEL

It is not uncommon, nor unhealthy to emulate someone. Regardless of age or social standing, having a role model is positive. However, in today's society we find that children emulate sports figures more than any other profession. Retired basketball star Michael Jordan scored higher in a recognition study among children than former President Bill Clinton (while Clinton was in office)! Having a role model is not the problem. Having the *right* role model might be.

On September 27, 1996, when baseball star Roberto Alomar, who at the time played for the Baltimore Orioles, spat in the face of umpire John Hirschbeck, America was outraged. The disgusting act was replayed over and over by news programs. The outrage by the public was not so much over the act itself, but rather directed at Major League Baseball for its apparent inability to punish the player. Since the act occurred two days prior to the beginning of the playoffs, Alomar participated in the playoff series as if nothing had occurred.

Alomar received a five-game suspension from the American League for the incident; however, he appealed the decision and was allowed to play the last two games of the season pending the outcome of the appeal. The executive board of the baseball umpires' union was so upset over the incident that it voted to walk out on the opening day of the playoffs. The umpires wanted the suspension to take effect immediately. Alomar's disciplinary hearing had originally been scheduled for the next season, but because of the umpires threatened strike, it was moved up to the week of the AL playoffs.

The umpires did not strike, but in response to the situation, they threatened to invoke a "no tolerance" stance throughout the postseason, involving any altercations with players or managers. Major League Baseball's response was to threaten the umpires with a lawsuit if they unilaterally changed the rules.

In the end, Alomar did get the five-game suspension, but it did not take effect until the next season. He was free to participate in the playoffs. After the punishment was announced, many sports officials were disgusted.

The suspension and fines handed out by professional leagues often have negligible effect. Fines that range in the thousands of dollars matter little to professional athletes whose yearly salaries are regularly in the multi-million dollar range. Suspensions that range from five to 10 games result in miniature in-season vacations for those athletes. In fact, some might say that they encourage some athletes who are more than willing to incur the penalties in order to prove their point to the officials.

Leagues and teams are specifically addressing the issue of dealing with

officials in a more positive manner. In the spring of 2001, Major League Baseball conducted a first-of-its-kind camp for umpires and team managers explaining the intended enforcement of new rules and behavior.

This summer, the National Football League, in an effort to educate its players on the importance of positive role modeling, produced a video called, "This is the NFL — Sportsmanship."

The video was played at every training camp and emphasized that every moment a NFL player is on the field, somebody is watching. The video explained the new emphasis on sportsmanship rules and stressed to players their critical role in being role models to children and adults who are fans of the NFL.

NFL Players Association Executive Director Gene Upshaw says in the video, "I think we have to be very, very careful not to let our game slip. Some of the incidents that I saw last season and the previous season were beginning to start down that slippery slope. That's why we decided we had to take a position to try and bring it back to what the game is all about."

In doing so, the league says it will not tolerate unsportsmanlike acts. Unsportsmanlike acts such as choreographed dances, lewd or crude gestures, in-your-face taunting confrontations, pushing and shoving after a play and more will not be tolerated.

Regardless of the punishment, acts of dissent against authority figures such as sports officials are becoming an acceptable behavior at lower levels of sport. Within three weeks of the Alomar incident, NASO received three reports of similar acts by youth level coaches directed at officials. Suddenly, spitting on officials was in vogue.

About the same time as the Alomar incident, other sports officials were experiencing similar outrageous behavior by athletes. The NFL's Brian Cox was fined \$87,500 by the NFL for directing an obscene gesture at an official during an October 6, 1996 game. NFL Commissioner Paul Tagliabue said the act was "again unprovoked, unprofessional, offensive to NFL fans and unbecoming for an NFL player."

Additionally, NBA players Dennis Rodman, Nick Van Exel and Magic Johnson all had highly publicized confrontations with officials during the 1996-97 season.

Mau Cason, a Chicago Public School League official, has witnessed a wide range of actions from coaches and players directed at officials. He blames some of the antics and problems, which occur at the high school level, on the actions of professional athletes.

Cason says, "The spotlight example set by basketball's Rodman and Van Exel or baseball's Alomar or football's Cox is rapidly rolling down to college, high school and even recreation league levels ... It undercuts the

officials' authority, and their ability to keep players corralled inside the rules of the game. It declares open season on 'zebras' of all sports — baseball, football, basketball, soccer and wrestling — and all levels. Beyond the boundaries of the playing field, that escalation of physical and verbal abuse speaks to the sunset of sportsmanship and civility, the celebration of violence and all-consuming victory, the intensification of unrealistic expectations and undue pressures that spell an end to a game being played for a game's sake."

A. Assaults on Officials at the Professional Level

Since a rash of incidents in 1996 and 1997, assaults on officials at the professional level have nearly disappeared. Whether it is due to an increased awareness by the leagues that fans are outraged by such attacks and want stiffer penalties, or the leagues themselves stepping up and punishing players more severely, the fact is that few assaults of any major significance have occurred.

The most noted in recent years occurred in the NFL in a December 1999 game between the Cleveland Browns and the Jacksonville Jaguars. Browns' defensive tackle Orlando Brown was suspended indefinitely for shoving referee Jeff Triplette to the ground after Triplette threw a penalty flag, accidentally hitting Brown in the eye.

Brown, who was hospitalized and treated for damage to his right eye, apologized to Triplette, along with his teammates and fans. But in announcing the suspension, NFL Commissioner Paul Tagliabue described the incident as "unfortunate," and said the league "cannot condone under any circumstances physical contact against our game officials."

Since the incident, Brown was released by the team (unrelated to his actions on the field directed at Triplette).

Other notable cases and examples where professional officials have been physically assaulted include:

- Uruguay (Basketball) — Referee Fabia Bloominblate is unconscious for more than three hours and undergoes surgery to save his eyesight and repair a broken jaw after being struck by player Elvis Bowling. Bowling was banned for life from the league and still faces civil criminal charges. (November 2000)
- Colorado (Football) — While working a Rocky Mountain Football League semi-professional game, an official was attacked by an angry coach who ripped his uniform, bloodied his nose and bit him. The official was treated at a local hospital for a human bite wound and required antibiotics. (October 2000)

- Glasgow, Scotland (Soccer) — Referee Hugh Dallas was hit in the head by an object thrown from the crowd during a game between Glasgow Celtic and the Glasgow Rangers — an intense rivalry often dominated by religious conflict. Dallas required four stitches to close the wound, and hours later at his home in Motherwell, someone smashed his windows. (May 2000)
- Florida (Hockey) — Justin McPolin of the Jacksonville Lizard Kings was suspended 35 games by the East Coast Hockey League for punching an official. “In my involvement in ice hockey and it’s been at all levels, I haven’t seen anything as bad and as flagrant as that,” said New Orleans coach Ted Sator. “It even shocked our fans.” Sator said the incident started when the on-ice officials tried to break up a fight involving McPolin. “Not only did he manhandle the linesman, he attempted to head-butt him and then he punched him,” Sator said. (November 1998)
- Iowa (Basketball) — Rosell Ellis, a forward for the Des Moines Dragons in the International Basketball Association, charged 40 feet across the basketball court in order to attack referee Bob Schoewe after receiving a second technical foul. Ellis fought off three teammates and was finally pulled off the referee by his coach, as security guards assisted. Ellis received a season-long suspension. (January 1998)
- Gifu, Japan (Baseball) — Mike DiMuro, the first American umpire to work professional Japanese baseball was surrounded by coaches and players and ultimately shoved by one of the players. When the player received no suspension or fine from the league, DiMuro returned to the United States. (June 1997)
- Illinois (Basketball) — Dennis Rodman head-butted NBA referee Ted Bernhardt after the referee ejected Rodman from the Chicago Bulls’ game with the New Jersey Nets. For the incident, Rodman received a six-game suspension and a \$20,000 fine. (April 1997)
- Texas (Basketball) — Charles Barkley and Clyde Drexler of the Houston Rockets, assaulted referee Jack Nies. Barkley was fined \$7,500 for poking Nies’ nose and drawing blood during an argument in a loss to San Antonio. Drexler received a \$5,000 fine for bumping Nies. Both also received automatic \$1,000 fines for being ejected. Barkley received a two-game suspension while Drexler was suspended for one game. (December 1996)
- Michigan (Football) — Eric Erickson, a football official, was working a

semi-pro Mid-Continental Football League game when he was intentionally blind-sided by a linebacker. Erickson was taken to a hospital where he was treated for severe contusions, pulled neck muscles and numbness in his arms and shoulders. (August 1996)

- California (Basketball) — Los Angeles Lakers' Nick Van Exel began to leave the floor, changed his mind and rushed back toward NBA official Ronnie Garretson who had just ejected him. Van Exel threw his forearm into the official's chest, knocking him onto the scorer's table. Van Exel received a seven-game suspension, along with a \$1,000 fine for the ejection and a further \$25,000 fine. (April 1996)

- California (Basketball) — Less than two weeks later, after publicly denouncing what his teammate, Nick Van Exel had done, Magic Johnson of the Los Angeles Lakers shoved an NBA official during a game after Johnson questioned a no-call. For his actions, Johnson received a three-game suspension and a \$10,000 fine. (April 1996)

III. THE PROBLEM AT THE AMATEUR LEVEL

Assaults on sports officials at the amateur level usually fall into three general categories: those committed by players; those committed by coaches or the coach/parent; and those committed by fans. The following is an overview of the problem in each of those three categories.

A. Assaults By Players at the Amateur Level

Throughout the years, officials have endured assaults from players. In most cases, coaches or other players intervene and little more than a shouting match occurs. The player is likely ejected and the game continues. However, in recent years a number of physical attacks crossing the line of acceptable behavior have occurred.

A look at the headlines from numerous major newspapers reveals situations where a player, or players, assaulted game officials. What follows is a brief description of several incidents where players made the news in recent years by attacking officials:

- Louisiana (Softball) — A coach and player physically assault the umpire in the parking lot following an adult softball game. They were upset over a call made by the umpire during the game. (May 2001)

- Pennsylvania (Ice Hockey) — During an adult ice hockey game the referee's nose is broken when a player comes off the bench and strikes the official with the butt-end of his hockey stick. (April 2001)

- California (Baseball) — During an adult (30+) baseball game the umpire is head butted twice across the bridge of his nose after ejecting a player for throwing a bat and cursing. (April 2001)
- New York (Football) — Following the conclusion of an adult football league game in Middle Village Queens, the official is “sucker punched” from behind by a player. The official suffers severe back pain, headaches and blurred vision. (March 2001)
- South Carolina (Intramural Basketball) — A member of the South Carolina Gamecocks football team, while participating in a campus intramural basketball game, struck the game official and knocked him to the ground after being asked to leave the floor following a second technical foul. (February 2001)
- New Mexico (Adult Softball) — After several warnings for vulgar language resulted in an ejection, the ejected player struck the umpire in the face with a full-swing of an aluminum bat breaking the umpire’s nose and several bones in his face. (August 2000)
- Alberta, Canada (Adult Ice Hockey) — An indefinite suspension from the league and a \$1,500 fine was levied against an adult hockey player who punched the game referee, causing a broken jaw, the loss of three teeth and persistent dental problems. (August 2000)
- Colorado (Softball) — Game umpires were verbally accosted and threatened by several players from one team in the parking lot following a game. Besides being pelted with full water bottles, the officials were told, “You could be hurt when you’re not looking.” (July 2000)
- Michigan (Soccer) — A soccer player who punched a referee during a game received a 15-day jail sentence after pleading guilty to assault and battery. In addition, the court fined the player \$300 and the athletic league issued a lifetime ban from further participation. (May 2000)
- Virginia (Adult Ice Hockey) — A 24-year-old woman received a 30-day suspended jail sentence for coming on the ice to attack referee Jason Racette, who was breaking up a fight among players of a ‘B’ League adult hockey game. (February 2000)
- Maryland (Football) — A game of 12-year-olds was forfeited after a player

struck the referee in the face with his helmet when the player became upset at a penalty call. (September 1999)

- Massachusetts (Softball) — George Viveiros of New Bedford was hit in the groin with a water jug and then nearly run over by a player leaving the parking lot following a controversial call in an adult softball game. The jug was thrown from the dugout area, resulting in Viveiros declaring the game a forfeit. (August 1999)
- Massachusetts (High School Ice Hockey) — A high school hockey player used his helmet to head-butt referee Brian Sullivan and landed several punches to his face. It required several stitches to close a cut on the referee's finger, as well. (March 1999)
- Michigan (Ice Hockey) — Adult hockey player Jay Tanner was sentenced to 30 days in county jail, one year probation and 25 hours of community service for an attack on referee Ron Lock. Lock was taken to the hospital in an ambulance after the attack, which happened after Tanner became upset that Lock didn't call a penalty late in the game on a play in which Tanner felt he was fouled. Lock suffered a black eye and concussion. (January 1999)
- Colorado (Baseball) — A 16-year-old umpire received four stitches in his mouth and was treated for bruised ribs after he was pushed, hit and kicked by players and a coach at a 15-to-18-year-old recreational baseball tournament. The official could have been more seriously injured had he not been wearing a chest protector according to the doctor who treated him. (July 1996)
- Virginia (Basketball) — A 17-year-old youth league basketball player was convicted of assault after he knocked a referee unconscious and incited a near-riot at a community service recreation league game. His punishment was four days of community service. (September 1996)
- Washington (Wrestling) — A high school wrestling official was headbutted by the losing contestant during a fit of anger that knocked out the official for more than 20 seconds. The offending wrestler pleaded guilty to fourth-degree assault and received 30 days in jail, one-year probation and was ordered to perform 100 hours of community service. (February 1996)

B. Assaults By Coaches at the Amateur Level

At the amateur level, especially in recreational programs across America, parents fill the role of coach. With no formal training, those coaches often take on the personality of the coaches they see on television.

“We have far too many volunteer coaches who think they are Vince Lombardi when they step out on the football field,” says Jeff Murray, field operations supervisor for Oklahoma City’s parks department. “We try to make our volunteer coaches understand what their role is, but too often the self-imposed stress leads to blow-ups on the field with officials.”

Numerous programs are now being implemented across the country with parks departments that provide basic training for volunteer coaches. The National Youth Sports Coaches Association (NYSCA) in West Palm Beach, Fla., certified more than one million volunteer coaches since 1987. Other organizations have since duplicated the NYSCA program, or taken parts from it to create coaches’ training programs. The most important point of such training being that youth coaches need to maintain a focus and perspective that winning is not the most important element of youth sports.

Still, officials are abused more in the youth sports segment than any other. Here are some recent examples:

- Canada (Hockey) — The assistant coach of a Minnesota youth hockey team is criminally charged following a rink rage incident involving a 22-year-old referee during a minor peewee (13-year-olds) tournament game. (July 2001)
- Wisconsin (Baseball) — A coach and his assistant, after having been ejected from a 13-and-under youth baseball game, confront the umpire and body slam him to the ground during a physical struggle. (July 2001)
- Illinois (Volleyball) — A junior high school coach tries to take a meat cleaver into school after an argument resulting from the official forfeiting her team due to derogatory comments by a fan directed at the official. (March 2001)
- Canada (Hockey) — A minor league hockey coach in Hamilton is charged with threatening to kill a teenage referee following an outburst over a two-minute penalty. Following his ejection from the game, the 34-year-old coach went onto the ice and threatened the youth official in front of his 10- and 11-year-old players and adult spectators. (March 2001)
- California (Football) — An official obtained a restraining order due to

harassing phone calls and threats from a youth football coach upset at the officials calls during a game between 10- and 11-year-olds. (October 2000)

- Florida (Baseball) — A 20-year veteran umpire was attacked by the coach after he disagreed with the umpire's call. The coach "sucker punched" the umpire and broke his jaw as the umpire was walking away. (June 2000)
- Texas (Baseball) — A police sergeant and youth coach, angry after being ejected from his son's game, went home and put on his police uniform. Returning to the field, he waited in the parking lot following the game and then issued a traffic violation ticket to the game's umpire when the umpire left the facility. The officer was reprimanded by the police department for lying about the incident to his superiors. (March 2000)
- Nebraska (Football) — A 38-year-old coach was sentenced to 30 days in jail for punching a 16-year-old referee at halftime of a game. (October 1999)
- Arizona (Youth Baseball) — Following a game among high school-aged baseball players participating in the state's Grand Canyon State Games, a competitive, but designed-for-fun series of games involving state athletes, an umpire was attacked in the parking lot as a coach (who was ejected from the game) jumped out from behind a pillar and struck the umpire in the face three times, breaking the umpire's eye socket. (June 1999)
- Florida (Soccer) — An upset coach attacked the game referee near a concession stand, following a soccer game of 12-year-olds. The coach head-butted the official and broke the official's nose. (March 1999)
- Wisconsin (Baseball) — A 62-year-old volunteer baseball umpire was punched in the face several times by a coach angry over a no-call in an 11- and 12-year-old level baseball game. The coach followed the umpire into the equipment room to attack him. (August 1998)
- Alabama (Baseball) — A father/son coaching duo attacked both umpires during an 11- and 12-year-old Dixie Youth League all-star game. The duo teamed-up to hold one official down while kicking and beating him. (December 1997)
- California (Football) — Following the conclusion of a 10-year-old "midget division" playoff game, a coach calmly walked up to one of the game officials, handed his jacket to a player and then asked the official to turn

around to answer a question. When the official turned, the coach slugged the official without warning in the cheek near one eye. He then turned, took his jacket from the player and calmly walked away. The coach was found guilty of battery and served 20 days in jail. He was ordered to pay \$100 to a victims fund and was placed on two years probation. (November 1997)

- California (Football) — While walking an 11-year-old player to the bench and asking the coach to let the player “cool off” as tempers began to flair, the coach shoved the official to the ground with both arms and began kicking him in the groin. (October 1997)
- Oklahoma (Baseball) — A 15-year-old tee-ball umpire, was allegedly choked and punched by a 37-year-old assistant coach of a tee-ball team for five- and six-year-olds. The umpire was treated at the hospital for bruises around his neck and a burst blood vessel in his eye. (August 1997)
- Alabama (Baseball) — An incident stemming from a coach questioning an umpire’s call after an all-star game involving 11-and 12-year-old players resulted in charges filed against a coach and his 20-year-old son as the two teamed up and physically assaulted the umpire in the parking lot. (July 1997)
- California (Baseball) — A 45-year-old umpire was assaulted by a 33-year-old player-coach during a Sacramento-area National Adult Baseball Association game. The umpire was punched in the face as he tried to leave the field. His jaw was broken in four places. (May 1997)
- Virginia (Basketball) — A 17-year-old youth league basketball player was convicted of assault after he knocked a referee unconscious and incited a near-riot at a community recreation league game. His punishment was four days of community service. (September 1996)

It must be noted that no matter what an official’s decision is, in many cases half of the individuals involved will be disappointed. After all, fans always want to see the calls go their way. That is the nature of sports. In a sporting event there are two sides in competition with one another. Officials are present in order to make this competition as fair as possible and to make sure that the competition is played according to the rules of the game. However, officials are human; they are not infallible. They will make mistakes. “The most valuable lessons offered by sports, however, might be learning that things aren’t always right and fair, that there’s injustice lurking

out there," stated Mano on July 28, 1991, in *The New York Times*. "In a world of increasing equivocation, sports mandates decisiveness, and that should be reassuring."

Poor behavior raises the question, "What kind of example are coaches setting for their players?" In the situations presented, coaches of youth sports and recreational programs went too far. Those coaches, who have been entrusted to show the next generation how to properly handle themselves on the field of competition, are teaching America's youth the wrong lesson.

That type of behavior may be spreading. Coaches watch or read about one attack on a sports official and see that nothing of consequence happens to the perpetrator. As a result they are less apt to control themselves in a similar situation. After all, they will likely be back coaching in a short period of time. While officials are trained to carry no grudges and take each game one at a time, the fact is that the official may be afraid to ever work another game or the official's efficiency in working a game may be lessened because of fear of being attacked again. At some point, the official may simply come to the conclusion that "enough is enough" and quit.

IV. THE PROBLEM WITH FANS

"Parents are behaving and acting the way they do because no one has told them they couldn't," says Fred Engh, founder of the National Alliance for Youth Sports (NAYS) and author of *Why Johnny Hates Sports*. "No one is there to tell them if they keep acting like this they're out of here."

More sports organizations are beginning to implement "zero-tolerance" policies towards their athletes, coaches and parents. Yes, even parents are now being required in some communities to sign a pledge to behave.

According to NAYS, a 1999 survey of 500 adults found that 82 percent believe parents behave aggressively at youth sports events. Fifty-six percent said they had seen such behavior, and 72 percent said such aggressive behavior should be banned from youth sports.

But attacks by parents directed at game officials continue to rise.

Ed Loucks, president of the Timberline Youth Soccer Association in Houston says, "It's a big problem. It really is. I don't want to blow it out of proportion, but I don't want to minimize it, either. We've got about 10 percent of the people causing 100 percent of the problems."

"Parents are not willing to simply accept their children's misfortune or mistakes in a game nowadays," says Michael Richichi, a recreational, high school and collegiate baseball umpire from Franklin, Wis. "Parents want to confront the officials in the parking lot or as they come off the field and blame us for their kids not performing to their expectations. It's easy to

blame someone else.”

While Richichi has not personally experienced any physical assaults following his games, he has concern for a younger son who is interested in becoming an umpire. “He sees what goes on and knows it’s becoming a dangerous occupation.”

A. Assaults involving fans with officials

- Australia (Rugby) — A 19-year-old female rugby referee is chased by angry parents into the dressing room following a junior (13 and under) rugby match in Brisbane. Two police squad cars are called to break up the angry crowd. (June 2001)
- South Dakota (Soccer) — A 42-year-old adult man strikes the soccer referee, who happened to also be the town’s mayor, during a match between 11-year-old girls. The coach was sentenced to one year in jail (all but 45 days was suspended), required to attend anger management courses and banned from all youth sports events for a year. (May 2001)
- Canada (Hockey) — An entire crowd of 200 hockey fans is ordered out of the arena by game officials after the officials are pelted with coins and a water bottle is thrown on the ice. The game, between 12-to 14-year-olds, continues after the arena is cleared. (March 2001)
- Pennsylvania (Wrestling) — A parent is criminally charged for biting a coach and shoving the official when he attacks the two after his seven-year-old son loses a peewee wrestling match. (February 2001)
- New York (Hockey) — While officials try to break up a fight among players on the ice following a game between rival high school teams, the parent of one of the players goes on the ice and grabs an official by the neck and wrestles with the official. (February 2001)
- Pennsylvania (Basketball) — The Catholic Diocese of Erie locks out all parents and fans from a 5th and 6th graders basketball game due to a previous incident between the two teams involving racial slurs directed at a game official. (February 2001)
- Ohio (Football) — More than 100 people rush the field and five adults are charged with assault for attacking a high school football official as the crew leaves the field following a state playoff game. The crowd became angry when the officials called back an apparent game-winning touchdown due to a holding penalty with four seconds remaining. (November 2000)

- Ohio (Soccer) — A fan accused of threatening a referee with a gun during a high school soccer match is charged with menacing. (September 2000)
- North Carolina (Basketball) — Leaders of a recreational basketball league placed a “lifetime ban” on the mother of a 14-year-old player in the community program after she jumped on the back of an official scratching his face and the back of his neck. (February 2000)
- Florida (Basketball) — During a high school game in Pensacola, a fan came on the court and repeatedly struck the official in the back and neck. As security wrestled the assailant to the ground, other fans from the stands began to come on to the floor. The game was delayed for 30 minutes until calm was restored. (January 2000)
- Georgia (Wrestling) — After announcing to fellow spectators, “If my kid loses, I’m going after an official,” a 46-year-old man made good on his threat and slugged a high school wrestling referee. The assaulted official spent one night in a hospital as a result of the attack. (February 1999)
- Pennsylvania (Wrestling) — A parent was charged with assault against an official when he came out of the stands and punched the referee at a youth wrestling match involving 10-year-olds. (February 1999)
- Virginia (Soccer) — A “soccer mom” slapped and scratched the face of the game’s 15-year-old volunteer referee following a soccer game involving 9-year-olds. (October 1998)
- Indiana (Football) — Twenty-six police units responded to a riot among parents fighting at a youth football game. The incident occurred after a parent hit the referee who was marking a ball out of bounds. (September 1998)
- Alabama (Football) — An official at a high school football playoff game was punched and pulled to the ground and another was tripped and pushed as a mob of Parrish High School football fans surrounded them after Parrish lost, 21-13, to Westbrook Christian Academy. (December 1997)

Those incidents present a mere sample of the disturbing types of assaults that occur. NASO continues to hear of such incidents on a weekly basis. However, the association is not a clearinghouse for poor sports behavior. Many incidents are never reported to NASO.

In fact, most incidents of that nature stay within the administrative body of the organization involved. For example, an incident that occurs at a Little League of America sanctioned program will likely be reported to the district director for Little League Baseball. The matter may be handled locally or go all the way to the national office. And while NASO maintains a working relationship with Little League Baseball, the organization is not obligated to share information about the number of assault reports it receives each year with NASO.

The same is true with all governing bodies at every level.

Still, NASO has been at the forefront and will continue to support the gathering of such information in order to educate and inform the public that such behavior is unacceptable.

V. DEALING WITH THE PROBLEM

There are several alternatives available to try and stop assaults on sports officials.

A. State Laws That Protect Sports Officials

The passage of assault legislation is a primary concern for NASO. It is therefore the intent of NASO to organize its membership to support grass-roots efforts to add sports officials to such protected professions.

Many states do have statutes in effect that can be used to punish the athlete, coach or fan that assaults a sports official. Frequently, the assault cases previously described went through the criminal courts. The problem is that those assaults keep occurring. The laws are not deterring individuals from committing assaults on sports officials. In many instances the punishments are small compared to the severity of the crimes. The following is a listing of states that have enacted legislation designed to protect sports officials.

Alabama defines a "sports official" as a person at a sports event who enforces the rules of the event, such as an umpire or referee, or a person who supervises the participants, such as a coach. A "sports event" includes any interscholastic or intramural athletic activity in a primary, middle, junior high, or high school, college, or university, any organized athletic activity sponsored by a community, business, or nonprofit organization, any athletic activity that is a professional or semiprofessional event, and any other organized athletic activity in the state. Section 2. (a) A person commits the crime of harassment of a sports official if he or she commits the crime of harassment as provided for by Section 13A-11-8, Code of Alabama 1975, and the victim is a sports official performing official duties and the harassment is a result of the official performing his or her official duties. Harassment of a sports official is a Class B. misdemeanor, (b) A person commits the crime of

menacing a sports official if he or she commits the crime of menacing as provided for by Section 13A-6-23, Code of Alabama 1975, and the victim is a sports official performing official duties and the menacing is a result of the official performing his or her official duties. Menacing a sports official is a Class A misdemeanor (c) A person commits the crime of assault of a sports official in the third degree if he or she commits the crime of assault in the third degree as provided for by Section 13A-6-22, Code of Alabama 1975, and the victim is a sports official performing official duties and the assault is a result of the official performing his or her official duties. Assault of a sports official in the third degree is a Class C felony. (d) A person commits the crime of assault of a sports official in the second degree if he or she commits the crime of assault in the second degree as provided for by Section 13A-6-21, Code of Alabama 1975, and the victim is a sports official performing official duties and the assault is a result of the official performing his or her official duties. Assault of a sports official in the second degree is a Class B felony, (e) A sports of official person commits the crime of assault of a in the first degree if he or she commits the crime of assault in the first degree as provided for by Section 13A-6-20, Code of Alabama 1975, and the victim is a sports official performing official duties and the assault is a result of the official performing his or her official duties, Assault of a sports official in the first degree is a Class A felony. Section 3. Although this bill would have as its purpose or effect the requirement of a new or increase expenditure of local funds, the bill is excluded from further requirements and application under Amendment 621 because the bill defines a new crime or amends the definition of an existing crime. Section 4. This act shall become effective on the first day of the third month following upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On December 28, 2001, Alabama Governor Don Siegelman signed the above language from Senate Bill 16 into law. The bill was introduced by Senator Rodger Mell Smitherman (D-Dist. 18). Senate bill 16 increases the punishment for the crimes of harassment, menacing, and assault in the first, second, and third degree if the crimes were committed against a sports official performing official duties at a sports event.

In *Arkansas*, the law that protects sports officials is simple and straightforward. It deals with abuse of athletic contest officials and makes it a Class A misdemeanor to strike or otherwise physically abuse a sports official. Cod. Ann. Section 5-13-209 provides: Any person, with the purpose of causing physical injury to another person, who shall strike or otherwise physically abuse an athletic contest official immediately prior to, during or immediately following an interscholastic, intercollegiate or any other organized amateur or professional athletic contest in which the athletic

contest official is participating shall be guilty of a Class A misdemeanor.

The state of *California* doubles the penalty for an assault committed upon a sports official. A regular assault in California is punishable by a \$1,000 fine and six months in the county jail. An assault committed against a sports official is punishable by a fine of \$2,000 and one year in the county jail. The California Penal Code Section 243.8 provides: (a) When a battery is committed against a sports official immediately prior to, during or immediately following an interscholastic, intercollegiate or any other organized amateur or professional athletic contest in which the sports official is participating, and the person who commits the offense knows or reasonably should know that the victim is engaged in the performance of his or her duties, the offense shall be punishable by a fine not exceeding two thousand dollars (\$2,000), or by imprisonment in the county jail not exceeding one year, or by both that fine and imprisonment. (b) For the purposes of this section, "sports official" means any individual who serves as a referee, umpire, linesman or who serves in similar capacity but may be known by a different title or name and is duly registered by, or a member of a local, state, regional or national organization engaged in part in providing education and training to sports officials.

The *Delaware* law provides for a progressive punishment for those who are repeat offenders. Any person who is found guilty of assaulting a sports official for the first time shall be guilty of a Class A misdemeanor. A second or subsequent conviction will result in the person being guilty of a Class G felony. Delaware Code Ann. Tit. 11, Section 614 provides: (a) Any person who intentionally causes physical injury to a sports official who is acting in the lawful performance of his duty shall be guilty of a Class A misdemeanor. Upon conviction of a second or subsequent offense under this section, such person shall be guilty of a Class G felony. (b) For the purposes of this section, the words "sports official" shall mean any person who serves as a referee, umpire, linesman or in any similar capacity in supervising or administering a sports event, and who is registered as a member of a local, state, regional or national organization that provides training or educational opportunities for sports officials.

Georgia enacted assault protection for sports officials on July 1, 2000. State Representative Stanley Watson (Atlanta), also a recreational sports official, introduced the legislation in January 1999.

The 13-month battle required persistence and dedication. "There were some opposed to the idea of creating a special category for officials," said Watson. "But being an official, I was able to explain to my colleagues what is really going on out there."

The law protects sports officials working collegiate, interscholastic and

recreational contests from simple assault, simple battery or battery, not only during the athletic contest, but also when arriving at or leaving a game site. That law provides judges the option to sentence a first-time offender to a fine or community service; a two-time offender to a fine and jail time; and a three-time offender is charged with a felony.

The Official Code of Georgia (Annotated) as it relates to assault and battery reads: 17-10-4. Punishment for misdemeanors of a high and aggravated nature. (a) A person who is convicted of a misdemeanor of a high and aggravated nature shall be punished by a fine not to exceed \$5,000 or by confinement in the county or other jail, county correctional institution, or such other places as counties may provide for maintenance of county inmates, for a term not to exceed 12 months, or both; provided, however, that a person convicted of a misdemeanor of a high and aggravated nature that was committed by an inmate within the confines of a state correctional institution and sentenced to confinement as a result of such offense shall be sentenced to confinement under the jurisdiction of the Board of Corrections in a state correctional institution or such other institution as the Department of Corrections may direct for a term that shall not exceed 12 months. In all cases of a conviction of a misdemeanor of a high and aggravated nature, the sentencing court shall retain jurisdiction to amend, modify, alter, suspend or probate sentences imposed under this Code section at any time; but in no instance shall a sentence imposed under this Code be modified in such a manner as to increase the amount of the fine or term of confinement.

Kentucky enacted legislation on April 10, 1998, making the assault of a sports official a third degree Class D felony. Section 1. KRS 508.025 reads: (c) intentionally causes or attempts to cause physical injury to a sports official: 1. Who was performing sports official duties at the time the physical injury or attempt to cause physical injury was perpetrated; or 2. After the sports official performs official duties at an athletic event, if the physical injury or attempt to cause physical injury occurs within the confines or the immediate vicinity of the athletic facility at which the athletic event occurred. Section 2. For the purposes of this section, "athletic contest official" means an independent contractor who serves as a referee, umpire, linesperson, timekeeper, coach or any person who serves in a similar capacity but may be known by other titles and is duly registered as a member of a local, state, regional or national organization that is engaged in part in providing education and training to "athletic contest officials."

In *Louisiana* the law protecting sports officials is more limited in its coverage. The law only covers athletic officials working events of a public or private secondary school. It does not cover officials of intercollegiate, or any other organized amateur or professional athletic contest. A person attacking

an official shall be guilty of a Class A misdemeanor. Rev. Stat. Ann. Section 14-34-4 provides: (A)(1) Battery of a school athletic contest official is a battery committed without the consent of the victim when the offender has reasonable grounds to believe the victim is a school contest official. (2) For purposes of this section, "school athletic contest official" means any referee, umpire, coach, instructor, administrator, staff person or school or school board employee of any public or private secondary school while actively engaged in conducting, supervising, refereeing or officiating of a school sanctioned interscholastic athletic contest. (B)(1) Whoever commits the crime of battery of a school athletic contest official shall be fined not more than five hundred dollars (\$500) and imprisoned not less than 15 days nor more than six months without benefit of suspension of sentence. (2) The court in its discretion, may suspend the imposition of sentence and place the offender on probation with the condition that he shall serve two-days in jail or perform five days of community service work. Failure to successfully complete the community service work, as determined by the supervisor or the program to which he is assigned, may result in revocation of probation.

The *Montana* law regarding assaults on sports officials includes sports officials at all levels, amateur or professional. There is also a section dealing with negligently assaulting an official, and a section devoted to putting an official in apprehension of bodily injury. Code Ann. Section 45-5-211 provides: (1) A person commits the offense of assault upon a sports official if, while a sports official is acting as an official at an athletic contest in any sport at any level of amateur or professional competition, the person: (a) purposely or knowingly causes bodily injury to the sports official; (b) negligently causes bodily injury to the sports official with a weapon; (c) purposely or knowingly makes physical contact of an insulting or provoking nature with the sports official; (d) purposely or knowingly causes reasonable apprehension of bodily injury in the sports official. (2) A person convicted of assault upon a sports official shall be fined an amount not to exceed one thousand dollars (\$1,000) or be imprisoned in the county jail for any term not to exceed six months, or both.

New Mexico enacted legislation in 2001, when Governor Gary Johnson signed into law House Bill 400. The law establishes tougher penalties for persons convicted of assaulting a sports official, no matter what level the official is working. Penalties range from a misdemeanor to a second-degree felony charge if a weapon is used. At the time of writing this report, the statute had not been published. The law became effective July 1, 2001.

The following is the text from House Bill 400: An act relating to criminal law; creating criminal offenses for assault or battery upon a sports official; prescribing penalties; enacting a new section of the criminal code. Be it

enacted by the legislature of the state of New Mexico: Section 1. A new section of the criminal code is enacted to read: "Assault/Battery/Sports Officials" — A. As used in this section: (1) "in the lawful discharge of his duties" means engaged in the performance of the duties of a sports official, beginning when the sports official arrives at a sports event and ending when a sports official returns to his residence or business following a sports event; and (2) "sports official" means a person who: (a) serves as a referee, umpire, linesman, timer or scorer, or who serves in a similar capacity, while working, supervising or administering a sports event; and (b) is registered as a member of a local, state, regional or national organization that is engaged in providing education and training to sports officials.

B. Assault upon a sports official consists of: (1) an attempt to commit a battery upon the person of a sports official while he is in the lawful discharge of his duties; or (2) any unlawful act, threat or menacing conduct that causes a sports official while he is in the lawful discharge of his duties to reasonably believe that he is in danger of receiving an immediate battery.

C. Whoever commits assault upon a sports official is guilty of a misdemeanor.

D. Aggravated assault upon a sports official consists of: (1) unlawfully assaulting or striking at a sports official with a deadly weapon while he is in the lawful discharge of his duties; (2) committing assault by threatening or menacing a sports official who is engaged in the lawful discharge of his duties by a person wearing a mask, hood, robe or other covering upon the face, head or body, or while disguised in any manner so as to conceal identity; or (3) willfully and intentionally assaulting a sports official while he is in the lawful discharge of his duties with intent to commit any felony.

E. Whoever commits aggravated assault upon a sports official is guilty of a third degree felony.

F. Assault with intent to commit a violent felony upon a sports official consists of any person assaulting a sports official while he is in the lawful discharge of his duties with intent to kill the sports official.

G. Whoever commits assault with intent to commit a violent felony upon a sports official is guilty of a second degree felony.

H. Battery upon a sports official is the unlawful, intentional touching or application of force to the person of a sports official while he is in the lawful discharge of his duties, when done in a rude, insolent or angry manner.

I. Whoever commits battery upon a sports official is guilty of a fourth degree felony.

J. Aggravated battery upon a sports official consists of the unlawful touching or application of force to the person of a sports official with intent to injure that sports official while he is in the lawful discharge of his duties.

K. Whoever commits aggravated battery upon a sports official, inflicting an injury to the sports official that is not likely to cause death or great bodily harm, but does cause painful temporary disfigurement or temporary loss or

impairment of the functions of any member or organ of the body, is guilty of a third degree felony. L. Whoever commits aggravated battery upon a sports official, inflicting great bodily harm, or does so with a deadly weapon or in any manner whereby great bodily harm or death can be inflicted, is guilty of a second degree felony. M. A person who assists or is assisted by one or more other persons to commit a battery upon any sports official while he is in the lawful discharge of his duties is guilty of a fourth degree felony.”

The *New Jersey* statute regarding assaults on officials is included with the statute on assaults of police officers, correctional employees, public servants, firemen and sports coaches and managers. The person’s status as a sports official is considered an aggravating circumstance by the court and is to be considered when imposing sentence on an offender who assaults a sports official. Stat. Ann. Section 2C:44-1(a) provides in part: In determining the appropriate sentence to be imposed on a person who has been convicted of an offense, the court shall consider the following aggravating circumstances: (8) The defendant committed the offense against a police officer or other law enforcement officer, correctional employee or fireman, acting in the performance of his duties while in uniform or exhibiting evidence of his authority, the defendant committed the offense against a sports official, athletic coach or manager, acting in or immediately following the performance of his duties or because of the person’s status as a sports official, coach or manager.

The *North Carolina* statute groups assaulting a sports official with misdemeanor assaults, batteries, and affrays, and provides a specific section dealing with assaulting a sports official. The statute covers sports officials who work every conceivable athletic event, because it includes a clause that states, “[a] ‘sports event’ includes ... any other organized athletic activity in the State.” General Stat. Section 14-33(b)(9) provides in part: (b) Unless his conduct is covered under some other provision of law providing greater punishment, any person who commits assault, assault and battery, or affray is guilty of a misdemeanor punishable by fine, imprisonment for not more than two years, or both such fine and imprisonment if, in the course of the assault, assault and battery, or affray he: (9) Commits an assault and battery against a sports official when the sports official is discharging or attempting to discharge official duties at a sports event, or immediately after the sports event at which the sports official discharged his duties. A “sports official” is a person at a sports event who enforces the rules of the event, such as an umpire or referee, or a person who supervises the participants, such as a coach. A “sports event” includes any interscholastic or intramural athletic activity in a primary, middle, junior high or high school, college or university, any organized athletic activity sponsored by a community,

business or nonprofit organization, any athletic activity that is a professional or semiprofessional event, and any other organized athletic activity in the state.

The statute in *Oklahoma* provides for significantly more jail time for anyone convicted of assaulting a sports official than for anyone simply convicted of assaulting an ordinary person. The jail time increases from 30 days (for anyone convicted of assault) to 90 days (for anyone convicted of assault and battery) to one year (for anyone convicted of assault and battery to a sports official). The fine is the same for an assault and battery of a sports official and an ordinary person (\$1,000). Statute Ann. Tit. 21, Section 650.1 provides: Every person who, without justifiable or excusable cause and with intent to do bodily harm, commits any assault, battery, assault and battery upon the person of a referee, umpire, timekeeper, coach, official or any person having authority in connection with any amateur or professional athletic contest is guilty of a misdemeanor and is punishable by imprisonment in the county jail not exceeding one year or by a fine not exceeding one thousand dollars (\$1,000) or both such fine and imprisonment.

Oregon enacted legislation protecting sports officials on July 24, 1999. A person convicted of assaulting an official must pay the victim between \$500 and \$1,000 in liquidated damages. In addition, the court may order the guilty party to pay "reasonable attorney fees."

Senate Bill 482, introduced by Representative Al King reads as follows: Section 1. In addition to, and not in lieu of any other damages that may be claimed, a plaintiff who is a sports official shall receive liquidated damages in an amount not less than \$500 but not more than \$1,000 in any action in which the plaintiff establishes that: (a) The defendant intentionally subjected the plaintiff to offensive physical contact; (b) The defendant knew that the plaintiff was a sports official at the time the offensive physical contact was made; (c) The offensive physical contact is made while the plaintiff was within, or in the immediate vicinity of, a facility at which the plaintiff serves as a sports official for a sports event; and (d) The offensive physical contact is made while the plaintiff is serving as a sports official or within a brief period of time thereafter. (2) The court shall award reasonable attorney fees to a prevailing plaintiff in an action in which liquidated damages are awarded under this section. (3) An award of liquidated damages under this section is not subject to ORS 18.535, 18.537 or 18.540. (4) As used in this section, 'sports official' means a person who: (a) Serves as a referee, umpire, linesman or judge or performs similar functions under a different title; and (b) Is a member of, or registered by, a local, state, regional or national organization that engages in providing education and training in sports

officiating.

The *Pennsylvania* statute regarding assaults on sports officials defines “sports event” and “sports official” and states that anyone guilty of assaulting a sports official is guilty of a misdemeanor of the first degree. Cons. Statute Ann. Section 2712 provides: (a) Offense defined. A person who violates section 2701 (relating to simple assault), where the victim is a sports official who was assaulted during a sports event or was assaulted as a result of his or her officials acts as a sports official, is guilty of assault on a sports official. (b) Grading. Assault on a sports official is a misdemeanor of the first degree. (c) Definitions. As used in this section, the following words and phrases shall have the meaning given to them in this subsection: “Sports Event” – Any interscholastic athletic activity in a junior high, high school or college or university in this Commonwealth or any other organized athletic activity in this Commonwealth including a professional or semiprofessional event. “Sports Official” – A person at a sports event who enforces the rules of the event, such as an umpire or referee, or a person who supervises the participants, such as a coach. The term includes a trainer, team attendant, game manager, athletic director, assistant athletic director, president, dean, headmaster, principal and assistant principal of a school, college or university.

The *West Virginia* statute regarding assaults on officials allows for relatively small penalties as compared to the states previously discussed. The statute penalizes an offender who assaults a sports official with a fine between \$50-\$100 and between one to 30 days in jail. Anyone who commits a battery against a sports official is fined between \$100-500 and one to 30 days in jail. Section 61-2-15a provides: (a) If any person commits an assault as defined in subsection (b), section nine sect. 61-2-9(b) of this article, to the person of an athletic official during the time the official is acting as an athletic official, the offender is guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than fifty dollars (\$50) nor more than one hundred dollars (\$100), and imprisoned in the county jail not less than 24 hours nor more than 30 days. (b) If any person commits a battery, as defined in subsection (c), section nine, sect. 61-2-9(c) of this article, against an athletic official during the time the official is acting as an athletic official, the offender is guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than one hundred dollars (\$100), and imprisoned in the county jail not less than 24 hours nor more than 30 days. (c) For the purpose of this section, “athletic official” means a person at a sports event who enforces the rules of that event, such as an umpire, referee or a person who supervises the participants, such as a coach.

This overview of the various state laws demonstrates that some states

have considered the problem of assaults on sports officials and have decided to try to do something about it.

In *Minnesota*, while the legislature has not enacted a law, the state's high school athletic association has the following bylaw:

"Any person who assaults a sports official in connection with an interscholastic athletic activity may be excluded from attending an activity for up to 12 months." – Chapter 128C.08 Subdivision 2.

The *Idaho* legislature adopted Concurrent Resolution No. 32 in March 2001. The resolution read:

Be it resolved by the legislature of the state of Idaho:

WHEREAS, sports participation has become part of American life ingrained into the consciousness of society;

WHEREAS, sporting events have components essential to their survival including the players, coaches and fans. In addition, and in some sense most importantly, there must be officials to enforce the rules of the game and judge potential disputes between participants on the field;

WHEREAS, many officials volunteer their time or receive only minimal compensation. Many officials participate out of a sheer love of the game and to teach children who play the game the valuable lessons that can be learned through participating in sports. Those lessons include that of sportsmanship, working as a team and working within the rules of the game to achieve a common goal;

WHEREAS, sports officials act as on-field judges for their respective sports and as neutral participants who have no stake in the outcome of the game. Officials should be afforded protection from assaults and other negative reactions by participants, coaches and fans;

WHEREAS, increasingly, sports officials are subjected to verbal and even physical assault by disgruntled fans as well as certain coaches and players. That trend follows a growing trend in recent years that, at its foundation shows a lack of respect for authority figures,

WHEREAS, children are exposed to media displays of professional sports heroes and are compelled to emulate their heroes. Unfortunately, children may also try to emulate them when they act in a negative fashion. If professional athletes are not reprimanded for assaultive behavior against sports officials, that gives the impression that verbally and physically assaulting officials is socially acceptable;

WHEREAS, it is not enough that each state must wait for one of its sports officials to be seriously attacked or beaten before its government takes action to stop this practice. Players, coaches and fans should be deterred from assaulting officials by local authorities handing out more severe penalties.

That would ensure that the fans, especially young children, realize that it is not acceptable to attack an official;

WHEREAS, the sports officials that give their time and energy to officiate games deserve our collective respect and must have complete confidence that they will be able to carry out their responsibilities in a safe environment. As a society, we must act on the belief that respect for authority, whether you agree with it or not, is critical to living, working and playing together. Sports needs to be a beacon, highlighting positive accomplishments and the need for sportsmanship and fair play. Although education continues to be important, recent trends point out the need for strong sanctions against those who engage in bad behavior at sporting events.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, calling on all school districts, little league programs, high school, college and recreational programs, along with law enforcement and prosecutors, to do all they can to put an end to the increased threats and batteries on sports officials and to prosecute to the full extent of the law. (Adopted March 2001)

Several states made unsuccessful attempts to enact legislation in 2001.

In *Illinois*, both houses of the legislature passed unanimously Senate Bill 50. The bill amended the Illinois Unified Code of Corrections to require “a minimum fine of \$1,000 for a first offense and \$2,000 for a second or subsequent offense upon a person convicted of or placed on supervision for battery of a sports official at any level of competition. The battery must be committed in or near an athletic facility at which the sport official was an active participant in the event.”

For the second time in as many years, Governor George Ryan vetoed the legislation. In his veto statement of July 12, the governor cited two specific problems with the bill; 1) he felt it was too broad and did not limit attacks against sports officials to only acts committed while “performing their duties” as an official; and 2) the term “vicinity” was described as being vague for a criminal law provision.

The governor said that current law qualifiers such as “within 1,000 feet” should be utilized. However, such a limitation is not acceptable to most sports officials because many times officials are harassed on their way home following games or at their home.

Referee magazine has cited reports of officials having their home vandalized, automobiles damaged while sitting in the driveway and more.

Those who have fought for several years to enact legislation in Illinois seem determined to continue their fight. They will once again submit a new

bill in 2002.

Those in other states where legislation failed seem determined to continue as well. Arizona, Virginia and Washington are re-submitting new bills this year after seeing efforts fail this year. Texas, whose legislature meets once every two years, will have a new effort launched in 2003.

Numerous other states still have bills pending action in 2002. They include Connecticut, Kansas, Massachusetts, Missouri, New York and Ohio. Florida and Mississippi plan to introduce legislation in 2002.

Unfortunately, not enough states enact legislation to stop the spread of assaults on sports officials. Moreover, of the states that do enact specific legislation to deal with the problem, not all of them deal with it severely enough.

It is not enough that each state must wait for one of its sports officials to be seriously attacked or beaten before its government takes action to deter that practice. States must take preemptive strikes against those who would attack a sports official to prevent those incidents from occurring in the first place.

B. Punishment in the Professional Leagues.

Among the professional leagues operating in the United States, the NBA encounters the most instances of physical assaults on sports officials. Therefore, a more thorough analysis of its collective bargaining agreement is helpful in order to determine what punishment may be available to discipline those who assault the officials.

The NBA Collective Bargaining Agreement (NBA-CBA) does not contain any provision that deals directly with players assaulting officials. However, the NBA-CBA does contain a section dealing with player conduct. That section delineates the fines that a team may impose upon a player for that player's actions. The provision also references the Uniform Player Contract (NBA-UPC), which explains other actions that the player may be fined for. There are two sections of the NBA-UPC that could be used to punish a player who assaults an official. The first is in paragraph 16 of the NBA-UPC that deals with the termination of the player's contract. Under that provision, a team may terminate a player's contract if the player:

- (1) at any time, fails, refuses, or neglects to conform his personal conduct to standards of good citizenship, good moral character (defined here to mean not engaging in acts of moral turpitude, whether or not such acts would constitute a crime) and good sportsmanship, to keep himself in first class physical condition or to obey the team's training rules.

In using that provision, a team might find that an assault on an official

was in violation of this clause and thus be justified in terminating that player's contract.

For example, NBA player Latrell Sprewell physically assaulted his coach, P.J. Carlisimo, during a practice session in the fall of 1998. The attack involved Sprewell physically choking the coach in front of teammates and assistant coaches.

Ultimately, Sprewell was suspended for an extended period of time and traded from his team to another.

The other section, which could be used to punish a player, is paragraph 35 of the NBA constitution (which is excerpted and added to the NBA-UPC). Under that provision, the commissioner of the NBA has the authority to suspend or fine any player per the following:

(d) If in the opinion of the commissioner any other act or conduct of a player at or during an exhibition, regular season, or playoff game has been prejudicial to or against the best interests of the association or the game of basketball, the commissioner shall impose upon such player a fine not exceeding \$25,000, or may order for a time the suspension of any such player from any connection or duties with exhibition, regular season, or playoff games, or he may order both such fine and suspension.

(e) The commissioner shall have the power to suspend for a definite or indefinite period, or to impose a fine not exceeding \$25,000, or inflict both such suspension and fine upon any player who, in his opinion, shall have been guilty of conduct that does not conform to standards or morality or fair play, that does not comply at all times with all federal, state and local laws, or that is prejudicial or detrimental to the association.

It seems those are the sections under which the players who assaulted officials in the past were penalized. Those sanctions, however, are inadequate.

As was stated previously, MLB does not have the same types of assaults upon officials (not withstanding the Roberto Alomar incident). However, baseball does have provisions in its current Collective Bargaining Agreement that covers those types of actions. According to Article XII of the Basic Agreement with the Major League Baseball Players Association (MLBPA), a player would be disciplined by the Office of the Commissioner. A manager/coach would also be disciplined by the Office of the Commissioner, but they are not covered by the Basic Agreement with the players (and, indeed, are not unionized).

Article XII of the MLB Agreement reads:

A. Just Cause

The Parties recognize that a Player may be subjected to disciplinary action for just cause by his Club, the Vice President, On-Field Operations or the Commissioner. Therefore, in Grievances regarding discipline, the issue to be resolved shall be whether there has been just cause for the penalty imposed.

If discipline imposed upon a Player is determined to be improper by reason of a final decision under this Grievance Procedure, the Player shall promptly be made whole.

The term "make whole" means: (1) if a fine is found to have been imposed improperly, the fine will be promptly repaid; (2) any salary loss as a result of an improper suspension will be promptly paid; and (3) in the application of items (1) and (2) above, interest will also be paid at the rate per annum set forth in Article XV(J) below.

B. Notice

Written notice of discipline of a Player (a fine, or suspension, or both) imposed by the Commissioner of Baseball, the Vice President, On-Field Operations, or a Club (except for actions arising from participation in the Winter Leagues) and the reason therefore shall in every case be given to the Player and the Association.

With respect to discipline imposed upon a Player by the Vice President, On-Field Operations or the Commissioner, the Commissioner shall immediately give to the Association notice by mail of fines, and facsimile notice of suspension and of an appeal for a hearing.

C. Discovery

A Player who is disciplined shall have the right to discover, in timely fashion, all documents and evidence adduced during any investigation of the charges involved.

D. Compliance

(1) Nothing contained in this Grievance Procedure shall excuse a Player from prompt compliance with any discipline imposed upon him. (2) Payment of Fines. (a) Club Fines. A fine imposed by a Club pursuant to Regulation 5 of the Uniform Player's Contract in excess of \$250 may not be deducted from the Player's salary until

such fine is finally upheld in the Grievance Procedure or the time in which to file a Grievance has expired. (b) Fines Imposed by the Vice President, On-Field Operations or Commissioner. A fine imposed by the Vice President, On-Field Operation or the Commissioner in an amount of \$500 or less shall continue to be payable when imposed. Fines in an amount greater than \$500 shall be payable only when such fine becomes final. When a fine imposed by the Vice President, On-Field Operations or the Commissioner becomes final, the Player's employing Club is authorized, at the request of the Vice President, On-Field Operations, or the Commissioner in the case of a fine imposed by the Commissioner, to deduct the amount of the fine from the Player's salary and transmit such sum to the Commissioner.

E. Investigations

Except where circumstances require expeditious handling, the Player and the Association shall receive reasonable advance notice of any investigatory interview with a Player. Where circumstances requiring expeditious handling are present, the Player and the Association shall receive as much advance notice as is possible, but in no event shall the Association receive less notice than the Player. All parties recognize the right of the Player to be represented at such interview by the Association and counsel of his choice.

F. Major League Rules 15 and 16

The following time limit provisions set forth in Major League Rules 15 and 16 shall be inapplicable in disciplinary matters: (1) the prohibition in Rule 16(a) against reinstatement of a Player on the Restricted, Disqualified and Ineligible Lists in the period August 1 to October 31, inclusive; (2) the prohibition in Rules 15(c)(1) and 16(c) against application for reinstatement from the Ineligible List until after the lapse of one year from the date of placement on such list; and (3) the requirement of Rule 16(a) that the Player's Club shall be entitled to 30 days' written notice prior to his reinstatement from the Disqualified or Ineligible Lists, if application for such reinstatement is filed after February 1 of any year.

The NFL has even fewer incidents involving players assaulting referees. However, had the NFL needed to punish a player for such an incident, it could under the current NFL Collective Bargaining Agreement (NFL-CBA). There are two sections in the current NFL-CBA that deal with player

discipline. Those sections contain the provisions under which a team and the league may punish a player.

The penalties provided for under each of the league's respective collective bargaining agreements are simply inadequate. They are monetary in nature and pale in comparison to the vast amounts of money that today's professional athlete receives. As retired NBA player Charles Barkley once said, "I don't care about \$10,000. The money goes to a good cause. (Many professional leagues allocate fine money to charitable causes). So I look at it in a positive light. I got my money's worth. I definitely got my money's worth."

There may be a number of reasons for the lack of proper penalties in the professional leagues. Initially, the leagues may not see that the increase in assaults on officials is important enough to merit large fines or long suspensions. For example, drug use and gambling receive high priority as problems to be dealt with by the professional league offices. There are a number of professional athletes who have been subject to long-term suspensions due to drug use or gambling on games. A focus on that behavior may send the message that it is more important to avoid drugs or to not bet on games than it is to not physically attack an official. Admittedly, those problems are serious. However, physically assaulting an official should be equally as important.

The professional leagues could also be afraid of losing star players for long periods of time, longer than the length of the current suspensions. If a league started handing out year-long suspensions for attacking an official, it could run the risk of losing a star player for a year and could be hurt financially because of decreases in fan support.

In the NBA for instance, if the league were to suspend for an extended period of time an athlete who physically assaulted an official, the league would have lost a number of its top players in 1996. That year, Dennis Rodman, Nick Van Exel, Magic Johnson, Charles Barkley and Clyde Drexler all were fined and suspended for brief periods due to altercations with game officials.

Finally, some professional leagues may be afraid or unable to punish players severely because of the strength of the players' unions and the ambiguous nature of the collective bargaining agreements. Players' unions are certainly going to defend their players' actions even when the act itself seems indefensible as was clearly evidenced in the Alomar and Sprewell situations.

C. Other Solutions

Referee Publisher and NASO President Barry Mano says, "There appears to

be a growing trend toward players, coaches and fans assaulting sports officials. That problem needs to be stopped before it gets out of control (assuming that it is not already too late). Poor officiating – or officiating that is perceived to be biased – is no justification for physical violence or for any form of assault at any level of play.”

One way to crack down on the violence is for the leagues to get tougher. Recreational, high school and college leagues should have a zero-tolerance rule. A zero-tolerance rule simply states that the league or governing body does not tolerate an assault by a player on an official. If a player or coach assaults an official, that individual would be banned from the league. The ban could be a lifetime ban or it could simply last for the remainder of the current season. If the ban is only for the current season, the player or coach would be allowed to participate the next season, assuming that the player still had eligibility left. If a player or coach would receive a subsequent ban for assaulting an official, that player or coach would then receive the lifetime ban from the league.

Professional leagues should try to deter players and coaches from assaulting officials by handing out more severe penalties. That would then ensure that the fans, especially young children, realize that it is not acceptable to attack an official, even if it may seem like the official is “working a bad game.”

Fans who assault an official should be banned from attending future events. If the players, coaches and fans were aware of the punishments for assaulting an official and knew that they would be strictly enforced, maybe they would realize that it would not be in their best interest to strike an official after they thought the official “blew a call.” After all, hitting an official is presumably not going to change the call itself.

All states need to enact legislation in order to increase the punishment for assaulting an official. Sports officials play an important role in society. They do a thankless job for minimal compensation. Many officials participate out of a sheer love of the game and to teach children who play the game the valuable lessons that can be learned through participating in sports. Those lessons include sportsmanship, working as a team and working within the rules of the game to achieve a common goal.

Many officials have expressed their concern to NASO and other officials’ organizations that it is getting more difficult to keep an enthusiasm for the job when such behavior against officials is escalating. There is concern by many that good officials will retire early because they fear for their safety and feel as if they are fighting a losing battle.

According to an NASO survey, 90 percent of state level high school sports leaders said there is a shortage of officials in their state.

NASO surveyed all 60 of the high school governing bodies in charge of administering high school sports in the United States during the month of January and the survey results produced “concern about the shortage of officials,” NASO President Barry Mano said.

“High school sports faces a critical shortage of qualified and competent officials due to several factors,” said Mano. “We’ve got to do a better job of recruiting officials and then keeping them involved.”

Respondents identified the decline in sportsmanship by parents, coaches and players as the single biggest reason officials quit. Seventy-six percent listed poor sportsmanship by spectators among the reasons for losing officials. Sixty-eight percent cited poor sportsmanship by coaches and players as a factor.

For more about the NASO survey and a complete tally of results, visit the NASO website at www.naso.org/survey.

Sports officials need protection in order to do their jobs in a safe environment. That protection needs to come from the states.

Furthermore, states that have statutes to protect sports officials must enforce those laws more stringently. States that do not have specific laws to protect sports officials either need to enact special laws or enforce existing assault and battery laws on individuals who attack sports officials.

VI. CONCLUSION

Mano eloquently summarizes why legislation is necessary to protect sports officials. In the fall of 1998 he stated, “When during a game, Roberto Alomar of the Baltimore Orioles spit in the face of umpire John Hirschbeck, America was outraged. Since that incident, the pace of assaults against sports officials has quickened, especially at the recreational and youth levels.

“Today the health of our games is being attacked by a cancer of bad behavior, much of it occurring in full view of our young people who participate in organized sports. We must do something to send a clear signal that such behavior will not be tolerated and we need to do so for two reasons.

“First, the men, women, boys and girls who give their time and energy to officiate games not only deserve our collective respect, they must have complete confidence that they will be able to carry out their responsibilities in a safe environment. Without that confidence, we will lose the best and brightest in our field.

“Second, as a society we need to act on the belief that respect for authority, whether you agree with it or not, is critical to living, working and playing together. Sports needs to be a beacon, highlighting positive accomplishments and the need for sportsmanship and fair play.

“While education of the public about those vital matters continues to be

important, recent events point out the need for strong sanctions against those who engage in bad behavior at sporting events.”

Special Notes:

NASO Special Report: Officials Under Assault — Update 2002 was written by NASO Public Relations Manager Bob Still, APR. Still is a registered high school and collegiate baseball and football official who also works semi-professional baseball. This report was edited by Jim Arehart.

Contributing media sources:

Referee magazine, The Washington Post, The Capital (Annapolis, Md.), The Los Angeles Times, The Houston Chronicle, The Dallas Morning News, Associated Press, The Boston Globe, The Cleveland Plain-Dealer, USA Today, The Albuquerque Journal, The Rocky Mountain News (Denver), The Seattle Times, Toronto Star, Ft. Lauderdale Sun-Sentinel, The Sacramento Bee, The Omaha World Herald, The Birmingham News, The Tulsa World, The Atlanta Journal Constitution, Edmonton Journal, Des Moines Register, Cincinnati Enquirer, The New York Times, The Minneapolis Star-Ledger, The Santa Rosa (Calif.) Press Democrat, Milwaukee Journal Sentinel, Sports Illustrated and the Calgary Herald.

Penal code sources:

Law libraries of the states of Arkansas, California, Delaware, Georgia, Kentucky, Louisiana, Minnesota, Montana, New Jersey, North Carolina, Oklahoma, Oregon, Pennsylvania and West Virginia.

Miscellaneous contributing sources:

1995 NBA Collective Bargaining Agreement, 1990 Basic Agreement between the American League of Baseball Clubs and the National League of Baseball Clubs and Major League Baseball Players Association, 1993-2000 NFL Collective Bargaining Agreement.

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