

KIDS FIRST



Babe Ruth League, Inc.
Child Abuse/Molestation
Risk Management Program

*Providing the Safest
Possible Environment*

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CHILD ABUSE/MOLESTATION RISK MANAGEMENT PROGRAM

Child abuse/molestation can take many forms, including verbal abuse, emotional abuse and sexual abuse. Any form of child abuse/molestation is contemptible and goes against the mission of the Babe Ruth League program. Babe Ruth League, Inc. cares about the protection of our participants and feels confident that through the leadership of the District, State and Regional Commissioners, as well as the League Presidents, their Board of Directors and volunteers, we can achieve our goal of making Babe Ruth League, Inc. the safest program in which our youth can enjoy the games of baseball and softball.

Babe Ruth League strongly recommends that all chartered leagues adopt and implement a child abuse/molestation risk management program. While we have the utmost trust and confidence in our volunteers, the need for implementing such measures is a harsh reality unfortunately reflective of today's social reality.

It has become the standard among youth organizations to require volunteers working with children to complete a background check. The purpose of the required background check is to deter individuals who should not be working with young athletes from applying to volunteer. It also serves to identify any unsuitable criminal history of those individuals who do apply as a volunteer.

Babe Ruth League requires all leagues to conduct nationwide background checks on all managers, coaches, board members, as well as any other persons and volunteers, who provide regular service to the league, and/or have repetitive access to, or contact with, players or teams. This nationwide search must contain the applicable government sex offender registry data.

An attorney in your state should be consulted prior to implementing a background check program. The laws pertaining to child abuse/sexual molestation vary from state to state and are undergoing constant change. In addition, this program was designed for an all-volunteer sports organization. If employees are involved, additional considerations must be addressed.

PURPOSE

Part of creating a safe environment is making sure that youth are not harmed in any way while participating in organization-sponsored activities. One risk in any organization working directly with youth is child sexual abuse. The purpose of the Babe Ruth League Child Abuse/Molestation Risk Management Program is to reduce the liability risk and related negative publicity, expense, and trauma to the local sports organization and, of course, the children they serve. The likelihood of such can be reduced by making the environment unsuitable for the sexual predator and/or abuser.

This program will key in on the bare essentials of education, volunteer screening, policies, and program administration. The intent of this program is not to be all encompassing, but instead, to provide the framework of a basic workable program that is more likely to be implemented by a group of volunteers with limited resources and time. The simple framework of this program will not address all contingencies that are likely to be encountered. Therefore, the materials in the conclusion section should be available and consulted frequently.

DEFINITIONS

Child Abuse

Verbal abuse (ridicule or put-downs), physical abuse (any hurting touching or excessive exercise used as punishment), emotional abuse (threats to perform unreasonable tasks), and sexual abuse.

Sexual Abuse

Refers to a wide spectrum of interactions, including rape, physical assault, sexual battery, unwanted physical sexual content, unwelcome sexually explicit or offensive verbal communication, coercive or expletive sexual contact, verbal sexual harassment, and/or sexualized attention or contact with a minor.

Local League President

Babe Ruth League recommends the local league's Board of Directors appoint the League President and two other individuals to handle background checks. These individuals may or may not be members of the league's Board. For example, the Board of Directors may choose to appoint individuals who have professional experience with conducting and processing background checks, such as law enforcement officers or individuals with a legal background. They would be responsible for reviewing volunteer applications, checking references, conducting criminal background checks, handling appeals from disqualified candidates, conducting investigations on allegations of abuse, acting as liaison to local law enforcement, etc. They would also be responsible for establishing and administering a Child Abuse/Molestation Risk Management Program.

Volunteer

Citizens who perform the various functions entailed in the administration of a local league. All managers and coaches, as well as any other person or volunteer, who provide regular service to the league and/or have repetitive access to, or contact with, players or teams, are required to complete the background check.

Sexual Offender Registry

To meet the minimum standard, the local league can access the free site of the U.S. Department of Justice at www.nsopr.gov. Keep in mind that searches done on the Department of Justice National Sex Offender Public Registry do not use a birth date or Social Security Number as search criteria, so any person with the same first and last name who is on the 50 states' individual state sex offender registry will show up in the search. When positive results are returned in these states with name-only searches through the sex offender registry search, the local league would be required to perform a more in-depth research to determine whether the results belong to the volunteer.

Criminal Background Check (CBC)

CBC's will provide all misdemeanor and felony information (not just sex offenses) that a sports organization may want to take into account in the disqualification process. CBC's show offenses that go back a minimum of 7 years, but much longer in most cases. Also, CBC's do not rely on third parties to enter information into the database as this happens automatically as part of the judicial process. It is recommended that sports organizations use CBC's in the volunteer screening process instead of solely relying on the Sexual Offender Registry checks.

Babe Ruth League has contracted with First Advantage Screening Solutions to provide local leagues with a special internet site that allows members to search a criminal records database of more than 270 million criminal records - instantly. This site provides searches of available criminal records from various repository sources and state-level sex offender registries.

POLICIES ON CHILD ABUSE/MOLESTATION

Limit One on One Contact: Babe Ruth League recommends that no activities shall take place involving one on one contact between a single, non-related volunteer and a child, if such activities can be practically avoided. Instead, a "buddy system" is encouraged where two (2) adults should always be present during practices, games, carpooling and special events.

Prohibition of Sleepovers: It is recommended that players traveling to tournaments and staying in hotels either be accompanied by his/her parent or be supervised by two (2) adults who are in each other's presence at all times.

Verbal Conduct Policy: In appropriate comments of a sexual nature and suggestive jokes are prohibited.

Take Home/Pick Up: Take home/pick-up of athletes by league personnel is strongly discouraged because of the difficulty in limiting one on one contact between adult and child (remember the Buddy System). Parent(s) should make every effort to provide transportation for their own children to and from scheduled events. The local league should clearly outline the expected start and end time for all events and communicate this with all parent(s). Parent(s) should be instructed to make back-up plans in the event they can't provide transportation. If parent(s) can't provide transportation they must communicate to the coach/manager the name of the person(s) who are authorized to pick up the child.

Child Abuse Protection: All forms of sexual, physical, verbal and emotional abuse are prohibited.

EXAMPLES OF ABUSE/MOLESTATION

Emotional Abuse - Yelling or making statements, such as the following:

- You're stupid.
- You're an idiot.
- You're an embarrassment.
- You're not worth the uniform you play in.

Physical Abuse - Besides the obvious examples of a coach hitting, kicking, throwing equipment, or shaking a player, watch out for the following:

- Behaviors seem violent versus disciplinary.
- Training practices become abuse.
- Fighting is encouraged or ignored.
- Illegal moves, often associated with injuries are encouraged.
- Coaches teach improper techniques or encourage conduct which violates safety rules.
- Coaches allow athlete(s) to become physically or verbally abusive.
- Behaviors result in injuries to the athlete(s).

Sexual Abuse - An adult may not improperly sexualize touch by fondling instead of hugging (with permission), kissing or seductive stroking of various body parts. On the other hand, appropriate touching can be used when a young child needs comfort, reassurance, and support. Appropriate touch is respectful of a person's personal boundaries and comfort level, public (done in front of others and not secretly), and nurturing (not sexualized).

- Misuse of power and authority.
- Misuse of love and affection.
- Manipulation or tricks:
 - ❖ *This is love.*
 - ❖ *This is what you need to be a part of the team.*
 - ❖ *This is what we do for initiation.*
- Grooming: desensitization that begins with appropriate touch, then the touch changes.
Examples:
 - ❖ *You like the touch before.*
 - ❖ *What's wrong? Don't you trust me?*
 - ❖ *Courting (gifts, time, and attention).*
 - ❖ *Romancing (talking of love or attraction).*
 - ❖ *Line (you're special, I don't usually do this sort of thing, you're so mature, you're so attractive).*
 - ❖ *Secrets (this is our special secret, others wouldn't understand, you or I would get in trouble).*

WARNING SIGNS OF ABUSE/MOLESTATION

With some forms of abuse, there may be physical indicators (i.e., with physical abuse, bruises, welts, broken bones) or with sexual abuse venereal diseases, genital swelling/soreness, difficulty sitting or walking, pain or itching with urinating or defecating, stomach aches, pain/itching in the genital area, and frequently, unexplained sore throats. But most often the effects of sexual abuse are less obvious. For example, sudden shifts in behavior or attitudes when outgoing child suddenly builds a protected,

closed wall or a generally happy child becomes aggressive and angry or a trusting child becomes fearful, may be an indication of abuse. In sports, this can show up as losing interest or wanting to drop out of sports or a sudden decline in ability or functions.

Please note that no indicators or symptoms are absolute. Many of these could be indicators of problems other than child abuse. However, if some of these things are going on, consider them to be a red flag. One difficulty is that some signs are ambiguous. Children may respond in different ways and some may show no sign at all. Some indicators include:

- Disclosure by child. Most children won't just come out and say they have been abused, but instead, may hint at it.
- Observations, complaints, concerns, or allegations about league volunteers.
- Attitudes/behaviors expressed on the part of an adult that may be associated with inappropriate or abusive behavior (racist, poor sense of athlete development, raging temper, extremely controlling, jealous, hypersensitive, poor sexual boundaries, bullying, intimidating manner, unrealistic or inappropriate training practices and risks, etc.)
- Unexplained/unlikely explanation of injuries.
- Difficulty walking or sitting.
- Sudden loss of appetite or compulsive eating.
- Inability to concentrate.
- Fear of medical treatment or examination.
- Shrinks back from touch.
- Being overly affectionate or acting out sexually.
- Wearing excessive clothing.
- Emotionally abuses others.
- Overreaction to mistakes
- Continual self-deprecation, i.e., "I'm ugly", "I'm stupid", etc.
- Extreme fear of a league volunteer.
- Extreme low self-esteem, self worth.
- A child's attachment to a coach/staff to the point of isolation from others.
- A coach/staff with an interest beyond caring concerns, special interest in a child (time, gifts, attention, obsession, unrealistic expectations).
- A child's desire to drop out without a clear explanation or without one that makes sense.
- A child that misses a lot of practices or games with suspicious explanations or excuses.
- Despite increased sensitivity to abuse, there is still a tendency to blame the victims instead of holding the person(s) accountable who:
 - ❖ *Lost their temper.*
 - ❖ *Got a little out of control.*
 - ❖ *Was just having a dispute.*
 - ❖ *Misinterpreted the touch.*
 - ❖ *Is really a wonderful person; etc.*
 - ❖ *Listen to what the athlete is saying.*

ALLEGATIONS OF ABUSE/MOLESTATION AND OTHER POLICY VIOLATIONS

Monitoring Behavior

Your goal is to prevent, recognize, and respond to inappropriate and harmful behaviors. Monitoring involves observing interactions and reacting appropriately.

- Understand the boundaries that your organization has established and identify when someone has crossed the line.
- All volunteers should be responsible for monitoring behavior and interactions within the league. Everyone needs to know how and what to monitor.
- Define areas for monitoring based on your program's activities.
- Develop a monitoring protocol so that volunteers are clear about their roles and responsibilities. Volunteers should be prepared to respond immediately to inappropriate or harmful behavior, potential risk situations, and potential boundary violations.
- Your organization should have a well-defined reporting structure so people know who to contact if they observe potentially inappropriate or harmful behavior.

Point of Contact: The local League President is the appropriate person to whom all reports of child abuse/molestation should be reported. In the event the local League President is the alleged abuser/molester, the report should be made to the local league's Board of Directors.

Assessing the Seriousness of the Situation: It is useful to differentiate between:

| | |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Concern</u> | When the person just needs to be heard and have some information clarified. |
| <u>Complaint</u> | When the person needs you to listen and may or may not want action taken if they feel you listened. |
| <u>Allegation</u> | Clarify if the allegation is: <ul style="list-style-type: none">• Appropriate, but unappreciated act.• Inappropriate, but not illegal act.• Illegal act that needs to be reported to law enforcement. |
| <u>Disclosure</u> | When the person tells you that abuse occurred or based on their actions gives you reason to believe abuse has occurred. |

The local League President must take the appropriate action depending on where the situation falls in the above mentioned categories.

Information Gathering

Upon receipt of a disclosure of child/sexual abuse or of a policy violation, the Conduct Official should gather all pertinent facts in a fair, respectful, and confidential manner and review with both the accuser and accused. All such disclosures must be brought to the attention of the local League President.

The local League President must immediately report to the authorities when there is reasonable cause to believe that physical abuse or sexual abuse has occurred. At this point, the local League President should never investigate, as this is the role of the law enforcement authorities. Furthermore, allowing the law enforcement authorities to investigate helps to shield the Sports Organization against potential lawsuits for defamation of character.

Suspension/Termination: The findings of the local League President should be reported to the Board of Directors of the local league and all proceedings should be confidential. If the alleged abuser or policy violator admits to the conduct, the Board can employ the most appropriate punishment. If the alleged abuser or policy violator denies the conduct, the Board can conduct further investigations (except when reasonable cause of physical or sexual abuse exists, that should be reported to the authorities) deemed necessary prior to rendering any appropriate punishment or exoneration. Remember, the alleged violations range from inappropriate, but not illegal behavior to clear cut child/sexual abuse, and the punishment must be tailored to the violation.

Suspension: Less egregious conduct on the part of the volunteer will result in a written reprimand. If more than two (2) written reprimands are received in a three (3) year time period, this will result in termination of the volunteer. Slightly more egregious conduct will result in both a written reprimand and suspension. Upon the second suspension in a three (3) year time period, the volunteer will be terminated.

Termination: All volunteers are subject to immediate termination based on the disqualification criteria outlined below.

Duty to Disclose/Immunity/Confidentiality: All volunteers may be required by state law to report suspected cases of child/sexual abuse. Any person(s) who makes or participates in the making of a good-faith report of abuse/neglect, participates in the investigation, or in the judicial proceedings shall, in so doing, be provided with complete and absolute immunity from civil liability.

The identity of the Volunteer reporting a case of suspected child/sexual abuse should not be revealed. All records and reports concerning investigations and their outcome are protected by various confidentiality laws. Unauthorized disclosure of such records is a possible criminal offense which could subject the violator to fines and/or imprisonment.

VOLUNTEER SCREENING

All managers and coaches, as well as any other persons and volunteers, who provide regular service to the league and/or have repetitive access to, or contact with, players or teams, are required to complete the background check. This would normally include all head coaches, assistant coaches, managers, league administrators, umpires, scorekeepers, concession workers, field maintenance workers, etc. Refusal to comply will result in immediate dismissal from the sports organization even if the volunteer has been allowed to participate in the past. The League President will review all such applications, will conduct a Criminal Background Check, may conduct a follow-up interview to

clarify questions, and will decide whether or not the candidate is disqualified based on this information.

Disqualification Criteria

Individual volunteers found to be guilty of the following crimes will be disqualified as a volunteer as outlined below. Guilty means the applicant was found guilty following a trial, entered a plea, entered a no contest plea accompanied by the court's finding of guilty, regardless of whether there was an adjudication of the guilt (conviction) or a withholding of guilt. This policy does not apply if criminal charges resulted in acquittal, dismissal or in an entry of "nolle prosequi" (*decision not to proceed with a case: an entry made in a court record when a plaintiff or a prosecutor decides not to proceed further with a case or action*):

Ever Found to be Guilty Of:

- All sex offenses, including child molestation, rape, sexual assault, sexual battery, sodomy, prostitution, solicitation, indecent exposure, etc.
- All felony violence, including murder, manslaughter, aggravated assault, kidnapping, robbery, aggravated burglary, etc.

Should any pending charges described above be uncovered, or should any of the above charges be brought against an applicant during the season, the applicant shall be suspended from serving until such time as the charges have been cleared or dropped, and the local League President has approved reinstatement.

Appeals:

Candidate(s) disqualified due to an unsatisfactory Background Check and/or other reason(s) will be given the right to appeal upon written notification to the League President.

PLAYER SAFETY – KIDS FIRST!

The statistics are frightening. Fact: One out of every four girls and one out of every six boys will be sexually abused before the age of 18. Fact: Pedophiles are drawn to places where there are children.

Here are some simple safety guidelines to reduce the risk:

- By informing volunteer applicants that your organization is serious about protecting youth and that they will be required to complete a background check may deter some people with a criminal history and/or who are at risk of abusing youth from applying for volunteer positions.
- Make sure that every volunteer in your league that works with youth has completed a volunteer application, completed the background check successfully and has complied with the Risk Management policies of your organization.
- Don't be afraid to conduct a personal interview and ask open-ended questions that encourage discussion. Don't be afraid to ask a volunteer about previous work and volunteer experiences.
- Ask for references and check them thoroughly.
- Don't make exceptions for people you know or have worked with in the past.

- Help create an environment that makes sure players know they will be supported for seeking help with anything that makes them uncomfortable. Assure them there are multiple avenues of support.
- Landscape to ensure open visible spaces.
- Secure and/or monitor areas not used for program purposes to prevent youth from being isolated (i.e., equipment rooms, playgrounds, etc.
- Develop procedures for reducing risk during activities such as toileting, changing clothes, etc.
- Install bright lighting in all areas.
- Develop policies/procedures for admitting and releasing youth from games, practices and other activities so their whereabouts are always known.

AWARENESS AND TRAINING

Policies and safeguards should be clearly established that reinforce a positive environment, safe interactions and appropriate conduct among all those involved. Providing coaches, managers, and all volunteers within the league with an awareness of the policies established for acceptable/unacceptable behavior minimizes opportunities for misconduct and helps prevent unfounded allegations. It is just as vitally important that policies and procedures for reporting and responding to suspected abuse, misconduct or policy violations are clearly established as well.

Awareness is a key element to any prevention and strategy. Awareness and orientations on safeguards, policies and procedures are instrumental in contributing toward a knowledge and prevention of various forms of abuse. Awareness and orientation can be disseminated in a variety of ways and should be made available to everyone involved with the local league prior to conducting any meetings, practices, games or other activities that involve youth participants, regardless of how experienced they may be. It is strongly urged and recommended that chartered Babe Ruth League programs and organizations assume responsibility for ensuring their volunteers have the skills, knowledge, materials, equipment, facilities, etc., needed to do the job. It is absolutely essential that every volunteer associated with a Babe Ruth league or association know who they should go to with questions or problems.

Babe Ruth League, Inc. also suggests that your organization consider providing child sexual abuse education and training that is developmentally appropriate and at the proper skill level. For example, different skills and knowledge may be provided to adolescents and younger children. Such education and training could include (depending on the age of the child):

- Provide general information about child sexual abuse, including what constitutes appropriate, inappropriate, and harmful behavior from adults and other youth. For example, youth need to know that no one has the right to force, trick, or coerce them into sexual situations and that sexual offenders, not their victims, are responsible for their behavior.
- Teach youth how to interact appropriately with each other.
- Tell youth to whom they should report what they believe is inappropriate or harmful behavior.

- Seek assistance from other organizations that have created personal safety programs if your organization is interested in implementing one.

CONCLUSION – MOVING FORWARD

The local league’s goal is to select the best possible people for volunteer positions and to screen out individuals with a criminal background and individuals who have sexually abused youth or at risk to abuse.

Babe Ruth League, Inc. has several programs in place. At a minimum, this includes mandatory Coaches Education and Certification, Risk Management disclosures, and mandatory nationwide Background Checks, including the applicable government sex offender registry data on all managers, coaches, board members, as well as any other persons and volunteers, who provide regular service to the league, and/or have repetitive access to, or contact with, players or teams.

Babe Ruth League youth programs are designed to encourage safe interaction between volunteers and youth, as well as are designed to create a safe, educational and enjoyable environment for all.



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