



**CALIFORNIA STATE ATHLETIC COMMISSION**  
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Members of the Commission

John Carvelli, Chair  
Mary Lehman, Vice Chair  
John Frierson  
Martha Shen-Urquidez  
Van Gordon Sauter  
Vernon Williams, M.D.  
Luis Ayala

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**Agenda items may be taken out of order the  
agenda except public comment.  
Action may be taken on any item listed on**  
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# CALIFORNIA STATE ATHLETIC COMMISSION

## MEETING MINUTES

Tuesday, October 17, 2017  
10:00 a.m. - Conclusion of Business

**Location:**

*Hilton LAX*  
*5711 West Century Blvd., Carmel Room*  
*Los Angeles, CA 90045*

**Commissioners Present**

Chair John Carvelli  
Vice Chair Mary Lehman  
Commissioner Vernon Williams, MD  
Commissioner Van Gordon Sauter  
Commissioner Luis Ayala  
Commissioner John Frierson

**Staff Present**

Andy Foster, Executive Officer  
Heather Jackson, CSAC Staff

**Commissioners Absent**

Commissioner Martha Shen-Urquidez

### **OPEN SESSION**

**Agenda Item 1 – Call the meeting to Order / Roll Call / Pledge of Allegiance/ Establishment of Quorum**

The meeting was called to order at 10:00 a.m., Executive Officer (EO) Andy Foster called the Roll and a quorum was established.

**Agenda Item 2 –Welcome –Chairman’s opening remarks**

Chairman John Carvelli welcomed everyone to the meeting and reviewed two recent events which occurred outside of California. He mentioned that he has received many comments regarding the result of each bouts, to which he stated that judges and referees do not have an easy job.

Chairman Carvelli offered his condolences to Commissioner Frierson whose wife recently passed away and recalled the beautiful services at which he and EO Foster were in attendance. Commissioner Frierson expressed his appreciation to everyone for reaching out and for attending his wife’s services.

**Agenda Item 4 – a. Business and Professions Code section 18640.5 requires the Commission to invite stakeholder testimony at Commission meetings in order to identify actions that may lead to greater opportunities for licensees to participate in major professional boxing contests.**

There were no comments for this item.

**Agenda Item 4 – b. Recognition of Golden Boy Promotions for Providing Greater Opportunities for CSAC Licensees to Participate in Major Professional Boxing Contests.**

Chairman Carvelli explained the purpose of the awards being presented and welcomed Mr. Rolando Arellano, In-House Legal Counsel, who was in attendance at the meeting to accept the award on behalf of Golden Boy Promotions.

Commissioner Luis Ayala presented Mr. Arellano with an award on behalf of Senate President Pro Tem Kevin de León, who sought to commend Golden Boy Promotions for not only their continued efforts to hold major boxing events in the Los Angeles area, creating a positive economic impact to the California economy, but also for the service that Mr. Oscar De La Hoya and Golden Boy Promotions provide to the inner city and surrounding communities.

Vice Chair Mary Lehman presented Mr. Arellano with a Certificate of Appreciation from the Commission and the Department of Consumer Affairs. She mentioned that as a former boxer who competed on Oscar De La Hoya's fight cards and completed her last fight on a Golden Boy Promotions event.

Chairman Carvelli presented Mr. Arellano with a commendation from California Assembly Speaker Adam Rendon, echoing the spirit of the prior awards.

**Agenda Item 3 – Approval of the August 15, 2017, Commission Meeting Minutes**

EO Foster presented the Commission with revisions submitted by Commissioner Martha Shen-Urquidez. She requested the record to reflect that she requested, once again, that USA Boxing send a delegate from Colorado Springs to advise the Commission as to what the status is with their organization, particularly regarding the Olympics coming to Los Angeles and the issues going on with the International Boxing Association (originally known as AIBA). He stated that her revision mentioned that Mr. Joe Zanders is frequently in attendance at Commission Meetings, however has acknowledged that he can only speak on behalf of the Southern California region.

*Commissioner Dr. Vernon Williams motioned to approve the August 15, 2017, Commission Meeting minutes. Vice Chair Lehman seconded the motion.*

**PUBLIC COMMENT**

- Vice Chair Lehman complimented the recent meeting minutes and explained that retaining accurate and detailed minutes is important to ensure consistency with the past.

*The motion passed 6-0 by roll call vote.*

**Agenda Item 5 – Executive Officer's Report**

**a. Budget Update for the Support Fund, the Neurological Fund, and Pension Program**

EO Foster reported that as of the morning of the meeting, the Commission will have deposited \$699,992.81 into the Support Fund, \$1,754.17 to the Neurological Fund and \$2,9891.68 to the Boxer's Pension Fund. He explained that the State mandated a new accounting system called FISCAL which has affected all Boards and Bureaus within the Department of Consumer Affairs

(DCA). He further explained that one of the issues that they are working on is to be able to run budget reports of the expenditures. He mentioned that although the office attempts to track its expenses, it is hard to report the exact numbers. However, he assured the Commission that the revenue currently exceeds the expenses, he is just unable to report by how much.

Chairman Carvelli inquired as to when EO Foster expects to see a report from the new system. EO Foster responded that he was uncertain and stated that FI\$CAL and DCA are working hard to resolve the problem.

**b. Report on Pending and Proposed Regulations and Legislation**

EO Foster provided a summary of the pending regulations.

- Payment to Contestants – EO Foster reported this final rulemaking package was submitted to DCA Legal on October 31, 2016. He further reported that Mr. Gary Duke has been working to assemble supporting documents to proceed with the rulemaking process and that an extension was granted and is certain that the package is now making its way through the approval channels within DCA.
- Headgear for Amateur Kickboxing – EO Foster reported that a Section 100 change was submitted to the Office of Administrative Law on September 20, 2017. He explained that the California Code of Regulations (CCR) section 711 is inconsistent with Business and Professions Code Section 18766 which states that every contestant in an amateur kickboxing or MMA contest under the age of 18 shall wear protective headgear approved by the Commission. CCR 711 states every contestant under the age of 18 years may wear a headgear approved by the Amateur Boxing Federation or equivalent organization. Because of this inconsistency, this regulatory change falls within the Section 100 requirements, which is a simple procedure for “changes without regulatory effect.”
- Examination of Boxer Applicants and Neurological Assessment – EO Foster reported that the rulemaking package was submitted to DCA on August 29, 2017. He mentioned that it is a recent submittal and the DCA review process is extensive, so he is not expecting a response anytime soon.

**c. Status Update of Delegated Entities**

• **California Amateur Mixed Martial Arts Organization (CAMO)**

Mr. JT Steele, President, offered condolences, on behalf of CAMO, to Commissioner Frierson on his wife’s passing. He reported that CAMO anticipates a period of less events approaching and plans to utilize the time for training of inspectors and officials. He mentioned that CAMO continues to address the issue of promoters and athletes competing in unsanctioned events. He highlighted two events, the first being an event in El Centro where many of the competitors travelled from Mexico where unsanctioned events are very prevalent to compete in a sanctioned event. The second was a professional and amateur mixed martial arts event held at the Hard Rock Casino which resides on Native American land and the Commission and CAMO were invited to sanction bouts.

Chairman Carvelli expressed that he is pleased to hear that the casino is interested in sanctioning their bouts through the Commission and its delegated entities. He acknowledged that the Commission understands that they are invited guests and appreciate and respect the welcoming.

- **USA Boxing**

Absent a representative from USA Boxing, EO Foster summarized USA Boxing's letter which was provided in the materials. Vice Chair Lehman asked EO Foster if there was a reason a representative was not able to attend the meeting. He explained to the Commission that USA Boxing was aware that the Commission was expecting their attendance at the meeting and stated that he is unsure why there is not a representative present. Vice Chair Lehman mentioned the likelihood of this being a breach of their delegation and stated that she had specific questions for them which came up in the last meeting regarding their recent fee increases. She detailed that after reviewing their financials, much of their assessments that come from California are going to the organization and expressed her concern for issues that may arise as a result of those fee increases. Vice Chair Lehman directed EO Foster to send USA Boxing a letter explaining that they are possibly in breach of their delegation by not sending a representative from Colorado Springs to appear at Commission meetings, as previously requested.

- **United States Fight League (USFL)**

Mr. Jon Frank, President, offered his condolences, to Commissioner Frierson on his wife's passing. He reported that since the last Commission meeting, USFL has had one event which was combined with a CAMO show, USFL's portion included 7 bouts. He explained that there was only one minor injury which resulted from an arm-bar. However, since it did not result in a suspension, it was not significant enough to be listed as an official injury.

He mentioned that with running CAMO and USFL shows simultaneously, comes larger shows with more bouts and is causing an issue with officials being overworked. Chairman Carvelli asked Mr. Frank if he has a plan to address the issue or if he has consulted with CAMO or EO Foster. Mr. Frank responded that the biggest issue is with finding Ringside Physicians willing to work for them. He mentioned that many of the doctors who have shown interest are concerned about their liability. Another concern that Mr. Frank reported was that many doctors are reluctant about signing off on physicals for the competitors. Commissioner Vernon Williams stated that the Medical Advisory Committee (MAC) has had many recent discussions regarding indemnification and physician malpractice concerns. He further stated that the topic of the physicals has not come up with the MAC, however at the last Commission meeting, there was a discussion about re-framing the perception of the sport. He suggested the concept of competition as opposed to just exercise which he specified were unlike, with different benefits. Chairman Carvelli agreed with Commissioner Williams and specified that safety driven, regulated competition should be the forefront of those efforts.

Vice Chair Lehman suggested that a memorandum from the Commission be made available for Mr. Frank or other delegated entities to have on-hand that points to medical journals which give comparisons on the different sports and their relative dangers. Additionally, she suggested pairing that memorandum with another which responds to the liability concerns for Ringside Physicians. EO Foster mentioned that although he is certain that the Ringside Physicians who operate the under the Commission for profession events are indemnified, he should defer to his legal counsel to advise the Commission on if that indemnification extends to the delegated entities.

Mr. Frank further reported that he has approached the Claremont McKenna College to conduct a study on the benefits of combat sports and how it aides in developing character and leadership abilities among the other benefits of the children.

- **International Kickboxing Federation (IKF)**

Mr. Steve Fossum, President, also offered his condolences, to Commissioner Frierson on his wife's passing. He started his report by mentioning that since obtaining the delegation, IKF received a lot of valuable constructive criticism from the Commission and acknowledged how much it has helped him with his delegation. He apologized to Vice Chair Lehman and mentioned that he did not intentionally disregard her request to include more information on his report. He explained the specifics of the situation in getting the report submitted and asked if he could submit a supplement to his report at the meeting. Vice Chair agreed to accept the detailed report on medical suspensions.

Mr. Fossum detailed one injury which seemed serious at the time but turned out to not be significant. He explained that he and EO Foster were in constant communication the night of the event as the athlete was being transported. EO Foster further explained that Mr. Fossum was appropriate with his level of communication in that instance and that although it turned out to not be a major injury, he was pleased to be involved in real-time. Vice Chair asked if the response to the injury was consistent with the Catastrophic Injury Plan. Mr. Fossum responded that EO Foster was following the guidelines on his end. Vice Chair asked EO Foster what the trigger is for the delegated entities to reach out to him with injuries. EO Foster responded that he is contacted any time a transport is initiated or a significant knockout happens.

Chairman Carvelli suggested that although this detailed report is only for the Commissioners and EO Foster, the next one that will be included in his report for the public and may have too much personal information. He stated that EO Foster should work with Mr. Fossum to alter the report to allow for public viewing. Vice Chair Lehman noticed that although the suspensions are listed, the reasons as to why the suspensions are issued were not detailed. Mr. Fossum further suggested that the next report will also include transports and hospitalizations. Vice Chair Lehman noted that the report specified one of the fighters taking Prednisone and inquired about the drug testing protocol for IKF. Mr. Fossum mentioned that drug testing is not currently required for IKF shows, however he would be open to implementing a drug testing program with the Commission's direction. EO Foster suggested that he should consult DCA Legal on whether the Commission's drug testing authority extends to the delegated entities.

#### PUBLIC COMMENT

- Mr. Tony Cifuentes, Founder & Head Coach of the Highlanders Boxing Club in Highland, CA, expressed his concerns with USA Boxing and their fee increases. He mentioned that in the process of planning a recent event, they were made aware of the fee increases and were caught completely off-guard. He stated that they have held successful events for the past 15 years and this time they paid the normal sanctioning fee of \$327.00, and then remained pending with USA Boxing which they were unsure as to why. Ms. Sandy Cifuentes stated that they were unsuccessful in their numerous attempts to contact USA Boxing's headquarters. She explained that that they were then made aware that an additional \$1,500.00 fee was preventing them from approval and stated that given the short amount of time before their event, they just paid the fee. Ms. Cifuentes mentioned that although they can pay that extra fee, the concern is

that the fee increases are going to prevent many of the other clubs in California from holding events.

**d. Update on C3 Logix Sports Concussion Management Program**

EO Foster reported that Commission staff continues to test athletes both at the gyms and at the weigh-ins and as of the day of the Commission meeting, 331 C3 exams had been uploaded. He assured the Commission that he anticipates meeting the target of 500 exams by year-end. Vice Chair Lehman inquired as to what percentage that target of 500 is in relation to the licensing population. EO Foster responded that it is about 40 to 45 percent. He further assured the Commission that he and Lead Inspector, Mark Relyea, have a plan to meet the target by the end of the year.

**e. Update on CSAC 10-Point Plan to Address Severe Dehydration and Weight Cutting in MMA**

EO Foster reported that the 10-Point Plan to address severe dehydration in mixed martial arts continues to yield success in addressing severe weight cutting in mixed martial arts. He further reported that several Commissions have reached out to him get further information on the plan. Although many Commissions have not, and he cautioned that if the other jurisdictions do not get on board, the problems could become detrimental.

Commissioner Van Gordon Sauter asked EO Foster which of the other states are not following suit with the plan. EO Foster responded that California is the only state that has taken actual regulatory action to address the issue. He further mentioned that New York is looking at the plan and considering action. Commissioner Sauter asked if there was anything that California can do to help with those efforts. EO Foster responded that he has had many discussions with New York's doctors and their executive director about the plan and stated that he believes their delay is an attempt to see how it works in California.

Vice Chair Lehman recalled the about the video of an athlete in Japan who cut so much weight that he couldn't even walk on stage to weigh-in. She stated that it was terrible and incredible to watch and suggested the possibility of using that example to educate fighters. EO Foster echoed a statement in an article recently published by Marc Raimondi which said that it should not be as dangerous, or even more dangerous to get to compete, as the competition itself.

**f. Report on 2<sup>nd</sup> annual Regulating Combative Sports Conference**

EO Foster reported that with the Commission and Governor's Office's permission, he attended as an invited guest and speaker the 2nd annual Regulating Combative Sports Conference in Thackerville, Oklahoma which was hosted and sponsored by the Chickasaw Nation Athletic Commission. He detailed that he gave a lecture on functions of a Commission, the California State Athletic Commission's 10 Point Plan to address severe weight cutting in mixed martial arts, as well as a demonstration on drug testing.

EO Foster presented the Commission with a brief overview of the PowerPoint presentation that he utilized at the meeting. Commissioner Sauter suggested that EO Foster consider packaging this information in a way that could be shared with the people in California of consequence who may be unaware of the Commission's innovative and valuable efforts.

**g. Upcoming Event Schedule and discussion regarding event activity**

EO Foster reported that as of August 1, 2017, the Commission regulated a total of 118 professional combat sporting events in 2017. He presented the Commission with the updated event schedule and directed their attention to the following shows:

- 11/11/2017 - Top Rank Boxing at the SaveMart Center in Fresno – broadcast on ESPN.
- 12/9/2017 - UFC at the SaveMart Center in Fresno – broadcast on Fox.
- 1/20/2018 - Bellator at the Forum – broadcast on Spike TV.

**Agenda Item 6 – Pension Fund Subcommittee Report**

EO Foster reported that after the pension report came out, there have been several large requests. He highlighted one which was the highest account that he has observed and mentioned that once the Commission processes payment for that benefit, the report will reflect a significant increase in distributions. EO Foster further reported that Commissioner Martha Shen-Urquidez recently did an interview with Argentine Media, in Spanish, about the California Athletic Commission's Boxer's Pension Fund.

Vice Chair Lehman suggested that the large distribution that EO Foster mentioned might be a great opportunity to present publicly, with the athlete's consent, to promote the program and get attention. Commissioner Luis Ayala suggested an appropriate venue might be at a boxing event in California where the audience is most likely to be or know someone who could be eligible.

EO Foster stated that in the next year, the Commission should consider conducting an analysis on what it would take to include the Mixed Martial Arts (MMA) athletes into the pension fund. He mentioned that moving forward this kind of an expansion to MMA, may give California a huge advantage when it comes to where the athletes will prefer to compete.

**PUBLIC COMMENT**

- Roy Englebrecht, CSAC licensed promoter, commented that he knows of two boxers who have a pension with the Commission, unfortunately they are far from the age to eligible for distribution. He asked the Commission if the expansion to MMA would open an opportunity to change the rules on age requirement.
- Vice Chair Lehman mentioned the provision which allows for early distribution and asked EO Foster if that provision would help the boxers Mr. Englebrecht mentioned. EO Foster confirmed the Commission does have such provision and specified that it would help these athletes if they were able to provide sufficient medical documentation to retire. Chairman Carvelli encouraged Mr. Englebrecht to invite those athletes to attend the Commission meetings.

**Agenda Item 7 – Discussion regarding allowing boxing judges use of monitors (when available) while judging bouts and/or using more judges to score the contest so that the scores for matches best reflect what happened in the match**

Chairman Carvelli provided background on the item and invited the Commissioners and the public to provide comments and their opinion. EO Foster explained that a large portion of his time is spent constructing ways to improve scoring because it is something that has a huge impact on the fight, and the sport as a whole. He stated that the judges are asked to provide a subjective opinion of objective criteria and that event the objective criteria could be subjective depending on what they want to see. EO Foster explained that one idea is to utilize monitors in boxing for the judges,

much like the ones used in high level mixed martial arts and specified that there is no doubt the monitors have improved scoring in MMA.

He further stated that a second option, which has been considered by other states, is to increase the number of judges and to allow one judge to score from a monitor or increase the number of judges from 3 to 5. He explained that Mr. Cory Schafer runs the GLORY shows in Europe and they have tested this theory out. He stated that Mr. Schafer told him that it didn't help the scoring, what it did do was increase the number of split decisions by a lot.

EO Foster explained that that the audience as well as the viewers at home have the punch stats and multiple vantage points from the various cameras surrounding the ring. However, he stated, this additional information is available to everyone other than the judges who must score the bout. He explained that the judges must make tough decisions in a matter of 10 seconds following the end of the bout and that the repercussions of a judge having a bad night, has the potential to ruin careers – not only the judge, but more importantly the athletes'.

Chairman Carvelli suggested an additional option of placing another judge in the building to watch the bouts with noise cancelling headphones on to score without being influenced by the commentators or the audience reactions. He explained that the score could be available as a data point to later match against the result of the bout and use as a training or correctional tool.

Commissioner Ayala asked as it stands currently, the referee would be able to use the monitor to determine foul before proceeding with the bout. EO Foster explained that something like that would get into the use of instant replay but that currently, that kind of use of the monitors is not an option for boxing. He further asked EO Foster if the use of monitors for judges were to be implemented in California, how he anticipates it working from a judge's perspective or an outcome of a fight. EO Foster explained that it would a small tv positioned in front of the judge's seat and in the case that the judge was unable to see, they would glance down at the screen to assist.

Commissioner Ayala stated that although he doesn't have enough information to form an opinion, he suggested that the EO and the Commission consider if allowing the monitors might be counterproductive by introducing just another thing to focus on during the bout.

Vice Chair Lehman explained that as a former boxer, she appreciates the tradition and the purity of the sport of boxing. She agreed that something should be done to improve scoring of the bouts, however her feeling is to keep the traditional 3 judges and then add in the monitors in a room with headphones on and see how it affects the results. She suggested that a logical next step may be to hold a stakeholder's meeting and invite input from the community.

Commissioner Williams asked EO Foster what the status of how the judges currently demonstrate their proficiency in terms of training and testing. EO Foster responded that there is a judge from home application as well as POD Index, which are used as continuing education tool for training officials. He further explained that the Commission typically licenses judges who have shown proficiency in the amateur program. EO Foster acknowledged that the bouts which spurred the discussion did not take place in California, however, he stated that the problem still exists in California.

Chairman Carvelli reiterated that he has recently received a lot of angry, frustrated comments about the sport of boxing being fixed and wanted to have a discussion to see if there was a way to address the scoring concerns.

Commissioner Frierson commented that although he is open to inviting technology into the discussion and possible fix, he doesn't believe it should be relying upon to score boxing.



Commissioner Sauter commented that boxing's unforgiving nature, as a business, may be able to be sanitized by the medical processes that have been introduced, become more compassionate with the pension program and in some ways, can become more aesthetic. However, just as boxers have bad days, referees have bad days, judges have bad days as well and that it is a condition of the existence. He further commented that boxing, a great sport, has persevered for centuries, with bad days. He believes that efforts to try to purify the sport and make it flawless is ill-advised and ultimately unproductive. He mentioned that the Commission shouldn't care what the crowds think, because the crowds always come back to watch as they understand that people make mistakes and they get upset about it but that it's part of the human experience.

#### PUBLIC COMMENT

- Roy Englebrecht, CSAC licensed promoter, suggested that the Commission consider instituting a pilot program to allow a fourth judge, the referee.
- EO Foster read comments submitted by Commissioner Shen-Urquidez. She stated that she first believes that California has some of the best officials in the world. She mentioned that along with having the best, California also has the most officials compared to other states. With that, she stated, comes more effort necessary for training all officials which are ultimately one of the most important products the Commission delivers. She explained that in the past four years, the Commission has developed many ways to improve scoring and maintain the standard of scoring. These tools include a standardized test, requirements for continued education, shadow judging, contracting POD Index, official evaluations, stakeholder input on instant replay. She further commented that she believes the use of five judges versus a three-person judging system will not improve the ultimate scoring of any fight and stated that if the judges are good, three people should be able to deliver a score and in the same sense, if the judges are not good, five judges are only going to create a bigger problem. She further stated that the monitors may help, but that if the officials are not well-trained, no amount of viewing is going to help. She suggested that a questionnaire be distributed to the officials that they can complete and submit back to the Commission with how they believe their skills can be improved.

#### **Agenda Item 8 – Review and approval of Processing a Petition for “Change of Decision” Under 4 CCR § 368**

EO Foster presented the Commission with background on the need for a formal process for requesting a change of decision. He explained that he receives a lot of requests and mentioned that most of the requests do not meet the criteria in the regulations to justify a change of decision.

Vice Chair Lehman presented the Commission with the standard formal procedure and explained that, in the past, there has been some issues arising with these requests where the complainant is unclear on the procedures, whether they needed to appear in person, ability to timely submit evidence to the Commission, as well as language barriers. She explained the structure of the procedure follows the regulation text and determining what the trigger is for the EO to bring the appeal to the Commission for review.

*Commissioner Luis Ayala motioned to approved the Processing a Petition for “Change of Decision” Under 4 CCR § 368 form. Commissioner Sauter seconded the motion.*

Commissioner Ayala commended Vice Chair Lehman and Commission Staff on their work on this matter.

*The motion passed 6-0 by roll call vote.*

**Agenda Item 9 – Review and approval of Promoter application from Eric VanWagenen, Executive Producer and Brian Edwards, EVP of TV Operations for MGM**

EO Foster provided the Commission with a summary of the applicant and introduced Executive Producer, Mr. Eric VanWagenen. Mr. VanWagenen provided background on his history in promoting and producing television series involving boxing. He also introduced minor details of the proposed show.

*Commissioner Luis Ayala motioned to approve TOC 2, LLC's promoter application contingent upon submission of additional application requirements. Commissioner Dr. Williams seconded the motion.*

Commissioner Ayala suggested that the promoter consider partnering with the Commission to highlight issues that surround boxing on the show.

*The motion passed 6-0 by roll call vote.*

**Agenda Item 10 – Public Comment on Items Not on The Agenda**

No public comment received.

**Agenda Item 11 – Next Meeting Scheduled for December 12, 2017**

Proposed meeting on Tuesday, December 12, 2017, in Sacramento, CA.

**Agenda Item 13 – ADJOURNMENT**

Meeting Adjourned.