

DEPARTMENT OF CONSUMER AFFAIRS
BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GOVERNOR EDMUND G. BROWN JR.

CALIFORNIA STATE ATHLETIC COMMISSION

2005 Evergreen Street, Suite 2010 | Sacramento, CA 95815

Phone: (916) 263-2195 | Fax: (916) 263-2197

Website: www.dca.ca.gov/csac Email:csac@dca.ca.gov/csac



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

Agenda items may be taken out of order the agenda except public comment.

Action may be taken on any item listed on

CALIFORNIA STATE ATHLETIC COMMISSION

MEETING MINUTES

Tuesday, February 27, 2018 10:00 a.m. - Conclusion of Business

Location:

DoubleTree Suites by Hilton Anaheim Resort 2085 South Harbor Blvd., Tuscany Room Anaheim, CA 92802

Commissioners Present

Chair John Carvelli Vice Chair Mary Lehman Commissioner Vernon Williams, MD Commissioner Van Gordon Sauter Commissioner John Frierson Commissioner Martha Shen-Urquidez

Staff Present

Andy Foster, Executive Officer Spencer Walker, Legal Counsel Heather Jackson, CSAC Staff

Commissioners Absent

Commissioner Luis Ayala

OPEN SESSION

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

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

Agenda Item 2 - Welcome - Chairman's opening remarks

Chairman John Carvelli welcomed everyone to the meeting and stated he is confident the California State Athletic Commission (Commission or CSAC) is fiscally sound, efficiently and effectively administered, and in his humble opinion the regulatory example, both on a national and international basis, for providing dynamic and common-sense leadership in all aspects of combat sports. He stated 2017, and the years to come, represent the year of the 10-Point Plan (Plan) addressing severe dehydration and weight cutting and gaining. A

California State Athletic Commission Meeting Minutes February 27, 2018 Page 2 of 14

plan conceived and implemented by the Commission's Executive Officer, Andy Foster and the Commissioners. He mentioned the Plan has also been approved nationally by the Association of Boxing Commissions (ABC), is currently being implemented in many states, with the potential of more states adopting it, as well as foreign countries. He stated the 10-Point Plan has and will fulfill the Commission's clear mission to protect and defend the health and safety of athletes in combat sports.

<u>Agenda Item 3 – Election of Officers for 2018 Pursuant to the Requirements of</u> Business and Professions Code Section 18606.

Spencer Walker, Legal Counsel, called for nominations for Chair and Vice Chair elections.

Commissioner Shen Urquidez motioned to re-elect John Carvelli for Chairman and Mary Lehman for Vice Chair.

Mr. Walker called for additional nominations. There were none.

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

<u>Agenda Item 4 – Approval of the December 12, 2017, Commission Meeting Minutes</u> EO, Andy Foster presented the Commission with the minutes of the December 12, 2017, Commission Meeting for approval.

Commissioner Shen-Urquidez motioned to approve the minutes. Commissioner Vernon Williams seconded the motion.

Commissioner Shen-Urquidez mentioned her revisions were sent in an email to the Commission office. Vice Chair Mary Lehman reviewed her revisions aloud.

Commissioner Shen-Urquidez amended her motion to approve the minutes as revised. Commissioner Vernon Williams seconded the amended motion.

No public comment.

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

Agenda Item 10 – Report on CSAC 10 Point Plan to address severe dehydration and weight cutting in MMA

EO Foster reported from the time the plan was approved, the Commission continued to implement it, weighing the fighters and recommending to them they compete in more appropriate weight categories. He mentioned Mr. Michael Mazzulli, EO of Mohegan Sun as well as the Brazilian Athletic Commission of MMA (CABMMA) adopted the plan. He explained the Mohegan Sun adoption is significant because Mr. Mazzulli regulates Bellator's international events and intends to utilize the plan for those events as well.

EO Foster addressed the media in attendance emphasizing weight cutting is the biggest problem in combat sports. He acknowledged many of them write about these issues and urged them to please continue because it causes change. He explained fighters shouldn't face two fights, the first being making weight and the second being the regulated competition.

California State Athletic Commission Meeting Minutes February 27, 2018 Page 3 of 14

Agenda Item 5 – Appeal of license suspension and fine from Jonathan Jones for violation of California Code of Regulations, Title 4, section 303, 390 and Business and Professions Code sections 18843(b) and 18649.

Mr. Walker introduced the appeal and presented the hearing instructions. Supervising Deputy Attorney General, Mr. Jim Ledakis, briefly described the violations against Mr. Jones and submitted all exhibits to be considered during the hearing. Mr. Walker received both briefs and exhibits into evidence.

On behalf of EO Foster, Mr. Ledakis presented the Commission with formal recommendations to revoke Mr. Jones' Mixed Martial Arts license and assess fines for each violation.

Mr. Jones' lawyer, Mr. Howard Jacobs, presented his opening statement to the Commission. In his address, Mr. Howard explained Mr. Jones is not contesting the finding of the prohibited substance in his July 28, 2017, sample. He explained Mr. Jones' position remains he has never knowingly taken any substance that could have caused a positive test. He continued by stating Mr. Foster's recommendation assesses the maximum possible fine amount and concluded by requesting the Commission consider Mr. Jones' intent and his efforts to locate where the substance came from when determining the appropriate penalty. Mr. Jacobs also asked the Commission to consider Mr. Jones' efforts voluntary submittal of his supplements and massage creams for testing by independent laboratories, to questioning by the United States Anti-Doping Agency (USADA) lawyer and investigator, and to a voluntary polygraph examination.

Mr. Ledakis called Dr. Daniel Eichner, Laboratory Director of the Sports Medicine Research and Testing Laboratory (SMRTL) in Salt Lake City, Utah, to approach as an expert witness and provide testimony. Mr. Ledakis asked Mr. Howard for a stipulation that Dr. Eichner is an expert in his field; Mr. Howard affirmed. He asked Dr. Eichner if he has reviewed the testing data (Exhibit 5) from SMRTL dated August 21, 2017, for Mr. Jones.

Mr. Ledakis asked Dr. Eichner to testify regarding the results of the testing data and explain what Turinabol is. Dr. Eichner responded the testing data resulted in an adverse finding for a metabolite of oral Turinabol. He clarified Turinabol is also known as dehydrochlormethyltestosterone (DHCMT), and it is an anabolic endogenic agent, which is prohibited in all sports, and is a 'Schedule 3' drug, which means it is prohibited from being sold in the United States.

Dr. Eichner testified what was cultured out in this case was a metabolite of Turinabol. Metabolites are substances created when the drug passes through the urine and the drug is broken down or metabolized into something else. He added in certain circumstances (Turinabol being a classic example of this) some of the metabolites are a lot longer-lived than the parent drug. He concluded in drug testing, the metabolites are normally tested for because they offer a longer window of detection.

Mr. Ledakis inquired about the purpose for the administration of Turinabol. Dr. Eichner explained oral Turinabol was developed in Eastern Germany to treat medical conditions

California State Athletic Commission Meeting Minutes February 27, 2018 Page 4 of 14

and diseases. Unfortunately, it was subsequently abused for doping in sport, mainly through Eastern Europe, a performance enhancing steroid.

Mr. Ledakis asked Dr. Eichner to describe his conclusion, after reviewing the testing data and the report by Dr. Scott. He asked, given the timing of the tests and their results, if Dr. Eichner can draw any conclusions as to how the Turinabol was administered. Dr. Eichner explained, based on the data provided, he is only able to conclude oral Turinabol was administered sometime after Mr. Jones' July 7, 2017 test and the subsequent test later in July.

When asked if he can draw any conclusion based on the negative tests in both early July and October, paired with a positive test in late July, Dr. Eichner explained he was unable to. According to Dr. Eichner, there would need to be further research conducted to look at the metabolism and excretion rate of oral Turinabol, and some necessary studies could help shed light on how long it's detectable after administration. He further explained another important factor to consider are how much of the drug was administered, how it was administered, what the route of administration was, and frequency of the administration. He stated without knowing any of those things, it would be very difficult to arrive at any solid conclusions.

When asked why this necessary research has not been done, Dr. Eichner explained because Turinabol is not an FDA approved drug, it would be impossible to get ethical approval to conduct the necessary studies on humans in the United States.

Mr. Ledakis asked Dr. Eichner if he believes Mr. Jones' physical performance was enhanced by the substance found in the positive test for the long-term metabolite (M3), if he could say whether the metabolite was ingested for therapeutic reasons or by accident. Dr. Eichner responded there is not enough information available to make those determinations.

Mr. Ledakis directed the Commission's attention to Dr. Paul Scott's expert report (Exhibit Y) and asked Dr. Eichner if he has reviewed the report. Dr. Eichner responded he had. When asked to describe what the report generally stated, Dr. Eichner described in all likelihood, the athlete administered a contaminated product, which caused the adverse finding on the test done in late July. He added, however, there is not enough information available to determine whether it was therapeutic or a contaminant. He stated with the information available to him, it would be impossible to make a determination whether the adverse finding was purely caused from a contaminated product and is, therefore, unable to agree with Dr. Scott's conclusion in his report.

He described other cases related to oral Turinabol where sometimes the metabolite is detectible for several weeks after use, and in other times, detectable for significantly longer. Pharmacokinetics requires having knowledge of exactly how much, how often, and the route of administration. He explained, without having this information in concert with

California State Athletic Commission Meeting Minutes February 27, 2018 Page 5 of 14

the necessary research, it would be impossible for him to give a determination on exactly how much was used and when it was used, in this case.

Mr. Ledakis concluded he had no further questions for Dr. Eichner, and invited the Commission to ask questions about anything they need clarification on.

Commissioner Shen-Urquidez asked Dr. Eichner if there was any question the adverse finding was a form of chlorinated anabolic steroid. Dr. Eichner testified he is confident the M3 metabolite detected is consistent with oral Turinabol. He added there is a small possibility the substance could be another chlorinated anabolic steroid, also prohibited. However, given the profile of the substance found in this case, he has never found it to be anything other than oral Turinabol.

Commissioner Shen-Urquidez confirmed with Dr. Eichner because Turinabol is not an FDA approved substance, there are no controlled studies and those studies would be the only way to understand when a person would have ingested the drug. She further confirmed, in Mr. Jones' case, the lack of studies means there is no way of knowing this when he would have ingested the Turinabol, or how fast it would leave his system. Dr. Eichner agreed the only certain conclusions that can be made in this case are there was Turinabol in Mr. Jones' system at the time he was tested on July 28, 2017, and he ingested it sometime before July 28, 2017.

Commissioner Shen-Urquidez asked Dr. Eichner if, in his experience testing supplements for contaminants he ever tested any supplements contaminated with Turinabol. He said he had not. Commissioner Shen-Urquidez asked Dr. Eichner if he had ever heard of any other labs who had come across any supplements contaminated with Turinabol. He said he had not.

Vice Chair Mary Lehman asked Dr. Eichner if he would be able to identify the degree of presence of Turinabol in Mr. Jones' sample, describe what routes of administration are available for Turinabol and explain whether Turinabol is known to be less detectable. Dr. Eichner explained he is unable to approximate the concentration of Mr. Jones' sample, although it was a low level. He further explained the typical route of administration for oral Turinabol is ingestion; however, it is possible to make the drug available to other routes of administration, such as intramuscular and intravenous injection. He added Turinabol is very easily detected, explaining the long-term metabolite (M3) was identified several years ago allowing the window of detection to be much longer than it used to be.

Mr. Ledakis directed the Commission's attention to page 4 of Dr. Scott's report (Exhibit Y), paragraph 14, which states, "Absent that work, it is not possible to do anything other than make educated guesses regarding detection windows." Dr. Eichner agreed with Dr. Scott's statement in the report and confirmed much of the report appears to have made those educated guesses in order to arrive upon the conclusions.

California State Athletic Commission Meeting Minutes February 27, 2018 Page 6 of 14

Mr. Jacobs asked if Dr. Eichner interpreted Dr. Scott's report as saying this was definitely a contaminated supplement. Dr. Eichner responded he would not use the word 'definitely.' When asked if a fair reading of the report would be Dr. Scott was looking at the evidence to try to offer an opinion as to whether the totality of the evidence was consistent with intentional use versus unintentional use, Dr. Eichner responded his interpretation of the summary in the report was it was most likely caused from a contaminated product.

When asked if he could identify other possibilities of unintentional use, Dr. Eichner suggested other than the athlete being unconscious and unaware of what was going on, the only other possibility of unintentional use he could think of would be a contaminated product. Mr. Jacobs reviewed parts of Dr. Scott's report, specifically the approximate excretion half-life rate and the assumption intentional use would have resulted in a detectable amount of M3 in the sample collected in October. He asked Dr. Eichner whether he agreed with the approximations relied upon in the report, and if he would agree the amount detected seems consistent with unintentional use. Dr. Eichner explained detection would be dependent on the instruments and methods used. He added certain methods are very sensitive and will pick up a very small amount. He concluded he is confident there are not enough controlled studies to point to a definitive number on how long it would be detected for and at what concentration levels you might see after use. Mr. Jacobs stated he had no further questions for Dr. Eichner.

Mr. Jacobs called Dr. Paul Scott, author of the Expert Report in question, to approach and provide testimony. Mr. Howard inquired about Dr. Scott's experience pertaining to testifying in cases where the issue was for the detection window of this metabolite. Dr. Scott briefly explained a case involving the metabolism of DHCMT, specifically M3. Mr. Howard asked Mr. Ledakis for a stipulation on Dr. Scott's credentials; Mr. Ledakis affirmed.

When asked if he had any responses regarding Mr. Eichner's comments involving his report, Dr. Scott responded he agrees with much of what Dr. Eichner said, although he wished to clarify his report ultimately concluded this was most likely from a contaminated supplement, his conclusion does depend on the assumptions made. He agreed there are many more studies necessary to make a better determination. However, they cannot be done in the United States and he hopes to see those studies conducted elsewhere. He explained he understands the World Anti-Doping Agency (WADA) has commissioned and may eventually have certified reference material for of the M3 metabolite. He added it would then allow them to characterize and confirm the assumptions made about the source of this particular chlorinated steroid are, in fact, from Turinabol.

Chairman Carvelli inquired about Dr. Scott's involvement in this case and where his involvement originated. Dr. Scott responded he is President of KorvaLabs, Inc., which is a clinically licensed laboratory specializing in anti-doping services. He mentioned they also offer supplement testing and private anti-doping detection. He explained he was asked by Mr. Jacobs to review a documentation package, which he found no issues with. In

California State Athletic Commission Meeting Minutes February 27, 2018 Page 7 of 14

addition, previous to that review, he also attended the B sample testing as an independent witness. He added he also provided testing services to detect the presence of the parent compound of DHCMT in Mr. Jones's supplements.

Mr. Jacobs asked Dr. Scott to describe the basis for his assertion in the report which stated that the October 11, 2017, negative test makes it unlikely during the three-week period between July 8, 2017, and July 28, 2017, Mr. Jones repeatedly used an effective dose of Turinabol.

Dr. Scott explained he had to consider how the Turinabol entered the body, what he knows definitively is the administration was sometime between the first negative test and the first positive test. He further detailed when considering both scenarios, the contamination scenario is more likely based on the testing data than the doping scenario.

Mr. Ledakis asked Dr. Scott to explain what he meant by detection window. Dr. Scott explained the detection window would be the amount of time after the last administration and the time the drug leaves the system. When asked to confirm if in his report, he identified a 51-day detection window for Turinabol, Dr. Scott clarified that the 51-day approximate window of time comes from Sobolevsky's 'Journal of Steroid Biochemistry and Molecular Biology.' Mr. Ledakis inquired about the assumptions and evidence in which Dr. Scott relied upon to arrive on the conclusion in his report. He added Sobolevsky is not a pharmacokinetic study and the estimation he made is just a reasonable guess. Albeit a good tool, the required information to rely on that estimation is not available.

Commissioner Williams suggested the spirit of the report and Dr. Scott's testimony is the concept of intentional use versus unintentional use is reliant on certain dosage. He inquired about the possibly of the administration being intentional and also at a very low dosage. Dr. Scott agreed with Commissioner Williams' assessment and identified if the assumptions are rejected, then the conclusions must be as well.

Vice Chair Lehman asked Dr. Scott about the extent of his research on which he based his standard for an effective dosage of Turinabol in order to achieve athletic benefits. Dr. Scott explained his research, in this case, was limited, and stated he was given a reference from Mr. Jacob's, which was ultimately in agreement with his experience working with other anabolic steroid scenarios.

Commissioner Shen-Urquidez asked if Dr. Scott was being paid for his attendance at the meeting, as well as paid at the same rate to prepare and review the report. Dr. Scott responded he was compensated for the review and preparation of the report and his time at the meeting. The stated rate was \$300/hour. When asked about the difficulty of finding out certain information necessary for refining certain assumptions for the report, Dr. Scott mentioned the time constraints for the report. He stated, for example, he didn't have Mer. Jones' weight. However, he could have probably found it on the internet. He did spend

California State Athletic Commission Meeting Minutes February 27, 2018 Page 8 of 14

approximately somewhere in the four-hour range and the assumptions were therefore based primarily on his experience and internet research.

Chairman Carvelli asked Dr. Scott about the length of his involvement in the case. Dr. Scott responded although not continuous, his lab was commissioned to test many of Mr. Jones' supplements over the course of 7 months. When asked who determined which supplements to test, Mr. Jacobs explained about 15 supplements were tested and none returned adverse findings with KorvaLabs. Subsequent testing at both KorvaLabs and Dr. Eichner's lab occurred for all supplements and creams, which Mr. Jones was in contact with or ingested during that time period. All results ultimately returned with zero adverse findings.

Mr. Jacobs called Mr. Jonathan Jones, Professional Mixed Martial Artist, to approach and provide testimony. Mr. Jacobs asked Mr. Jones whether he has ever knowingly taken Turinabol and asked him to describe his reaction to finding out he had tested positive. Mr. Jones responded he has never knowingly taken Turinabol and was confused by the adverse finding. He mentioned he struggled with the process of assessing his surroundings including individuals. He added during his fight camp, specifically the month leading up to the fight, he made every effort to only keep around individuals who he felt he could trust. He mentioned he felt that he was very careful and was in a good place with all of the professionals around him. He explained he learned a lot from the process of the previous doping violation and detailed all precautions taken since then and leading up to this fight. He added he was not at all concerned about taking any of the tests.

Mr. Jones further explained to the Commission, everything he and his management did to determine what caused the adverse test result. When asked what his response is to Executive Officer Foster's brief that outlines issues in Mr. Jones' past that demonstrate a pattern of poor judgment and recklessness behavior, Mr. Jones responded he acknowledges his past actions are not things he will easily escape. However, he explained he has accepted all punishments for his actions and has made a conscious effort to make better decisions, not only for himself, but also for those who look up to him. He expressed he hopes his past does not put him in a certain light with this situation because he does feel he is a different person and stated people can call him what they want, but he is not a cheater.

Mr. Ledakis asked Mr. Jones if he can describe what assurances he could make to the Commission to ensure something like this would never happen again. Mr. Jones responded, in this case, those assurances are hard to give because he doesn't feel he did anything to cause this adverse finding. He explained, short of extraordinary measures to ensure he is not tainted by anybody or anything, his assurance is the promise he made to the people and kids of Albuquerque, New Mexico. He maintained he doesn't know how this happened, and therefore he is unaware of how to give the Commission assurances it won't happen again.

California State Athletic Commission Meeting Minutes February 27, 2018 Page 9 of 14

Commissioner Shen-Urquidez asked Mr. Jones if he remembers completing a 'Declaration of Use' form before his test in July. Mr. Jones responded he did remember and completed the form with the help of his management. Commissioner Shen-Urquidez inquired as to why there were an additional 10 supplements, not listed on the declaration, sent to the lab after notification of his adverse result. Mr. Jones responded he wasn't aware he had to list supplements that are typical for any male to take for their health.

Commissioner Shen-Urquidez confirmed with Mr. Jones' his awareness of the USADA becoming the independent anti-doping administrator for the Ultimate Fighting Championship (UFC) in 2015; at which time Mr. Jones would have become part of the registered testing pool. She added along with registration, Mr. Jones was required to complete online educational classes. Mr. Jones responded he never completed those courses and admitted he had his management complete the courses for him. Commissioner Shen-Urquidez asked why, he certified taking the courses in 2015 and 2016. Mr. Jones admitted having his management approve and sign off on things, several times in his career.

Commissioner Shen-Urquidez also questioned Mr Jones regarding his prior car accidents, leaving the scene of a car accident, receiving community service, receiving additional community service for subsequent moving citations, when Mr. Jones stated he had learned his lesson. Commissioner Shen-Urquidez also confirmed with Mr. Jones that he totaled a Bentley given to him by the UFC. Mr. Jones confirmed the car wreck but stated it was not a gift. Commissioner Shen-Urquidez stated she had no further questions.

Commissioner Frierson commented when someone is wrong, they should accept the consequences. He explained how Mr. Jones should consider his actions, and work toward displaying himself better as a role model. Mr. Jones expressed he agrees with Commissioner Frierson's statement about being wrong and accepting punishment. However, in this instance he swears he is not wrong.

Vice Chair Lehman asked if Mr. Jones had an opinion on the prevalence and the use of steroids in the sport of mixed martial arts. Mr. Jones responded he is only aware of the very public cases, adding he is one of the biggest advocates against performance enhancing drugs. He suggested if there were athletes doping, he would not be the one they would tell. Vice Chair Lehman asked Mr. Jones to clarify if when he said he did not recall taking the USADA courses, he meant he just couldn't remember or if he affirmatively did not take them. Mr. Jones admitted to not taking the USADA courses. Vice Chair Lehman asked Mr. Jones if, earlier in his testimony, he said his management forged his signature, to which Mr. Jones responded yes.

Vice Chair Lehman asked Mr. Jones to describe examples, which show better decision-making. Mr. Jones explained how he has audited his surroundings as well as hired a driver to prevent any future driving violations.

California State Athletic Commission Meeting Minutes February 27, 2018 Page 10 of 14

Commissioner Sauter expressed he is troubled with having to make a determination, which could potentially end Mr. Jones' career; and stated he hopes the promises being made by Mr. Jones are true.

Chairman Carvelli asked Mr. Jones if he still drinks alcohol, to which he responded he does. Chairman Carvelli explained how he has yet to hear any real changes being made by Mr. Jones. He suggested Mr. Jones consider his judgment issues as well as changing his management team. He further explained the Commission is tasked with either accepting EO Foster's recommendation or changing it. He asked Mr. Jones if he would consider an athlete, doping intentionally or not, a danger to their opponent; Mr. Jones responded, yes, he would.

EO Foster explained how he has a personal view, as well as a professional view. He stated he believes Mr. Jones. He added how it doesn't make sense to him for Mr. Jones to ingest a steroid right before a test he knew was coming. He stated his recommendation is to fine Mr. Jones \$2,500 for violation of rule 303, \$2,500 for violation of rule 390, and \$200,000 for violation of Business and Professions Code 18843 (b). He further stated in Mr. Jacobs' testimony and report, Mr. Jacobs suggests fining an athlete 40% of their purse should be reserved for the most extreme cases. EO Foster stated although he agrees with Mr. Jacobs, Mr. Jones also made a considerable amount more than just his fight purse. In regard to his license, he does not feel the Commission should end Mr. Jones' career, but he does believe he should sit out for a while. He feels the Commission should revoke his license and let Mr. Jones' deal with USADA, and when that is completed, he would be inclined to support Mr. Jones' application to this Commission to get his license back.

Commissioner Shen-Urquidez motioned to sustain the fines of \$205,000, and the revocation based on EO Foster's recommendation.

Vice Chair Lehman seconded the motion.

PUBLIC COMMENT

Giovanni [*Un-disclosed Last Name*], fan of mixed martial arts, commented he feels if someone is found guilty, they should be punished through monetary means, not necessarily a revocation of their license.

Commissioner Shen-Urquidez clarified the Commission has the discretion to suspend, revoke, or take no action. She explained if the Commission was to suspend, they could actually suspend for longer, whereas, a revocation would be for a year. She stated Mr. Jones was suspended before and with a suspension, he gets his license back, automatically, at the end of the suspension. With a revocation, there is a condition that Mr. Jones would have to appear in front of the Commission again to show evidence of rehabilitation, which he hasn't had to do before. She concluded she believes it will be important to show evidence he is doing something to display personal responsibility before he is granted a license in the future.

The motion passed 6-0 by roll call vote.

Agenda Item 8 - Executive Officer's Report

a. <u>Budget Update for the Support Fund, the Neurological Fund, and Pension Program</u>

EO Foster reported as of February 16, 2018, the Commission had deposited \$1,129,012.95 into the Support Fund, \$5,295.54 to the Neurological Fund and \$259,733.28 to the Boxer's Pension Fund. He explained Fiscal Month 1, the first true budget report, was recently received and mentioned he has confidence the Commission is revenue positive. He further reported the Commission recently renewed their contract with Raymond James, the Pension Investments Administrator. He added Mr. Shaw has re-balanced the Commission's portfolio to what he considers a better allocation to achieve growth for the boxer's pensions.

b. Report on Pending and Proposed Regulations

• Examination of Boxer Applicants (Amendment to Title 4, California Code of Regulations section 280.)

EO Foster reported the rulemaking package was submitted to DCA on August 29, 2017, and is currently under review by the department. Spencer Walker mentioned he would check on the status of the regulation package with the Department of Consumer Affairs. Vice Chair Lehman inquired about the repercussions of the regulation not going through. EO Foster responded, stating part of the regulation is the neurological assessment and the other part details the examinations required for licensure, which were both audit recommendations he hopes to satisfy with the regulation.

c. Status Update of Delegated Entities

California Amateur Mixed Martial Arts Organizations (CAMO)

Mr. JT Steele, President, reported over the last few months, CAMO developed a structure for an online training course for their inspectors. He added they anticipate roll-out to be sometime in 2018. Commissioner Shen-Urquidez mentioned she would be interested in viewing the program, adding she and EO Foster considered that route for officials training.

United States Fight League (USFL)

EO Foster prefaced USFL's report by acknowledging he has reviewed the proposed rule changes and confirmed he is in support of all three changes, as they will further promote health and safety for youth athletes.

Mr. Jon Frank, President, reported one event which occurred since the report was submitted, adding there was one medical suspension due to an asthma attack. He provided an update on the USFL website which will be rolling out options for online licensing, monitoring results, and will have the ability to crate identification cards.

Mr. Frank concluded his report by presenting all three rule changes and explaining the benefits to the sport.

Vice Chair Lehman inquired about Mr. Frank's involvement in the Los Angeles High Intensity Drug Trafficking Area Training Center. Mr. Frank explained he teaches seminars and trains military personnel as volunteer service. Vice Chair Lehman clarified CSAC's delegation to USFL is limited to youth and stated the Commission is not responsible for providing oversight for any activities involving military, police or fire. Mr. Frank assured the Commission the involvement is outside of his delegation.

International Kickboxing Federation (IKF)

EO Foster explained to the Commission why Mr. Steve Fossum, President of IKF, was unable to be in attendance at the meeting. Vice Chair Lehman expressed concerns with the refusal of medical care statement in Mr. Fossum's report. EO Foster agreed to work with Mr. Fossum and Spencer Walker to refine the language and determine legalities.

USA Boxing (USA Boxing)

Mr. Mike McAtee, President, introduced himself to the Commission. He explained he worked closely with Commissioner Shen-Urquidez to develop an appropriate reporting structure, including medical suspensions and financials. Commissioner Shen-Urquidez mentioned the medical suspensions should have more information and suggested Mr. McAtee work with EO Foster to see examples of how the other delegations report. She continued she has concerns with AIBA by-laws as they relate to USA Boxing, adding there appears to be a potential threat to USA Boxing's existence. Mr. McAtee assured the Commission if there was ever an issue he would seek support from the Commission and would resolve accordingly.

Commissioner Shen-Urquidez explained the importance of the Concussion Protocol information being available on their website, to which Mr. McAtee agreed and stated he would make sure it is immediately available.

d. <u>Update on C3 Logix Sports Concussion Management Program</u>

EO Foster reported to the Commission the process and logistics for testing athletes. He stated the total number of athletes tested is around 700, and he is confident in his projection of testing a total of 1,000 athletes by December 2018.

e. <u>Upcoming Event Schedule and discussion regarding event activity</u>

EO Foster presented the Commission with the updated event schedule and directed their attention to the March 10, 2018, Top Rank event in Carson, California, at the Stub Hub Center.

f. Staffing update

EO Foster reported the Commission's Sacramento office has one staff member out on maternity leave and another leaving soon. He mentioned the process started to hire two seasonal clerks to assist with the administrative workload in the office.

g. Report on Advisory Committee on Medical and Safety Standards (MAC) Meeting on January 27, 2018

EO Foster reported the refusal of medical care was discussed at the MAC meeting. Commissioner Williams mentioned he was pleased with how well rounded the Commission's approved ringside physicians are. He reported the meeting was very productive, specifically with the topic of refusal of care. He explained how Dr. Wallace described the Ringside Physician's role as ensuring safety, not providing treatment. Vice Chair Lehman requested to be involved in future discussions regarding the issue.

Agenda Item 7 – Subcommittee Update: Pension Fund (Lehman/Ayala)

EO Foster reported the Commission paid \$227,733 in pension payments in 2017. He acknowledged the efforts of the World Boxing Council (WBC) to assist the Commission in locating potentially eligible boxers. Vice Chair Lehman recognized the Commission office and the WBC, she suggested the Commission consider preparing a formal commendation for WBC. She concluded by requesting EO Foster include a chart which shows the backlog of vested boxers in future reports.

<u>Agenda Item 13 – Recognition of Rebecca Relyea for her work in developing a new</u> CSAC Event Information Database

EO Foster provided background on the Commission's need for a streamlined database, which could be used in the office and transferred seamlessly into the field. He explained he told Mrs. Relyea what was needed and she was able to create it – adding, her efforts are worthy of recognition.

The Commission presented, and Mrs. Rebecca Relyea accepted a Certificate of Appreciation, mentioning how honored she is to be a part of the Commission team.

Agenda Item 9 – Discussion and possible action on the Association of Boxing Commissions' Unified Rules of Kickboxing

EO Foster and Commissioner Shen-Urquidez provided background to the Commission about the Unified Rules of Kickboxing and their process in developing the rules. Vice Chair Lehman expressed concerns with the language of Rule 18, and requested confirmation that the rules also allow for variation for local jurisdictions. Commissioner Shen-Urquidez responded as long as the local rules do not take away from the integrity of the rules in terms of health and safety.

Spencer Walker confirmed the Commission is not required to take any action since the Association of Boxing Commissions already approved the rules on July 26, 2017.

California State Athletic Commission Meeting Minutes February 27, 2018 Page 14 of 14

Agenda Item 11 - Calendar year end Commission summary

EO Foster summarized the number of and the different types of events held in California in 2017. He summarized the comparisons of event revenue, attendance, and TV statistics for all professional combat sporting events in 2017. He outlined the process he has used for approving bouts, implementing the C3 Logix program, drug testing and the Pension fund. He added he continues to work with all database administrators to further refine their programming to fit the needs of all Commissions.

He concluded with a visual, which showed a comparison of California's event statistics against other Commissions. He proudly announced California sanctioned more total events in the country and almost the same number of events as New York, Nevada and Texas, combined; adding, at 38 title fights, California tied Nevada for the most sanctioned title fights.

Commissioner Shen-Urquidez commended EO Foster on his efforts in creating the regulatory handbook and year-end summary.

Agenda Item 13 – 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.

No stakeholder comments received.

Agenda Item 14 - Public Comment on Items Not on the Agenda

Mr. Roy Englebrecht, CSAC Licensed Promoter, thanked the Commission, EO Foster, his staff, and Mr. Relyea. He stated there is no comparison of how this EO operates versus Executive Officers in the past. He concluded EO Foster and his staff are, without a doubt, the best in the country.

<u>Agenda Item 15 – Review and approval of 2018 CSAC Meeting Dates and Locations</u> The Commission reviewed the list of meetings. No changes were discussed.

<u>Agenda Item 16 – Next Meeting Scheduled for May 8, 2018, in Los Angeles, CA</u> The next meeting is scheduled for May 8, 2018, in Los Angeles, CA.

Agenda Item 17 - ADJOURNMENT

Meeting Adjourned.