

An Examination of Immunity Statutes Regarding the Liability of Recreational Youth Sport Organizations for the Pedophilic Actions of Coaches, Administrators, and Officials

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Abstract

Millions of children in the United States participate in youth sports. The literature demonstrates that sexual abuse is a problem in sport. This study examined voluntary immunity statutes for all 50 states and the District of Columbia with the purpose of determining potential liability for recreational youth sport organizations for the pedophilic actions of their coaches, administrators, and officials. Comparisons and differences were drawn between the states regarding whether voluntary immunity statutes were applicable.

Key words: Statutory protection, sexual abuse

Introduction

Millions of children participate in youth sports. For instance, in 2008, it is estimated that more than 44 million children played organized sports and more than 7.3 million adults served as coaches, administrators, and officials for local, regional, or national youth sport organizations in the U.S. (National Council of Youth Sports, 2008). Many of these children are coached by volunteer, unscreened, adult males (Peterson, 2004). The lack of screening on the part of many youth sport organizations, the 'power' relationship between adult (coach, administrator, official) and child (youth sport participant), out-of-town competitions often without parental supervision, and lack of policies and procedures, combined with the access that youth sport provides to a large number of children increase the opportunities for abuse to take place (Brackenridge, 2001; Kirby, Greaves, & Hankivsky, 2000; Nack & Yaeger, 1999; Zaichkowsky, 2000).

The purpose of this study was to examine volunteer immunity statutes for all 50 states and the District of Columbia to determine whether such statutes provide defenses for recreational youth sport organizations. By examining the law of all 50 states and the District of Columbia, this study made comparisons between the states in how volunteer immunity statutes may be applied. Key legal doctrines, terms, and operational definitions are provided in Table 1.

It was necessary to conduct an expansive study that included all 50 states and Washington D.C. because negligence is a creation of state law and the application of negligence theories varies among the states. Local and regional youth sport organizations (such as church, park and recreation departments, and municipal programs) need to understand the law for their specific jurisdiction. However, national recreational youth sport organizations including but not limited to Little League Baseball and Softball, Inc., Pony Baseball/Softball, Inc., U.S. Youth Soccer, American Youth Soccer Organization, American Youth Football Inc., and Pop Warner

Table 1. Legal Doctrines, Terms, and Operational Definitions

Term	Definition
Tort	A tort is a civil wrong for which the law provides a remedy (Keeton, 1984). A tort can derive from either an intentional or unintentional act or omission.
Intentional Tort	A tort committed when the actor desires the consequence, or the actor knows to a substantial certainty that the consequence will follow (Restatement (Second) of Torts § 8A, 1965). A youth sport coach, administrator, or official who sexually abuses an athlete is subject to civil liability for an intentional tort because the perpetrator of the tort acted with intent, meaning that he or she intended to do the tortious act.
Negligence	The term negligence is given to those unintentional torts that injure others in person, property or reputation (van der Smissen, 2007). Negligence can be defined as conduct involving an unreasonably great risk of causing harm or damage; conduct that falls below the standard established by law for the protection of others against unreasonable risk of harm (Restatement (Second) of Torts § 282, 1965).
Scope of Employment	The doctrine of respondeat superior is often referred to as vicarious liability because it serves as a method of holding one person vicariously liable for the wrongs committed by another (Keeton, 1984). The phrase respondeat superior means "let the master answer" (Garner, 2004, p. X).
Respondeat Superior	Perhaps the most critical element of respondeat superior is the requirement that the employee was acting within the scope of his employment (Keeton, 1984). Acts committed by the employee that exceed the scope of employment are considered ultra vires. Employers are generally not vicariously liable for the ultra vires actions committed by their employees (Cotten, 2007). However, the definition of scope of employment has extended to include all acts committed in furtherance of the employer's business (Keeton, 1984). Jurisdictions that use a broader definition of scope of employment provide a greater opportunity for plaintiffs to recover against recreational youth sport organizations based on respondeat superior (Weeber, 1992).
Volunteer Immunity	A large number of states have passed volunteer immunity statutes to protect volunteers from being sued for ordinary negligence (Hurst & Knight, 2003). These statutes grew out of a fear that people would stop volunteering and the services provided by these volunteer-dependant agencies would stop (Smith, 1999). Some states have gone further with their coverage and have expanded the statutes to cover gross negligence and even willful, wanton, and reckless conduct (Smith, 1999). Congress enacted its own volunteer protection statute in 1997 when it passed the Federal Volunteer Protection Act (FVPA) (Biedzynski, 1999).
Recreational Youth Sport Organizations	For the purpose of this paper, recreational youth sport organizations are youth sport programs that exist outside of an educational/school setting. Examples of recreational youth sport organizations include Little League Baseball and Softball, Pop Warner Little Scholars, and community-based (local and regional) youth sport programs (church, municipal, park and recreation department programs, etc.).

Little Scholars, Inc. provide programs in most states and need to understand the variances that may exist among legal jurisdictions. It is important for recreational youth sport administrators to understand volunteer immunity statutes and how they may be applied so that they can better protect their organizations against the pedophilic actions of coaches, administrators, and officials within their programs.

Review of Literature

Children in a coach-player relationship tend to be more susceptible to sexual assault (Peterson, 2004). Young athletes often spend considerable amounts of time with their coaches. Coaches often take on a role similar to that of a parent and children typically consent to activities they would never undertake under the guidance of a parental figure (Appenzeller, 2000). Children also look to coaches as role models, heroes, or even as best friends. Further, children are often told by their parents from the outset of their athletic involvement to obey the coach and never argue with the coach (Peterson, 2004). Coaches often become very significant figures in the lives of such young athletes, and the power that some of these coaches acquire within such relationships is robust with the potential for misuse (Gervis & Dunn, 2004).

Opportunity and Prevalence

Unfortunately, youth sports often provide an excellent hunting ground for pedophiles. It is estimated that one in three girls and one in seven boys in the United States are sexually molested before the age of 18 (Earl-Hubbard, 1996). Unfortunately, these overwhelming numbers do not even represent the true extent of sexual abuse because it is estimated that only 10 to 35 percent of incidents involving sexual exploitation are ever reported (Peterson, 2004). Some pedophiles have admitted to molesting 500-600 children before getting caught. Although no one has ever studied the number of young athletes who have been molested by their coaches, experts including the Executive Director of the National Institute for Child Centered Coaching, Stephen Bavolek, believe that sexual abuse in sports is prevalent (Deak, 1999) and it is not a problem that is unique to the United States. By coaching youth sports, pedophiles are given an opportunity to win over parents and gain the trust of children. Parents and athletes alike put faith in their coaches and this faith can easily be exploited by coaches who are sexual abusers (Deak, 1999). The literature and findings from studies in Canada (Kirby & Greaves, 1996), the U.S. (Gibbons & Campbell, 2003; Pike-Masteralexis, 1995; Volkwein, Franke, Schnell, Sherwood, & Livezey, 1997), the United Kingdom (Brackenridge, 1997), Denmark (Nielson, 2001), and Australia (Leahy, Pretty, & Tenenbaum, 2002) demonstrate that sexual abuse is a problem in sport.

In Canada, the Canadian Hockey League has gone as far as to label the protection of its athletes from pedophilia “a paramount concern” (Kirk, 1997). A study conducted in Denmark revealed that 2% of athletes in that country were the survivors of sexual abuse within sport and 3% of coaches admitted to being intimately involved with athletes under the age of 18 (Nielson, 2001). In 2004, a survey titled “Citizens of the European Union and Sport” polled citizens within all 25 European Union members and found

that 29% of those surveyed believe that sexual abuse of children is the main negative aspect associated with sport (Eurobarometer, 2004).

In 2007, the International Olympic Committee (IOC) addressed the problem of sexual abuse when it adopted a consensus statement titled “Sexual Harassment and Abuse in Sport.” The IOC adopted the statement with the goal of promoting effective preventive policy and increasing awareness of sexual harassment and abuse in sport. Through the consensus statement, the IOC recommended that all sport organizations should: (a) develop policies and procedures for the prevention of sexual harassment and abuse; (b) monitor the implementation of these policies and procedures; (c) evaluate the impact of these policies in identifying and reducing sexual harassment and abuse; (d) develop an education and training program on sexual harassment and abuse in their sport(s); (e) promote and exemplify equitable, respectful and ethical leadership; (f) foster strong partnerships with parents in the prevention of sexual harassment and abuse; and (g) promote and support scientific research on these issues (IOC, 2007).

Imposition of Civil Liability and Volunteer Immunity Statutes

Nations around the globe have recognized both moral and ethical justifications for preventative measures aimed at preventing sexual abuse in youth sport. In addition to these justifications, there is a legal duty on the part of recreational youth sport organizations to protect their athletes from foreseeable risks (van der Smissen, 1990). It is possible that a youth sport organization could be found liable if appropriate protective measures are not in place to prevent, or at least limit the possibility of sexual harassment or abuse. Even the best protective measures are not foolproof in removing the threat posed by pedophiles to recreational youth sport participants and organizations.

Furthermore, it is possible that a youth sport organization could be found vicariously liable for the actions of its coaches, administrators, or officials through the doctrine of respondeat superior. Under this doctrine, liability can attach to a master if the servant, while acting on the master’s behalf, harms someone to whom the master owes a duty of care (Mayer, 2005). Accordingly, if an employee (servant) acts negligently during the course of employment, then the employer (master) may be held liable for the employee’s negligence. Simply put, the negligence of the employee is imputed to the employer. To be successful in a respondeat superior claim, the plaintiff must establish that the tortfeasor is liable in tort, the tortfeasor is employed by the defendant, and the employee was acting within the scope of employment when the tortious act was committed (27 American Jurisprudence 2nd § 459, 2005).

Thus, it is important that these organizations understand how they can defend themselves from the imposition of civil liability for the actions of others. The Federal Volunteer Protection Act protects youth sport volunteers from civil liability for their negligent acts; but the statute does not protect youth sport organizations. The majority of states also have volunteer immunity statutes and these statutes vary from jurisdiction to jurisdiction in the extent of the protection provided to volunteers. Many states have statutes specifically tailored for recreational youth sports and some extend

protection to include recreational youth sport organizations. It is important that these organizations understand how immunity statutes work and whether they can be used to guard them against the imposition of civil liability for the actions of pedophiles who infiltrate their ranks and abuse their athletes.

A review of the literature revealed a substantial void in research on this issue. No single study has ever attempted to provide a comprehensive review examining the issue immunity statutes for all 50 states and the District of Columbia regarding the civil liability of recreational youth sport organizations for the pedophilic actions of coaches, administrators, and officials. Thus, conducting the current study was deemed necessary.

Method

The purpose of this study was to determine if volunteer immunity statutes in the United States provide recreational youth sport organizations with a defense against lawsuits based on the pedophilic actions of their coaches, administrators, and officials. A comprehensive literature review was performed to gather information on the application of volunteer immunity statutes, as well as their impact on legal cases, which were derived from a statutory analysis and literature review. Westlaw's legal database was used in conducting a keyword search of all 50 states and the District of Columbia. Keywords utilized in the search included the following: volunteer, immunity, recreation, sport, protection, and liability.

The statutory and case law for each jurisdiction was analyzed and states were put into groups based on whether the law: (a) expressly extended statutory protection to volunteer organizations, (b) limited statutory protection to individual volunteers, or (c) was ambiguous as to whether statutory protection extended to volunteer organizations. There was a fourth category of states that did not have volunteer immunity statutes protecting recreational youth sport organizations. The next step involved analysis of the law for states with statutes that either expressly protected volunteer organizations, or were ambiguous as to whether they covered volunteer organizations. The second round of analysis was performed to determine if each statute extended its protection to cover sexual molestation or abuse on the part of coaches, administrators, or officials.

This study was limited to volunteer youth sport organizations and did not include interscholastic or intercollegiate sport organizations. The theories of liability used to pursue claims against volunteer youth sport organizations, as well as the defenses available, are not necessarily the same as those that would be used in an interscholastic or intercollegiate setting. The protocol for this study was validated by a panel of experts with qualifications in legal research and/or research methodology. This protocol was mainly executed by the primary investigator of this study, who holds a Juris Doctorate and a terminal research degree in Sport Management, and has expertise in both quantitative and qualitative research methodologies. The timeframe for this study was May 2006 - December 2009.

Results

States that had volunteer immunity statutes protecting the organizations as well as the volunteers included the following

states: Minnesota, Mississippi, New Jersey, Pennsylvania, and Utah. Minnesota, Mississippi, New Jersey, and Utah include qualifications in their volunteer immunity statutes that limit the protection in regards to the type of conduct protected by those statutes. States where volunteer immunity statutes expressly did not provide protection for the volunteer organizations include: Alabama, Arkansas, Arizona, Colorado, Delaware, District of Columbia, Florida, Hawaii, Illinois, Kansas, Maryland, Missouri, Montana, North Carolina, Oklahoma, South Carolina, South Dakota, Texas, Washington, West Virginia, and Wisconsin.

The following states have volunteer immunity statutes that are ambiguous in regards to whether the protection provided by the statute covers volunteer organizations, or is limited to volunteers: Georgia, Idaho, Indiana, Louisiana, Massachusetts, North Dakota, New Mexico, and Rhode Island. All of these states include language in their statutes that also limits the conduct protected by their statutes. The following states did not have volunteer immunity statutes that protected recreational youth sport organizations: Alaska, California (does have a statute that exempts directors of nonprofit organizations), Connecticut, Iowa, Kentucky, Maine, Michigan, Nebraska, Nevada, New Hampshire, New York, Ohio, Oregon, Tennessee, Vermont, Virginia, and Wyoming. For an overview of state protection provided by volunteer immunity statutes see Table 2.

In brief, of the 50 states and the District of Columbia, 34 states (66.7%) had volunteer immunity statutes. Of them, 5 states (9.8%) specified that the statutes would protect youth sport organizations and their volunteers, 21 states (41.2%) specified that the statutes would not protect youth sport organizations and their volunteers, and 8 states (15.7%) were ambiguous about the protection of youth sport organizations and their volunteers. The remaining 17 states (33.3%) did not have volunteer immunity statutes (see Table 2).

Extent of Protection Provided by Volunteer Immunity Statutes

Depending on the jurisdiction, a youth sport organization may seek the protection of a volunteer immunity statute to guard against a civil lawsuit alleging sexual molestation or abuse on the part of coaches, administrators, or officials. This study revealed, however, that a majority of states either had volunteer immunity statutes that expressly stated that they only protected volunteers and not the organizations, or did not have statutes that would protect youth sport organizations. The states that expressly exclude volunteer organizations are similar to the Federal Volunteer Immunity Act, which also limits its protection to volunteers.

States that Provide Protection to Volunteer Organizations

Only Minnesota, Mississippi, New Jersey, Pennsylvania, and Utah had volunteer immunity statutes that expressly extend protection from volunteers to the organization. Four out of the five states offering protection do so with either limitations or qualifications. For example, in Minnesota volunteers are not protected from acts committed in a willful and wanton or reckless manner (Minnesota Statutes Annotated, § 604A.11, 2009). Volunteers are not protected if they act in violation of federal, local, or state law. These limitations may also extend to the organization seeking shelter under the statute and if that is the case, youth sport organizations would not be protected against cases alleging

Table 2. States and the District of Columbia with and without Volunteer Immunity Statutes

State	Volunteer Immunity Statutes			Without Statutes
	With Statutes			
	Organizations Included	Not Providing Protection	Ambiguous Protection	
Alabama		√		
Alaska				√
Arizona		√		
Arkansas		√		
California				√
Colorado		√		
Connecticut				√
Delaware		√		
District of Columbia		√		
Florida		√		
Georgia			√	
Hawaii		√		
Idaho			√	
Illinois		√		
Indiana			√	
Iowa				√
Kansas		√		
Kentucky				√
Louisiana			√	
Maine				√
Maryland		√		
Massachusetts			√	
Michigan				√
Minnesota	√			
Mississippi	√			
Missouri		√		
Montana		√		
Nebraska				√
Nevada				√
New Hampshire				√
New Jersey	√			
New Mexico			√	
New York				√
North Carolina		√		
North Dakota			√	
Ohio				√
Oklahoma		√		
Oregon				√
Pennsylvania	√			
Rhode Island			√	
South Carolina		√		
South Dakota		√		
Tennessee				√
Texas		√		
Utah	√			
Vermont				√
Virginia				√
Washington		√		
West Virginia		√		
Wisconsin		√		
Wyoming				√
N (%)	5 (9.8%)	21 (41.2%)	8 (15.7%)	17 (33.3%)

sexual molestation or abuse because those actions extend beyond willful, wanton, or reckless behavior in that they are intentional. Further, sexual molestation and abuse violate the state's criminal code, where it allows plaintiffs to use the doctrine of respondeat

superior against employers for cases alleging sexual molestation or abuse on the part of employees (Minnesota Statutes Annotated, § 604A.11, 2009).

If respondeat superior is the basis for a plaintiff's claim against a recreational youth sport organization, the volunteer immunity statute will probably not afford protection to the organization because the organization would stand in the shoes of the employee in that they are vicariously liable for the employee's actions. Because the volunteer employee would not be able to use the volunteer immunity statute for protection, it is unlikely that the organization would be able to seek protection under the statute. However, the statute may provide protection for the organization if the plaintiff sues the recreational youth sport organization for its own negligence under a negligent hiring/retention/supervision theory. The statute does provide protection for ordinary negligence; therefore, the case will turn on whether the organization was willful, wanton, or reckless in its selection and/or retention of the pedophilic employee.

Similarly, New Jersey covers the organization from its own negligence (New Jersey Statutes Annotated 2A: 53A-7, 2000) yet, the act also expressly excludes protection of volunteers or agents who commit acts of sexual misconduct. Thus, the statute leaves open the question as to whether the organization would remain protected under the act if it negligently hired, retained, or supervised the employee who committed the sexual misconduct. Mississippi's volunteer immunity statute affords protection to youth sport organizations, but only protects organizations against claims based on negligence (Mississippi Code Annotated § 95-9-1, 1988). Pennsylvania's statute expressly provides protection for youth sport organizations unless its' acts or omissions fall substantially below the standards generally practiced and accepted for similar organizations (42 Pennsylvania Code Statutes Annotated § 8332.1, 2007). Due to a lack of case law interpreting Pennsylvania's statute, the extent of protection provided under the statute is unclear as to what conduct falls below the standards generally practiced and accepted for recreational youth sport organizations. However, the statute probably does not extend its protection to include sexual misconduct as an accepted practice in recreational youth sports. Utah provides organizations with protection unless the organization reasonably had, or reasonably should have had notice of the volunteer's unfitness (Utah Code Annotated § 78B-4-103, 1953). Thus, a recreational youth sport organization's protection in Utah will turn on whether it knew or should have known that the volunteer was unfit.

States with Statutes that are Ambiguous in Application

The research revealed that eight states are ambiguous as to whether they extend protection to cover volunteer organizations as well as the volunteers. Georgia's volunteer immunity statute provides a good example of an ambiguous volunteer immunity statute. Georgia's statute is titled the "Liability of nonprofit associations conducting safety or sports programs" (Georgia Code Annotated, § 51-1-120, 1988). The title of the statute suggests that it applies to recreational youth sport organizations. However, the terms of the statute only provide protection for volunteers for a sports program, with no mention of whether protection extends to the program itself (Georgia Code Annotated, § 51-1-120(b), 1988).

Seven other states also have statutes that do not expressly include or exclude volunteer organizations in regards to the protections that they afford.

Ambiguity in application is not the only common trait found in these eight statutes. All eight statutes include qualifications or limitations that probably preclude recreational youth sport organizations from relying on their protections. Georgia limits its' volunteer immunity protection to acts performed in good faith and within the scope of assigned duties (Georgia Code Annotated, § 51-1-120, 1988). In Georgia, sexual misconduct does not fall within the scope of employment unless it is later ratified by the employer (*Big Brother/Big Sister of Metro Atlanta, Inc. v. Terrell*, 1987). Further, it is unlikely that Georgia courts will find good faith in pedophilic actions. Similarly, North Dakota only protects acts committed in good faith and expressly excludes willful acts (North Dakota Century Code § 32-03(a), 2009).

Idaho limits its' volunteer protection to exclude willful or wanton activities, but also includes knowing violations of the law. Sexual misconduct with a minor is a knowing violation of the Idaho law (Idaho Code § 9-350, 2009). Indiana, Louisiana, and Rhode Island only protect volunteers for ordinary negligence and exclude heightened degrees of negligence like willful or wanton acts, or gross negligence (Indiana Code § 34-30-19-3, 1999); Louisiana Revised Statutes 9:2798, 2009; Rhode Island Annotated § 9-1-48, 1956). These statutes do not expressly preclude intentional acts (like sexual abuse) from protective coverage, but they do exclude acts classified as heightened degrees of negligence (like willful or wanton, and gross negligence). Since these statutes do not protect acts involving heightened degrees of negligence, it is likely that they also do not protect acts where the person intends to cause the harm. Massachusetts' volunteer immunity statute expressly excludes intentional acts from protection under the statute (Massachusetts General Laws Annotated 231 § 85V, 2009).

New Mexico limits its protection to cover only those harms that are part of the "ordinary give and take common to the particular sport." While there are no cases that detail the type of activities included in the "ordinary give and take common to the particular sport," sexual misconduct with minors is not common or accepted practice in any youth sport in the United States. Thus, it is unlikely that New Mexico's volunteer immunity statute affords protection to recreational youth sport organizations for the pedophilic actions committed by its volunteers (New Mexico Statutes Annotated § 41-12-1, 1978).

Discussion

The results of this study have implications for local, regional, and national recreational youth sport organizations in the United States. Local or regional youth sport organizations can look to the results to better understand how their specific jurisdiction would utilize immunity statutes in cases brought against recreational youth sport organizations for the pedophilic actions of coaches, administrators, and officials. While this study should not take the place of legal counsel, it can be used by recreational youth sport organizations to gain a better understanding of the problem and the need to develop risk management plans that protect their organizations from sexual predators and related legal liability.

National youth sport organizations like Little League Baseball

and Softball and Pop Warner Little Scholars provide youth sport leagues in most states and need to understand the variances that exist between the legal jurisdictions. It is important for national youth sport organizations to understand how different jurisdictions apply these immunity statutes so they can better protect themselves against the pedophilic actions of coaches, administrators, and officials within their programs. Thus, the results of this research can provide recreational youth sport organizations with information on the protection provided by state volunteer immunity statutes.

Recreational youth sport organizations often rely on volunteers for coaches, administrators, and officials. Most jurisdictions, as well as the federal government, provide statutory immunity for volunteers. However, this study revealed that a vast majority of volunteer immunity statutes, including the federal statute, provide no protection for recreational youth sport organizations. Only Minnesota, Mississippi, New Jersey, Pennsylvania, and Utah had volunteer immunity statutes that extend protection from volunteers to the organization. The research also revealed that eight states are ambiguous as to whether they extend volunteer immunity to include volunteer organizations like recreational youth sport organizations. There are qualifications on four out of the five states that expressly provide organizations with protection. All eight of the states that are ambiguous as to whether they provide protection to organizations include qualifications and limitations on the protection they afford. The qualifications and limitations for each of these 12 statutes likely render their application useless in cases where a youth sport organization needs to seek statutory protection against claims of sexual abuse or molestation by one of the organization's volunteers. Only Pennsylvania had a statute that is apparently broad enough to provide protection for recreational youth sport organizations; yet, organizations should be cautious in relying on the statute's protection due to the lack of case law explaining how courts will interpret the statute in sexual abuse or molestation cases.

Accordingly, this research revealed that volunteer immunity statutes do not serve as dependable sources for protection against the imposition of civil liability for the pedophilic actions of coaches, administrators and officials. The best defense to the imposition of liability for the actions of others remains the adoption of reasonable protective measures (including policies, procedures, background screening, education, training, and proper supervision) to guard against the infiltration of youth sport organizations by pedophiles. Sport/recreation managers and organizations should implement policies and procedures that have been utilized elsewhere for identifying and eliminating sexual abuse in sport. Examples of such include, but are not limited to the Australian Sports Commission, 2000; European Federation of Sports Psychology, 2002; IOC, 2007; Ontario Ministry of Health and Human Services, 2007; Trocme & Schumaker, 1999; U.S. Department of Health and Human Services, 2007; and Women's Sports Foundation, 2007.

Conclusion

By examining immunity statutes for all 50 states and the District of Columbia, information was derived that can be used to assist recreational youth sport organizations so that they can better understand the problem and the possibility that they could be found liable, for the pedophilic actions of coaches, administrators, and

officials in their jurisdiction. It is important to realize that the law is constantly changing and prudent sport managers should remain educated on this topic and the current law in their jurisdiction. This study does not provide specific legal advice and should not take the place of legal counsel. Youth sport managers and organizations should seek the advice of legal counsel when developing related risk management policies.

This study was merely an initial step on this research topic. The information gathered from this study can be used as a foundation for future research. Specifically, information obtained may be utilized to develop surveys investigating if recreational youth sport organizations are risking legal exposure through their actions or inactions in guarding against sexual abuse on the part of their coaches, administrators, and officials. Additionally, this study could be replicated in common law jurisdictions such as the United Kingdom and modified for civil law jurisdictions in other European countries, or even across the globe. Sexual predators will continue to target recreational youth sports because they provide a consistent pool of potential victims. Those who operate these programs need to understand how to guard against sexual predators and how to defend themselves from claims brought against them for the actions of their coaches, administrators, and officials.

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