STATE OF CALIFORNIA
dca
DEPARTMENT OF CONSUMER AFFAIRS

California State Athletic Commission
2005 Evergreen St., Ste. #2010
Sacramento, CA 95815
www.dca.ca.gov/csac/
(916) 263-2195 FAX (916) 263-2197

Members of the Commission
Commissioner John Frierson, Chair
Commissioner Christopher Giza, Vice-Chair
Commissioner Van Lemons, M.D.
Commissioner Steve Alexander
Commissioner DeWayne Zinkin
Commissioner Eugene Hernandez

Action may be taken on any item listed on the agenda except public comment.

MEETING AGENDA

Monday, September 20, 2010
9:00 A.M. to Close of Business

Location
Junipero Serra State Building
Carmel Room
320 West 4th Street
Los Angeles, CA 90013

1. Call to Order/Roll Call/Pledge of Allegiance

2. Approval of Minutes
   a. July 26, 2010
   b. August 18, 2010

3. Chairman Remarks – Chairman Frierson

4. Executive Officer Report
   a. Status of Office
   b. Personnel Update
   c. Status of Information Technology Projects
   d. Budget Update
   e. Physicians/Referee Training

5. DCA Director's Report

6. Public Comment on Items Not on the Agenda - *Note: The Commission may not discuss or take action on any matter raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125, 11125.7(a)]*

Break

7. Applicants for Referee and Judge to Appear Before the Commission (Section 18662 of the Business and Profession Code) - Original Application
   a. Bill Ocegueda – Boxing Judge
   b. John Newburg – MMA Judge

8. New Promoter Applications for Licensure – Executive Officer
   a. Lords of Combat – Anwar Elmahrek
   b. Brian D. Manna – Burdett Streeter
   c. Pongsan Vivo – Joseph Vivo
   d. Israel Montes – Battle Of The Badges
   e. Paul Songdej – Tuff Promotions

9. License Reinstatement
   a. Danny Batchelder – Drugs Abuse

10. License Appeal
    a. Ricky Funez – Second License

Lunch

11. Subcommittee Reports
    a. Muay Thai Subcommittee – Chairman Frierson/Vice-Chairman Giza

12. Approval of Drafted Regulatory Language
    a. Amend Rule 208 – License Fees
    b. Amend Rule 221 – Provisions of Contracts
    c. Amend Rule 222 – Execution of Contract
    d. Amend Rule 226 – Expiration of Contract
    e. Amend Rule 230 – Contract Provisions
    f. Amend Rule 253 – Drinks
    g. Repeal Rule 262 – Courtesy Passes
    h. Repeal Rule 288 – Ringside Physicians
    i. Repeal Rule 297 – Weighing Time
    j. Amend Rule 300 – Time for Examinations
    k. Amend Rule 323 – Bandages (Hand Wraps)
    l. Adopt Rule 340 – Method of Scoring When There is An Injury Not Resulting from a Foul
    m. Amend Rule 399 - Procedure When License Denied or Revoked
    n. Adopt Rule 511 – Number of Rounds Scheduled

13. Proposed Legislation – To Authorize Limiting Number of Officials Being Licensed
    a. Add Section 18641.5 – Limiting Number of Referee/Judges
    b. Amend Section 18711 – Neurological Fund – Moving location of fund

14. Sunset Review Report To Legislation

15. Neurological/Boxer Pension Fund Report To Legislation

16. Strategic Plan - Update

17. Agenda Items and Meeting Dates for Future Meetings

Adjournment

NOTICE: The meeting is accessible to the physically disabled. A person who needs disability-related accommodation or modification in order to participate in the meeting may make a request by contacting George Dodd at (916) 263-2195 or email george_dodd@dca.ca.gov or sending a written request to George Dodd at the California State Athletic Commission, 2005 Evergreen Street, Suite 2010, Sacramento, CA 95815. Providing your request at least five (5) days before the meeting will help ensure availability of the requested accommodation. Requests for further information should be directed to George Dodd at the same address and telephone number.

Meetings of the California State Athletic Commission are open to the public except when specifically noticed otherwise in accordance with the Open Meetings Act. The audience will be given appropriate opportunities to comment on any issue presented.

Agenda Item 2

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CALIFORNIA STATE ATHLETIC COMMISSION MEETING MINUTES

July 26, 2010
9:00 A.M. – Close of Buisness
DCA Headquarters | Auditorium
1625 North Market Blvd.
Sacramento, CA 95834

Commissioners Present:
Chairman John Frierson
Commissioner Dr. Van Lemons
Commissioner Eugene Hernandez
Vice-Chairman Dr. Christopher Giza
Commissioner DeWayne Zinkin
Commissioner Steve Alexander

Staff Present:
George Dodd, Executive Officer
Dale Chessey, Assistant Executive Officer
Brian Stiger, Director, Departmet of Consumer Affairs
Che Guevara, Assistant Chief Athletic Inspector
Sarah Waklee, CSAC
Heather Jackson, CSAC
Gil DeLuna, DCA
Anita Scuri, DCA Legal
Bill Young – Deputy Director DCA
Melissa Raposa, CSAC
Tommy Nhan, CSAC
Brandon Saucedo, CSAC

The minutes reflect the order in which the agenda items were heard.

Agenda Item 1. Call to order/Roll call/Pledge of allegiance

Agenda Item 2. Approval of Minutes

a. February 22, 2010
b. April20,2010
c. May 17,2010

M/s/c to approve minutes.

Agenda Item 4. Executive Officer Report

Executive Officer George Dodd wants licenses limitation Legislation proposal to be placed on the next meeting's agenda.

Commissioner Zinkin wants CSAC to look at growth and adjust the budget accordingly, putting a strong emphasis on inspectors.

Physician training: 8/22/2010 in Los Angeles & 8/29/2010 in Sacramento

Commissioner Alexander would like the packet sent out a week in advance.

Agenda Item 9. Yearly Review For CAMO Delegation

Agenda Item 10. 2009 Boxer Pension Plan Update -Beth Harrington, Benefit Resources -Pension Fund Investments

Both reports discuss the outreach they are making to find boxers who are eligible for distribution.

Agenda Item 11. Commission Member Administrative Manual -Executive Officer

M/s/c to approve subject to edit and changes received in the next 30 days

Agenda Item 12. Applicants for Referee and Judge to Appear Before the Commission (Section 18662 of the Business and Profession Code) -Original Application

a. Steve Davies -MMA Referee/Judge
M/s/c to approve contingent upon receipt of physical showing he has physical ability to perform as a referee/judge.

b. Nelson Hamilton -Boxing Judge
M/s/c tabled until he has undertaken a mentorship. Details to be established by EO- to demonstrate compliance with Rule 379. 5-1 (Commissioner Frierson votes no.)

c. John McCarthy -Boxing Judge
M/s/c to approve.

d. William Douglas –MMA/Boxing Judge
M/s/c tabled until he has undertaken a mentorship. Details to be established by EO- to demonstrate compliance with Rule 379.

Agenda Item 13. New Promoter Applications for Licensure -Executive Officer

a. Gary Shurley -Badges vs Badges
M/s/c to extend the temporary license in order to allow him the opportunity to show he can remediate concerns in the area of security.

b. John Pena -Pena Promotions
M/s/c to approve.

c. Phil Dimarco -Hard Knox Promotions
M/s/c to deny license. 5-1 (Commissioner Frierson votes "No")

d. MCB, INC -Fred McCurry
M/s/c to approve.

e. Red Scorpion -Gloria Casella
M/s/c to approve.

Agenda Item 13. License Reinstatement Request

Agenda Item 5. Public Comment

Roy Engelbraecht: "Quantity of officials is not important but Quality of officials is"- Someone needs to evaluate them at each event.

Nelson "Doc" Hamilton: Nov 08- Feb 2010- 15 months of chaos at the Athletic Commission office. Officials were licensed as MMA officials but have no knowledge of the sport. The evaluation process should take care of this.

Cecil Pieples: MMA & kickboxing referee & judge who agrees with Doc Hamilton.

John Pina: Had Northern and Southern officials- don't send them south for training.

Herb Dean: Agrees that some officials need to be reevaluated to do MMA events. The referee should know Martial Arts just to know what to do as a referee.

John Schorle: Recommends that the commissioners be involved in the assigning of officials.

Marty Sammon: Agrees with Cecil Peoples and asks for an updated list of officials and assignments.

Dan Collins: "Give everyone a chance" Have innovative labs to make better shows. "give Mr. Dodd a chance"

Tom Brown (matchmaker for Goosen Tudor): Commended the Athletic Commission for not removing John Schorle from a show even though the sanctioning body requested it.

Agenda Item 6. Muay Thai Presentation on Possible Delegation of Authority for Amateur Muay Thai Pursuant to Business and Professions Code section 18646 -Brian Dobler

(Request for delegation under 18646) Brian communicates that Muay Thai is different from kickboxing or MMA. There is a need for amateur development and there is a lack of ability to verify a contestant's record which is a huge problem.

Agenda Item 7. DCA Director's Report) – Bill Young – Deputy Director, Department of Consumer Affairs

Agenda Item 8. Presentation of Recommended Changes to MMA Scoring System -Possible Regulatory Change -Nelson Hamilton, John McCarthy, Herb Dean

The purpose of the system is to recognize, in scoring, the differences between strength of blows, cage control, and to recognize that damage is more important than cage control.

Commissioner Lemons: "Why not just use the entire 10pts?"

Doc Hamilton: "It's never been done before" He states that you need the more gradual graduation permitted by the ½ pts

Executive Officer George Dodd recommends referral to MMA subcommittee and bring it back for a recommendations to Athletic committee members Lemons and Zinkin.

a. **Jeremy Tavares -Drug of Abuse**

- Not Present

Agenda Item 14. Bout Appeal

a. **Alberto Herrera vs Malik Bazille**
M/s/c to uphold decision. 5-1 (Commissioner Frierson votes "No")

b. **Kermit Cintron vs. Paul Williams**
M/s/c to deny appeal. 6-0

Agenda Item 15. Update to Strategic Plan

M/s/c to approve subject to edit and changes received in the next 30 days

Agenda Item 16. Agenda Items and Meeting Dates for Future Meetings

- Next Commission Meeting Date – 20 September 2010
- Legislation
- Report on assignments
- Report on audit
- Promoters

Agenda Item 17. Pending Litigation -Closed Session Pursuant to Government Code Section 11126(e)(2)(A), *Corona v. Athletic Commission et al.*, San Bernadino Sup. Ct. No. RCVRS099902

Commission came out of closed session.

Agenda Item 18. Adjournment

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CALIFORNIA STATE ATHLETIC COMMISSION ANTHONY MARGARITO REINSTATEMENT HEARING

Wednesday | August 18, 2010
10:15 A.M. – 3:30 P.M.

RONALD REGAN STATE OFFICE BUILDING
300 SOUTH SPRING STREET | AUDITORIUM
LOS ANGELES, CA 90013

COMMISSIONERS PRESENT:
Chairman John Frierson
Commissioner Dr. Van Lemons
Commissioner Eugene Hernandez
Vice-Chairman Dr. Christopher Giza
Commissioner Steve Alexander
Commissioner DeWayne Zinkin

STAFF PRESENT:
George Dodd, Executive Officer
Anita Scuri, DCA Legal
Dale Chessey, Assistant Executive Officer
Karen Chappelle, Supervising Deputy Attorney General
Che Guevara, Assistant Chief Athletic Inspector

The minutes reflect the order in which the agenda items were heard.

AGENDA ITEM 1. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE
Present were commissioners Frierson, Giza, Lemons, Alexander, Hernandez, and Zinkin. Also attending were Mr. Antonio Margarito, Daniel Petrocelli and David Marroso who were representing Mr. Margarito. Supervising Deputy Attorney General Karen Chapelle was in attendance representing Executive Officer George Dodd who was also present.

AGENDA ITEM 2. APPLICATION FOR PROFESSIONAL BOXER LICENSE – ANTONIO MARGARITO
Executive Officer Dodd opens the meeting by introducing himself and the commissioners. Chairman Frierson gives his opening statement by describing the history with regard to the revocation and reapplication. Chairman Frierson asks Anita Scuri to preside over the hearing. Ms. Scuri reviews the procedures of the preceding by explaining burden of proof and the license application matter. Scuri explains that the burden of proof is on the person seeking licensure. In the case of a revocation of a license, the applicant has the burden of proof to show rehabilitation by clear and convincing evidence.

Ms. Chapelle introduces herself and gives her history with the commission. Chapelle explains that the burden is on Mr. Margarito to prove by clear and convincing evidence of rehabilitation. Scuri asks the commission to consider the following: The actions taken by the petitioner since the revocation, the offense for which the petitioner was disciplined, any rehabilitation efforts since the revocation, the applicant's general reputation of honesty, the nature and severity of the crime, time since the revocation, evidence of any rehabilitation, acts or crimes subsequent since the revocation. Ms. Chapelle continued by stating Mr. Margarito's claim and stance on the revocation and gives a brief overview of the events that occurred at the venue, the night of the fight, as well as the events that occurred leading up to this hearing. She then asked the commission to consider Mr. Margarito's conduct since the revocation. Such as is he has fought, attending any training or therapy, what has Mr. Margarito done to show rehabilitation in effort to show contrition or remorse – a lack of contrition, or lack of remorse. Ms. Chapelle explains to the

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commission that asking the question 'has he acknowledged wrong doing?' is the first step to consider in hopes to finding out if someone is likely to repeat the same conduct or behavior.
Ms. Chapelle concludes her argument by stressing to the commission that as commissioners, their main goal is to protect the public and explains that the public could be the opponents, fans of the sport, people who place wagers, and the overall integrity of the sport of boxing.

Anita Scuri reviews and requests approval for the document attachments from both Karen Chapelle and the Law Offices of O'Melveny & Myers LLP. Scuri recommends to the commission that they accept all documentation from both sides to be accepted to the record.

Mr. Petrocelli introduces himself and his present staff. He starts by stating that they are not at this hearing for reinstatement, but rather that they are here to apply for a new license. Petrocelli explains for the commission that Mr. Margarito – prior to last year, fought in forty-two (42) bouts, fifteen (15) being title fights, he had a spotless disciplinary record and was a role-model. Petrocelli explains that to show his sincerity Mr. Margarito has severed all ties with Capetillo, hired a new trainer, developed a new process for hand wraps with his new trainer, and out of respect to the commission's decision, Mr. Margarito did not seek to fight during the year after the revocation of his license in California.

Antonio Margarito was sworn in.

Juan Carlos Moreno was sworn in.

Karen Chapelle was sworn in.

QUESTIONING
Karen Chapelle was given 48 minutes to question Mr. Margarito asking questions regarding boxing in any other states, his new trainer Roberto Garcia, where he has been training and/or sparring and if Mr. Margarito has ever made a public apology. She asked Mr. Margarito if he has ever applied for or was issued a sparring permit which would be needed for an unlicensed athlete to legally engage in any sparring activities in the state of California. Ultimately, Mr. Margarito did not possess a sparring permit and stated that he was aware he needed a license to box in California but was unaware that he was required to obtain a sparring permit to train, which included sparring.

Mr. Petrocelli questioned Mr. Margarito with regard to his friendship with Mr. Capetillo prior to the event and now, and what procedures he has with his new trainer Mr. Garcia. Petrocelli asked about licensing information from the staff to which Executive Officer Dodd explained a licensing number process. Lastly, he asked what kind of preceding this will be, a reinstatement or an application for a new license. The commission informed him that this is a hearing to review a new application for licensure.

Commissioners Alexander, Lemons, Giza, Hernandez, Zinkin and Frierson all asked Mr. Petrocelli and Mr. Margarito questions and gave statements on their stance based on what they have heard so far.

Petrocelli continued his questioning of Mr. Margarito before asking Mr. David Morroso to examine Mr. Margarito's new trainer, Roberto Garcia.

Mr. Morroso was sworn in.

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Mr. Garcia introduced himself before Mr. Morroso further examined him.

Mr. Chapelle examined Mr. Garcia by questioning him about Mr. Capetillo, training Mr. Margarito, compensation, and the boxing rules for the state of California.

Commissioner Lemons, Hernandez, and Zinkin presented Mr. Garcia with questions before taking a break for lunch.

Ms. Chapelle calls on Che Guevara to give insight on what happened in the dressing room at the event, in response to commissioner Frierson's question about him testing the hand wrap by hitting something.

Che Guevara was sworn in and spoke on the process of the hand wrapping at the event.

REBUTTAL
Ms. Chapelle gives her rebuttal.

Mr. Petrocelli gives his rebuttal.

DISCUSSION AND QUESTIONS FROM THE COMMISSIONERS
The commissioners had questions for Mr. Margarito and held a discussion concerning Mr. Margarito's lack of clear and convincing evidence to show proof of remorse.

A motion was made, seconded, and voted upon 5-1 (No – Frierson) to deny the approval of Mr. Margarito's license in the state of California.

Agenda Item 3. ADJOURNMENT
With no further items for discussion the meeting was adjourned.

Agenda Item 3

Agenda Item 4

2010 Officials Assignments

			Judge	Referee	TK	Boxing	MMA	TV?
Adair	Gwen	Judge/Boxing	9	0		9	0	7
Adkins	George	Judge/Boxing	5	0		2	3	0
Adrian	Kris	Judge/Boxing	10	2		10	2	0
Arriola	Willie	Timekeeper				15	4	12
Ayonayon	Karina	Timekeeper				2	5	4
Balewicz	Ray	Judge/Boxing	4	7		10	1	0
Bayless	Kermit	Judge/Boxing	4	0		4	0	2
Belardo	Abe	Judge/Boxing/MMA	15	0		5	10	4
Beltran	Mike	Judge/Boxing-MMA	5	4		0	10	0
Burton	Terry	Timekeeper				4	1	2
C.Caiz	Carla	Judge/MMA	3	0		3	0	0
S.Caiz	Sergio	Judge/MMA	3	0		3	0	2
Caiz , SR	Raul	Judge/MMA	2	5		7	0	7
Caiz, JR	Raul	Judge/MMA/Boxing	3	7		10	0	5
Campbell	Jack	Judge/MMA/Boxing	6	0		6	0	0
Cantu	Jerry	Judge/MMA/Kickboxing	2	7		9	0	6
Cobian	Jose	Judge-Boxing/MMA	8	3		9	2	1
Cobian	Luis	Judge-Re/MMA/Boxing	14	1		0	14	3
Collantes	Ed	Judge-Ref/ALL	0	7	3	7	2	3
Collins	Dan	Judge-Ref/ALL	1	0	8	4	5	2
Connolly	Pat	Judge	3	0		3	0	2
Corona	Ray	Judge-Ref/Boxing	6	6		11	1	4
Crebs	Tony	Judge-Ref/Boxing	6	7		13	0	6
Davis	Johnathan	Judge-Ref/Boxing	6	0		6	0	3
Dean	Herb	Judge-Ref/Boxing	0	12		0	12	6
Delgado	Vince	Judge-Ref/Boxing	2	0		2	0	0
Deluca	Max	Judge-Ref/Boxing	9	0		9	0	7
Denkin	David	Judge-Ref/Boxing	6	5		11	0	4
Denkin	Marty	Judge-Ref/Boxing	17	0		13	4	6
Denkin	Jackie	Judge-Ref/Boxing	9	0		0	9	0

Druxman	Barry	Boxing Judge/Referee	2	0		0	0	2
English	Steve	Judge-Ref/Boxing	7	0		3	4	3
Feldman	Glen	Judge Boxing	1	0		1	0	1
Garcia	Debbie	Judge-Ref/Boxing/MMA				11	1	4
Gordon	Stan	Judge-Ref/Boxing-MMA				3	1	1
Griffin	Lester	Judge-Ref/Kickboxing	8	0		0	13	5
Hamilton	Nelson	Judge-Ref/Kickboxing	8	7		6	8	4
Hedgepeth	Wayne	Judge-Ref/Kickboxing	1	7		8	0	6
Hernandez	Eddie	Judge-Ref/Boxing	1	0		1	0	1
Herzog	Jason	Judge-Ref/MMA	0	11		0	11	5
Jenkin	James	Judge-Ref/MMA	7	3		9	0	8
Landless	Larry	Judge-Ref/MMA	5	8		0	13	3
Lebell	Gene	Judge-Ref/MMA	11	0		0	8	3
Liechty	John	Judge-Ref/MMA				10	4	8
McCarthy	John	Judge-Ref/MMA	1	11		0	12	7
McCoy	Jason	Judge-Ref/MMA/Boxing	1	11		0	11	2
McKnight	Ralph	Judge-Ref/MMA/Boxing	12	0		3	9	3
Mendoza	David	Judge-Ref/MMA/Boxing	10	7		12	5	7
Milsap	Mike	Timekeeper				12	1	6
Montes	Veronica	Ref/MMA				4	4	4
Moret	Lou	Ref/MMA	3	7		10	0	7
Morrow	Steve	Ref/MMA	7	0		4	3	5
North	Norman	Ref-Judge/Kickboxing				7	3	2
Peoples	Cecil	Ref-Timekeeper/Boxing	7	6		4	10	0
Peterson	Fred	Timekeeper				8	5	5
Polanco	Alfredo	Judge Boxing	1	0		1	0	1
Rasmussen	Bruce	Timekeeper/Judge	10		0	7	3	0
Reiss	Jack	Ref-Judge Boxing/MMA	3	16		14	3	8
Rochin	Alejandro	Ref-Judge Boxing/MMA	15	0		14	0	2
Rosales	Marcos	Ref-Judge Boxing/MMA	4	12		4	12	6
Rosenthal	Josh	Ref-Judge Boxing/MMA	0	8		1	7	4
Russell	Patrick	Ref-Judge Boxing/MMA	3	6		9	0	6
Sammon	Marty	Judge/Boxing/MMA	2	1		3	0	2

Sandoval	Danny	Judge/Boxing/MMA	1	0	1	0	0
Schorle	Jon	Judge-Ref/Boxing	4	6	5	5	4
Sriampai	Dej	Judge/Boxing	1	11	12	0	0
Stell	Dannie	Judge-Ref/Boxing	2	10	10	2	3
Stell	Valinda	Judge -Ref/MMA			4	4	5
Supkitpol	Vichai	Ref-Judge Boxing/MMA	6	3	8	1	0
Tate	Michael	Ref-Judge Boxing/MMA	1	0	0	0	0
Taylor	Tom	Ref-Judge Boxing	3	0	3	0	1
Thomas-Gitlin	Susan	Judge-Ref/Boxing	11	0	6	5	2
Walker	Marshall	Judge/Boxing	5	0	5	0	2
Werner	Fritz	Judge/MMA	8	0	8	0	6
Winslow	Kim	Ref-MMA	0	1	0	1	1
Zacharatos	Mark	Ref-Judge Boxing/MMA	5	4	6	3	1
Young	Zac	Ref-Judge Boxing	4	1	5	0	2

last updated 8/24/2010 CG

Art #: NEU200565 5 tables, 4 B&W figs., 1 4/C figs. 6/2/10 Oper: JD Proof: #1

ARTICLE TYPE

Mortality Resulting From Head Injury in Professional Boxing

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BACKGROUND: The majority of boxing-related fatalities result from traumatic brain injury. Biomechanical forces in boxing result in rotational acceleration with resultant subdural hematoma and diffuse axonal injury.

OBJECTIVE: Given the inherent risk and the ongoing criticism boxing has received, we evaluated mortalities associated with professional boxing.

METHODS: We used the Velazquez Fatality Collection of boxing injuries and supplementary sources to analyze mortality from 1950 to 2007. Variables evaluated included age at time of death, association with knockout or other outcome of match, rounds fought, weight class, location of fight, and location of preterminal event.

RESULTS: There were 339 mortalities between 1950 and 2007 (mean age, 24 ± 3.8 years); 64% were associated with knockout and 15% with technical knockout. A higher percentage occurred in the lower weight classes. The preterminal event occurred in the ring (61%), in the locker room (17%), and outside the arena (22%). We evaluated for significant changes after 1983 when championship bouts were reduced from 15 to 12 rounds.

CONCLUSION: There was a significant decline in mortality after 1983. We found no significant variables to support that this decline is related to a reduction in rounds. Rather, we hypothesize the decline to be the result of a reduction in exposure to repetitive head trauma (shorter careers and fewer fights), along with increased medical oversight and stricter safety regulations. Increased efforts should be made to improve medical supervision of boxers. Mandatory central nervous system imaging after a knockout could lead to a significant reduction in associated mortality.

KEY WORDS: Boxing, Head trauma, Mortality

Neurosurgery 00:000-000, 2010 DOI: 10.1227/01.NEU.0000373207.04297.13 www.neurosurgery-online.com

The sport of boxing has been subjected to substantial criticism from the medical establishment over the past 50 years. Boxing matches carry a high rate of injury for the fighters, and 15% to 40% of former boxers have symptoms of chronic brain injury.[1-4] One study determined that the force of a punch from a professional boxer could be compared with being struck by a 13-lb bowling ball swung at 20 mph.[5] Given the number of head blows a boxer sustains during a fight, it is not surprising that the majority of boxing-related deaths can be directly attributed to traumatic brain injury. Although there have been several high-profile deaths following prizefights, none have affected the sport as significantly as the death of boxer Duk Koo Kim. Kim was a lightweight contender from South Korea who challenged Ray Mancini, then the current world lightweight champion, at Caesar's Palace in Las Vegas on November 13, 1982. He lost consciousness minutes after losing the fight by technical knockout (TKO) in the 14th round and was taken to a nearby hospital where he was found to have a subdural hematoma and severe brain swelling (Figure 1). Despite emergent evacuation of the hematoma, he died 4 days later.[6] F1

ABBREVIATIONS: TKO, technical knockout

The World Boxing Council, as a consequence of the fight, claimed that a study with their medical advisors revealed that fighters are most severely injured during rounds 13 through 15. The council decided to immediately reduce the number of rounds in championship bouts from 15 to 12. The World Boxing Association, International Boxing Federation, and World Boxing Organization followed suit over the next several years.[6,7] Additional changes like an increase in the number of

Art #: NEU200565 5 tables, 4 B&W figs., 1 4/C figs. 6/2/10 Oper: JD Proof: #1

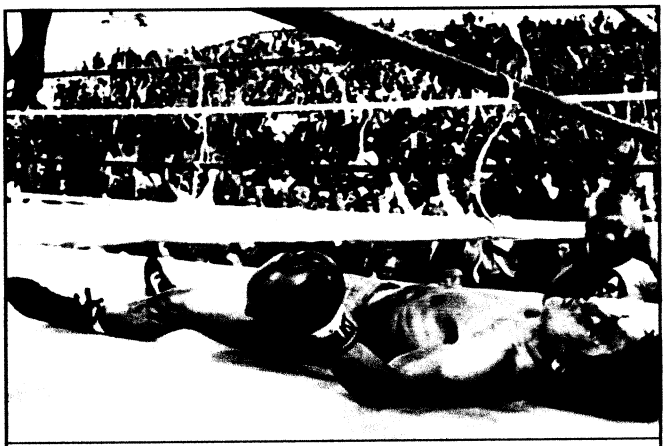

FIGURE 1. *Korean lightweight Duk Koo Kim after being knocked out by Ray Mancini in the 14th round. Kim's death led to permanent changes in the structure of professional boxing matches in an attempt to improve the safety of fighters.*

ring ropes and more extensive medical evaluations during prefight checkups were also made. The aftermath of Duk Koo Kim's death and emerging evidence that chronic brain damage was prevalent among fighters also led the *Journal of American Medical Association* to publish 2 editorials, including one by Lundberg,[8] calling for a ban on boxing. The association's scientific council made formal recommendations for increased medical supervision of the athletes and the fights.[9]

Much of the medical world's organized leadership has spoken out against boxing since that time, including the American, British, Canadian, and World medical associations; the American Neurological Association; the American Academy of Neurology; and the American Academy of Pediatrics. As with automobile accidents and other traumatic events, the biomechanical forces to the head encountered in boxing have been studied extensively.[4,5,10-16] Boxers endure a high prevalence of impacts directed eccentrically to the head, resulting in rotational acceleration.[17,18] This is different from the biomechanics involved in other contact sports such as football, where the impact is more commonly directed at the center of the head, resulting in a translational acceleration. Angular rotation of the skull carries a higher risk of severe head injury than linear movements, theoretically by creating greater
F2 tension on the bridging vessels and brain tissue[19] (Figure 2).

Punches directly to the jaw and forehead also may cause flexion and compression of the bridging veins, respectively. Clinical evidence in humans and animal studies has demonstrated that the majority of subdural hematomas are due to the effects of rotational forces stretching the bridging veins. It is thus not surprising that subdural hematomas account for approximately 75% of moderate and severe head injuries in boxers. A study by Ommaya et al[20] determined that a rotational acceleration of 4500 rad/s^2 was required to produce concussion in an adult, whereas severe diffuse axonal injury occurred at 18 000 rad/s^2, with mild and moderate diffuse axonal injury occurring at 12 500 and 15 500

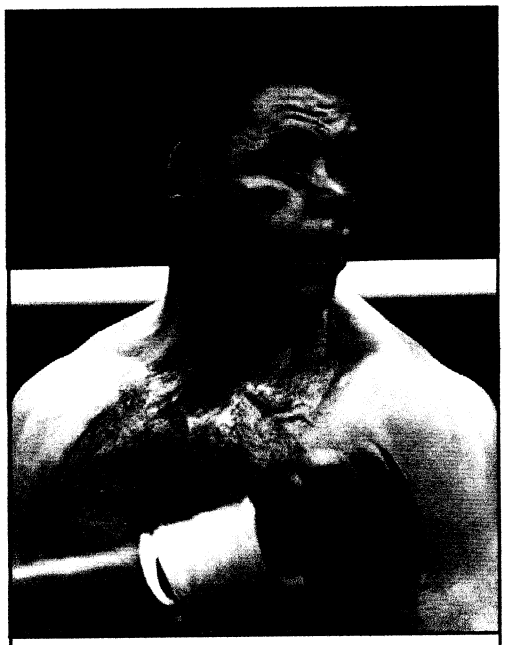

FIGURE 2. *Boxers endure a high prevalence of impacts directed eccentrically to the head. The resulting rotational acceleration of the skull carries a high risk of head injury.*

rad/s^2, respectively. Comparatively, a separate study by Pincemaille et al[21] measured rotational accelerations during boxing at 13 600 rad/s^2. Diffuse axonal injury accounts for a significant amount of the remainder of traumatic brain injuries sustained by boxers, along with epidural hematomas, intracerebral hemorrhage, and cerebral contusions.

Striking the head on the ring floor after a KO may also contribute significantly to the injury. Given the ongoing criticism the sport of boxing has received from the medical establishment and the risks inherent in the sport, we evaluated the mortalities associated with professional boxing in addition to variables associated with mortality. In our review of available data, consideration of boxing fatalities and their associated causes was sorely lacking. Significant disparity also exists among published reports of mortality rates. This in part reflects the numerous organizations responsible for the sanctioning of fights at the professional level. Our goal was to provide a thorough review of the fatalities resulting from professional boxing.

PATIENTS AND METHODS

We sought to catalog mortalities resulting from head injury in professional boxing since 1950. A database was compiled using the Manuel Velazquez Boxing Fatality Collection[7] and *The Ring Record Book and Boxing Encyclopedia.*[22] The database was initially verified before our review of the data points. Each entry was verified by review of the actual information reporting the specifics of each fatality. Data that remained unclear with regard to any of the variables noted in the study were not included in the analysis. The series included a total of 1607 fatalities out of 1741 up to December 2007[cmmm1]. The Velazquez collection originates

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from the extensive lifelong research of Manuel Velazquez, an antiboxing activist, and has been expanded by J.R. Svinth. One of the most extensive databases available, the data from the Velazquez database have added a significant number of fatalities to previously reported figures. Critchely[23] reported 207 ring deaths before 1950, and *The Ring Record Book and Boxing Encyclopedia* reports 164 deaths between 1918 and 1950.[24]

Our review has found evidence of 711 deaths before 1950 and 377 deaths between 1918 and 1950. A total of 588 boxing fatalities resulting from head injury between 1950 and 2007 were analyzed. In total, 339 deaths occurred in professional boxers, 225 occurred in amateur boxers, and 15 were the result of Toughman competitions. Only mortalities in professional boxing were evaluated in this study (Figure 3). Variables analyzed included the age of the boxer at time of death; association with a KO, win, or loss; number of rounds fought; weight class; location of fight; and location of terminal event. These variables were further analyzed with the data from 1983 to 2007. The year 1983 is of significance because of the change in championship bouts from 15 to 12 rounds after the death of Duk Koo Kim. Between 1950 and 1983, only 3 mortalities were associated with KO in rounds beyond the 12th round: Casino "Blue Tornado" Sawyer in 1955 (KO in the 13th round), Jupp Elze in 1968 (TKO in the 15th round), and Duk Koo Kim in 1982 (TKO in the 14th round).

RESULTS

The mean age of the boxer at time of death was 24 ± 3.8 years; the range was 17 to 34 years; and the mode was 22 years. There was no significant difference in age between the complete series and mortalities after 1983 (Table 1). When considering the entire historic series, we found that the youngest reported mortality was 10-year-old Francisco Velazquez in 1963 and the oldest was 91-year-old Thomas Dawson, who died in 1822. Four professional boxers were involved in 2 fatal fights, once as a survivor and once as fatality. These boxers were Sam Baroudi (died in 1947 at 23 years of age), Jack Burns (died in 1889), Bert McCarthy (died in 1921 at 21 years of age), and Isidro "Gino" Perez (died in 1981 at 25 years of age).[7] In the complete series, 64% of fatalities were associated with the fighter being knocked out, whereas 15% followed a TKO, 5% followed a decision win, 9% followed a decision loss, 1% followed a "no decision," and 2% were draws (Figure 4).

Of the fatalities that occurred after 1983, 62% were associated with a KO, 18% with a TKO loss, 1% with a TKO win, 12% with a decision loss, and 4% with a decision win, and 3% occurred after a draw. Looking only at fights in the United States after 1983, we found that 79% of fatalities occurred after a KO, 9% after a TKO loss, 2% after a TKO win, 8% after a decision loss, and 2% after a draw. The mean round for a KO was 7 (± 3), with the majority of KOs occurring in the 10th round. Table 2 lists professional boxing deaths by weight class. Evaluation of the complete series revealed mortalities in the flyweight (12%), bantamweight (16%), featherweight (20%), lightweight (16%), welterweight (19%), middle weight (12%), light heavyweight (1%), cruiserweight (1%), and heavyweight (5%) weight classes. The only significant differences after 1983 were seen in mortalities associated with flyweight (4% from 1950-1982 and 19% after 1982) and middleweight (12% from 1950-1982 and 3% after 1983) divisions. No comparison could be made in the cruiserweight division given its inception in 1980.

Mortality by country is noted in Table 3. The majority of deaths occurred in the United States. This finding is likely based on the increased number of fights scheduled in the United States each year. We have also documented the presence of mortality clusters based on location and year. It is difficult to understand what this represents, but it could be indicative of flaws in the management of the athletes at that time (Tables 4 and 5). Analysis of the location of the preterminal event (loss of consciousness) in the complete series revealed 61% of mortalities to be associated with a preterminal event in the ring, 17% in the locker room, 10% within 24 hours after the fight, and 12% > 24 hours after the fight. The only significant differences found before and after 1983 suggested that more terminal events occurred temporally closer to the fight from

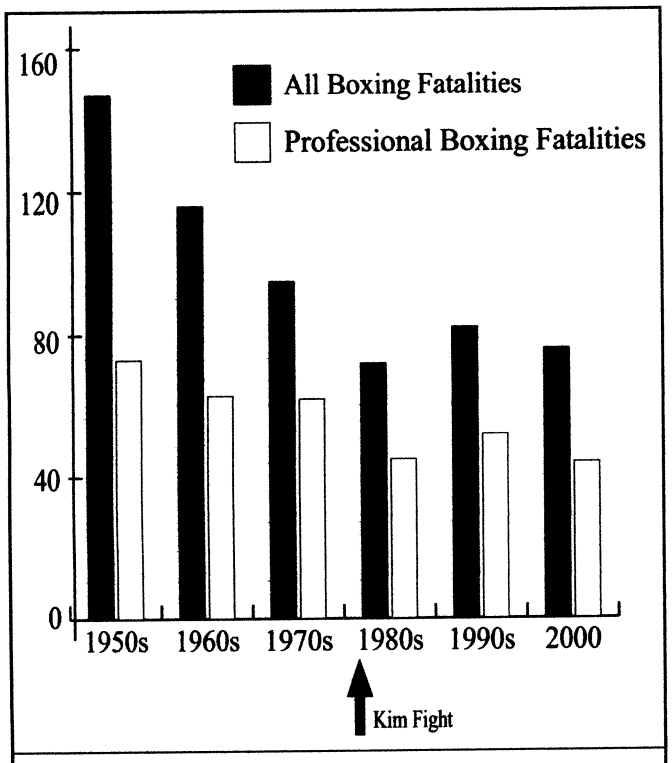

FIGURE 3. *Bar graph demonstrating boxing mortalities resulting from head injury by decade. Of the 588 boxing fatalities identified, 339 occurred in professional boxers. Only mortalities in professional boxing were evaluated in this study.*

TABLE 1. Boxer Age at Time of Death

	Complete Series, y	After 1983, y	*P*
Mean	24 ± 3.8	24 ± 3.8	NS
Mode	22	23	
Minimum	17	19	
Maximum	34	34	

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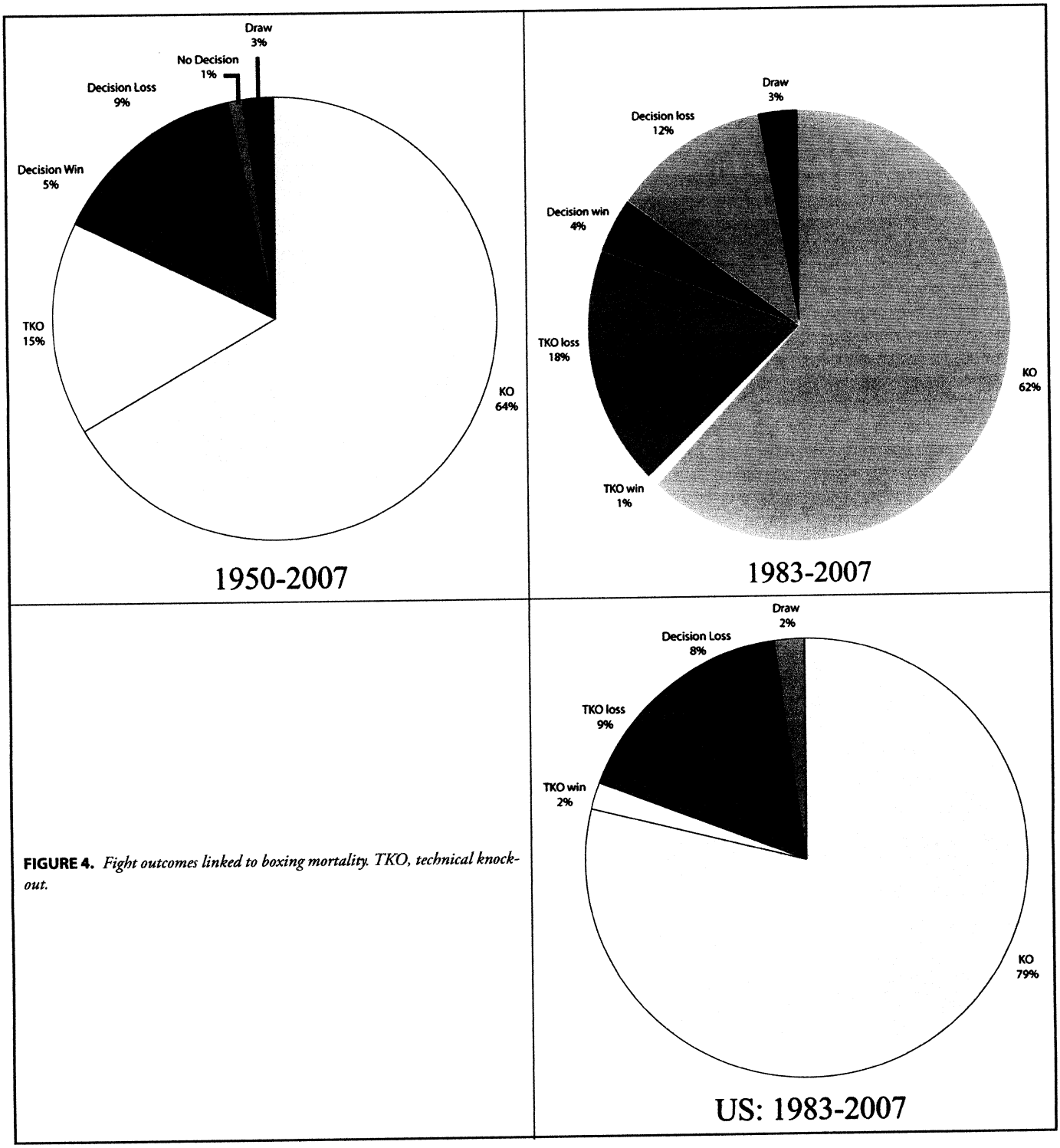

FIGURE 4. *Fight outcomes linked to boxing mortality. TKO, technical knockout.*

1950 to 1983 (in ring, 16%; > 24 hours, 17%) as opposed to after 1983 (in ring, 6%; > 24 hours, 34%; Table 6).

Logistic regression analysis was performed to generate a potential model of outcome. The dichotomous outcome variables were preterminal event in the ring, preterminal event in the locker room, preterminal event < 24 hours after the fight, and preterminal event > 24 hours after the fight. The only predictive variables included preterminal event > 24 hours after a KO after 1983 (odds

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TABLE 2. Mortality by Weight Class

Weight Class	Weight Limit, lb	Entire Series, %	After 1983, %
Flyweight	< 112	12	22
Bantamweight	118	16	22
Featherweight	126	20	19
Lightweight	135	16	13
Welterweight	147	19	13
Middleweight	160	12	6
Light heavyweight	175	1	1
Cruiserweight	200	1	1
Heavyweight	> 200	5	1

TABLE 3. Boxing Mortality by Country (1950-2007)

Country	Mortality, %[a]
United States	23
Cuba	1
Canada	2
Japan	8
Martinique	1
Mexico	9
Thailand	2
Korea	1
Guam	1
Africa	9
East Europe	1
Europe	13
Australia	5
Philippines	9
Indonesia	6
South/Central America	10

[a] Twenty-three fatalities (10%) occurred during championship fights; 9 (17%) occurred during championship fights in the United States.

ratio = 24.49), preterminal event in the ring after a KO in the fifth round (odds ratio = 5.89), preterminal event in the ring after a TKO (odds ratio = 0.21), and preterminal event in the ring after a KO in welterweights (odds ratio = 1.58). No definitive model could be generated.

DISCUSSION

The modern era of professional boxing originated in the early 20th century around the time that Jack Dempsey's surprise victory over the favored Jess Willard generated an enormous amount of media attention. Subsequent boxing movies, million-dollar purses, and extensive media coverage contributed to the enormous public interest in professional boxing and the subsequent growth of the sport. A sharp increase in the boxing mortality rate was observed during the 1950s relative to the prior decade and is likely reflective of the globalization of boxing after World War II, with the sport spreading to Indonesia, Japan, Mexico, the Philippines, and South Africa.[7,25] Our analysis of boxing fatalities since this time reveals a significant relationship between KO and mortality.

TABLE 4. Geographic Cluster of Multiple Mortalities Within a 12-Month Period

Cluster	Mortality in Clusters[a]			
	Entire Series	Temporal Significance	US Series	Temporal Significance
2	30	11[b]	12	4[b]
3	13	3[b]	3	1
4	2	2	2	0
5	1	0	0	0

[a] Noted are the number of mortalities (cluster) that occurred in the same location within a 12-month period. Of those clusters, some occurred at such short intervals between deaths that they reached significance. In New York, there were 8 fatalities from 1960 to 1962; in Massachusetts, there were 5 fatalities from 1954 to 1956.
[b] $P < .01$.

TABLE 5. Location of 51 US Fatalities in Series

No. of Mortalities	Location
1	New Jersey, Baltimore, Canton, Colorado, Texas, Georgia, Rhode Island, Indiana, New Orleans, Kansas City
2	Atlantic City, Orlando, Arizona
3	Philadelphia
4	Los Angeles, California
5	Massachusetts, Florida
8	Las Vegas, New York

Noted are the number of mortalities (cluster) that occurred in the same location within a 12-month period. Of those clusters, some occurred at such short intervals between deaths that they reached significance. In New York, there were 8 fatalities from 1960 to 1962; in Massachusetts, there were 5 fatalities from 1954 to 1956.

TABLE 6. Location of Preterminal Event

	Complete Series, %	After 1983, %	US Series, %	United States After 1983, %
Ring	61	55	60	50
Locker room	17	28	23	40
< 24 h	10	0	14	0
> 24 h	12	18	3	10

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The determination of KO is made when one of the fighters is unable to rise from the mat within 10 seconds. Although KOs are considered to be one of the more exciting elements of boxing, they are relatively uncommon, occurring in < 5% of professional fights.[26,27] This notably contrasts to the relationship between KOs and boxing fatalities in our series, which demonstrates that 64% of mortalities occurred after a KO in the ring. Attempts to improve boxing mortality rates should focus on either diminishing the repetitive impacts to the head that result in a KO or intervening immediately after a KO to expedite diagnosis and provide medical treatment.

Possible methods of reducing the damaging impacts to the head range from increasing the involvement of properly trained physicians at ringside who can appropriately determine when a fight should be stopped (most physician interventions to end a fight are the result of cuts and not alteration in mental status) to implementing standardized, objective methods of determining when a bout should be halted to more dramatic changes in boxing policy such as equating head shots to punches below the belt.[28] Additionally, mandating all contenders who suffer a KO or TKO to undergo neuroimaging and requisite hospital evaluation not only will expedite diagnosis and treatment of a possible brain injury but also may provide sufficiently early intervention for those fighters who would have suffered a preterminal event after leaving the locker room (22% in our series) to have a considerable impact on their outcome. Our series suggests that KOs associated with mortality occur most frequently in the 10th round and generally trend toward the higher rounds of a match. A general belief exists in the sport of boxing that KOs occur more frequently than what has actually been documented. This assumption could lead to a failure to prioritize a fighter's safety during a match if a contender who is clearly losing the fight is allowed to continue through the rounds on the hope that he may reverse the outcome of the fight with a KO.

The combination of fatigue and cognitive compromise accumulating over the duration of a fight can lead to a dramatic increase in the risk of brain injury. When a boxer is "dazed," the cervical muscles relax, lowering the effective head mass in resisting a blow. This decrease in resistance translates to an increase in translational and rotational accelerations with every additional punch.[19,29] By the time a concussive blow lands, it can affect force severe enough to produce a fatal brain injury. It is hoped that a higher degree of scrutiny of the fighters during the match, along with careful evaluation of their mental status and overall condition, would prevent some of these injuries.[23,30] Despite the clear risks linked to boxing, there is indication in the literature that the frequency of fatalities compares favorably with those of other high-risk sports and falls below such sports as college football, scuba diving, and horse racing.[31-35] Advocates argue that improved medical supervision and tighter regulations have dramatically improved the safety of boxing, along with an overall reduction in general exposure to repetitive head trauma because of the evolving nature of the sport.[36-38]

In the beginning of the modern boxing era, careers generally lasted 10 to 20 years and included significantly more professional fights. Boxers also had long amateur careers before turning professional. Fighters were not necessarily matched by skill or weight, had minimal to no medical supervision, fought with 6-oz gloves, and competed in matches that may have lasted up to 40 rounds of 2 minutes.[2] The dramatic reduction in overall exposure to repetitive head trauma in a professional boxer's career and some improvements in safety regulations and ringside medical facilities have made boxing a safer sport than it was for prior generations of fighters.[39-41] Increased efforts to improve the medical supervision of boxers during a fight and to ensure that appropriate medical care is received after a KO or TKO will enhance the safety of these athletes and prevent potential future fatalities in professional boxing.

CONCLUSIONS

A significant decline in mortality among professional boxers was observed after 1983. Of the 339 total fatalities analyzed, 219 occurred between 1950 and 1983 and only 120 after 1983. Despite the significance of this year for the sport, no significant change in deaths associated with a KO and no significant change in the mode or mean of the KO round were seen after 1983. We found no significant variables to support the notion that decreased mortality since 1983 was related to the reduction in the number of rounds during a match (Figure 5). Rather, we hypothesize the decline to be the result of a trend in reduced exposure to repetitive trauma because of shorter careers and fewer fights. Clausen et al[2] reported in 2005 that the average duration of a professional boxer's career in the United Kingdom and Australia has dropped from 19 to 5 years since the 1930s and that the mean number of career bouts has reduced from 336 to 13. Similar trends have been observed in the United States.

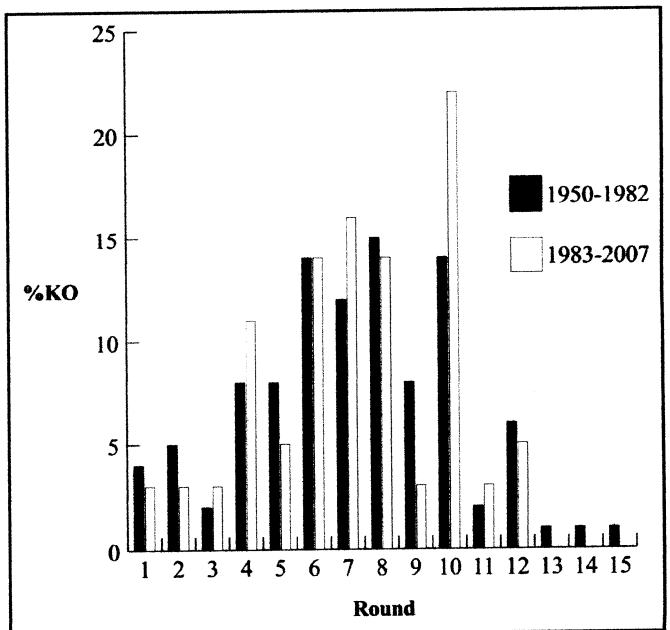

FIGURE 5. *Mortality-associated knockout (KO) by round.*

This has led to an overall reduction in exposure to repetitive head trauma among professional boxers. A higher percentage of mortalities occurred in the lower weight classes relative to the heavier weight classes. Although it may seem that the heavier boxers deliver more traumatic punches, this trend is likely explained by an increased ability to resist punch forces by the heavier boxers who have more developed neck musculature. An interesting association was found between clusters of multiple mortalities within brief periods of time occurring in the same location (although not necessarily the same venue). Of these clusters, several reached significance given the brief intervals between mortalities. This is an interesting finding in that it could be indicative of a breakdown in officiating and/or medical scrutiny during fights.

Another consideration could be significant differences in the number of professional fights in these locales. Examination of the relationship between professional boxing mortalities and outcomes of the match unsurprisingly revealed that the majority of fatalities occur after a KO (64%), with 79% occurring after either a KO or a TKO. These data suggest that mandatory neuroimaging after a KO or TKO could lead to more expeditious diagnosis and intervention and could have a significant impact on associated mortality.

Disclosure

No funding was received for this work from any of the following organizations: National Institutes of Health, Wellcome Trust, Howard Hughes Medical Institute, and other foundation(s) requiring open access. The authors have no personal financial or institutional interest in any of the drugs, materials, or devices described AQ:3 in this article.

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Agenda Item 5

Agenda Item 6

Agenda Item 7

STATE OF CALIFORNIA
dca
DEPARTMENT OF CONSUMER AFFAIRS

California State Athletic Commission
2005 Evergreen St., Ste. #2010
Sacramento, CA 95815
www.dca.ca.gov/csac/
(916) 263-2195 FAX (916) 263-2197

Agenda Item 7.a
September 20, 2010

Applicants For Boxing Judge

Subject:

Bill Ocegueda – Boxing

Summary: I have reviewed the documentation that Mr. Ocegueda has provided to be licensed as a professional judge for boxing. Although Mr. Ocegueda has been involved with amateur boxing since 2003 and by his resume done an outstanding job, he does not meet the necessary requirements to be licensed as professional boxing judge. Mr. Ocegueda lacks experience in judging and has not demonstrated the proficiency as required under rule 379(d):

379(d) Must have demonstrated prior experience in judging boxing contests and must demonstrate judging proficiency. Proficiency shall be determined by a commission representative or commission-appointed licensed referees or judges and the method of evaluations shall be approved by the commission.

Recommendation: Mr. Ocegueda should work closely with professional judges who are currently licensed by the State Athletic Commission as a type of mentorship. I recommend that he attend boxing events and turn in dummy score cards to the lead inspectors at each event and that Mr. Ocegueda come back before the Commission after nine months of training so that the Commission can evaluate his proficiency after receiving this training.

Bill Ocegueda

[redacted]

OBJECTIVE

To obtain a Professional Judge position with a proven ability to make the best decision in boxing shows, and gainfully adding my experience in making the right calls when bouts are close to each other.

PROFILE

- Accomplished high peer recognition for best judge
- Notable percent in the majority with judges' decision
- Excellent recognition in identifying between clear and blocked punches
- Always persevere to achieve the best results
- Maintain integrity to the highest regard
- Enjoy working with public and diverse populations
- Able to lead others in demanding circumstances and remain calm in stressful situations
- Proficient in Spanish

EXPERIENCE

- Participated as a training judge in various professional boxing shows with 100% of my decisions with the judges' majority. In one event with Martin Denkin
- While in training, worked closely with David Mendoza who overlooked my judging
- Consulted and provided advise to Champion Geubani Segura and Miguel Vazquez of Azteca in developing their fighting styles
- Obtained professional coach license in 2009 in the city Maywood, California
- Active participant in California State Athletic Commission meetings

ACHIEVEMENTS

- Effectively helped professional referee, David Denkin, in referring tournament
- Highly recognized for outstanding judge at the Dessert Show Down and awarded with autographed boxing glove with all judges signatures in 2005
- Developed and built good relations with judges and referees such as Tom Taylor , Eddie Hernandez , Daniel Sandoval, Eddie Claudio and Zach Young
- I spoke and delivered my suggestion at a sanction meeting in front of all Members in April 2010 over why I felt why they shouldn't discontinue new official licensees – on how there is always a need for new talent

STATE OF CALIFORNIA
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Agenda Item 7.b
September 20, 2010

Applicants For MMA Judge

Subject:

John Newburg - MMA Judge

Summary: I have reviewed the documentation that Mr. Newburg has provided to be licensed as a professional judge for mixed martial arts. Mr. Newburg has been involved with mixed martial arts since 2004 and by his resume done an outstanding job. He has attended the last two training seminars completed this past year. According to rule 379, Mr. Newburg does meet the requirements for licensure as a judge. Since he has been assigned by the California Athletic Commission for at least three years in such capacity as to have judged, supervised or evaluated professional boxing judges and has demonstrated prior experience in judging boxing contests and must demonstrate judging proficiency. Proficiency shall be determined by a commission representative or commission-appointed licensed referees or judges and the method of evaluations shall be approved by the commission

Recommendation: Mr. Newburg has worked closely with professional judges who are currently licensed by the State Athletic Commission over the past six years. His recommendation for proof of proficiency and experience comes from current licensed judges, referees, and inspectors who have been involved with mixed martial arts since it started back in early ninety's. I would recommend Mr. Newburg for licensure as mixed martial arts judge.

JOHN NEWBURG

[redacted]

PERSONAL INFORMATION

John Newburg
Age 57 [redacted]
35 Years training and teaching martial arts

QUALIFICATIONS SUMMARY

Trained By: Cecil Peoples and Herb Dean
Mentored By: Cecil Peoples, Herb Dean and Dr. Nelson Hamilton

MMA Experience:

- King of the Cage - Judge 2004, 2005, 2006, 2007
- Gladiator Challenge - Judge 2006, 2007, 2008, 2009, 2010
- Native Fighting Championship - Judge 2010

REFERENCES

Cecil Peoples
Herb Dean
Dr. Nelson Hamilton
Dej Sriampai
Jason Herzog
Larry Landless

CSAC INSPECTORS - That have seen me practice judging at CSAC Events

Larry Ervin
Mo Noor
Sid Segovia

JOHN NEWBURG
[redacted]

Mr. George Dodd

As per our conversation on Sunday August 22,2010 I am enclosing the following information that you requested.

a) My Resume with references
b) List of the MMA events that I have Judged

I have been judging MMA events on the Indian Reservations since 2004. I have also been practice judging at CSAC MMA and Kickboxing Events since 2005. I have been trained and mentored by, Cecil Peoples, Herb Dean, and Doc Hamilton.

I have already sent in my completed application, photos, and check ($150.00). If you have any questions please call me [redacted] Thank you for your consideration.

Sincerely

John Newburg

MMA EVENTS JUDGED BY JOHN NEWBURG

DATE	PROMOTION	EVENT	LOCATION
11/14/2004	King of the Cage	Revenge	Soboba Casino - San Jacinto CA
03/20/2005	King of the Cage	Soboba	Soboba Casino - San Jacinto CA
06/12/2005	King of the Cage	Soboba	Soboba Casino - San Jacinto CA
07/05/2005	King of the Cage	Prime Time	Soboba Casino - San Jacinto CA
09/23/2005	King of the Cage	Flash Point	Soboba Casino - San Jacinto CA
12/02/2005	King of the Cage	Final Conflict	Soboba Casino - San Jacinto CA
03/19/2006	King of the Cage	The Return	Soboba Casino - San Jacinto CA
05/21/2006	Gladiator Challenge	Top Gunz	Eagle Mountain Casino - Porterville CA
06/09/2006	King of the Cage	Mangler	Soboba Casino - San Jacinto CA
07/16/2006	Gladiator Challenge	Hell Storm	Eagle Mountain Casino - Porterville CA
08/04/2006	King of the Cage	Rapid Fire	Soboba Casino - San Jacinto CA
09/17/2006	Gladiator Challenge	Knuckle Up	Eagle Mountain Casino - Porterville CA
10/13/2006	King of the Cage	Booyaa	Soboba Casino - San Jacinto CA
11/12/2006	Gladiator Challenge	Rampage	Eagle Mountain Casino - Porterville CA
12/01/2006	King of the Cage	Destroyer	Soboba Casino - San Jacinto CA
03/11/2007	Gladiator Challenge	Head Hunters	Eagle Mountain Casino - Porterville CA
04/27/2007	King of the Cage	Sinister	Soboba Casino - San Jacinto CA
05/20/2007	Gladiator Challenge	Best of the Best	Eagle Mountain Casino - Porterville CA
06/08/2007	King of the Cage	Epicenter	Soboba Casino - San Jacinto CA
07/14/2007	King of the Cage	No Holds Barred	Eagle Mountain Casino - Porterville CA
08/05/2007	King of the Cage	Collision Course	Soboba Casino - San Jacinto CA
09/16/2007	Gladiator Challenge	Full Force	Eagle Mountain Casino - Porterville CA
10/07/2007	King of the Cage	Point of No Return	Soboba Casino - San Jacinto CA
11/11/2007	Gladiator Challenge	Lock - N - Load	Eagle Mountain Casino - Porterville CA
12/02/2007	King of the Cage	Final Chapter	Soboba Casino - San Jacinto CA
03/17/2008	Gladiator Challenge	Alpha Dog Challenge	Eagle Mountain Casino - Porterville CA
04/12/2008	Gladiator Challenge	Unbreakable	Cahuilla Casino - Anza CA
05/18/2008	Gladiator Challenge	No Limits	Eagle Mountain Casino - Porterville CA
06/20/2008	Gladiator Challenge	Genuine Beatdown	American Sports University - San Bernadino CA
07/27/2008	Gladiator Challenge	Lights Out	Eagle Mountain Casino - Porterville CA
08/29/2008	Gladiator Challenge	Savage	Fox Theater - San Bernadino CA
09/07/2008	Gladiator Challenge	Bad Blood	Eagle Mountain Casino - Porterville CA
10/25/2008	Gladiator Challenge	Cross Fire	Casino Pauma
11/02/2008	Gladiator Challenge	Day of the Dead	Eagle Mountain Casino - Porterville CA
11/08/2009	Gladiator Challenge	Never Quit	Soboba Casino - San Jacinto CA
02/21/2010	Gladiator Challenge	Vision Quest	Soboba Casino - San Jacinto CA
03/27/2010	Native Fighting Championship		Golden Acorn Casino - Campo CA
04/25/2010	Gladiator Challenge	Maximum Force	Soboba Casino - San Jacinto CA
05/29/2010	Native Fighting Championship		Golden Acorn Casino - Campo CA
06/27/2010	Gladiator Challenge	Bad Behavior	Soboba Casino - San Jacinto CA
07/03/2010	Native Fighting Championship		Golden Acorn Casino - Campo CA
08/14/2010	Native Fighting Championship		Golden Acorn Casino - Campo CA
08/20/2010	Gladiator Challenge	Fahrenheit	Soboba Casino - San Jacinto CA

[redacted]
06/02/2010 11:15 AM

To GEORGE_DODD@dca.ca.gov
cc
bcc
Subject MMA

Mr. George Dodd,

After attending the MMA seminar on Sunday May 2, 2010, and listening to the very knowledgeable, John McCarthy, Hurb Dean, Cecil Peoples, Doc Hamilton and John Schorle, I feel that there is a need for qualified referees and judges. As MMA keeps growing in popularity, and promoters having more shows, sometimes with two, three and four shows on the same weekend there is a need for referees and judges with a background in Martial Arts and experience judging these events. Myself with a long background in the martial arts, and being trained by Cecil Peoples, Doc Hamilton and Hurb Dean, also having worked shows such as King of the Cage and Gladiator Challenge and other promotions on the Indian Reservations, for the last four years, also attending the Athletic Commissions MMA meetings and practice judging at the Athletic Commission MMA and Kickboxing shows, which I turned in my score cards to the previous Chief Inspector or Assistant Chief Inspector, feel that I am qualified, and would like to apply for a judges license.

Sincerely,

John Newburg

[redacted]

Agenda Item 8

STATE OF CALIFORNIA

dca

DEPARTMENT OF CONSUMER AFFAIRS

California State Athletic Commission
2005 Evergreen St., Ste. #2010
Sacramento, CA 95815
www.dca.ca.gov/csac/
(916) 263-2195 FAX (916) 263-2197

Agenda Item 8.a
September 20, 2010

New Promoter Application for Licensure

Promotion Name: Lords of Combat

Owner: Anwar Elmahrek

Items included for licensing:

1 Photo of each applicant - **Completed**

Copy of Form BC11 8016 (Fingerprints) - **Completed**

Financial Statement of each applicant – **Completed**

Personal Resume - **Completed**

Bond/Assignment of Saving - **Completed**

Article of Incorporation/Minutes

Summary:

Recommended:

Anwar A. Elmahrek
[redacted]

04/12/10

A good promoter must have a keen understanding of two vastly different disciplines – business and martial arts. For the past thirty years, these two fields have consumed my life. This unique combination of experience and knowledge has equipped me with a skill set ideal for handling a promoter's business challenges.

As a hotel manager, I was responsible for supervising catering managers and security personnel for hotel events. This position gave me expertise with all aspects of crowd management – and most importantly – security and safety. In addition to my experience with hotel events, I owned and operated an accounting and consulting business, and I founded a successful technology based company – which I built from the ground up. I have a deep understanding of what it takes to create a product, market that product, and grow a business to a mature state. As a promoter, I intend to hold MMA events that are safe, successful and rewarding for me, the fighters and the fans.

Martial Arts Experience

I first studied martial arts at 13 years-old, when I practiced Judo for two years. Later in my adult life, martial arts captured my fascination again, and in 1989, I began studying Shotokan Karate under Master Albert Cheah of the Orange County Japanese Karate Association. I studied the discipline for seven years and attained my black belt during that time, and my level of skill allowed me to teach in Master Cheah's absence. I also competed in amateur sparring competitions.

From 1995 to the present I have been studying Brazilian Jiu-Jitsu and mixed martial arts. I studied under Masters Joe Moriera and Allan Goes and was awarded a black belt by Master Goes. I am also a Brazilian Jiu-Jitsu and MMA teacher with Allan Goes International.

Match Making:

My background in martial arts as a student, an amateur competitor and as a MMA teacher gives me a deep understanding of the attributes and styles that make for good matches. While my goal is to give the fans a good show with competitive fights, the fighter's safety is most important to me.

The following list contains some of the elements that I would be considering when accepting fighters to join Lords of Combat and when matching two fighters for a fight.

a) The main discipline of the fighter (BJJ, Wrestling, boxing, Karate, etc).
b) Fighter's weight class and the number of pounds he has to cut to achieve the weight class in the time frame he is to achieve the desired weight class.
c) Fighter's conditioning and amount of time lapsed since his/her last fight.
d) If the fighter has few pro fights on record, I would review the fighter's record as an amateur.
e) The number of professional fights and record in each weight class.
f) I would view the fighter's video if available or visit his/her gym and observe him/her in training.
g) I would consider a fighter's request if he/ she would like to fight a particular fighter and why.
h) I would consider the number of knockouts the fighter has suffered before I match the fighter with an opponent that is a knockout artist.
i) If the fighter has 3 or more losses in a row I would not consider the fighter unless he/she can convince me otherwise.
j) I would consider prior injuries and pursue a doctor's advice when necessary.

Business Experience

At 21 years-old I graduated from Hotel Management School and simultaneously started an auto-parts retail shop with a friend. In 1981, my hunger for more opportunities led me to America's shores.

From 1982 to 1985 I worked in the Westwood Holiday Inn Hotel as a night auditor/night manager, and I was quickly promoted to assistant controller. During that time, I studied computer science and general education at San Fernando Valley College.

From 1985 to 1989 I worked at the Hotel Laguna in Laguna Beach, California, where I started as a controller. I was soon promoted to hotel manager.

F & B Bookkeeping;
In 1989 the entrepreneur in me emerged again and I started my 2nd business in accounting and consulting for the restaurant industry. My clients included some of the most elite restaurant owners in Orange County, such as John Martin and David Wilhelm – Martin was the President Of Taco Bell Corp. before starting Culinary Adventures with Wilhelm in 1996.

Tricentra Corp:
DBA: Priority Pay:
In 1998 I started a cutting-edge technology-based company. I hired a team of programmers and IT personnel to develop the first real time Internet payroll processing system in the nation. The company focused on providing payroll services to the employer and third party processors, such as accountants and small payroll companies.

In May of 2008 and after 10 year of growing the business and improving the system I sold the company to Infinisource Inc, A COBRA and HR Company with over 20,000 clients. I continued to consult Infinisource staff for two years to understand the technology and the business model.

On May 31, 2010 my consulting contract with Infinisoucre Inc will expire, and it is time to start my 4th business, which I have been planning for two years.

I know that with my extensive background in martial arts and business, I will be successful in my new career as a promoter and organizer of MMA evens in Southern California.

Anwar Elmahrek

STATE OF CALIFORNIA
dca
DEPARTMENT OF CONSUMER AFFAIRS

California State Athletic Commission
2005 Evergreen St., Ste. #2010
Sacramento, CA 95815
www.dca.ca.gov/csac/
(916) 263-2195 FAX (916) 263-2197

Agenda Item 8.b
September 20, 2010

New Promoter Application for Licensure

Promotion Name: Manna Martial Arts

Owner: Brian Manna

Items included for licensing:

1 Photo of each applicant - **Completed**

Copy of Form BC11 8016 (Fingerprints) - **Completed**

Financial Statement of each applicant - **Completed**

Personal Resume –

Bond/Assignment of Saving - **Completed**

Article of Incorporation/Minutes – **N/A**

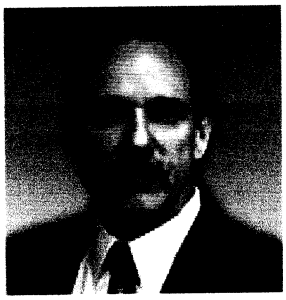
Summary:

This was the first show for Manna Martial Arts that was held at the Bren Center in Irvin, CA. Mr. Manna worked well the Commission's office staff to ensure all medical and required documentation was received prior to the start of the event. There was no security issue at this event and the event ran well. After the event the Commission office started to receive calls about non-payment of purses or win bonus that was due to some of the fighters. I discussed the situation with Mr. Manna and he went into detail about an investor that backed out that would have covered the purse of the fighters that were asked not to cash their checks. After two weeks all fighters were told to cash their purse checks except for the win bonus checks. Mr. Manna has been in contact with the office and is still trying to ensure everyone receives payment for the event. I discussed the situation with Mr. Manna before for event and was ensured that all money from sponsors and investors were received.

Recommended:

As the Executive Officer, I recommend that Mr. Manna reapply for promoter license and provide names of all persons having a proprietary interest in his company. According to Business and Professions Code Section 18665 (a) All applications for a promoter's license shall contain a true statement of all persons connected with or having a proprietary interest in the promoter. (b) Any person connected with, or having a proprietary interest in, an applicant for a promoter's license shall provide the commission with such financial information, or access to such financial information, as the commission deems necessary in order to determine whether the applicant is financially responsible. (c) Any applications for a promoter's license shall be signed by under penalty of perjury by the sole proprietor, a general partner, or an officer of the cooperation or association, as the case may be. I also recommend that if the Commission does grant Mr. Manna the opportunity to conduct another event that his bond be increased to $50,000 and that all fees for fights, officials, and state tax be paid via a cashier checks.

Marman Enterprises Website: www.MarmanEnterprises.com



Brian D. Manna,
Marman Enterprises, LLC/CEO

Born outside of Philadelphia, Pennsylvania USA in 1954, moved to California in 1976, Mr. Manna has eleven years experience in corporate sales and management with Triangle Pacific Corporation and Merillat Corporation, specializing in managing large national wholesale distribution centers and sales trainer for national corporations. In addition to managing selected and hired specialized subcontractors to complete installation projects coast to coast.

Over 35 years of martial arts experience, Mr. Manna founded United Tang Soo Do Karate and Manna's Martial Arts. Being Founder and President he also personally instructs on going classes and currently holds the position of Executive Director of The Educational Martial Arts System, Inc. (TEMAS), *A CA 501(c)(3) non profit corporation for the further enhancement of the arts.* This position was appointed to him in 1991.
In 1999 and 2000 Mr. Manna was inducted in the World Karate Hall of Fame. He received a number of appointments and awards for his outstanding development of Masters, Instructors and Participants throughout the world of martial arts and was entitled to the position of Grandmaster in an international event in 2006. He continues to assist in the development of the martial arts through instruction and MLS Business Development programs. ▫

Mr. Manna was a graduate of the 2005 FBI Citizens Academy, San Diego CA and has been an active member of the academy and San Diego, CA Infragard Chapter. Community events are sponsored at Manna's Martial Arts, with support of the San Diego FBI Field Office and local law enforcement.

▫Mr. Manna sees the formation of Powerhouse World Promotions as one of the ways to provide great leadership with great people to the world community by providing a positive vehicle accessing up and coming star athletes, along side current and former world champions. Mr. Manna received a Temporary Professional Promoter License by the California State Athletic Commission to hold the 'War on the Mainland' held in Irvine, California on August 14, 2010.

Please feel free to contact me for additional information,

Sincerely,

Brian Manna

Contact Information:

Manna's Voice/Office: (858) 487-6470 x116
Cell: (858) 344-0662
Mail: 12285B World Trade Drive, San Diego CA 92128
Email: manna@manna.us

Associated Links:

Brian Manna/Grandmaster	http://karatenet.com/utsdk/oth/mstrinfo.html
Manna's Martial Arts	www.MannaMA.com
Marman Enterprises, LLC	www.MarmanEnterprises.com
Powerhouse World Promotions	www.PWPromo.com
The Educational Martial Arts System, Inc.	www.TEMAS.org

STATE OF CALIFORNIA
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DEPARTMENT OF CONSUMER AFFAIRS

California State Athletic Commission
2005 Evergreen St., Ste. #2010
Sacramento, CA 95815
www.dca.ca.gov/csac/
(916) 263-2195 FAX (916) 263-2197

Agenda Item 8.d
September 20, 2010

New Promoter Application for Licensure

Promotion Name: Montes Entertainment

Owner: Isreal Montes

Items included for licensing:

1 Photo of each applicant - **Completed**

Copy of Form BC11 8016 (Fingerprints) - **Completed**

Financial Statement of each applicant - **Completed**

Personal Resume – **Completed**

Bond/Assignment of Saving – **Completed**

Article of Incorporation/Minutes – N/A

Summary:

From reading the lead inspector's report there were no problems with the overall event. There was enough security to handle any problems that may have arisen, but there were none. The inspector was informed that the promoter pushed back the start time of the event which caused some of our officials to arrive earlier. An email was sent to inform all officials but some did not get the notice prior to going to the event.

Recommended: As the Executive Officer, I would recommend that Mr. Montes be given an extension of his temporary license for another 120 days so he may conduct another event. This will allow the Commission staff to evaluate Mr. Montes ability as a new promoter and ensure that all areas concerning the promoters responsibilities are meet. From reading the lead inspectors report, the event started late because of there was a lack of tickets sales for the event, which in the long run cost the Commission extra inspector fees. After the completion of his next event, I would not require Mr. Montes to appear Commission unless there were problems with his next event.

ISRAEL MONTES JR.

[redacted]

EDUCATION BACKGROUND

Sacramento City College-Sacramento, CA.
Cosumnes River College-Sacramento, CA.
San Joaquin Delta College- Stockton, CA.

EMPLOYMENT HISTORY

02/19/1990- Present.....Correctional Officer
Department of Corrections & Rehabilitation
CSP-SACRAMENTO, P.O. Box 29, Represa, CA. 95671

DUTIES PERFORMED

Enforce facility, institutional and departmental rules, policies, procedures, and regulations. Conduct supervision, training, report writing, investigation reports, escorting, transporting, cell searches, documentation, and other duties as necessary on a day to day basis. Serve as a translator for Spanish speaking inmates during disciplinary hearings, interviews, committees, translating documents, screening mail, and monitor Spanish speaking phone calls.

PROFESSIONAL EXPERIENCE

I have competed and assisted in several amateur boxing events, having worked with the Washington Neighborhood Center Boxing Club, referee Jon Schorle, time-keeper Stan Gordon, and Tony "The Tiger" Lopez. I've hosted and coordinated six Battle of the Badges charity boxing events since 2003. The participants consist of Peace Officers and Firefighters. This is a non-profit event which has been held at Memorial Auditorium and Raley Field. I also serve as the matchmaker, having matched over 90 bouts.

ADDITIONAL INFORMATION

I have coordinated several non-profit events including parties, barbecues, comedy shows, and basketball games. I have worked with the Sacramento Kings and several non-profit organizations including The Firefighters Burn Institute, The Sacramento Sheriff's Toy Project, and The Sac Fallen Officers Resource Fund.

Agenda Item 9

George Dodd

From: Danny Batchelder [redacted]
Sent: Monday, August 16, 2010 5:33 PM
To: George Dodd
Subject: Danny Batchelder

Mr. Dodd-

This is in regards to my prior fight in California in August 2009. After the fight I got notice of a positive test result for an illegal substance. The substance was Methastradrol. I was using Methastradrol for training, unaware of its banned status. Once made aware after the fight, I had stopped immediately.

I am very sorry for being careless and not taking the proper steps to research the substance. I take full responsibility for this mistake and have truly learned my lesson in this last year of revocation. I will now make sure an incident like this never happens again. I will be certain to take the proper steps and precautions for all my next fights. Having my license in the state of California renewed would mean very much to me. I really need this to help me support my family. I'm sorry for making the commission take time out of their day to deal with an issue like this as I know they have many more important things to do.

Once again I am sorry. I did not mean to disrespect the California Commission in any way or disrespect the sport of Boxing. I am asking forgiveness from the state of California. I would be so grateful if the state of California would forgive me and renew my license and my ability to continue my career in California as I enjoy fighting there very much. Thank you for your time and feel free to contact me at any time at [redacted]

Sincerely,

Danny Batchelder

STATE OF CALIFORNIA
dca
DEPARTMENT OF CONSUMER AFFAIRS

STATE AND CONSUMER SERVICES AGENCY • ARNOLD SCHWARZENEGGER, GOVERNOR
California State Athletic Commission
2005 Evergreen Street, Suite 2010, Sacramento, CA, 95815
P 916-263-2195 F 916-263-2197 www.dca.ca.gov/csac

August 12, 2009

Danny Batchelder
20548 N. 90th Lane
Peoria, AZ 85382

Dear Mr. Batchelder:

The results of your drug test taken on July 17, 2009 for the South Bay Promotions event in Redondo Beach are positive for Methasterone and an elevated T/E Ratio of 24.6.

The California Code of Regulations, Title 4, Article 6, Section 303 states:

a) The administration or use of any drugs, alcohol or stimulants, or injections in any part of the body, either before or during a match, to or by any boxer is prohibited.

(b) A person who applies for or holds a license as a professional boxer and who has at any time had a positive drug test confirmed by any commission for any substance described in subsection (c) shall be required as a condition of licensure or renewal to provide a urine specimen. In addition, a licensed boxer shall provide a urine specimen for drug testing either before or after the bout, as directed by the commission representative.

(c) A positive test (which has been confirmed by a laboratory utilized by the commission) for any of the following substances shall be conclusive evidence of a violation of subsection (a):

(1) Stimulants
(2) Narcotics
(3) Cannabinoids (marijuana)
(4) Anabolic agents (exogenous and endogenous)
(5) Peptide hormones
(6) Masking agents
(7) Diuretics
(8) Glucocorticosteroids
(9) Beta-2 agonists (asthma medications)
(10) Anti-estrogenic agents
(11) Alcohol

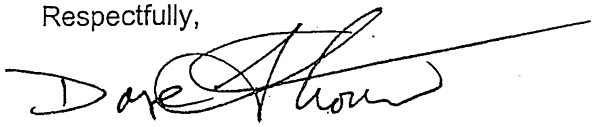
Based on the positive laboratory findings, you are temporarily suspended pending the outcome of your license revocation hearing.

The recommendation of this office that your license as a professional athlete is revoked is due to the previous violation of Rule 303 for prohibited substances stemming from your May 24, 2007 bout with James Toney.

You will be notified of the date and location of your license revocation hearing. At that time, you will have an opportunity to communicate with the Commission.

If you have any questions, please do not hesitate to contact me at any time at (916) 263-2195.

Respectfully,



Dave Thornton
Interim Executive Officer

Attention: California State Commission

August 20, 2009

To Whom It May Concern:

This letter is in regards to the July 17, 2009 fight I, Danny Batchelder, took place in. I would like to request to be on the next upcoming commission hearing to lift my suspension. I had taken over the counter supplements bought from a local nutrition store, which I was unaware contained the banned substance. I had taken this supplement for the past two years and had been previously tested with no troubles. Thank you for your consideration.

Sincerely,

Danny Batchelder
(602) 908-2975

WADA Accredited

UCLA Olympic Analytical Laboratory
Department of Pathology and Laboratory Medicine
2122 Granville Ave. Los Angeles, CA 90025
Phone (310) 825-2635 FAX (310) 206-9077

ACCREDITED
ISO/IEC 17025
Chemical Testing
Certificate: 1420-01

CONFIDENTIAL

DRUG TESTING REPORT CSAC27 (MT603)

August 10, 2009

California State Athletic Commission
Attn: Sarah Waklee
2005 Evergreen Street, Ste. 2010
Sacramento, CA 95815
Fax: (916) 263-2197

Dear Ms. Waklee:

This is a supplemental report for **CSAC 064581 = UCLA MT603**, Boxing, collection date July 17, 2009 and date received July 20, 2009.

Urine specimen number CSAC 064581 = UCLA MT603 contains:

1. Methasterone.

2. Atypical finding: The sample T/E ratio is 24.6 ± 14% (k=2). The threshold T/E ratio is 6.0. We recommend carbon isotope ratio analysis and/or longitudinal follow-up.

Yulia Kucherova		8/10/09
Certifying Scientist	Signature	Date

This report shall not be reproduced, except in full, without the written approval of the laboratory.

UCLA
WADA Accredited

UCLA Olympic Analytical Laboratory
Department of Pathology and Laboratory Medicine
2122 Granville Ave. Los Angeles, CA 90025
Phone (310) 825-2635 FAX (310) 206-9077

ACCREDITED
ISO/IEC 17025
Chemical Testing
Certificate: 1420-01

CONFIDENTIAL
DRUG TESTING REPORT CSAC27

California State Athletic Commission
Attn: Sarah Waklee
2005 Evergreen Street, Ste. 2010
Sacramento, CA 95815
Fax: (916) 263-2197

UCLA code: MT6
Sport: Boxing
Number of samples: 2
Date of laboratory receipt: 07/20/09

The laboratory analyzed the urine specimens listed below using method 1001 anabolic and masking agents.

The custody (C) is intact if indicated by 'Y'.

UCLA Code	Specimen#	Results	C	
MT603	064581	>>>>>>>>	Y	SEE LETTER OF AUGUST 10, 2009
MT604	064582	NEGATIVE	Y	

Yulia Kucherova — 8/10/09

Certifying Scientist — Signature — Date

This report shall not be reproduced, except in full, without the written approval of the laboratory.

DEPARTMENT OF CONSUMER AFFAIRS

CALIFORNIA STATE ATHLETIC COMMISSION
2005 EVERGREEN STREET, STE. 2010
SACRAMENTO CA. 95815
(916) 263-2195

CALIFORNIA STATE ATHLETIC COMMISSION
ANABOLIC AGENT / MASKING AGENT TESTING

THE FOLLOWING URINE SAMPLES HAVE BEEN TRANSFERRED FROM THE CUSTODY OF THE "RELEASING INSPECTOR" THAT ORIGINALLY COLLECTED THE URINE SAMPLE.

URINE SAMPLE FOR:	RELEASING INSPECTOR	TIME OF TRANSFER
DANNY BATCHELDER	J.D. FOREMAN	7-17-09 19:37
LANCE WHITAKER	BRUCE RASMUSSEN	7-17-07 7:37 pm

ALL COLLECTIONS COMPLETED AND DELIVERY BOX SEALED:

Accepted By: Frank Munoz
7/17/09 19:37

DEPARTURE FROM _____

UCLA OLYMPIC ANALYTICAL LABORATORY
DEPARTMENT OF PATHOLOGY AND LABORATORY MEDICINE

2122 GRANVILLE AVENUE LOS ANGELES, CA 90025 (310) 825-2635 FAX (310) 206-9077

LABORATORY/SAMPLE INFORMATION

7-17-09
Sample Collection Date

17:42
Sample Collection Time

TEST CONDUCTED FOR THE CALIFORNIA STATE ATHLETIC COMMISSION
Anabolic Steroids and Masking Agents

0	6	4	5	8	1		

SAMPLE CODE NUMBER

Specific Gravity and PH levels within range? ____ YES ____ NO

~~Specific Gravity: Greater than or equal to 1.005~~
~~PH: Not less than 5.0 and not greater than 7.5~~

DID NOT TEST

REDONDO PERFORMING ARTS CENTER
1935 MANHATTAN BEACH BLVD
REDONDO BEACH CALIF
Collection Site Name - City, State

BOXING
Sport

SOUTH BAY PROMOTIONS
Event Name

J.D. FOREMAN
Collector Name (Please print clearly)

J.D.
Collector Signature

Declaration of any recent blood transfusions, as well as any medications and other substances, including vitamins, minerals, herbs, and other dietary supplements taken during the preceding three (3) days (enter "NONE" if none declared and draw a line through any unused spaces) (attach additional information if necessary):

Name of Substance	Dosage	Date Last taken	Name of Substance	Dosage	Date Last taken
multi vitamins	1 PACK	7/17/09	NONE		
NONE			NONE		
NONE			NONE		

Consent for research (optional): By checking "I Accept" and signing in the space provided, I agree that this sample may be used for anti-doping research purposes. When analyses is completed and this sample would otherwise be discarded, it may then be used by any WADA approved laboratory for anti-doping research of any type provided that it can no longer be identified as my sample.

__ I Accept ✓ I Decline

COMPLETED BY DONOR:
I declare under penalty of perjury under the laws of the State of California that the foregoing information is true and correct; further I realize that any intentional misrepresentation may result in disciplinary action against my license. I certify that I provided my specimen to the collector; that I have not adulterated it in any manner; each specimen bottle used was sealed with a tamper-evident seal in my presence; and that the information and numbers provided on this form and affixed to each specimen bottle are correct.

DANNY BATCHELDER
Donor Name (Please print clearly)

Donor Signature

7/17/09
Date

17:42
Time

COMPLETED BY DONOR'S WITNESS:
I assisted the Donor in completing this form and declare under penalty of perjury under the laws of the State of California, that the foregoing information is true and correct; further I realize that any intentional misrepresentation may result in disciplinary action against my license.

Michelle McMeechan
Witness Name (Please print clearly)

Michelle McM
Witness Signature

7-17-09
Date

17:42
Time

WHITE - Doping Control Officer YELLOW - Laboratory PINK - Donor

1629.006 (12/08)

SOUTH BAY PROMOTIONS – JOHN ELLIS

RED CORNER	BLUE CORNER
BOUT 1 – PRO BOXING TATINA ANDERSON 143 REFEREE: RAUL CAIZ, JR. JUDGE: MAX DELUCA JUDGE: LOU FILIPPO JUDGE: DAVID DENKIN	4 ROUNDS MARIAMA SAVAGE EVERETT 143
BOUT 2 – PRO BOXING ALEX RIVERA 186 REFEREE: RAUL CAIZ, JR. JUDGE: MAX DELUCA JUDGE: LOU FILIPPO JUDGE: DAVID DENKIN	4 ROUNDS ROY TIMMONS 188
BOUT 3 – PRO BOXING JOHN ELLIS 206 REFEREE: RAY CORONA JUDGE: MAX DELUCA JUDGE: LOU FILIPPO JUDGE: DAVID DENKIN	4 ROUNDS DUSTY CALLANDER 209
BOUT 4 – PRO BOXING MATHEW ELLIS 208 REFEREE: RAY CORONA JUDGE: MAX DELUCA JUDGE: LOU FILIPPO JUDGE: DAVID DENKIN	4 ROUNDS DAVE JOHNSON 252
BOUT 5 – PRO MIXED MARTIAL ARTS JASON ANDERSON 204 REFEREE: JASON HERZOG JUDGE: GENE LEBELL JUDGE: LUIS COBIAN JUDGE: LESTER GRIFFIN	3 X 3 SEAN LOEFFLER 199
BOUT 6 – PRO BOXING LANCE WHITAKER 244 REFEREE: RAUL CAIZ, JR. JUDGE: MAX DELUCA JUDGE: LOU FILIPPO JUDGE: DAVID DENKIN	10 ROUNDS DANNY BATCHELDER 237
BOUT 7 – PRO MIXED MARTIAL ARTS ARMANDO MONTOYA 183.5 REFEREE: JASON HERZOG JUDGE: GENE LEBELL JUDGE: LUIS COBIAN JUDGE: LESTER GRIFFIN	3 X 3 CHRIS COPE 182

Agenda Item 10

STATE OF CALIFORNIA

California State Athletic Commission
2005 Evergreen Street Suite 2010
Sacramento, CA 95815
www.dca.ca.gov/csac/
(916) 263-2195 FAX (916) 263-2197

June 8, 2010

Ricky Funez
17241 Roscoe Blvd
Northridge, CA 91325

Dear Mr. Funez:

I have received your appeal of your fine and suspension. Per Business and Professional Code Section 18842. You will be placed on the agenda for the next commission meeting, which is scheduled for July 26, 2010 in Sacramento, CA.

Until your appeal is heard in front of the commission members or you pay the fine, you will remain on suspension.

If you have any questions, please feel free to contact me at any time at (916) 263-2195.

Respectfully,

George Dodd
Executive Officer

STATE OF CALIFORNIA

California State Athletic Commission
2005 Evergreen Street Suite 2010
Sacramento, CA 95815
www.dca.ca.gov/csac/
(916) 263-2195 FAX (916) 263-2197

March 17, 2010

Ricky Funez
17241 Roscoe Blvd
Northridge, CA 91325

Dear Mr. Funez:

By issue of this letter, your license as a "Second" in the State of California is suspended until you pay the fine of $1,000.00, based on the actions that you took in a bout on March 12, 2010 at the American Legion Hall while working the corner for Matt Villanueva against Ludwin Mondragon for violation of The California Code of Regulations, Title 4, Article 6, Section 360 and 390 states:

360. Abuse of Officials
No licensee shall verbally or physically abuse an official or commission representative.

390. Violation Of Laws or Rules
Any licensee who violates the laws of the State of California, with the exception of minor traffic violations, or the rules of the Athletic Commission, or who fails or refuses to comply with a valid order of a commission representative, or who conducts himself or herself at any time or place in a manner which deemed by the commission to reflect discredit to boxing, may have his or her license revoked, or may be fined, suspended or otherwise disciplined in such a manner as the commission may direct.

Per Business and Professional Code 18842, you have a right to appeal the suspension and file before the Athletic Commission. You must submit your appeal request, in writing, within 30 days of the date of this letter. Upon receipt of your request, your appeal will be included on the agenda for the next available Commission meeting.

If you have any questions, please feel free to contact me at any time at (916) 263-2195.

Respectfully,

George Dodd
Executive Officer

To. Che

From Ricky. Funez

I would like to appeal the $1,000.00 fine.

5-7-10

[redacted]

([redacted]

03-12-2010

The purpose of this letter is to explain what occurred on this date at the professional boxing show at the American Legion Hall in Reseda, California. On this night I was assigned as a referee for the professional bouts at this venue. There were seven (7) bouts scheduled and referee Wayne Hedgepath and I were scheduled to share the bouts on this evening's card. Wayne worked the first bout without incident, and the second bout came into the ring shortly thereafter. The bout was a 4 round fight and the opponents were Ludwin Mondragon, whose record was 0-3, assigned to the red corner, against Matt Villanueva , who was making his pro debut, in the blue corner.

The first round appeared to be a pretty even fight; there was a slip by Villanueva, which did not create any injury or problems for the fighter. The bell rang for the second round and both fighters immediately began to exchange punches, with little effect on each fighter. Approximately a minute into the second round Villanueva moved toward Mondragon who was now with his back near the ropes just 4 to 5 feet from the blue corner (Villanueva's corner), and on the north side of the ring.

Suddenly, Villanueva hit Mondragon with a right hook striking him on the left side of his head and causing his legs to give out and fall slightly towards his left and backwards. Mondragon fell to the canvas landing on his left side just in front of the ropes and still only 4-5 feet from the opponent's corner. I gave the mechanic for the fighter being knocked down from a legal blow and motioned with my hand to Villanueva to go to the opposite corner. I then picked the count up at "two" and began to finish the count. As I said "three" I saw Mondragon roll to his right and now lay flat on his back. Before I said "four" I saw that Mondragon eyes were very glossy and had a blank stare. I also noticed he began to shake slightly as if he was going to convulse. At this time I determined Mondragon was in an unconscious state and stopped the fight, which then I immediately called the ringside physician into the ring, Dr. Chyle Beaird.

As I kneeled next to the injured Mondragon, who was now being assessed by Dr. Beaird, I heard yelling and the statement, "I don't care, that's my fighter!" I immediately looked where the yelling was coming from, which was the blue corner area (Villanueva's corner), and saw a male identified as boxing trainer Ricky Funez, who was one of Villanueva's corner men. I saw that Funez was yelling at inspector Relyea telling him that he was allowed to go into the ring to be with his fighter (Villanueva). Relyea explained to him that he had to wait because we were tending to a down injured fighter. Funez argued with Relyea, and as Relyea turned to stop other corner people from wanting to come in, Funez climbed quickly through the ropes and nearly ran into Dr. Beaird, Mondragon, who was still laying on the floor, and me.

Supervising inspector Sid Segovia saw what was going on, when Funez was trying to convince Relyea that he can go in the ring, and had walked over to the side of the ring where all this was going on. Just as I was going to take myself away from helping Dr. Beaird to stop Funez, inspector Segovia quickly got into the ring to assist us with Funez becoming a hazard to the down fighter and now a disturbance to the situation. I went back to assist Dr. Beaird, because Mondragon was no longer unconscious but appeared to non coherent, so per Dr. Beaird we were getting paramedics to the ring to assist in getting Mondragon out and transported to the hospital. While we were trying to perform medical aid to Mondragon, Funez continued to stay in the ring, and not only be in the way, but became a second problem. I was now trying to help Dr. Beaird and possibly prepare myself to come to inspector Segovia's aid. As we were getting fighter Mondragon on a backboard, only several feet away I could hear inspector Segovia telling Funez he needed to leave the ring. I heard Funez yelling at Segovia in a threatening manner, "You can't tell me to leave the fucken ring; I have a right to be in here with my fighter!"

After hearing this I quickly looked over towards Segovia and saw Funez standing chest to chest with inspector Segovia attempting to forcibly bump Segovia out of his way by crashing his chest into Segovia's chest. I saw Segovia move backwards from the force of Funez's blow. Segovia continued to maintain his ground between Funez and his fighter Villanueva and ordered Funez to leave

the ring. Funez refused and forcibly went pass Segovia by bumping him to one side and then quickly moving to his fighter. Funez then lifted his fighter up from around the waist and begin to dance around the ring. By this time paramedics and Dr. Beaird were able to work around the disturbance Funez created in the ring and moved Mondragon to a gurney outside the ring so he could be transported to the hospital. Upon exiting the ring, Funez was contacted by the American Legion security personnel, who had been given instruction by inspector Segovia to not allow Funez to stay at the venue. The security complied and then had further issues with Funez in getting him to leave the venue.

I am signing this to indicate that my statement is true and correct to the best of my knowledge of what occurred during this incident.

Respectfully,

David Denkin

CSAC Ring Official

California State Athletic Commission

STATE OF CALIFORNIA
dca
DEPARTMENT OF CONSUMER AFFAIRS

2005 Evergreen Street, Suite 2010
Sacramento, CA 95815
Phone: (916) 263-2195 - Fax: (916) 263-2197
www.dca.ca.gov/csac/

March 12, 2010

SUBJECT: VIOLATION TITLE 4 BUSINESS REGULATIONS
DIVISION 2 STATE ATHLETIC COMMISSION
CHAPTER 1 PROFESSIONAL BOXING RULES
390. VIOLATION OF LAWS OR RULES

On or about March 12, 2010 at 2041hours, Ricky Funez worked as a "Second" in the 2nd fight at the V.F.W. 7338 Canby Avenue, Reseda, CA 91335. He is listed as an "Applicant" on the Inspector Memorandum. He was assigned to the corner of Matt Villanueva with Chief Second- Michael Booton.

Prior to this incident, On March 11, 2010, Chief Seconds received instructions at the weigh-in not to enter ring if a fighter is down. The medical staff is required to inform the State Inspectors when it is permitted for Seconds to enter the ring. The instructions were repeated to all corner personnel by Inspector Mark Relyea prior to the beginning of the second fight. Ricky Funez was present for the admonishment.

*For more information concerning the weigh-in, see the report by Inspector Sigovia

In the second round of the second fight, Matt Villanueva knocked Ludwin Mondragon unconscious. The fight was waived off by the referee. Fighter Mondragron was on his back near the blue corner with his head toward the north ropes. Ricky Funez attempted to enter the ring to celebrate immediately. The fighter was still unconscious; the Doctor had not made it into the ring. Inspector Mark Relyea blocked his entering of the ring through the ropes by standing in front of Ricky Funez. Inspector Mark Relyea instructed Ricky Funez not to enter the ring until the Physicians were through treating the fighter. Inspector Relyea diverted his attention to assisting the fighter. As he did, Ricky Funez entered the ring behind him. Inspector Relyea turned and saw Ricky Funez had disregarded his instructions and entered the ring. He told Ricky Funez a second time to leave the ring. Relyea stated "we have a hurt fighter the rules require you to leave the ring until the Physicians are through." Ricky Funez asked him "who says?" Inspector Relyea instructed him to comply with the state mandated rules and leave the ring or risk a suspension. Ricky Funez stated "he is not my fighter" and refused to comply.

Inspector Sid Segovia, who had entered the ring and took charge of dealing with Ricky Funez while Inspector Relyea returned to assisting the Physicians in treating Ludwin Mandragon who still appeared dazed.

At the direction of the Physicians, Inspector Relyea summoned the paramedics and initiated the Emergency Evacuation Plan. Inspector Relyea was requested to assist the paramedics as they placed Ludwin Mondragon on the board for transportation out of the ring.

As the paramedics were placing the injured fighter on the board, Inspector Relyea noted that Ricky Funez was lifting the winning fighter, Matt Villanueva off of the mat inside the ring in the red corner in a celebration of his victory. There were no other Seconds in the ring.

The emergency evacuation procedures were successfully followed and Ludwin Mondragon was safely removed from the ring and immediately taken to the awaiting ambulance.

Inspector Relyea investigated the violation of the state mandated rules by interviewing the Chief Second- Michael Booton regarding the conduct of Ricky Funez and his responsibility to ensure his corner personnel comply with the rules.

Chief Second Booton said that he had told Ricky Funez to stay out of the ring. He explained that Ricky Funez is an experienced Second who frequently works in Las Vegas, NV where the rules allow him to enter the ring. Chief Second Booton explained that he tried, but could not prevent Ricky Funez from entering the ring. He considered going into the ring and pulling him out, but he believed that would compound the problem and cause a further risk to the health of the fighter. Chief Second Booton apologized for the non-compliance with the rules, and stated that Ricky Funez is responsible for his decision to ignore the directions of the Inspectors and enter the ring.

Mark Relyea
Inspector – State Athletic Commission

Sid Segovia

From: "DANIEL SANDOVAL" [redacted]
To: [redacted]
Cc: [redacted]
Sent: Wednesday, March 17, 2010 1:08 PM
Subject: Ricky Funez

Daniel Sandoval USA Boxing referee from 2003 to 2009 and CSAC license professional Boxing referee from sept. 2009 to present On 3-12-2010 in Reseda Ca. at American legion hall i witness Ricky Funez being irrate and disrespectful and non compliant to chief inspecter Sid Segovia`s orders to leave the boxing ring well a injured boxer needed medical attention. May i add he has had similar incidences in the past at USA Boxing events.

I Michael J. O'Connor (working as Security Crowd Controll for this match.) [redacted] was asked to remove Ricky Funez (cornerman for Matt Villanueva) from the venue. (By Sid Segovia) When I approached. And asked him to leave was ignored when I put my hand on his shoulder to get attention he turned around and threaten to "Knock me the fuck out". I then again asked him to leave at this point he was forcefully removed by other members of his corner crew.

Michael J. O'Connor Jr

Michael J. O'Connor JR

[redacted]

:ES AGENCY PURSE ZURBLUH ARNOLD SCHWARZENEGGER, Governor

Department of Consumer Affairs

.IFORNIA STATE ATHLETIC COMMISSION
1424 HOWE AVE. STE. #33
SACRAMENTO, CA 95825
INTERNET: www.dca.ca.gov
(916) 263-2195 FAX (916) 263-2197

APPLICATION FOR LICENSE

☒ ORIGINAL ☐ RENEWAL

OFFICE USE ONLY
License #
Date App Received 2-15-09
Amount Received $ 50.00
Method of Payment PURSE
Check Number
Received By J. Russell
Receipt # 360473
Approve for License

TYPE OF LICENSE (Please check appropriate box):
All items must be submitted before we can process the application.

- ☒ Second $50 + 1 photo
- ☐ Manager $150 + Copy of Form BCII 8016 + 1 photo
- ☐ Matchmaker $200 + Copy of Form BCII 8016 + 1 photo
- ☐ Asst Matchmaker $200 + Copy of Form BCII 8016 + 1 photo

COPY OF FORM BCII 8016 FOR *ORIGINAL* APPLICATION *ONLY*.

FULL NAME: (Print)	Last	First	Middle
Ricky	Funez	Arturo	

ADDRESS: Street (No PO Box)	City	State	Zip Code
[redacted]	[redacted]	[redacted]	[redacted]

HOME PHONE NUMBER	BUSINESS PHONE NUMBER	SOCIAL SECURITY NUMBER or FEIN (Mandatory)	DATE OF BIRTH
[redacted]	[redacted]	[redacted]	[redacted]

Do you have a financial interest in any club/promoter, corporation, organization, or association conducting boxing, martial arts, or exhibitions in the state? ☐ Yes ☒ No

If answer is yes, give name(s) _____

Do you have a financial interest in any boxer or martial arts fighter? ☐ Yes ☒ No
If answer is yes, give name(s) and explain _____

Are you licensed in any other state? ☐ Yes ☒ No
If answer is yes, give license type and expiration date _____

Have you ever been convicted of any offense other than minor traffic violations? ☐ Yes ☒ No

(You must answer "Yes" even if a conviction or plea of guilty was changed, withdrawn, dismissed, discharged, set aside, or pardoned under Section 1203.4 of the Penal Code). If answer is yes, please explain and attach a copy of the conviction

_____

Have you ever had a license suspended, revoked, disciplined, or fined by the California State Athletic Commission or by any other Commission? ☐ Yes ☒ No
If answer is yes, please explain _____

Have you ever used any other name(s)? ☐ Yes ☒ No
If answer is yes, please explain _____

Experience and Qualifications:
Second Applicants Only – List experience and qualifications pursuant to Commission Rule 218(b):
10 years training Boxers

Matchmaker Applicants Only – Give details of financial agreements with your promoter/club; state whether you receive a salary or percentage of net profit or gate receipts. If you are under contract to a promoter/club, submit a copy of the contract.

Person to Notify in Case of Emergency:
Name: [redacted] Relationship: Wife
Address: [redacted] Phone Number: [redacted]
City: [redacted] State: [redacted] Zip Code: [redacted]

Authority to provide the Commission with information requested on this application is established pursuant to Section 18640, 18642, and 18660 of the Business and Professions Code. Disclosure of your social security number (or federal employer identification number (FEIN), if you are a partnership) is mandatory. Section 30 of the Business and Professions Code and Public Law 94-455 [42 USCA 405(c)(2)(C)] authorize collection of your social security number. Your social security number or FEIN will be used exclusively for tax enforcement purposes, and for purposes of compliance with any judgment or order for family support in accordance with Section 17520 of the Family Code. If you fail to disclose your social security number or FEIN, your application for initial or renewal license will not be processed AND you will be reported to the Franchise Tax Board, which may assess a $100 penalty against you.

All items in this application are mandatory; none are voluntary. Failure to provide any of the requested information will result in the application being rejected as incomplete. The information provided will be used to determine qualification for licensure. Applicants have the right to review their application subject to the provisions of the Information Practices Act. The Executive Officer is the custodian of records.

I declare under penalty of perjury under the laws of the State of California, that I have read the foregoing application for a license, that all the answers given are my own and that all the answers are true of my own knowledge. Further, I understand and agree that any misstatement of material fact in this application will constitute grounds for denying or revoking the license.

Applicant's Signature _____ Date 7-15-09

This item is VOLUNTARY. You do not have to check this box.
[ ] I hereby authorize the California State Athletic Commission to release my telephone number to any Commission licensee. This authorization shall be valid only during the calendar year in which this application is signed.

Agenda Item 11

STATE OF CALIFORNIA
dca
DEPARTMENT OF CONSUMER AFFAIRS

California State Athletic Commission
2005 Evergreen St., Ste. #2010
Sacramento, CA 95815
www.dca.ca.gov/csac/
(916) 263-2195 FAX (916) 263-2197

MEMORANDUM

To: Stakeholder

From: George Dodd, Executive Officer, California State Athletic Commission

Date: September 3, 2010

Re: **Amateur Muay Thai**

At recent California State Athletic Commission meetings there has been proposed a need for specific Amateur Muay Thai rules and oversight, separate and distinct from Amateur MMA.

There will be a stakeholders meeting to discuss these issues scheduled for 2:00 PM, October 18, 2010 in 6150 Van Nuys Boulevard Van Nuys, CA 91401, Van Nuys State Building. Any interested individuals or organizations are encouraged to submit a short written single page document outlining any concerns or possible agenda items for this stakeholder meeting. Please email these items or documents no later than September 11, 2010 to george.dodd@dca.ca.gov.

Respectfully,

George Dodd
Executive Officer
California State Athletic Commission
(916) 263-2195 or george.dodd@dca.ca.gov

Agenda Item 12

APPROVAL OF DRAFTED REGULATORY LANGUAGE

RECOMMNDED ACTION:

Staff recommends that the Athletic Commission approved the draft regulatory proposal provided on the attached copy of Sections 208, 221, 222, 226, 230, 253, 262, 288, 297, 300, 323, 340, 399, and 511, along with any edits or additional provisions that the Commission may suggest for inclusion in the regulations.

Upon approval, staff recommends that the Commission direct staff to schedule a public hearing prior to the meeting in December to adopt regulatory language to add, amend, or repeal in Chapter 1 of Division 2 of Title 16, California Code of Regulations.

BACKGROUND AND ANALYSIS:

Amend Rule 208: With the current fee of $10.00 to operate or conduct professional boxer's gymnasium, staff does not feel this fee would allow the commission to recoup the necessary cost to conduct gymnasium inspections are required by Section 18685. By raising the fee to $100.00, would allow the commission to recoup the necessary cost to conduct these inspectors and provide training to gym owners about their requirement.

Amend Rule 221, 222, 226, 230: The proposed amendments add the word promoter to each section and rule 230 requires that they be filled with the Commission 72 hours prior to the event.

Amend Rule 253: Replacing the word to "containers that are not glass".

Repeal Rule 262: Since courtesy passes fall under complimentary tickets pass, staff feel that section of the rules can be repealed.

Amend Rule 288: Since the Commission assigns the physicians to each event, the word "club" should be removed and replaced with "a physician who is approved by the Commission".

Amend Rule 297: SB 247 allows the physicals to take place 30 hours prior to the start of The event, this would allow the weigh in to take place at the same time.

Amend Rule 300: This strikes the word club from the rule and adds "Commission-appointed"

Amend Rule 323: revised to meet the current industry standard in regards to technique and materials

Adopt Rule 340: This clarifies the action that will be taken when a fighter injuries himself or when there is situation that does not fall under any rule and that fighter is unable to continue.

Amend Rule 399: This clarifies the requirements that must be might when an individual has had his licensed revoked or denied.

Adopt Rule 511: This rule is in line with boxing rule 242, setting the minimum numbers of rounds for each contest. This will protect a consumer from going to an event and only see a few fights. This will set a standard to ensure that consumers are getting what they pay for.

CALIFORNIA STATE ATHLETIC COMMISSION

Specific Language of Proposed Regulatory Changes
Draft—9-2-2010

1. Amend Rule 208 to read as follows:

208. License Fees.

Each application for a license to conduct or operate a professional boxer's gymnasium within the meaning of Section ~~18685~~ 18653 of the code shall be accompanied by the annual license fee of ~~$10.00~~ one hundred dollars ($100). Every such license expires at midnight ~~on December 31 of each year~~ one year from the date it was issued.

NOTE: Authority cited: Section 18611 and ~~18648~~ 18817, Business and Professions Code. Reference: Sections 18640, 18641, ~~and~~ 18653, 18817 and 18822, Business and Professions Code.

2. Amend Rule 221 to read as follows:

221. Provisions of Contract.

(a)The original of ~~all~~ contract~~s~~ entered into between managers and boxers and promoters and boxers shall be placed on file with the commission at the time it is approved pursuant to Rule 222. Except as provided below, a contract becomes null and void if at any time during its term the manager or promoter, after notice from the commission, is not licensed by the commission. If a manager or promoter is not licensed because the license has been revoked or suspended for 60 calendar days or more by the commission, all contracts with the manager or promoter shall become void on the 30th day after the date of the order of revocation or suspension unless a court of competent jurisdiction, upon notice to the commission, issues an order staying the commission's order within the 30-day period. If a manager or promoter is not licensed because the license has been suspended by the commission for less than 60 calendar days, all contracts with the manager or promoter are voidable by the boxer if written notice is given by the boxer to the manager or promoter and to the commission within the period of license suspension.

(b) No manager or group of managers shall be allowed to participate in more than 33 1/3 percent of the gross ring earnings of the boxer. No assignment of any part or parts of the boxer's or manager's interest in a contract, filed and approved by the commission, shall be permitted without the approval and

consent of the commission. The consent to assign shall not be granted unless a copy of the proposed assignment is submitted to the commission for its approval. No manager may negotiate or sign for matches for a boxer not under contract to him. Any boxer not having a contract with a licensed manager shall sign for his own contests and receipt for his full purse. All disputes between the parties to the contract, including the validity of the contract, shall be arbitrated pursuant to the provisions of the contract.

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18641, 18642, 18643 and 18854, Business and Professions Code.

3. Amend Rule 222 to read as follows:

222. Execution of Contract.

Unless otherwise directed by the commission, a contract between a boxer and a manager <u>or a boxer and a promoter</u> is not valid unless both parties appear at the same time before the commission or a commission representative and it receives written approval. No contract shall be approved between a manager and a boxer <u>or a promoter and a boxer</u> for a period exceeding five years. No option to extend the initial period shall be permitted.

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18641, 18642, 18643 and 18840, Business and Professions Code.

4. Amend Rule 226 to read as follows:

226. Expiration of Contract.

No manager shall be allowed to contract for the services of a boxer under his management for a match to take place on a date after the expiration of the contract between the boxer and manager.

<u>No promoter shall be allowed to contract for the service of a boxer to take place on a date after the expiration of the contract between the boxer and the promoter.</u>

Note: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18641 and 18642, Business and Professions Code.

5. Amend Rule 230 to read as follows:

230. Contract Provisions.

(a) No verbal agreement or written agreement other than a contract on the commission's official form shall be accepted by the commission.

(b) No contract between a promoter and manager or boxer shall be enforced by the commission until all contracts between the promoter and the contestants for a particular match are filed with the commission and meet the requirements of these rules and the provisions of the code applicable to professional boxing. All contracts for an event shall be filed with the commission no later than the time periods specified in Rule 240.

(c) Contracts are prohibited wherein a certain sum other than federal, state or local government taxes is taken by the club from the gate receipts or, where applicable, receipts from the sale, lease, transfer, or other exploitation of broadcasting and television rights, before a boxer is paid a percentage of the balance of said receipts for his or her services. Deductions may be allowed only if the amount to be deducted is clearly specified and itemized in the contract signed by the club with the boxer. If the commission determines that the deductions are not sufficiently itemized and specific, it may disallow such deductions.

(d) "Blanket contracts" or options on a boxer's services shall not be recognized unless written approval is obtained from the commission.

(e) Contracts wherein a boxer agrees to accept a certain percentage for his services with the understanding that at the same time he is to pay his opponent a stipulated amount of this percentage are not acceptable to the commission unless such a contract is submitted to the commission for examination and approval.

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18641, 18642, 18660, 18661 and 18854, Business and Professions Code.

6. Amend Rule 253 to read as follows:

253. Drinks.

Clubs shall be responsible to see that all drinks are dispensed in ~~paper cups~~ containers that are not glass.

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, Business and Professions Code.

7. Repeal Rule 262.

~~262. Courtesy Passes.~~

~~(a) Upon receipt of written permission from the commission, licensed clubs may issue script, exchange slips, courtesy or advertising passes or such other types of passes as may be approved by the commission.~~

~~Approved passes shall have plainly printed thereon the date of the show, as well as the value and the number of seats to which the pass entitles the bearer thereof. The pass shall be exchanged at the box office for a ticket and the holder shall present such ticket for admission to the ticket taker at the door, the rest of the ticket other than the stub, remaining in the box office to be checked as unsold tickets against the passes in the locked ticket boxes. Both ends of the ticket and the pass must be punched or clipped.~~

~~(b) If a club issues passes good only for general admission tickets, such passes shall be printed as specified above. The bearer shall exchange the pass for a ticket which shall be sold from a special roll, the ticket shall be presented for admission to the ticket taker, who shall deposit it in the locked ticket box and passes shall remain in the ticket office, to be checked as unsold tickets against the number of tickets taken from the special roll as shown by the opening and closing numbers. No pass shall be issued for more than one general admission.~~

~~NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18824 and 18872, Business and Professions Code.~~

8. Amend Rule 288 to read as follows:

288. Ringside Physicians.

Ringside physicians shall meet all of the following criteria:

(a) The physician shall possess a current and unrestricted license issued by the Medical Board of California or the Board of Osteopathic Examiners.

(b) A physician who has not previously been a ringside physician shall hold staff privileges in medicine, surgery, or emergency medicine in a general acute care facility accredited by the Joint Commission on Accreditation of Health Organizations.

(c) A physician who has not previously been approved as a ringside physician shall attend at least two ringside physician training clinics which are sponsored by the commission.

(d) A physician who has not previously been approved as a ringside physician shall be precepted at six (6) contests by a ringside physician, and receive a satisfactory evaluation on at least five (5) of the precepted contests. The preceptee may act as the second physician in attendance at a contest.

(e) "Ringside physician," as used in this section, means a ~~club~~ physician who is approved by the commission to attend boxing and martial arts contents as required by Section 18705 of the code.

NOTE: Authority cited: Sections 18611 and 18705.5, Business and Professions Code. Reference: Sections 18705 and 18705.5, Business and Professions Code.

9. Amend Rule 297 to read as follows:

297. Weighing Time.

Contestants shall be weighed ~~within 24 hours of the scheduled match~~ not more than 30 hours prior to the beginning of the first match, at a time and place designated by the commission, in the presence of a commission representative on scales approved by the commission. A club may obtain advance written permission of the commission to allow preliminary boxers to weigh in and be examined not later than one hour before the scheduled time of the first match on the card. All weights shall be taken with the contestants stripped.

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18706 and 18728, Business and Professions Code.

10. Amend Rule 300 to read as follows:

300. Time for Examinations.

A thorough physical and eye examination shall be given each contestant by the ~~club~~ commission-appointed physician at least one hour before the contestant enters the ring to compete. Referees also shall be given physical examinations immediately before officiating at any match.

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18705 and 18706, Business and Professions Code.

11. Amend Rule 323 to read as follows:

323. ~~Bandages.~~ Hand Wraps.

A hand wrap shall consist of only the following materials applied as specified in this regulation.

~~Bandages shall not exceed the following restrictions:~~

(a)~~One winding~~ A single layer of surgeon's adhesive tape, not ~~over one and one-half inches wide~~ not to exceed two inches in width, placed directly on the hand to support the hand and wrist ~~protect that part of the hand near the wrist~~. Said tape ~~may cross the back of the hand twice but~~ shall not extend within one inch of the knuckles when the hand is clenched to make a fist.

(b) ~~Contestants shall use~~ ~~soft surgical~~ ~~bandage~~ Gauze not over two inches wide, which may be held in place by a total of not more than ~~ten~~ twenty yards of surgeon's adhesive tape for each hand. Not more than twenty yards of ~~bandage~~ gauze may be used to complete the wrappings for each hand.

(c) ~~Bandages~~ Hand wraps shall be applied in the dressing room in the presence of a commission representative and both contestants. Either contestant may waive his privilege of witnessing the bandaging of his opponent's hands.

(d) No more than three layers of tape and gauze shall be applied.

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640 and 18714, Business and Professions Code.

12. Adopt Rule 340 to read as follows:

340. Method of Scoring When There Is an Injury Not Resulting from a Foul.

(a) If the referee determines that the injured fighter was responsible for his own injury, the referee will not penalize his opponent in any manner. In this case, if the referee or ringside physician determines that the injured fighter is unable to continue, he will lose by "technical knockout."

(b) If the referee determines that no fault was attributable to either fighter, the referee shall allow the injured fighter reasonable recovery time, not to exceed 5 minutes. If, at the end of the recovery period, the referee or the ringside physician determines that the injured fighter cannot continue, the bout will be decided on the score cards if the bell has rung to begin the fourth round or, if the bell has not rung to start the fourth round, the bout will be called a technical draw.

NOTE: Authority cited: Sections 18611, Business and Professions Code. Reference: Sections 18640 and 18733, Business and Professions Code.

13. Amend Rule 399 to read as follows:

399. Procedure When License Denied or Revoked.

(a) Any applicant who has been denied an application for a license may not file a similar application until one year from the date of the last previous denial by the commission. Any application filed within the one year period may be denied without the necessity of a hearing.

(b) Any ~~one~~ person who has had his or her license revoked may not petition for reinstatement or apply for a new license until one year after the date of such revocation. Any petition for reinstatement filed within the one year period may be denied without the necessity of a hearing.

(c) When considering the denial or reinstatement of a license, the commission, shall consider the following criteria in evaluating the rehabilitation of the applicant or petitioner and his or her present eligibility for a license:

(1) The nature and severity of the act(s) or crime(s) that led to license revocation or that are under consideration as grounds for denial.

(2) Evidence of any act(s) or crime(s) committed subsequent to the act(s) or crime(s) that led to revocation or that are under consideration as grounds for denial.

(3) The time that has elapsed since commission of the act(s) or crime(s) referred to in subsections (1) or (2).

(3) The extent to which the applicant or petitioner has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the applicant or petitioner.

(4) Evidence, if any, of rehabilitation submitted by the applicant or petitioner.

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640, 18641, 18642, 18840 and 18841, Business and Professions Code.

14. Adopt new Rule 511 to read as follows:

511. Number of Rounds Scheduled.

Clubs shall not schedule less than 21 rounds, nor more than 36 rounds, except with the approval of the commission for any one program. A standby bout shall be provided in the event an arranged card breaks down, and if it is necessary to put on another bout in order to meet the minimum requirement.

NOTE: Authority cited: Section 18611, Business and Professions Code. Reference: Sections 18640 and 18725, Business and Professions Code.

Agenda Item 13

California State Athletic Commission
Legislative Proposal to
Place Limits on Number of Licensed Referees/Judges
Draft—6-21-2010

Add Section 18641.5 to Article 3 of Chapter 2 of Division 8 of the Business and Professions Code to read as follows:

18641.5. Number of Referees/Judges.

(a) The commission shall license the number of referees/judges which is sufficient to carry out the purposes of this chapter.

(b) In determining the number of referees/judges needed, the commission shall take into consideration the industry's current economic trends, fluctuations in the number of events, and whether the need for referees is increasing or decreasing.

(c) The number of referees/judges which may be licensed pursuant to this chapter shall be established by a resolution adopted by the commission at a duly noticed public meeting.

California State Athletic Commission
Legislative Proposal
Draft—9/3/2010

Amend subdivision (c) of Business and Professions Code Section 18711 to read as follows:

(c) The cost of the examinations required by this section shall be paid from assessment on any one or more of the following: promoters of professional matches, managers, and professional athletes or other contestants licensed under this chapter. The rate and manner of assessment shall be set by the commission, and may cover all costs associated with the requirements of this section. This assessment shall be imposed on all contests approved by the commission under this chapter. ~~As of July 1, 1994, a~~ All moneys received by the commission pursuant to this section shall be deposited in and credited to the State Athletic Commission Neurological Examination Account which is hereby created in the ~~General~~ Athletic Commission Fund.

Agenda Item 14

California State Athletic Commission
2005 Evergreen St., Ste. #2010
Sacramento, CA 95815
www.dca.ca.gov/csac/
(916) 263-2195 FAX (916) 263-2197

Agenda Item 14
September 20, 2010

Athletic Commission Sunset Review Report < DRAFT >

Attached is a recently developed Sunset Review Report on the Athletic Commission that addresses some past deficiencies and issues. The Commission was audited in 2003, 2005, 2007, 2009, and then again addressing these concerns with a letter from the Joint Committee on Sunset Reviews in March 2010.

As you may already know their purpose is to review boards and commissions to evaluate whether they are effective, efficient, and administering to the public a necessary function or what they were originally intended for. Back in 1995, the Joint Committee was put into place to review all 32 independent boards and programs under the Department of Consumer Affairs.

Please examine what was prepared in addressing the concerns brought out in these audits, our responses and remedies, to bring our Commission forward with improvements.

PART 1.

California State Athletic Commission

BACKGROUND AND DESCRIPTION OF THE BOARD AND PROFESSION

The California Athletic Commission (Commission) was created by an initiative in 1924 and is now a part of the Department of Consumer Affairs (DCA). The Commission was established regarding the concern of the number of boxer, kick-boxer and martial art athlete injuries/deaths inflicted in the ring and the increasing involvement of unethical persons, management and promoters conducting the events. Prior to the Commission, no government agency existed that provided oversight and safety for the boxer participants. Today the Commission oversees the licensing, testing of the athletes and running of events throughout the state with a seven member Commission panel, five appointed by the Governor, with the other two appointed by the Senate Rules Committee and the Speaker of the Assembly. The Commission consists of the following individuals with currently one vacant position:

John Frierson, Chair – A 26 year veteran of the Los Angeles Police and Sheriff's Departments. He has been a member of the Los Angeles Transportation Commission since 2001, and is currently its Vice President. *Appointed by the Speaker of the Assembly, August 18, 2008 to January 1, 2011*

Christopher Giza, Vice Chair – Dr. Giza is an assistant professor at UCLA, David Geffen Scholl of Medicine, a pediatric neurologist at UCLA's Mattel Children's Hospital and a researcher at the UCLA Brain Injury Research Center. Dr. Giza is board certified in neurology and child neurology by the American Board of Psychiatry and Neurology. *Appointed by the Governor, April 13, 2007 to January 1, 2011*

VanBuren Lemons – Dr. Lemons is a neurosurgeon and a medical expert in brain injuries in athletes, particularly in amateur and professional fighters. Prior to the Commission, he served on the Commission's Advisory Committee on Medical and Safety Standards which worked to determine minimum medical testing standards, reviewing health and safety standards. *Appointed by the Senate Rules Committee, October 15, 2009 to January 1, 2011*

Eugene Hernandez – Mr. Hernandez served as chief of police for Chino, captain and lieutenant for Orange Police Department. He is chair of the Yorba Linda/Placentia YMCA, member of the Rotary Club of Chino and member of the National Management Association. *Appointed by the Governor, March 1, 2010 to January 1, 2013*

Steve Alexander – President of his public affairs company, Steve Alexander Group, previously a regional director with Burson-Marsteller, vice president of Stoorza, Ziegaus and Metzger, and president of Westwind Real Estate Services. Mr. Alexander is also a former chair of the Medical Board of California. *Appointed by the Governor, March 1, 2010 to January 1, 2013*

DeWayne Zinkin – Mr. Zinkin is a lawyer with a practice since 1972 and is the owner and operator of Zinkin Development. *Appointed by the Governor, March 1, 2010 to January 1, 2013*

The Commissioners have been thoroughly engaged in all the scheduled hearings; at least six meetings per year are on the calendar. The focus is addressing the ongoing issues of ensuring safety and proper licensing of fighters, promoters and officials. The panel has been actively involved in all financial aspects by continuing to keep costs controlled in field operations and on an administrative level.

There are approximately 11,538 licensees with the Commission for FY 2009/10. The following provides licensing data for the past four years:

LICENSING DATA FOR [PROFESSION]	FY 2006/07	FY 2007/08	FY 2008/09	FY 2009/10
Total Licensed California Out-of-State	Total: 9,738 N/A	Total: 10,212 N/A	Total: 10,386 N/A	Total: 11,538 N/A
Applications Received	Total:	Total:	Total:	Total:
Applications Denied	Total: *	Total: *	Total: *	Total: *
Licenses Issued	Total: 9,738	Total: 10,212	Total: 10,386	Total: 11,538
Renewals Issued	Total:	Total:	Total:	Total:
Statement of Issues Filed	Total: N/A	Total: N/A	Total: N/A	Total: N/A
Statement of Issues Withdrawn	Total: N/A	Total: N/A	Total: N/A	Total: N/A
Licenses Denied	Total: N/A	Total: N/A	Total: N/A	Total: N/A

The denial of licenses is very small, not exceeding 2% of the total. Applications received that are considered deficient are triaged by staff in obtaining the needed information for completion. There are very few applicants who fail to provide the needed information, causing the application to be eventually abandoned if there is no correspondence. A small percentage are licensees who have been previously revoked or denied, which require the applicant to appear before the Commission to be confirmed for licensing.

Applicants filing an appeal involve the Attorney General's Office (AG), which has been used at various times throughout current & previous fiscal periods:

FY 06/07 = 2 AG cases filed
FY 07/08 = 8
FY 08/09 = 22
FY 09/10 = 11

OTHER LICENSURE CATEGORIES (If Applicable)	FY 2006/07	FY 2007/08	FY 2008/09	FY 2009/10
Total Licensees (By Type) N/A	Total: N/A	Total: N/A	Total: N/A	Total: N/A
Licenses Issued (By Type) N/A	Total: N/A	Total: N/A	Total: N/A	Total: N/A
Renewals Issued (By Type) N/A	Total: N/A	Total: N/A	Total: N/A	Total: N/A
***(Notes)**				

BUDGET AND STAFF

Current Fee Schedule and Range

A portion of the revenue coming in to the Commission is from licensing fees paid, however most revenue comes from ticket and television taxes collected from each event. Last fiscal year's tax draw was approximately $1.5 million, in contract licensing fees amounted to bringing in an estimated $200k. Gate taxes will always be high with larger events being held throughout the state, although the Commission is reexamining some of the current fee categories; aligning to costs associated with licensing procedures. However, the Commission also wants to remain fair by keeping licensing costs reasonable for the industry and sport.

Fee Schedule	Current Fee	Statutory Limit
Application Fee	See chart below	
Exam Fee	N/A	N/A
Admin. Fee	N/A	N/A
Original License Fee	N/A	N/A
Renewal Fee (Etc.)	See comments	

	Current Fee	Statutory Limit
Professional Club	$1,000	$1,000
Amateur Referee/Judge	$50.00	$50.00
Professional Referee	$150.00	$150.00
Professional Manager	$150.00	$150.00
Second	$50.00	$50.00
Timekeeper	$50.00	$50.00
Professional Boxer	$60.00	$60.00
Professional Judge	$150.00	$150.00
Matchmaker	$200.00	$200.00
Asst. Matchmaker	$200.00	$200.00
Exam Fee	N/A	
Admin. Fee	N/A	
Original License Fee	N/A	
Renewal Fee	same as above	

DRAFT

Renewal Fees – Each year the Commission requires applicants to send in a new application with fees to ensure licensing data is the most current. The fighter industry is at times a fluid business of licensees coming and going in the business. At times fighters will disappear in the business and take hiatus from the sport, but then return back after several years to be licensed again. Therefore, a new application each year accompanies licensing fees being paid in updating the database system.

Revenue and Expenditure History

The last six fiscal periods have shown the Commission being more careful with expenditures, the Athletic Commission being a self-sufficient agency. The previous Commission members and the newly hired Executive Officer closely monitor costs that are controlled within the operation, as well as new innovative ideas and techniques are being used for increased operation efficiency. The use of the Arbiter software program assists in assigning athletic inspectors located near where events are being held; the program can determine who is available, proximity, and contacting options in assigning staff, cutting down on travel and overtime costs.

The previous and current Commission and executive officers have taken an active role in keeping the costs controlled, monitoring closely the monthly expenditure reports to keep costs in line with fiscal projections.

	Actual				Projected	
REVENUES	**FY 06-07**	**FY 07-08**	**FY 08-09**	**FY 09-10**	**FY 10-11**	**FY 11-12**
Gate Taxes	$1,281,921	$1,516,774	$1,516,224	$1,592,299	$1,980,000	$1,980,000
License Fees	$287,520	$252,215	$328,336	$151,672	$513,000	$513,000
Fines & Penalties	$35,379	$90,566	$77,036	$31,210	$ -	$ -
Interest	$59,628	$46,791	$23,235	$6,547	$14,000	$19,000
Other Income	$67,941	$10,691	$606	$4,350	$1,000	$1,000
TOTALS	$1,697,010	$1,826,471	$1,868,401	$1,754,868	$2,508,000	$2,513,000

	Actual				Budgeted	
EXPENDITURES	**FY 06-07**	**FY 07-08**	**FY 08-09**	**FY 09-10**	**FY 10-11** Budget	**FY 11-12** Budget
Personnel Services	$741,967	$1,001,069	$1,031,080	$883,375	$1,459,189	$1,459,189
Operating Expenses	$813,446	$926,112	$831,124	$926,643	$960,811	$960,811
(-) Reimbursements	$ -	$ -	$ -	$ -	$ -	$ -
(-) Distributed Costs	$ -	$ -	$ -	$ -	$ -	$ -
TOTALS	$1,555,413	$1,927,181	$1,862,204	$1,810,018	$2,420,000	$2,420,000

Expenditures by Program Component

EXPENDITURES BY PROGRAM COMPONENT	FY 06-07	FY 07-08	FY 08-09	FY 09-10	Average % Spent by Program
Enforcement*	$808,815	$1,002,134	$968,346	$941,209	52%
Examination	$ -	$ -	$ -	$ -	0%
Licensing	$326,637	$404,708	$391,063	$380,104	21%
Administrative	$419,962	$520,339	$502,795	$488,705	27%
Diversion (if applicable)	$ -	$ -	$ -	$ -	0%
TOTALS	$1,555,413	$1,927,181	$1,862,204	$1,810,018	100%

*Includes Athletic Inspector wages, travel, and all AG, Evidence Witness Fees, and Court Reporter services

Fund Condition

FUND CONDITION	FY 08-09	FY 09-10	FY 10-11 (Budget Yr)	FY 11-12 (Projected)	FY 12-13 (Projected)	FY 13-14 (Projected)
Total Reserves, July 1*	$942,000	$951,000	$888,000	$1,438,000	$1,951,000	$2,428,000
Total Rev. & Transfers	$1,868,000	$1,755,000	$2,508,000	$2,513,000	$2,518,000	$2,522,000
Total Resources	$2,810,000	$2,706,000	$3,396,000	$3,951,000	$4,469,000	$4,950,000
Total Expenditures	$1,862,000	$1,818,000	$1,958,000	$2,000,000	$2,041,000	$2,093,000
Reserve, June 30	$948,000	$888,000	$1,438,000	$1,951,000	$2,428,000	$2,857,000
MONTH IN RESERVE	6.3	5.4	8.6	11.5	13.9	16.0

*Reflects adjusted beginning balance (prior year adjustment) were applicable

LICENSURE REQUIREMENTS

Education, Experience and Examination Requirements

Licensees are not tested nor given examinations in their trade, but instead evaluated based on their fight or event experience. Fighters are either licensed as an Amateur or Professional, which criteria involving their training and previous fight statistics, along with financial bond determines what level of licensing they will fall in to.

[NAME OF NATIONAL TEST IF GIVEN]				
	NATION-WIDE		CALIFORNIA ONLY	
YEARS	TOTAL CANDIDATES	PASSAGE RATE	TOTAL CANDIDATES	PASSAGE RATE
FY 2006/07	N/A		N/A	
FY 2007/08	N/A		N/A	
FY 2008/09	N/A		N/A	
FY 2009/10	N/A		N/A	
* NOTES				

[NAME OF CALIFORNIA EXAMINATION IF GIVEN]				
	FY 2006/07	FY 2007/08	FY 2008/09	FY 2009/10
CANDIDATES	N/A	N/A	N/A	N/A
PASS %				
* NOTES				

AVERAGE DAYS TO RECEIVE LICENSE	FY 2006/07	FY 2007/08	FY 2008/09	FY 2009/10
Application to Examination	N/A	N/A	N/A	N/A
Examination to Issuance	N/A	N/A	N/A	N/A
Total Average Days				

Continuing Education/Competency Requirements

N/A

Comity/Reciprocity With Other States

N/A

ENFORCEMENT ACTIVITY

ENFORCEMENT DATA	FY 2006/07	FY 2007/08	FY 2008/09	FY 2009/10
Inquiries	Total:	Total:	Total:	Total:
Complaints Received (Source) Public Licensee/Professional Groups Governmental Agencies Other	Total:	Total:	Total:	Total:
Complaints Filed (By Type) Competence/Negligence Unprofessional Conduct Fraud Health & Safety Unlicensed Activity Personal Conduct	Total:	Total:	Total:	Total:
Complaints Closed	Total:	Total:	Total:	Total:
Investigations Commenced	Total:	Total:	Total:	Total:
Compliance Actions ISOs & TROs Issued Citations and Fines Public Letter of Reprimand Cease & Desist/Warning Referred for Diversion Compel Examination	Total:	Total:	Total:	Total:
Referred for Criminal Action	Total:	Total:	Total:	Total:
Referred to AG's Office Accusations Filed Accusations Withdrawn Accusations Dismissed	Total:	Total:	Total:	Total:
Stipulated Settlements	Total:	Total:	Total:	Total:
Disciplinary Actions Revocation Voluntary Surrender Suspension Only Probation with Suspension Probation Probationary License Issued	Total:	Total:	Total:	Total:
Probation Violations Suspension or Probation Revocation or Surrender	Total:	Total:	Total:	Total:
*** NOTES**				

NUMBER AND PERCENTAGE OF COMPLAINTS DISMISSED, REFERRED FOR INVESTIGATION, TO ACCUSATION AND FOR DISCIPLINARY ACTION				
	FY 2006/07	FY 2007/08	FY 2008/09	FY 2009/10
COMPLAINTS RECEIVED				
Complaints Closed				
Referred for Investigation				
Accusation Filed				
Disciplinary Action				

Case Aging Data

AVERAGE DAYS TO PROCESS COMPLAINTS, INVESTIGATE AND PROSECUTE CASES				
	FY 2006/07	FY 2007/08	FY 2008/09	FY 2009/10
Complaint Processing				
Investigations				
Pre-Accusation*				
Post-Accusation**				
TOTAL AVERAGE DAYS* **				

*From completed investigation to formal charges being filed.
**From formal charges filed to conclusion of disciplinary case.
***From date complaint received to date of final disposition of disciplinary case.

The Commission filed 15 cases in the 2009/10 fiscal period, which 13 of those have closed within the year.

INVESTIGATIONS CLOSED WITHIN:	FY 2006/07	FY 2007/08	FY 2008/09	FY 2009/10	AVERAGE % CASES CLOSED
90 Days					
180 Days					
1 Year					
2 Years					
3 Years					
Over 3 Years					
Total Cases Closed					

AG CASES CLOSED WITHIN:	FY 2006/07	FY 2007/08	FY 2008/09	FY 2009/10	AVERAGE % CASES CLOSED
1 Year				13	87%
2 Years					
3 Years					
4 Years					
Over 4 Years					
Total Cases Closed					
Disciplinary				2	

Cite and Fine Program

The Commission staff fines fighters and promoters at fights for violations including safety, conduct, fighter equipment violations (gloves, hand wrap, pads, technique) and illegal drug usage to name a few.

CITATIONS AND FINES	FY 2006/07	FY 2007/08	FY 2008/09	FY 2009/10
Total Citations				
Total Citations With Fines	$35,379	$90,566	$77,036	$31,210
Amount Assessed				
Reduced, Withdrawn, Dismissed				
Amount Collected	$35,379	$90,566	$70,036	$31,210

Diversion Program (If Applicable)

N/A

DIVERSION PROGRAM STATISTICS	FY 2006/07	FY 2007/08	FY 2008/09	FY 2009/10
Total Program Costs				
Total Participants				
Successful Completions				
Unsuccessful Completions				

Results of Complainant Satisfaction Survey

The Commission does not measure consumer satisfaction data, however this year has implemented a new independent, no-cost privately operated program where fighters, promoters, officials, and others in the industry can fill out a simple Web survey form of each event held. The form also captures comments from individuals on the Commission and Athletic Inspector's role at particular fights.

Questions:
Thinking about your most recent contact with CSAC, how would you rate the availability of staff to assist you?
78% "Excellent to Very Good"

When you contacted us were your service needs met? If not, please explain.
95% reported "Yes"

How would you rate the services of the Inspectors?
84% reported "Very Good"

When you visited our web site, how would you rate the ease of locating information?

When you visited our web site, how would you rate the ease of locating information?
45% reported "Excellent to Very Good"

Some actual comments…
"I would like to see medical records kept by CSAC to be better organized so there is not so much back and forth. I would like to send you a sample of how our promotion does - it's a great system. Thank you and keep the good work. CSAC is the best it has been and is get better and more knowledge of the sports each day."

"I will gladly participate in this survey but will anything be done? NO. On the CSAC website an old meeting regarding the past E.O. that has been terminated should be removed it is a definite negative for California, also the Inspectors in office that have cell phones should be listed on the website, after all we citizens are paying for the use of cell phones or issue one cell phone so public can contact an inspector on Friday's or weekends, if not the phones should be returned and that would provide the State of California some monies. The CSAC does not include Amateur Promoters on updates, you need to include these clubs of any changes bu the CSAC."

CONSUMER SATISFACTION SURVEY RESULTS*

QUESTIONS	Percent Satisfied by Calendar Year			
# Surveys Mailed: **# Surveys Returned:**	**2006**	**2007**	**2008**	**2009**
1. Were you satisfied with knowing where to file a complaint and whom to contact?	N/A			
2. When you initially contacted the Board, were you satisfied with the way you were treated and how your complaint was handled?	N/A			
3. Were you satisfied with the information and advice you received on the handling of your complaint and any further action the Board would take?	N/A			
4. Were you satisfied with the way the Board kept you informed about the status of your complaint?	N/A			
5. Were you satisfied with the time it took to process your complaint and to investigate, settle, or prosecute your case?	N/A			
6. Were you satisfied with the final outcome of your case?	N/A			
7. Were you satisfied with the overall service provided by the Board?	N/A			

* Boards under review may conduct a consumer satisfaction survey to determine the public's views on certain case handling parameters. A sample list of questions has been provided. You may use more or fewer questions. Boards may take a random sampling of closed complaints and disciplinary actions for a four year period. Consumers who filed complaints should be asked to review the questions and respond to a 5-point grading scale (i.e., 5, 4, 3 =satisfied to 1, 2 =dissatisfied). The percent of satisfaction for each of the past four years would be provided in the appropriate columns.

ENFORCEMENT EXPENDITURES AND COST RECOVERY

Average Costs for Disciplinary Cases

AVERAGE COST PER CASE INVESTIGATED	FY 2006/07	FY 2007/08	FY 2008/09	FY 2009/10
Cost of Investigation & Experts				
Number of Cases Closed				
Average Cost Per Case				
AVERAGE COST PER CASE REFERRED TO AG	**FY 2006/07**	**FY 2007/08**	**FY 2008/09**	**FY 2009/10**
Cost of Prosecution & Hearings		$68,267	$124,424	$175,888
Number of Cases Referred		8	22	11
Average Cost Per Case		$8,534	$5,656	$15,990
AVERAGE COST PER DISCIPLINARY CASE				

Cost Recovery Efforts

The Commission does not have activities or cases involving cost recovery efforts.

COST RECOVERY DATA	FY 2006/07	FY 2007/08	FY 2008/09	FY 2009/10
Total Enforcement Expenditures	N/A	N/A	N/A	N/A
# Potential Cases for Recovery*	N/A	N/A	N/A	N/A
# Cases Recovery Ordered	N/A	N/A	N/A	N/A
Amount of Cost Recovery Ordered	N/A	N/A	N/A	N/A
Amount Collected	N/A	N/A	N/A	N/A

*The "Potential Cases for Recovery" are those cases in which disciplinary action has been taken based on a violation, or violations, of the License Practice Act.

RESTITUTION PROVIDED TO CONSUMERS

RESTITUTION DATA	FY 2006/07	FY 2007/08	FY 2008/09	FY 2009/10
Amount Ordered	N/A	N/A	N/A	N/A
Amount Collected	N/A	N/A	N/A	N/A

COMPLAINT DISCLOSURE POLICY

N/A

TYPE OF INFORMATION PROVIDED	YES	NO
Complaint Filed		
Citation		
Fine		
Letter of Reprimand		
Pending Investigation		
Investigation Completed		
Arbitration Decision		
Referred to AG: Pre-Accusation		
Referred to AG: Post-Accusation		
Settlement Decision		
Disciplinary Action Taken		
Civil Judgment		
Malpractice Decision		
Criminal Violation: Felony Misdemeanor		

CONSUMER OUTREACH, EDUCATION AND USE OF THE INTERNET

The Athletic Commission has reinforced its outreach by better utilizing the Athletic Inspector's role at events by recently offering free training seminars that are held throughout the state. The training series are taught by the inspectors, but also more importantly are at times led by outside industry experts that have mastered their craft. The Commission tries to hold these classes at the actual events, where the participants and officials directly benefit and can be convenient for maximum attendance.

During these sessions, forms, guide sheets and brochures are made available to promote safety standards and a resource for regulatory and industry information. An essential element is the contact the Athletic Inspectors, Executive Officer, and other staff have with the fight industry that opens the doorway for better communication and transparency.

The Commission is hosted by the Department's Web site that has licensing, regulatory resources, and a developed Q & A page. The site also links to various parts of Department of Consumer Affairs for providing information about consumer protection, how to file a complaint, and host of other contacts.

PART 2.

Athletic Commission

COMMISSION'S RESPONSE TO ISSUES IDENTIFIED AT PRIOR SUNSET REVIEW

ISSUE #1. Strategic Plan Development
In September 2010, the Commission with the new Executive Officer has adopted a Strategic Plan 2010-2012 (attached) that reflects the mission and vision of regulating sporting events. A focus on health and safety issues, promoting fairness, better evaluations and training of officials, evaluating and updating new safety standards, strengthening the screening criteria of fighters, and holding training clinics semi-annually are a few of the new changes being implemented.

The Strategic Plan includes a focus on operational efficiency and effectiveness, with continuing development in creating operational desk procedures, a licensing data base system, and working with staff on training and development while fostering upward mobility opportunities.

In 2010, the Executive Officer newly hired in February and recently hired Assistant Executive Officer in August, are re-evaluating all areas of the office that were specifically addressed in past audits, from processing procedures, cashiering conflicts, record retention, as well as understanding what to look for in improving practices that were found to be lacking.

The Strategic Plan also focuses on public awareness by being more proactive with reaching out to stakeholders through training and contact. The Commission will continue to work closely with the Department's Public Affairs and Publications Units to extend further into reaching the public and the industry.

More importantly, the development of performance measures to better evaluate the Commission with its past performance problems, and the changes made in 2010, to how we will be evaluated in future years. The last Commission Plan was developed in 2005, with numerous audits pointing out the deficiencies, the vast majority of the items not being implemented at all. Today, the Commission is shared and reported to about the specific problems, as well with Department leads to be more standardized, but also able to adhere to the unique requirements and responsibility of the Athletic Commission meetings.

ISSUE #2. Sufficient Revenue and Spending Controls
The last fiscal periods have shown that spending and controlling costs have been achieved. The Commission is able to sustain itself, no longer needing General Fund augmentation, by closely monitoring operational costs, especially with personnel expenditures. Athletic

Inspectors are carefully scheduled, using technology to assist in assigning personnel close in proximity to the events – a reduction in travel and labor costs have been realized. The commission continuing to keep a lean staff of 10 in the office that is prevailing with no backlog, despite the Governor's Furlough Program. Computers and equipment are being smartly utilized, replacing older or outdated personal computer units when needed. Please refer to the tables that show a balanced revenue and expenditure record with reserve months.

ISSUE #3. Unorganized and Improper Accounting
The various audits, dating back to 2003, have shown cashiering issues with having no or very little procedures in place for cash handling practices. Over the past years it has improved with tighter controls on who is assigned to handle funds, receipting and keeping record of the transactions. Currently we only take checks, no cash, to ensure security and the safety of employees in the field. This includes prompt deposits, usually within two days, accompanied with licensing packets to show relationship/tracking between funds and paperwork. After a show, these packets are sent to the Sacramento headquarters for immediate processing, the funds are then sent over to the Department's cashiering unit for depositing. The staff involved at headquarters for cashiering has separated these from their normal duties to achieve accuracy and balance of the accounting procedure.

The Commission is also changing the receipting procedure, with the development of a standardized receipt book system that will better identify the transaction taking place, providing immediate validation to the licensee, tracking control numbers that correspond with the documents being submitted for processing.

A formal desk and field procedural plan is being developed to support the new cashiering policy and will be re-evaluated periodically to determine the appropriateness and/or efficiency of the new steps developed.

ISSUE #4. Outdated Information Systems
Past audits revealed that the Commission was working with an outdated database used to license individuals. Working with the Department's Information Services Unit, a temporary database has been installed to allow for capturing information; however additional modules for reporting ability will not be implemented until the end of the 2010 year. The system is being populated with past licensing information and should be available to do reports and have the license look-up feature for the public early in 2011. This particular database is designed to integrate with the Department's plan to have a main department-wide system in place by 2013.

ISSUE #5. Management Vacancies and Staffing
The Commission is operating at full staffing capacity, with the Executive Officer position being filled in February 2010, Assistant Executive Officer hired in August, and all Office Technicians, a Management Services Technician and Associate Government Program Analyst, along with the Assistant Chief Athletic Inspector and field Athletic Inspector positions. The Chief Athletic Inspector is being held vacant to align with the Governor's cost savings measures, which we hope to fill when the state's financial situation improves.

DRAFT

ISSUE #6. Professional Boxers Pension Fund

The fund remains stable and well funded with some positive investment accumulation. During 2008/2009 the fund took a slight loss with the conservative investment areas, but with 2010 showing more stable market signs along with continued contributions.

The healthy balance still is contributed to the Commission not having a mechanism in place to contact former fighters. A market or outreach plan still needs to be developed to address this misconnection with fighters entitled to benefits. The Commission needs to develop a tracking system off the licensing database to be able to understand who potentially qualifies.

From 2001-2004 it was recorded that only $36,000 in benefits were paid with only about 14% of the boxers being vested. In 2005, only 43 participants were eligible for retirement benefits totaling just $430,000. As of September 2010, the account is well funded at $5,225,000, with 106 boxers eligible for benefits this past year.

ISSUE #7. Neurological Examination Fund Status
This particular special fund continues to grow but never gets utilized. The current balance is $598,000, showing continued growth. The Commission is looking to into ways to utilize the money for research and more outreach to fighters who could be suffering from neurological head injuries.

ISSUE #8. Regulation of Amateur Mixed Martial Arts (MMA)
In 2009 the Commission delegated authority for regulating and overseeing MMA events to a newly formed non-profit organization called California Amateur Mixed Martial Arts Organization (CAMO). The Commission continues to work closely CAMO to monitor the organization's actions, fee structure, and how they stand by their word in promoting safety and health standards. Mr. Lappen and Mr. Steele comprise of the organization's leadership team, seem to be forthright and respective to the Commission's oversight. MMA continues to be one of the fastest growing sports in the nation, increasing the licensing population of the Commission substantially, making it more important on CAMO's critical role in the Amateur division class.

DRAFT

BACKGROUND PAPER FOR HEARING
JANUARY 6, 2004

ATHLETIC COMMISSION

IDENTIFIED ISSUES, QUESTIONS FOR THE COMMISSION AND BACKGROUND CONCERNING ISSUES

GENERAL INFORMATION: The State Athletic Commission (Commission) was created by initiative of the people of California in 1924. The Commission is responsible for protecting the health and safety of boxers, kickboxers and martial arts fighters by administering the laws relating to the State Boxing Act. It also must comply with the federal Professional Boxing Safety Act and Muhammad Ali Boxing Reform Act. Functionally, the Commission consists of four components: licensing, enforcement, regulating events and administering the Professional Boxers' Pension Fund (Pension Fund). Its responsibilities include establishing requirements for licensure, issuing and renewing licenses, approving and regulating events, assigning ringside officials, investigating complaints received, and enforcing applicable laws by issuing fines and suspending/revoking licenses. There are approximately 100 professional boxing events, 150 amateur boxing events and 70 professional/amateur full-contact martial arts events held in California each year.

PRIOR SUNSET REVIEW: The Joint Legislative Sunset Review Committee (Joint Committee) last reviewed the Commission four years ago (1999/2000). The Joint Committee identified a number of issues and problem areas concerning the Commission and made the following recommendations: (1) the state should continue regulating boxing and other contact sports; (2) continue the present regulatory structure of the Commission; (3) the Commission should review whether its licensing fees should be increased and identify alternative funding mechanisms to ensure that its critical consumer protection is continued; (4) the Commission should take various steps to make the Pension Fund sustainable; (5) the Commission should pursue an opinion from the Attorney General on what authority it may have to enforce its health and safety standards for boxing matches held in Indian casinos and what assessments of the Commission's may be collected; (6) the Joint Committee shall seek a Legislative Counsel Opinion to determine if the Commission has current authority to set regulatory standards for pregnancy testing. If not, then the Commission should conduct a public hearing to address this issue before pursuing legislation to grant it authority to establish standards for pregnancy testing; and (7) the Commission should review whether peace officer status for the Commission's inspectors is necessary, or whether other qualifications for employment should be required to assure inspectors have adequate and independent enforcement authority.

In October 2003 the Commission submitted its required sunset report to the Joint Committee. In this report, information of which is provided in Members' binders, the Commission described actions it has taken since the Commission's prior review.

The following are unresolved issues pertaining to this Commission, or areas of concern for the Joint Committee, along with background information concerning the particular issue. There are questions that staff has asked concerning the particular issue. The Commission was provided with these issues and questions and is prepared to address each one if necessary.

CURRENT SUNSET REVIEW ISSUES

COMMISSION ADMINISTRATION ISSUES

ISSUE #1: A recent operational audit conducted by the Department of Consumer Affairs reveals that the Commission is experiencing many operational deficiencies, which are hindering its ability to comply with all applicable laws and regulations.

Question #1 for the Commission: *What is the Commission doing to implement a sound strategic planning process for measuring the effectiveness of its operations? What steps is the Commission taking to improve its accounting and collection process? Is the Commission implementing standardization for its files? What steps is the Commission taking to maximize its collection of revenues available under the law? How much money would the Commission need to update its information technology system and are there less expensive alternatives that the Commission can take? What is the Commission doing to ensure that its inspectors are properly trained and consistently enforcing the law? What is the Commission doing to improve its licensing process? Are field inspectors issuing licenses? Has the Commission implemented a tracking system for all complaints it receives?*

Background: The Department of Consumer Affairs' (Department) Internal Audit Office (Office) recently completed an operational audit of the Commission. The audit examined the Commission's strategic planning process and its core business operations, with the focus relating to the oversight of professional boxing. The audit revealed that the Commission is experiencing many operational deficiencies, which are hindering its ability to comply with all applicable laws and regulations. Recent budget cuts have also contributed to the ineffectiveness of several operational activities.

The audit found that the Commission lacks a sound strategic planning process for measuring the effectiveness of its operations. This conclusion was based in part on a finding that the Commission did not follow many recommended state strategic planning guidelines, including a monitoring system which would enable management to assess its progress in meeting defined goals. The audit recommended that the Commission adopt a monitoring schedule of routine progress reports to assess its success in achieving goals and objectives and that the Commission should work with the Department's E-Government and Special Programs Division to revise its strategic plan.

The audit identified several deficiencies such as inaccurate revenue collections, inappropriate cash handling procedures, missing documentation and disorganized show files. The Office concluded that the Commission needs to take steps to address these issues because it runs the risk of not enforcing the laws and regulations enacted to protect the health and safety of boxers. The Office recommended that the Commission take steps to improve its accounting and collecting process, implement a quality control process to enhance proper record keeping, and adequately train its staff to ensure they understand their responsibilities and duties relative to all applicable laws and regulations.

The audit found that the Commission's information technology system is outdated and contributes to many of the Commission's inefficient operations. The Office recognized that given the current fiscal crisis that the Commission's ability to replace its outdated system is severely limited but, found that other steps could be taken to enhance its operations by using existing technology and resources.

The audit found that the Commission's licensing process could benefit from several improvements. The audit revealed that the Commission needs to improve its licensing operations, in particular same-day licensing handled by its field inspectors. While the Office noted that licenses are being processed in a timely manner and staff is generally enforcing licensing requirements, it also found several licensing procedures not being consistently performed. As a result, many deficiencies were noted which increase the risk of approving applicants who may not qualify under the law. The Office recommends that the Commission formalize its licensing process by establishing a written procedural manual and implementing a quality control system to provide further assurance that licensing requirements are satisfied and properly documented. Additionally, inspectors need to be adequately trained to ensure they understand all licensing requirements.

Finally, the audit found that the Commission does not have a tracking mechanism for all of the complaints it resolves and that the Commission needs to enhance its complaint handling process.

ISSUE #2: The Pension Fund has experienced a consistent decline in value over the last three years.

Question #2 for the Commission: *What is the Commission doing to ensure the long-term viability of the Pension Fund? What can the Commission due to reduce the Pension Fund's operating expenses? Is it appropriate to house the Pension Fund somewhere else?*

Background: Pursuant to Section 18881 of the Business and Professions Code, the Commission is required to establish a pension plan for boxers who engage in boxing contests in California. Originally created in 1981, the pension plan was changed from a "defined benefit" plan to a "defined contribution" plan in 1996. The pension plan is no longer funded by contributions from boxers, managers and promoters. Funding is now based on a per-ticket assessment (both tickets sold and complimentary tickets) for each professional boxing event. The per-ticket assessment was established at 46 cents per-ticket but was subsequently increased to 88 cents per-ticket.

According to the recently completed operational audit, the Office verified the fact that the Pension Fund has experienced a consistent decline in value over the last three years. The decrease can be attributed mainly to the loss of value in the Wachovia Investment Fund in which the majority of the pension contributions are invested. In January 2000, the investment fund consisted of $3,394,501; in January 2003, the balance was $2,634,880. The Office noted the Commission expends a relatively large amount of the Pension Fund on staff time and administration costs. The Pension Fund supports a half-time staff services analyst position and during the past five fiscal years, 74% to 92% of the Pension Fund's operating expenses were related to consultant or attorney fees. While future market conditions may offset the recent losses suffered in the Wachovia investment account, continued high administration costs could impact the future pension benefits of boxers enrolled in the plan.

COMMISSION POWERS & ENFORCEMENT ISSUE

ISSUE #3: Should the Commission be arbitrating disputes between boxers and managers?

Question #3 for the Commission: *What is the yearly average number of disputes submitted to the Commission? Why are these arbitrated by the Executive Officer and not the Commission? If the Commission had to pay the Attorney General for these services, on average how much would each dispute cost? Is there a consistent problem/theme in these disputes? Is the Commission doing something to educate its licensees to avoid initial and repeat offenders? What other types of enforcement cases are handled by staff?*

Background: According to the Commission's current report to the Joint Committee, the Commission has an Arbitration Committee and the functions of this committee have been delegated by the Commission members to the Executive Officer. The Arbitration Committee is responsible for reaching binding arbitration decisions in boxer/manager contractual disputes. The Commission's report indicates that the majority of complaints are received from licensees in regard to boxer/manager contract disputes. In instances of boxer/manager contract disputes, either party may request mediation assistance. All requests must be directed to the Commission in writing. These disputes may involve an arbitration hearing, which, due to the authority vested in the Commission, do not involve an arbitration law judge. Licensed boxers submit 98% of the arbitration requests received by the Commission. The formal arbitration is conducted by the Executive Officer with legal counsel provided by the Office of the Attorney General.

COMMISSION BUDGETARY ISSUES

ISSUE #4: The Commission is seeking the authority to change from a General Fund agency to a special fund agency. Should the Commission continue as a General Fund agency or be changed to a special fund agency?

Question #4 for the Commission: *Will the Commission be self-reliant during FY 04-05? If so, what specifically has changed in the Commission's budget to eliminate its reliance on the General Fund? Are there benefits, besides the free 600 yearly hours of attorney time from the Office of the Attorney General, the Commission will lose by changing to a special fund agency? How will the Commission cover these losses?*

Background: According to the Commission's current report to the Joint Committee, although the Commission is a General Fund Agency it is a revenue producing agency in which all collected revenues are deposited back into the General Fund. The Commission has historically relied on the General Fund for approximately 3-4% of its budget. These General Fund deposits help offset the Commission's expenditures. The Commission's current report indicates that due to budget reductions in FY 01-02 and FY 02-03 the Commission's revenues now exceed the budget appropriation.

According to the recently completed operational audit, in fiscal year 2003-04, the Commission's General Fund appropriation was reduced by $41,060, and it may still be subject to the 16% cut included in its reduction plan submitted to the Department of Finance. If the reduction plan is approved, the Commission's appropriation would drop to $540,120, which would reflect a 39% reduction from the fiscal year 2001-02 appropriation amount.

According to the Commission, budget cuts have restricted its ability to conduct mandated training clinics for officials working the events; administer competency exams required to be licensed as a referee, judge, manager, promoter or matchmaker; and assign the optimal number of inspectors to oversee competitions. According to the audit, these shortcomings have the potential to significantly compromise the health and safety of competitors. The lack of inspector clinics and/or insufficient inspectors regulating events also increases the likelihood of applicable laws and regulations not being adequately enforced.

According to the audit, the Commission is pursuing a legislative proposal and a Budget Change Proposal (BCP) to eliminate its reliance on the General Fund. The Office believes the Commission is taking a proper course of action for establishing a secure funding source for its support activities. Additionally, establishing a special fund could heighten receptiveness to potential fee increases since the monies would directly benefit industry activities instead of being deposited into the General Fund.

ISSUE #5: Do the Commission's revenue sources need to be changed in light of the fact that it receives money from an event it does not regulate – wrestling – and for a program it no longer operates – the Neurological Examination Program?

Question #5 for the Commission: *How much and what percentage of the Commission's budget comes from wrestling events? How much and what percentage of the Commission's budget comes from the neurological fee? Is there anything else the Commission receives money from but provides no regulatory function?*

Background: While the Commission's authority to regulate wrestling was repealed in 1989 (AB 1040, Floyd, Chap. 757, Statutes of 1989), its authority to collect a 5% gate "tax" remains. According to the Commission's current report to the Joint Committee, its major source of revenue is the 5% gate tax on live professional boxing events and professional wrestling exhibitions.

Pursuant to Business and Professions Code Section 18711, all professional boxers are required to pass a neurological examination as a condition of licensure. While the Commission completely revised the neurological examination program in 1997, promoters are still being assessed 60 cents per-ticket sold and complimentary tickets. A neurological examination is still required and must be administered by a neurologist or neurosurgeon; however, the Commission no longer requires applicants to be seen by a neurologist or neurosurgeon under contract with the Commission. An applicant may now be examined by any licensed neurologist or neurosurgeon in any state.

According to the recently completed operational audit, in an effort to address its funding shortage, the Commission has been using the Boxers' Neurological Assessment Account (Neuro Fund) to support staff working on non-related neurological activities. The Office believes the Neuro Fund should be used only for neurological-related activities as specified in law. The Office believes the Commission has been incorrectly charging personnel expenses equivalent to one full-time staff services analyst position to the Neuro Fund. Current law states the Commission may assess promoters, managers, or professional boxers to fund the Neuro Fund to cover all costs associated with the exam requirement. The audit identified the two staff that the Commission was charging half of their time to the Neuro Fund and found their daily activities only include a very small portion of time related to the exam requirement. Furthermore, the audit noted that an office technician performing licensing activities is responsible for reviewing the neurological exam results, but none of her time is charged to the Neuro Fund. The Office does not believe all of the neurological-related activities performed by Commission staff constitute the work of a full-time position.

ISSUE #6: The Commission charges promoters a $1500 flat fee for events on tribal lands instead of the 5% assessment on the gross sale of tickets. The Commission does not collect from promoters the per ticket assessment for the Professional Boxers' Pension Program for events on tribal lands.

Question #6 for the Commission: *When was the $1500 fee established? How did the Commission arrive at this amount and is it still enough to cover the Commission's expenses? Has the Commission tried to collect the per ticket assessment from the promoters for events on tribal lands?*

Background: The Commission performs supervisory services at events on tribal lands for a flat fee of $1500. According to the Commission's current report to the Joint Committee, state laws are not applicable on sovereign land and it is not uncommon for 25% of California bouts to take place on reservations. The Federal Boxing Act does authorize state athletic commissions to supervise live boxing events held on tribal land if that particular tribe does not have a tribal athletic commission with health and safety rules at least equal to those of that particular state. The Commission supervises all professional boxing events held on tribal land at the request of the majority of the tribes whether there is a tribal athletic commission in place or not. According to the Commission's current report to the Joint Committee, it is seeing lost tax revenue based upon gross ticket sales because the Commission performs supervisory services for a flat fee of $1,500. Another drawback to these events is that the Commission cannot collect the per ticket assessment for the Professional Boxers' Pension Plan contributions. Additionally, since no contributions are made to the pension plan, the rounds that the boxers accumulate do not count toward the pension plan's vesting or benefit criteria.

During the Commission's prior review, the Joint Committee recommended that the Commission take steps to make the pension fund sustainable, including, negotiating revisions to the fee for overseeing events on tribal lands and reviewing the current level of ticket assessments.

COMMISSION LICENSING ISSUES

ISSUE #7: AB 1074 (Chavez) would require a boxer who is rendered unconscious during a professional boxing match to undergo a magnetic resonance imaging (MRI) examination of the brain within 24 hours of being rendered unconscious. The MRI examination results would be provided to either a neurologist or a neurosurgeon who would give an opinion in writing whether the boxer is fit to compete after any period of suspension that may be applicable by a statute or regulation. This measure was held in the Senate Business and Professions Committee so that the Joint Committee could review it.

Question #7 for the Commission: *Does current law provide enough protections for boxers rendering AB 1074 unnecessary or is it meritorious? Is this something that the Medical and Safety Standards Advisory Committee has or can consider?*

Background: According to the Commission's current report to the Joint Committee, professional boxing has long been known as a "blood sport" where the object is to render an opponent unconscious. The testing of licensees is crucial due to the nature of the sport and the fatal consequences that could occur if unqualified people are licensed.

All professional boxers are required, pursuant to Business and Professions Code Section 18711, to pass a neurological examination as a licensing condition. According to the Commission's current report to the

Joint Committee, a neurological examination such as this has shown that multiple blows to the brain and prolonged blunt force trauma can significantly contribute to irreversible neurological brain damage. If these tests can detect even subtle physical changes a boxer's health and safety will not be compromised. In addition to the neurological testing requirement as a condition of licensure, all professional fighters must submit negative laboratory results relative to the presence of antibodies to the human immunodeficiency virus (HIV) and the presence of the antigen of virus hepatitis type B (HBV) and hepatitis type C (HCV).

Business and Professions Code Section 18645 creates, within the jurisdiction of the Commission, an Advisory Committee on Medical and Safety Standards. The committee shall consist of six licensed physicians and surgeons appointed by the Commission. The Commission may call meetings of those physicians and surgeons at such times and places as it deems appropriate for the purpose of studying and recommending medical and safety standards for the conduct of boxing, wrestling, and martial arts contests.

AB 1074 (Chavez) was introduced earlier this year and would require a boxer who is rendered unconscious during a professional boxing match to undergo a magnetic resonance imaging (MRI) examination of the brain within 24 hours of being rendered unconscious. Additionally, AB 1074 required the MRI examination results to be provided to either a neurologist or a neurosurgeon who would give an opinion in writing whether the boxer is fit to compete after any period of suspension that may be applicable by a statute or regulation. According to the Author, "current law does not sufficiently protect the health and safety of boxers. Boxing brings with it the danger of injury and even permanent harm. The point of professional boxing is to render your opponent unconscious. In striving to achieve this objective, boxers aim to punch an opponent's head. If someone is knocked out due to a blow, they lose consciousness because they have suffered damage to the brain. A punch landing on the head causes a vast number of brain cells to die, it can kill an individual and can lead to long-term or chronic brain damage. Moreover, there is some evidence that blows to the head can trigger future Alzheimer's Disease and perhaps, even the etiology of Parkinson's disease." The Author ultimately agreed to make this a two-year bill so that this matter could be discussed as part of the Joint Committee's review of the Commission.

ISSUE #8: The Commission has attempted and failed to receive spending authority to implement mixed martial arts proposed regulations.

Question #8 for the Commission: *How much would it cost the Commission to regulate mixed martial arts? How does the Commission propose covering these costs – can they be absorbed with existing resources, both revenue and staff? What harm can occur (is occurring), and to whom, if the Commission does not receive the authority to regulate this activity? Will the Commission also regulate this activity on tribal land?*

Background: According to the Commission's current report to the Joint Committee, since its last review, the Commission has failed in its attempt to implement mixed martial arts regulations and secure additional funding. It appears that the Commission has attempted these regulations at least two times – in 2000 and 2003.

According to the supporting documentation provided by the Commission for its most recent attempt (2003) to regulate mixed martial arts, pursuant to Business and Professions Code Section 18640, the Commission has sole direction, management, control of, and jurisdiction over all professional/amateur kickboxing and full contact mixed martial arts contests. The current regulations only address

kickboxing and do not provide for regulation of other full contact martial arts disciplines per Business and Professions Code Section 18640. Some sections of the current kickboxing regulations are antiquated and are no longer relevant to what is happening in international competition.

A new form of martial arts has surfaced known as mixed martial arts or "submission fighting." These bouts employ such techniques as choke holds and joint manipulation to force an opponent to submit or "tap-out." This is basically a "grappling" sport which is full contact. Because these events are full contact mixed martial arts, they should be regulated by the Commission pursuant to the Business and Professions Code Section 18640.

ISSUE #9: It appears unnecessary for the Commission to continue licensing or regulating gymnasiums, sparing partners and assistant matchmakers.

Question #9 for the Commission: *When is the last time the Commission had an applicant or a licensee for any of these 3 categories? Are these categories outdated and in need of revision or can they be eliminated without putting the public or another licensee at risk?*

Background: The Commission is authorized to license and regulate gymnasiums, sparing partners and assistant matchmakers. Business and Professions Code Section 18641 provides that the Commission may license clubs to conduct, hold, or give, and shall license referees, judges, matchmakers, and timekeepers, and may license assistant matchmakers and corporation treasurers, to participate in, or be employed in connection with, professional or amateur boxing contests, sparring matches or exhibitions.

Business and Professions Code Section 18643 provides that no professional boxer shall spar for training purposes with any person not licensed as a professional boxer or who does not have a sparring permit. The Commission may issue a permit to spar with professional boxers for training purposes. This permit shall be issued only to persons who meet the physical and mental requirements for licensure as a professional boxer.

Business and Professions Code Section 18653 provides that no person shall conduct or operate a professional boxers' training gymnasium unless he or she has a license issued by the Commission.

According the Commission's current report to the Joint Committee, there are currently no licenses issued for any of these 3 categories.

ISSUE #10: The Commission's licenses expire December 31st of each year.

Question #10 for the Commission: *Which of the Commission's licensing categories does it believe need to have a 1- year cycle and why?*

Background: According to the Commission's current report to the Joint Committee, all Commission licenses expire December 31st of each year. The report also indicates that the licensing program is 20% of the Commission's budget and the dollar amount spent for FY 02-03 was $136,566.

ISSUE #11: The Commission licenses, regulates and trains ringside physicians but does not assess a licensing fee.

Question #11 for the Commission: *How many individuals are currently licensed by the Commission as ringside physicians? Approximately how much does the Commission spend licensing, regulating and training these physicians? How often do these physicians need to be trained and can someone besides Commission staff perform this task? Is an examination required? If so, is this part of the training?*

Background: According to the Commission's current report to the Joint Committee, officials and ringside physicians must pass a written examination relative to the laws and regulations of the Commission. These officials and physicians are required to attend clinics every six months for in-depth training. These clinics are conducted by senior Commission staff and veteran officials. Business and Professions Code Section 18731 requires referees and physicians to attend these clinics on such topics as the recognition and diagnosis of serious or life-threatening, boxing-related and neurological injuries and disorders and referee mechanics.

Agenda Item 15

STATE OF CALIFORNIA
dca
DEPARTMENT OF CONSUMER AFFAIRS

California State Athletic Commission
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September 1, 2010

The Honorable Gloria Negrete McLeod, Chair
Senate Committee on Business, Professions and Economic Development
State Capitol Room 2053
Sacramento, CA 95814

The Honorable Mary Hayashi, Chair
Assembly Committee on Business, Professions, and Consumer Protection
State Capitol, Room 3013
Sacramento, CA 95814

Madame Chairs:

This report is submitted pursuant to the California Business and Professions Code Section 18618, which was enacted in Assembly Bill 329/Nakanishi (Chapter 2, stats. of 2007).

The bill requires the Commission to report to the Governor and the Legislature with findings and recommendations concerning the State Athletic Commission Neurological Examination Account on or before July 30 2010. This report shall include the amount collected from each promoter pursuant to Section 18711, the purpose for which moneys in the account are expended, and findings and recommendation on the amounts, appropriateness, and effectiveness of these assessments. The next portion of the report will discuss the condition of the Boxers' Pension Fund. This report shall include a recommendation on whether the fund should be continued and, if so, whether it should be expanded to include all athletes licensed under this chapter and appropriate fees paid into the funds.

As shown in attachment A, the Neurological Examination Account is well funded and in a healthy state to fund the necessary requirements that the Commission is currently looking to support. This includes an in depth study of the effects that combative sports has on these individuals that choose to participate in them. The Commission is in agreement there is a need to create a medical database that would track and indentify trends in medical records and data associated with injuries and deaths associated with competing in combative sports. For FY-10, the Athletic Commission collected $157,000 from 205 events regulated by the Commission, reflecting $616,000 as the current balance. The recommendation of the Commission is to stop supporting the Neurological fund at its current state because of the robust amount. The Commission would like to revisit funding the account in approximately five years. This would allow the Commission to set up the necessary database required to track trends in fighters and would allow the Commission the flexibility to fund the account in the future if necessary. Currently the Athletic Commission conducts a mini-mental status examination designed optimally to assist in the diagnosis of dementia, particularly Alzheimer type, but not specially post-traumatic dementia. Although the cost of conducting the test is less expensive than an extension neurological examination or a computerized testing system, this examination is not a true determination of the neurological state of a combative athlete.

The recommendation of the Commission is as follows: 1) Adopt the Neuropsychology examination. This examination is based on adding limited neuropsychological tests to a more

conventional neurological examination. It was reportedly tested on a number of individuals and those with abnormalities then was tested with the standardized neuropsychological testing; showing an 85% correlation between the modified California State Athletic Commission neuro and the lengthier and expensive standardized testing. Furthermore, the data generated was reportedly reviewed by an expert committee of neurologist/brain injury specialists, who indicated that it was a valid measure for determining neurological degradation in combative sport athletes. An advantage of this testing is that is easily done in a few additional minutes with pen and pencil testing at the time of the neurological testing. There would be some extra training or familiarization necessary among neurological doctors to successfully implement this measure. The disadvantages include no peer-reviewed validation, difficulty administering the test in a language other than English, test-retest learning, and no easy way to compile the results to perform a validation study or additional research regarding cognitive function in combative sports. 2) Adopt an addition to the Neurological study that would include one of the newer computerized Neuropsychological testing programs. The advantage of this program is that these programs are easy to administer, available in other languages, minimize test-retest learning and provide a digital record for future reference. The disadvantage include instructions of neurological doctors in the proper implementation of the test, determining standards for passing scores when used as a screening test for combative sports, and potential for using the results (return to combative action review). Both of cost of these programs could be funded with the current Neurological funds. By conducting both tests it would allow the Commission to validate the computerized based testing for combative sports with the adopted extensive neurological examination.

California is the only state that provides a type of fund that provides some sort of pension when a boxer reaches the age of 50. The Commission is proud of this accomplishment and highly recommends that it be expanded to other professional combative sports that the Commission regulates. Although this would bring an extra financial cost to the promoters, but since the Commission is recommending to temporarily stop funding of the neurological account, this could be absorbed from that fund. This fund is a defined contribution plan that is paid by each professional promoter and tribes that hold events in California. A boxer does not have to be a resident of the State of California to participate in the fund. The only requirements is that he/she must become vested into the fund by fighting in at least 10 scheduled rounds per calendar year during each of the four calendar years without an intervening bread in service and has fought in at least seventy-five scheduled rounds without a break in services. The distribution of funds is conducted in one of three ways: 1) lump sum at the age of 50 years of age, 2) upon death, 3) Vocational Early Retirement once he/she has reached age 36 and retires from boxing. Recently, the Athletic Commission extended the service contract of Raymond James Financial Services, Inc. to act as a discretionary investment adviser, an independent fiduciary, and an investment manager with our strict oversight to conservatively invest within the contract guidelines. Again as with the Neurological fund, the Boxer Pension fund remains in a health status. In July 2005, an audit was conducted on the boxer pension that listed some areas of concern for continuing the fund this program. Of those concerns, the Athletic Commission has made changes that would make more individuals to become vested in this program. Currently out of 1,046 boxers, there are 472 vested.

Respectively,

George Dodd
Executive Officer

Agenda Item 16

State of California

Department of Consumer Affairs
State Athletic Commission
DRAFT Strategic Plan
2010 - 2012

CALIFORNIA STATE

CSAC

ATHLETIC COMMISSION

Mission Statement

The California State Athletic Commission is dedicated to the health, safety and welfare of participants in regulated competitive sporting events, through ethical and professional service.

Vision Statement

California is the premier model for the safety and fairness of regulated sporting events.

Goal# 1 Health & Safety
The Commission will continue to foster a safe and healthy environment for regulated competitive sporting events.

Objective 1. Continue the evaluations and training of officials. Ongoing.

Objective 2. Review and update regulations pertaining to safety at events by June 30, 2011.

Objective 3. Continue to evaluate and update new safety standards and products. Ongoing, performed primarily by the Medical and Safety Standards Advisory Committee and at the direction of the Commission. Safety standards will be updated by June 30, 2011.

Objective 4. Strengthen the screening of fighters entering the professional ranks to ensure they possess the necessary skills. Modify screening criteria by January 1, 2012.

Objective 5. Hold clinics semi-annually for inspectors, referees and physicians, as mandated by Business and Professions Code Sections 18615 and 18731. Ongoing.

Objective 6. Continue to ensure that all required examinations and blood test results have been completed prior to licensure. Ongoing.

Objective 7. Establish a medical database for surveillance of health and safety sport-related issues among fighters licensed in California. January 1, 2012. [While the neurological and maybe even the CT/MRI scan results would be a part of this, the medical database would also include weight, hydration and other non-neurological data such as fight records.]

Goal #2 Operational Efficiency & Effectiveness
The Commission will develop and maintain operational efficiency and effectiveness.

Objective 1. Create a licensing database for licensing fighters by September 1, 2010.

Objective 2. Review information technology and upgrade its application by January 30, 2011.

Objective 3. Work with the Department of Consumer Affairs' (DCA) Office to conduct process review and improvement of the Commission's business processes, including, but not limited to, licensing, cash handling, complaint handling and calculations at events by March 30, 2011.

Objective 4. Develop a desk manual on the above business process review, as well as instructions and training for employees for placing necessary licensure information and other data into the central files and, as appropriate, other data entry by June 30, 2011.

Objective 5. Review the use and assignment of Athletic Inspectors, and modify current policy and procedures, if necessary, by September 30, 2010.

Objective 6. Evaluate the cost-effectiveness of existing programs, including the cost to train ringside physicians, referees, timekeepers and judges, and make modifications to processes/fees as necessary by May 30, 2011.

Objective 7. Develop Individual Development Plans (IDPs) for all staff, and ensure that they receive all mandatory and other training. Ongoing, with first group of IDPs completed by August 30, 2010.

Objective 8. Ensure that all data is maintained in central files at the Commission's headquarters and, as appropriate, entered into the computer system. Ongoing.

Objective 9. Implement changes, as appropriate, recommended in the October 2003 Audit Report by December 30, 2010.

Objective 10. Compile monthly statistics as to how judges score the same fight by March 30, 2011.

Objective 11. Review and modify California contracts and methods of paying officials to ensure they conform to the provisions of the Muhammad Ali Act by January 30, 2011.

Objective 12. Develop performance measures for staff by November 30, 2010.

Goal #3 National / International Leadership
The Commission will work with national and international regulatory bodies to lead the development of optimal, uniform regulatory standards.

Objective 1. Work with Association of Boxing Commissioners (ABC) and other sanctioning bodies to ensure a parallel level of safety is maintained or exceeded. Ongoing.

Goal #4 Promote Diversity
The Commission will actively promote diversity in the Commission's staff and its licensees.

Objective 1. Identify the primary communities from which the boxing industry derives its participants by September 30, 2010.

Objective 2. Conduct outreach within these communities. Ongoing, beginning October 2010.

Objective 3. Work with DCA's Human Resources Office to recruit for inspector positions and licensed officials from the diverse communities comprising the public and participants in California. Ongoing

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Goal #5 Pension Plan
The Commission will assess the value, use and impact of the pension plan.

Objective 1. Review the existing plan by June 30, 2011.

Objective 2. Make recommendations on modifications, if necessary, to the Commissioners by August 30, 2011.

Objective 3. Adopt modifications, if necessary, by October 1, 2011.

Objective 4. Conduct an annual evaluation of the pension plan to ensure it meets the Commission's mission and vision.

Goal #6 Neurological Program
The Commission will assess the value, use and impact of the neurological program.

Objective 1. Review the existing fee assessment and fund level by January 30, 2011.

Objective 2. Make recommendations on uses for the assessment to the Commissioners by March 30, 2011 and adopt any necessary changes by May 1, 2011.

Objective 3. Improve the current neurological examination by January 30, 2012.

Goal #7 Promote Commission Public Awareness
The Commission will proactively communicate its mission, vision and goals to stakeholders.

Objective 1. Establish a standard for existing outreach, information and presentations to other state commissions, including the Association of Boxing Commissioners (ABC), by December 30, 2010.

Objective 2. Continue development of educational and informational materials. Ongoing.

Objective 3. Working with DCA's Public Affairs Office, develop a communications plan for the Commission, which will include meetings with appropriate sports media (e.g., writers, editorial boards, television, etc.) by January 30, 2011.

Objective 4. Work with DCA's Public Affairs Office to develop and distribute proactive news releases and respond, as appropriate, to statements about boxing. Ongoing.

Goal #8 Resource Optimization

The Commission will develop and maintain adequate resources to achieve the Commission's goals.

Objective 1. Review staffing levels and workloads and develop a Budget Change Proposal (BCP), if necessary, to augment existing staff by January 1, 2011.

Objective 2. Evaluate existing funding sources and make modifications if necessary. Ongoing, completed each year by March 30.