



California State Athletic Commission  
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## CALIFORNIA STATE ATHLETIC COMMISSION MEETING

Monday, August 24, 2009

8:30 AM to 3:15 PM

Junipero Serra State Building  
 Carmel Room  
 320 West 4<sup>th</sup> Street  
 Los Angeles, CA 90013

### Minutes

#### Commissioners Present:

Timothy Noonan, Chairman  
 John Frierson  
 Christopher Giza, M.D.

Mario Rodriguez, Vice-Chairman  
 June Collison

#### Commissioners Absent:

Peter Lopez  
 Howard Rose

#### Staff Present:

Dave Thornton, Interim Executive Officer  
 Bill Douglas, Assistant Executive Officer  
 Che Guevara, Acting Assistant Athletic Insp.  
 James Maynard, DCA Legal Counsel  
 Heather Jackson, Student Assistant

Gil De Luna, CSAC Manager  
 Sidney Segovia, Athletic Inspector  
 Anita Scuri, DCA Legal Counsel  
 Larry Ervin, Athletic Inspector

#### Members of the Audience

Marty Denkin  
 Paul Wallace, M.D.  
 Doreatha Johnston, DCA Deputy Director, Legal Affairs  
 Ray Corona  
 Karen Chappelle, Deputy Attorney General

Jack Reiss  
 Roy Engelbrecht  
 Daniel Sandoval  
 Tom Taylor

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

#### Agenda Item 1: Call to Order/Roll Call

Mr. Noonan called the meeting to order at 8:30 AM. Interim Executive Officer Dave Thornton called the roll. A quorum was present.

#### Agenda Item 2: Pledge of Allegiance

Pledge of Allegiance was performed.

### **Agenda Item 3: Approval of Meeting Minutes**

M/S/C to approve the Minutes of the June 22, 2009 meeting.

Jack Reiss, licensed referee, asked that the April minutes be corrected to reflect that he brought a member of the LA fire and police academy boxing team to the meeting not “a representative from the LA fire department.

### **Agenda Item 4: Executive Officer’s Report**

Interim Executive Officer Dave Thornton discussed the state of the Commission’s day to day operations in the office and the field and reported the following:

- A new office technician, Tommy Nhan, was hired for the Sacramento office.
- The examinations for Chief Athletic Inspector and Assistant Chief Athletic Inspector are scheduled for September 2009.
- On August 6<sup>th</sup> in Long Beach there was a meeting with approximately 15 promoters to share information, issues of mutual interest and concerns. Gil Deluna, Che Guevara, Bill Douglas and Dave Thornton attended from CSAC.
- The Governor has ordered all state agencies under his control to take three furlough days each month. This order is in effect until June 30, 2010.
- On August 8<sup>th</sup> in Sacramento there was a one-day training session for Athletic Inspectors who serve as supervisors/leads at events.
- On August 29<sup>th</sup> and 30<sup>th</sup> in Irvine there will be a two day training clinic for all CSAC Athletic Inspectors.
- The budget for the Commission was overspent by approximately \$157,000 in Fiscal Year 08/09. CSAC management is taking measures to address any deficiencies for the 09/10 budget year by regionalizing the assignment of Athletic Inspectors and taking other measures to ensure the budget is not overspent.

Mr. Thornton reported Senator Negrete-McCloud has introduced legislation, SB389, that would require fingerprinting of all individuals licensed by the various boards and bureaus under the Department of Consumer Affairs. The Commission currently, as part of the licensing process, obtains fingerprint clearance from promoters, managers and officials. This bill is problematic in that it would require fingerprint clearance from all licensees including athletes and corners. Many athletes and their corners from other states or countries do not obtain a California license until they arrive for the weigh-in which is usually the day before the event. The author is open to amendments. It was M/S/C to allow the Executive Officer to work with the author’s staff on an amendment to exempt athletes and corners from the fingerprinting requirement.

Mr. Thornton discussed the need for strategic planning. According to statute the Commission was required to have a strategic plan in place by September 2008. This has not been done. Gil De Luna discussed the process of completing the strategic plan and the requirements of Business and Professions Code section 18602.5. Mr. Noonan agreed that he and Mr. Rose could work as part of the strategic planning committee but he also wanted the new Executive Officer and Chief Athletic Inspector to be part of this process as well.

Mr. Thornton reported that Mr. De Luna has developed a customer satisfaction survey for promoters to complete after each event. This is a web based survey and only takes a few moments to complete. The survey will assist staff in improving event preparation and supervision.

### **Agenda Item 5: Public Comment**

Ray Corona talked about the assignment of referees. That he has been a referee for 11 years and has not had a title fight. He also stated he believed some new referees were being brought in through the “back door” and are not qualified.

Daniel Sandoval has been an amateur referee for 7 years. He explained in 2006 he attended referee classes put on by Armando Garcia but has heard nothing from the Commission since. He would like to be licensed in California.

Tom Taylor wanted to reintroduce himself to the Commission and wanted an opportunity to show the Commission his love for the sport by being allowed to referee in California.

Marty Denkin spoke about the process of becoming an official (referee/judge). He believes the main thing that is missing is an education policy. He opposes licensing new officials who don't go through a formal program such as the three year program last done in 1998.

Paul Wallace, M.D., a CSAC ringside physician, is concerned about the assignment of unqualified physicians and referees. He believes this is a safety hazard for the athletes. Dr. Wallace believes there should be a mandatory meeting of all ringside physicians possibly in conjunction with a Commission meeting to discuss these issues. Dr. Wallace also reported that he performed a neuropsychological examination of a fighter and submitted a bill to Sacramento that has not been paid. He explained this is affecting his personal credit.

Jack Reiss commented that the common theme of all public comment was the assignments and scheduling of officials and wants someone to look into the situation. Mr. Reiss passed on to Mr. Noonan written comments from an anonymous source related to mismatched fighters at a recent event.

### **Agenda Item 6: Presentation by the Governor's Office – Conflict of Interest**

Doreathea Johnson, Deputy Director, Legal Affairs for the Department of Consumer Affairs discussed her memo to the commissioners regarding their receipt of complementary tickets and credentials and the conflict of interest this may present. The commissioners and Ms. Johnson discussed the difference between a credential for commissioners vs. having promoters give complementary tickets to commissioners for their family members and guests. Ms. Johnson urged the commission to adopt a no gift policy. Mr. Noonan directed Anita Scuri and James Maynard to develop a no gift policy and bring it to the next commission meeting.

### **Agenda Item 7: Appeal Hearings – Change of Bout Decisions**

Billy Evangelista is contesting the decision in his bout with Mike Aina on May 16, 2009. This was a mixed martial arts bout in Fresno that was stopped at 3:42 of round 2 by the referee when Mr. Aina was unable to continue after what was declared an illegal knee strike by Mr. Evangelista to the head of Mr. Aina. The bout was awarded to Mr. Aina after Mr. Evangelista was disqualified for the illegal knee strike. Multiple replays of revealed the knee strike was to Mr. Aina's shoulder and not his head and therefore was legal. Bill Douglas who was ringside testified as to what he saw. Herb Dean, the referee, also testified. It was M/S/C to act using the authority under Rule 368 to change the decision. Mr. Rodriguez made a motion to change the decision to a TKO for Evangelista. The motion died for lack of a second. It was M/S/C to change the results of the bout to a no decision.

Nate Campbell is contesting the decision in his bout with Timothy Bradley on August 1, 2009. This was a boxing match that was stopped by the ringside physician after the 3<sup>rd</sup> round due to Mr. Campbell not being about to continue as he stated he could not see. Mr. Campbell claimed he was head butted with 2:44 left in round 3 which caused a laceration over his left eye. However, the referee ruled that cut was caused by a legal blow. Following closed session under agenda item 19 the commissioners reconvened in open session and it was M/S/C to change the decision to a no decision.

#### **Agenda Item 19: Closed Session**

The commission went into closed session pursuant to Government Code section 11126(a)(1) to evaluate executive officer candidates.

#### **Agenda Item 16: New Promoters for Approval of License**

(This agenda item was heard in open session in two parts – immediately following closed session under agenda item 19 and following agenda item 15.)

M/S/C to approve full licensure for the following promoters: Red Scorpion Promotions, The Fight Circuit LLC, K Stand Promotions, California Fight Syndicate, Big Star Promotions, and TKO Boxing.

Rouge Boxing – Mr. Noonan suggested they have one more event with experienced CSAC staff. M/S/C to grant one temporary license valid until the next commission meeting.

Extreme Combat – Mr. Noonan recommended they have one more event with experienced CSAC staff. M/S/C to grant one temporary license valid until the next commission meeting.

South Bay Promotions – There was a discussion about concerning the ring used at their event and some financial issues. M/S/C to grant one temporary license valid until the next commission meeting.

#### **Agenda Item 9: Weigh-in Physicians vs. Ringside Physicians**

It was M/S/C to set for regulatory hearing a change to Rule 287 to clarify that weigh-in physicians must be commission-approved physicians using the same criteria as ringside physicians. The commissioners stated they expected staff to follow the spirit of this proposed change until the Rule is changed.

#### **Agenda Item 8: Boxer's Pension Plan**

Mr. De Luna explained that pursuant to Business and Professions Code section 18881(b) the commission is required to adjust the contributions to the pension fund to reflect changes in the Consumer Price Index for California. Currently, Rule 403 imposes an \$.88 assessment on each ticket sold to a boxing event up to a maximum of \$4,600. To comply with changes in the CPI Mr. De Luna is recommending Rule 403 be changed to increase the per ticket assessment to \$1.36 and increase the maximum per event to \$6,600. It was M/S/C to set for regulatory hearing a change to Rule 403 as proposed.

#### **Agenda Item 10: Update on AMMA Delegation**

The Amateur Mixed Martial Arts (AMMA) Committee consisting of Mr. Rodriguez and Ms. Collison met on August 20, 2009 in Los Angeles to reviewed proposals from organizations wishing to be the delegated authority to oversee AMMA in California. The committee is recommending that the California Mixed Martial Arts Organization (CAMO) be that delegated organization. It was M/S/C to delegate to CAMO, pursuant to the commission's authority under Business and Professions Code section 18646, the authority to oversee AMMA in California. The commission also directed CAMO to make quarterly reports to the commission.

**Agenda Item 11: Use of Replay in California**

Mr. Thornton presented his findings on the use of instant replay by other athletic commissions. New Jersey has had instant replay since December 2007 and has only used it once in a mixed martial arts contest to determine if one of the fighters taped out. Nevada will be considering a regulation change next week to allow instant replay in Nevada. It was M/S/C to direct staff to bring back proposed language for regulation to allow instant replay in California.

**Agenda Item 12: Timekeeper Equipment**

Mr. DeLuna presented the commissioners with some options for equipment that timekeepers should have. It was M/S/C for staff to bring back a list of equipment for approval by the commission pursuant to Rule 328.

**Agenda Item 13: Report on use of Decals on Ring Canvas**

This report is being deferred to the next commission meeting.

**Agenda Item 14: K.O. for Girls – Amateur Boxing Application**

K.O. for Girls has held an amateur promoter's license since 2008 and has held two events. They are a 501(c)(3) charity. Staff is recommending the commission continue to work with this organization in overseeing their events. Mr. Noonan directed staff to ensure K.O. has seasoned Athletic Inspectors working their events.

**Agenda Item 15: Western States Police and Fire Games**

The report on the investigation of this event was deferred to the next commission meeting.

**Agenda Item 17: Appeal of License Denial Re: Joshua Barnett**

At the request of Mr. Barnett's attorney this item is being deferred to the next commission meeting.

**Agenda Item 18: Agenda Items for Future Meetings**

No gift policy  
EO Report  
Regulation Hearings on Rules 287, 288 and 403(a)  
Report on Decals on Ring Canvas  
List of Timekeeper Equipment for Commission Approval  
Proposed Language for Instant Replay  
Western States Police and Fire Games Report  
Joshua Barnett Appeal Hearing  
Update on Officials Training  
Neuro Database  
Report on Knockout for Girls

**Agenda Item 20: Adjournment**

The meeting was adjourned at 3:15 PM.