

A MESSAGE FROM THE PRESIDENT

Written by Charles Jay
Thursday, 26 December 2002 18:00

The 10th Round

The following letter was sent to the membership of the Association of Boxing Commissions by its president, Tim Luckenenhoff, on November 14, 2002:

I fully expect this to show up in the Charles Jay File (totalaction.com), that is why I am writing to the entire membership. It seems as though one or more of our members has been providing Mr. Jay with emails which were sent to the ABC membership as a way to keep them updated. I have always tried to keep the membership apprised of activity regarding the ABC. But, I am getting tired of seeing my email on Mr. Jay's webpage.

The actions of one or more of the ABC members providing this information has caused me to become more guarded in the information that will be provided to the membership as a way of keeping you dated. Sadly, most of the membership will suffer due to your actions.

I am certain this email will be forwarded as the others. I am certain the person(s) responsible are not professional enough to admit and tell me (us) why they would do such a thing. If you are doing this to hurt me that is one thing, but you have to realize you are hurting the entire association.

Thank Tim

Tim Lueckenhoff
Chief Investigator
Division of Professional Registration

Administrator
Missouri Office of Athletics
573/751-0243 Work
573/751-5649 FAX

End of story, right?

Wrong.

Not only should Lueckenhoff NOT be suppressing information from his fellow ABC members, he shouldn't be suppressing it from ANYONE. And it can be argued that, by law, he actually can't.

That's because Lueckenhoff performs all of his duties as president of the ABC out of the offices he occupies in the Missouri Office of Athletics, where he is the chief administrator. That is the address, phone and fax number that is listed for him on the letterhead of the ABC. In effect, a state office has become the working headquarters of the ABC, to the point where the phone

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number to Lueckenhoff's commission office is listed as the contact number of the ABC on its official website. Lueckenhoff does not receive compensation for his role as ABC president. But he performs all his duties on state time, from state offices, using state phones, and while he is being paid a state salary.

In addition, all his e-mail correspondence with ABC members, including the above letter warning about me, was sent through his state e-mail address - tluecken@mail.state.mo.us, being carried over state e-mail servers. In fact, if you notice Lueckenhoff's signature file, he identified himself as a state official - "Chief Investigator, Division of Professional Registration -- Administrator, Missouri Office of Athletics".

As such, everything Lueckenhoff does, and has done, as president of the Association of Boxing Commissions - that means his correspondence with various boxing commissions, memoranda regarding the implementations of federal law, any official documents or records relating to ABC business; in short, anything that exists on paper as a result of his duties with the ABC that may have originated from, or come into, his state offices, might very well fall under the scope of the "Missouri Sunshine Law", because Lueckenhoff's ABC activity becomes more or less an extension of his state activity.

The part of that law which would concern Lueckenhoff is summarized in the following way on the state's website:

"PUBLIC RECORDS -- 610.010, 610.023, 610.024 Unless otherwise provided by law, records of a public governmental body are to be open and available to the public for inspection and copying. The governmental body may charge a reasonable fee for providing access to or copies of public records. The fee is not to exceed actual cost of the document search and duplication. Upon request, the governmental body shall certify in writing that the cost does not exceed that body's actual cost.

Each public governmental body appoints a custodian for the records. The Sunshine Law requires that each request for access to a public record be acted on no later than the end of the third business day following the date the request is received by the custodian. If access is denied, the custodian must explain in writing and must include why access is denied, including the statute that authorizes the denial.

If only part of a record may be closed to review, the rest of the record must be made available."

Any member of the general public can fill out a public records request from the state of Missouri, and the burden presumably would be on a public official (like Lueckenhoff) to demonstrate just cause as to why something should remain secret. There are exemptions to the law, but none would likely be justified in this case.

Keep in mind that the same thing applies to other members of the ABC, most, if not all of of whom, as state employees, have their own public records laws to comply with.

I bring all this up not because Tim sent that letter - in fact, I found that e-mail sort of comical.

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Rather, I wish to illustrate that the same organization that would seem to demand accountability from managers, promoters and sanctioning bodies would not feel it incumbent upon themselves to adhere to the same spirit and principles of disclosure.

In point of fact, they're actually hiding behind certain provisions in the federal law in order to hold back information that rightly should be accessible by fighters, when it suits the purposes of some special interest. That's simply wrong. And it's certainly something we're going to be exploring in a lot greater detail as "Operation Cleanup 2" progresses.

I don't know - maybe I shouldn't be taking Lueckenhoff's recent communication with his colleagues too lightly. Tim is very, very familiar with what I do - in fact, if you've followed what we've done all along, you know that the original nucleus for "Operation Cleanup" came from a collection of suggestions for federal regulations that I compiled at his request.

Over the course of time, as the ABC has shown itself to be generally weak, ineffectual, and even hypocritical at times, we have seen fit to expose various things - one of the latest, which evidently hit a nerve, involved the inappropriate handling of a situation regarding confiscation of WBA sanctioning fees by the California commission and supported by the ABC - detailed in Chapter 72 of "Operation Cleanup". In the process we re-posted letters from Lueckenhoff to WBA president Gilberto Mendoza (copied to California commission director Rob Lynch), and U.S. Attorney General John Ashcroft.

Throughout the last seven months, I may not have been subtle in getting my point across, but at all times I wrote what I believed to be true and accurate. None of what was done was intended with a mean spirit. And it's all in the best interests of boxing.

Yet it appears that Tim is intent on keeping me - and in turn, YOU - in the dark, to the extent that he has threatened to only selectively inform his ABC constituents of matters they should be apprised of. Think about it for a second. The idea that public accountability would be "hurting the entire association", as Lueckenhoff put it, has got to send a message loudly and clearly. And I can assure you, that message is not something that is good for boxing in general.

Consider this - quite obviously, somebody from within the ABC membership has felt it absolutely necessary for me - and the public - to be aware of what is going on there, right?

Thank God for THAT.

It's just a shame that the guy who actually runs the organization takes the opposite view.

(P.S. -- I heard some ABC members might pass around our paid content to each other as a way of extracting a little "revenge". All I can say is that it would be quite amusing to cause some embarrassment for commissioners within their state governments as they're caught pirating intellectual property.)

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