

### The 95th Round

In the last chapter, I left you with this question, as it concerned the efforts of the Association of Boxing Commissions to intimidate a well-meaning referee named Armando Garcia:

"What made Lueckenhoff, Sirb, King, or Spizler think they had the right to threaten an American citizen with prosecution, based on an interpretation of the law they had no legal authority to pursue, and which, as it turns out, they had every reason to believe was not valid?"

Toward the eventual objective of answering that question, it bears mentioning that the ABC may have a very strong ulterior motive here. The sanctioning organizations, whether they be the WBC, WBA, IBF, WBO, NABF, or USBA, or private groups like the International Professional Ring Officials (IPRO), have conventions at which officials attend seminars in the hope of getting "certified". The seminars are, for the most part, fee-based. As far as the sanctioning bodies are concerned, they are not mandatory, but it is the politically prudent thing to attend some of them.

One thing Tim Lueckenhoff (President of the ABC) indicated to me in a phone conversation last July, prior the ABC convention, and in the aftermath of an Indiana judging controversy, was that since there was money being taken in by the sanctioning bodies for these seminars (the fees varied, but they represented a tidy sum), why shouldn't the ABC get some of that pie? In fact, why couldn't it get ALL the pie? There seemed to be no reason in his mind why the ABC shouldn't drive the other seminars into obsolescence.

He was going to do that by establishing a series of ABC-sponsored officials seminars at which attendance would eventually be mandatory for anyone who wanted to work a fight for an ABC-member boxing commission. Simply put, that means just about everyone. Off the top of my head, if, let's say, there are about 500 licensed officials in the country, and eventually the fee for the full seminar, whether it be done at the convention itself or at a "satellite" location, is \$100, that means no less than \$50,000 in the ABC's bank account. And that amount could go up, because in a mandatory situation the demand would obviously be inelastic. The ABC's rationale was simple - that it could resolve to require that its own seminar is the only one that matters, to the exception of any conducted by other entities, because that power has been granted it by federal law.

Indeed, just take a look at it - from Section 16 of the Ali Act:

"No person may arrange, promote, organize, produce, or fight in a professional boxing match unless all referees and judges participating in the match have been certified and approved by the boxing commission responsible for regulating the match in the State where the match is held."

## KILL THE BILL Volume 3 -- A-B-C 'YA LATER

Written by Charles Jay  
Friday, 17 October 2003 18:00

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So it's easy - if you're not "certified" by any of our members, you can't work. And if you don't attend (and pay for) our seminar, we're not going to certify you.

It's roughly equivalent to a situation where you're legislating your competitors out of business, which may or may not have anti-trust implications. At the very least, the ABC has got itself the makings of a pretty good little scam going.

In point of fact, it's a scam with an "iron hand". And it's all underway as we speak. The ABC has scheduled a series of seminars in each of its "regions" - all officials must attend one of these seminars to be certified. Armando Garcia is in fact slated to handle the seminar next month in Raleigh, NC, which is in one of the regions. Jeanette King, who is listed as "deputy director" of the North Carolina Boxing Commission (I didn't even know they had one) has been nice enough to inform various commissions that if they use an official within their jurisdiction who has NOT attended an ABC-sanctioned seminar, in which fees are paid to the ABC, that particular commission will actually be referred to something called the ABC "Disciplinary Committee".

The committee consists of Don Hazelton of the Miccosukee Tribal Commission, Steve Bayshore of Oklahoma, Wally Jernigan of Nebraska, Chris Meffert of Florida, and Spizler and Joanna Aguilar, who both serve as "advisory legal counsel".

If this committee, under the direction and with the cooperation of the ABC executive board, finds a commission has used an official who didn't attend the seminar, it will - get this - write a letter to the Attorney General and Governor's office of that state, asking that the commission personnel be, well, disciplined.

Not that it would carry all that much weight with many AG's or governors.

In Kentucky, where the governor eventually removed Jack Kerns, it may have. But the Disciplinary Committee, which was established at this year's ABC convention in St. Louis, comes about a year or so late for Kerns.

What's kind of ironic, but not necessarily coincidental, is that Garcia, who contributed to the program by which the ABC officials would be certified, also did the same thing for the WBA during his short tenure as the head of officials, meaning that the WBA would have a program that was just as good, if not better, than the ABC had.

Naturally, that's something very threatening to the ABC.

But just to show you how much importance the ABC ascribes to its procedure for certifying officials; just to show you how critical it is that THEY be the ultimate authority in determining the worthiness of judges, referees, and others, each and every person I have talked to who took the written officials' test at the 2002 ABC convention in Miami has confirmed that nearly everyone in the room at the time was "talking to each other" during the test. And not about the weather, either. Even a couple of the people I interviewed for deep background admitted they discussed answers with others in the room.

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It's bizarre, isn't it, when you think about it - public officials and public appointees, taking a test that would provide certification, pursuant to something that the sponsoring organization felt was a requirement under regulation or law - and cheating on it.

Oh, and for good measure, our information is that Lawrence Cole, among others, actually failed the test the first time around, then got to take it all over again.

The point is - these are the people minding the store; the people who, at the very least, are going to have some kind of responsibility or recognition via the federal laws, and who could very well be providing the personnel to staff a national boxing commission.

Do you see something in there that doesn't quite fit? Why would an organization like the ABC be given any statutory authority whatsoever, especially considering that, once again, it is not a governmental agency, nor is it an inter-governmental agency, but rather a TRADE ASSOCIATION?

The only reason we're even having discussions about national bodies to regulate boxing is that the ABC has failed at its core mission - to bring about multiple standards that are fair and uniform in all states - most notably in the area of fighter safety - and to educate its members.

In fact, it's arguable that the people in charge of the ABC are responsible for more transgressions than advancements in the way of reasonable safety standards. For reference, pick up "Operation Cleanup: A Blueprint for Boxing Reform" and go to Chapter 56 - "ABC Execs Share Common Thread with Kerns".

And if the ABC was a failure in that endeavor, why in the world would anyone want to give them expanded responsibility and power? That would be like throwing good money after bad.

The truth of the matter is, whether this bill passes or not, the ABC should be disbanded, and if a plan to organize another association of boxing commissions surfaces, it should be executed with more of a basis in reality and sanity, and WITHOUT the involvement of the stiffs that are there now.

Need more evidence?

Please stand by.

fightpage@totalaction.com

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