

PETE SUAZO UTAH ATHLETIC COMMISSION (PSUAC)
Wednesday, August 28, 2013
10:30 a.m.

Attending: Commissioners: Richard Montanez, Taylor Leavitt, Ty McCartney and Leslie Reberg. Director: Bill Colbert and guests Robert Wombacher (PSUAC Judge/Referee), Ethan Andrews (PSUAC Judge/Referee), Mitchell Brooks (Attorney), Jeremy Horn (Elite), Brian Hughes (Manager) (teleconferencing) and Dante Craig (Contestant) (teleconferencing)

Commissioner Montanez called the meeting to order.

Sign Per Diem Sheet

Approval of Minutes

Commissioner Leavitt made a motion to approve the minutes from June 26, 2013. Commissioner Reberg seconded the motion. Motion passed unanimously.

Public Comments on Non-Agenda Items

None

Financial Report

Bill reported that the Commission carried forward \$62,000 in revenue from last fiscal year ending June 30, 2013 to this fiscal year. He reported revenue of \$8,265 for July 2013.

Review Upcoming Events / Commission Assignments

FKF Boxing (MMA) – Saturday, September 7, 2013 – Thomas Center – Ogden, UT

Fight King (MMA) – Saturday, September 21, 2013 – Western Park Arena – Vernal, UT

SteelFist (MMA) – Friday, September 27, 2013 – The Rail Event Center – Salt Lake City, UT

Crown Fighting Championship Fights (MMA) – Saturday, September 28, 2013 – The Dixie Center – St. George, UT

Showdown Fights (MMA) – Saturday, September 28, 2013 – UCCU Event Center, Utah Valley University – Orem, UT

FKF Boxing (Boxing) – Friday, October 25, 2013 (Tentative) – The Complex – Salt Lake City, UT

Muay Thai Institute (Muay Thai Boxing) – Saturday, October 26, 2013 – Muay Thai Institute – Salt Lake City, UT

Elite Fight Night (MMA) – Friday, November 1, 2013 – The Complex – Salt Lake City, UT

SteelFist (MMA) – Friday, November 8, 2013 – The Rail Event Center – Salt Lake City, UT

Director's Report

Bill spoke briefly about the August 19, 2013 death of Utah promoter Tracy Spinks. Mr. Spinks collapsed just prior to the start of his boxing promotion Saturday, August 17, 2013.

Commissioners Montanez and Daniels and Bill gathered the contestants to notify them there were inadequate funds to cover the purses that night. Contestants were given the opportunity to uphold their contracts for that night's event with the understanding that if they did not uphold their contracts they would receive nothing. All of the contestants agreed to fight that night. Bill explained that contestants with purse amounts of less than \$1,000 received their entire purse and contestants with purse amounts over \$1,000 received \$1,000 plus some money for travel expenses. Commissioner Daniels read all of the contracts. There are now some contestants that are contesting their contracts. There was much discussion. The promoter bond will have to be called to cover expenses of the promotion. Charles Presnell assisted in the satisfactory completion of the event. Mr. Spinks' funeral is today.

Bill summarized some content of the July 2013 Association of Boxing Commissions (ABC) annual convention including eye pokes, interpreting rules on a grounded opponent, boxing and MMA training, transgender issues and ringside physician recommendations on THC testing.

Bill has had some discussions with a trainer for inspectors. Formal training is tentatively scheduled for October 2013.

Final Adoption - Rule Change to Remove Boxing Standing Eight Count: R359-1-102(5), R359-1-611 (8), R359-1-612 (1) and R359-1-612 (2)

This proposed rule change received no public comment and will put the Commission more in line with most commissions nationally.

Commissioner Reberg made a motion to adopt the rule change to remove the boxing standing eight count. Commissioner McCartney seconded the motion. Motion passed unanimously.

Request for Public Comment on Proposed Rule Changing Boxing Glove Weight for 147 lb Weight Class Contestants - R359-1-604 (4)

The current glove rule is an eight ounce glove for contestants 154 pounds or less and states that "During a contest, male contestants shall wear gloves weighing not less than eight ounces each if the contestant weighs 154 lbs. (69.853 kgs.) or less. Contestants who weigh more than 154 lbs. (69.853 kgs.) shall wear gloves weighing ten ounces each. Female contestants' gloves shall be ten-ounce gloves. The designated Commission member shall have complete discretion to approve or deny the model and style of the gloves before the contest." This rule change will result in the change of the

glove weight for men of ten ounces for 147 pounds and over. Females will still wear 10 ounce gloves for all weight classes.

Commissioner McCartney made a motion to put the rule changing boxing glove weight for 147 pounds class contestants out for public comment. Commissioner Leavitt seconded the motion. Motion passed unanimously.

Request for Appeal of Contest Decisions

- a. Michael Crisman – Not in attendance today. Commissioner Montanez explained that Mr. Crisman filed an appeal based on a groin strike and then the referee stopping the fight due to his opponent's repeated strikes. During the fight, Mr. Crisman dropped his hands and failed to protect himself and the referee never called a foul. Commissioner Montanez said that Mr. Crisman was invited to appear at this meeting with any video evidence he may have. Commissioner Leavitt watched that fight and feels confident of the referee's decision.

No action taken.

- b. James Francis – Not in attendance today. Bill explained that the timekeeper made an error and stopped the round prematurely at three minutes instead of five. Rather than putting Mr. Francis back in a dominant position which he had at the three minute point, the referee stood both contestants up for the final two minutes. The basis of his appeal is that if he were placed back in the dominant position in the last two minutes he may have won the fight. He was also invited to appear at this meeting with any video evidence he has.

No action taken.

Hearing – Withholding of Boxer Dante Craig's August 17, 2013 Purse

Manager Brian Hughes and contestant Dante Craig were contacted via telephone conferencing. Mr. Craig's purse was withheld due to non-performance. Commissioner Montanez stated that Mr. Hughes was not in attendance that night. Mr. Hughes stated that he has watched video and heard audio of the conversations that took place, however, he has failed to submit this evidence to the Commission. Troy Fullmer was refereeing. Commissioner Montanez explained that Mr. Craig had one female cornerman. Approximately 30 seconds into the first round, it appeared Mr. Craig received a couple of punches to the left side of his body; the shoulder area and he went down. When the referee was counting, Mr. Craig visually made contact with his cornerman from the opposite side of the ring. At that point, a towel was thrown in the ring and the referee stopped the bout at 37 seconds into the first round. The referee, Troy Fullmer, submitted a statement explaining why he stopped the fight. He stated he would not have stopped the fight at that time as Mr. Craig had barely been hit but his cornerman threw in the towel and stepped up

on the steps waving her arms saying “done.” It is Mr. Fullmer’s feeling that Mr. Craig and his cornerman had been plotting the whole time to find a way out. Mr. Fullmer approached Commissioner Montanez urging him to withhold Mr. Craig’s purse for non-performance. The timekeeper, also a referee, made the same comment.

Commissioner Montanez stated that all the contestants and their cornerman were gathered before the promotion, told that there were inadequate funds to cover the purses that night, given a reduced purse pay out amount and were given the opportunity to uphold their contracts for that night’s event with the understanding that if they did not uphold their contracts they would receive nothing. All of the contestants agreed to fight that night. Commissioner Montanez was approached by Mr. Craig after the meeting but before his bout. Mr. Craig informed Commissioner Montanez he did not want to fight. Commissioner Montanez reminded him that he did not have to fight but to remember that if he did not fight he would not be paid. Mr. Craig said that he would fight at which time the above actions were observed.

Bill submitted two news articles written about Mr. Craig’s bout as evidence. Commissioner Leavitt also read other media accounts. Mr. Hughes also presented a signed copy of the contract Mr. Craig signed with Mr. Spinks. Though it is messy and was not presented to Bill the night of the promotion, it is consistent with the purse amount that was given to him by Mr. Presnell. The contract did state Mr. Craig would receive \$60 in meals and Bill felt Mr. Craig should be paid that amount despite his purse being withheld. Bill reminded the attendees that, with the bond, all but \$275 of expenses of the August 17, 2013 promotion will be covered and that he has record for commission review.

Mr. Hughes began by asking several questions of the Commission:

1. Were all commissioners present at the promotion? Commissioner Leavitt responded that two Commissioners were present at the event and that the commissioner-in-charge, Commissioner Montanez, has the authority to make such decisions as suspensions and withholding of purses.
2. Did the Commission have Mr. Craig’s purse money the night of the fight and were the fighters aware of the financial inadequacies? Commissioner Montanez responded that the Commission was working with the promoter to have all financials submitted to the Commission the night of the promotion. The night of the promotion, promoter Tracy Spinks, was incapacitated and not mentally functional to make any decisions. His assistant, Charles Presnell, gave the Commission a lump sum of money that needed to be distributed between sixteen contestants.
3. Other than the referee, did anyone in an official capacity witness the cornerman’s actions at the time she threw in the towel? Commissioner Montanez only witnessed the towel entering the ring over the ropes.

4. Did Commissioner Montanez witness the referee pick up the towel, turn and look at the cornerman before he made his decision to stop the fight? Commissioner Montanez answered no. Bill stated he had a news article from the *Standard Examiner* regarding the actions of the cornerman as well as a statement submitted by the referee. Mr. Hughes told the Commission he had in his possession video and audio evidence of the bout. Commissioner McCartney reminded Mr. Hughes that this is an evidence hearing and no relevant evidence was submitted to the Commission. Mr. Hughes stated that he purposely withheld relevant video and audio evidence of the bout in question so he could see how candid this Commission is.
5. What efforts did the Commission made to secure the official video of the bout? Commissioner Leavitt reminded Mr. Hughes that the burden of proof is not on the Commission. Bill did report that he attempted to secure a video of the bout from Mr. Presnell. Mr. Presnell did not make a video recording of the promotion. Bill did attempt securing video footage from other third parties with no success. Any recording is a promotional issue.
6. Does the Commission know how many first round knockouts Damien Willis has had in his fight career (to demonstrate how hard his blows can land?) Commissioner Leavitt counted twelve first round knockouts at first glance; however, this hearing is not about a knock out.
7. Did the Commission witness the referee, after the ten count; asking Mr. Craig if he was ready to proceed, grabbed his gloves at Mr. Craig's willingness to proceed and began the fight? Commissioner Montanez recalls that the referee had only counted eight at the time the towel was thrown in but said there is a possibility he could be wrong.
8. Why was the referee statement dated August 24, 2013 not provided to Mr. Hughes and Mr. Craig before today's meeting? This question was unanswered due to Mr. Hughes moving immediately to another topic.

Commissioner Leavitt asked Mr. Hughes if he has any evidence to or can articulate support of the request to reinstate Mr. Craig's purse. The Commission has given Mr. Hughes and Mr. Craig adequate time, however, only questions have been asked. Commissioner McCartney asked Mr. Hughes if he had a statement from the cornerman explaining her actions. Mr. Hughes said he would be happy to provide that but, again, no evidence has been submitted to the Commission. He also requested the name of the direct, first line supervisor of the Commission. Commissioner McCartney stated that Mr. Hughes can contact the Governor, the Senate president or the Speaker of The House.

Based on a firsthand statement from Commissioner Montanez, a written statement from referee Troy Fullmer and Mr. Craig's intent of not wanting to fight prior to the fight, the following motion was made.

Commissioner McCartney made a motion to uphold the decision by director Bill Colbert to withhold the purse of Dante Craig from the August 17, 2013 promotion for non-performance. There have been no submissions of video evidence which has purposely been withheld, have not been able to speak to the cornerman and have not received a statement from Dante Craig. Commissioner Reberg seconded the motion. Motion passed unanimously. Note: Commissioner Montanez abstained from voting due to his involvement in this case.

Open Discussion – No Action to be Taken

None

Set Next Meeting Date

The next meeting will be held Monday, September 23, 2013 at 1:00 p.m.

Adjourn to Closed Meeting to discuss the character and professional competence of an individual or physical or mental health of an individual. (If necessary)

None

Commissioner Montanez (??made a motion to adjourn.) Commissioner Reberg seconded the motion. Motion passed unanimously.