

TO: USA Shooting Board of Directors

FROM: USA Shooting Selection Committee – Designated Committee

RE: Review of and Decision on USA Shooting Athlete Selection Procedures - 2024 Olympic Games – Shotgun

RECOMMENDATION

The committee unanimously finds that the “USA SHOOTING ATHLETE SELECTION PROCEDURES 2024 OLYMPIC GAMES – SHOTGUN” as approved by the United States Olympic and Paralympic Committee on January 21st, 2023, should remain as published with no changes.

INTRODUCTION

1. At the request of the USA Shooting Board of Directors, a five-person Selection Committee was selected and convened to review and make a recommendation on the previously developed, reviewed, and posted “USA SHOOTING – ATHLETE SELECTION PROCEDURES – 2024 OLYMPIC GAMES – SHOTGUN” (Selection Procedure).
2. The Committee was formed between January 4th and 10th, 2024 through the efforts of USA Shooting & US Olympic & Paralympic Committee (USOPC) Athlete Advisory Council Chair, Sarah Scherer and the USA Shooting Nominating and Governance Committee.
3. Committee Members:
 - James Hall (Current US Team Pistol Athlete),
 - Peter Mahoney (USA Track & Field, Chief of Sport Performance, retired),
 - Jacqueline McCook (Independent Director, USA Shooting Board of Directors),
 - Steven Schammel (Attorney, head of the USA Shooting Judicial Committee), and
 - Ryan Tanoue (Director of Shooting Sports – Ohio State, Former US Team Rifle Athlete).
4. Formal Scheduled Committee Meetings:
 - Thursday, January 11th – 2+ hours via Google Meet
 - Tuesday, January 16th – 2+ hours via Zoom
 - Saturday, January 20th – 1+ hours via Zoom
5. During the extensive review process the Committee received, reviewed and evaluated individually, and discussed as a group over 100 items related to the case – including e-mails, texts, a power point “deck”, reports, records of video, records of meetings, Ted Stevens Amateur Sports Act, IOC and ISSF documents, USOPC regulatory statutes, NGB Compliance Standards, USA Shooting Bylaws, multiple legal cases addressing relevant issues, and information from athletes, coaches, staff and USA Shooting associates. As needed, the Committee proactively requested, and reached out to additional resources, for information, documents, clarification, and legal perspective.

OVERVIEW OF THE FACTS

Selection Procedure: Timeline

- January 5, 2023 – Signature of approval by Craig Kozeniesky, USA Shooting CEO.
- January 9, 2023 – Signature of approval by Sarah Scherer, USA Shooting AAC Council Representative.
- January 14, 2023 - Signature of approval by Jay Waldron, USA Shooting National Shotgun Coach.
- January 17, 2023 – Selection Procedures were published on the USA Shooting website.
- January 21, 2023 – Official approval by USOPC.
- May 17-28, 2023 – SELECTION MATCH #1 – Hillsdale, Michigan.
- August 14 – September 1 – 2023 World Shooting Championships – Baku, Azerbaijan.
- March 11-17, 2024 – SELECTION MATCH #2 - Tucson, Arizona.

Selection Qualification

1. Selection Match 1 – May 17-28, 2023: Hillsdale, Michigan:

- Consisting of two courses of fire for a total of 250 targets,
- A single final where the top 6 athletes qualify,
- Finals points will be awarded based on:
 - 1st place = 3 points,
 - 2nd place = 2 points,
 - 3rd place = 1 point,
 - 4th – 6th = 0 points.
- Finals bonus points will be added to the qualification score to determine Selection Match 1 total.

2. Selection Match 2 – March 11-17, 2024: Tucson, Arizona:

- Consisting of two courses of fire for a total of 250 targets,
- A single final where the top 6 athletes qualify,
- Finals bonus points will be awarded based on:
 - 1st place = 3 points,
 - 2nd place = 2 points,
 - 3rd place = 1 point,
 - 4th – 6th = 0 points
- Finals points will be added to the qualification score to determine Selection Match 2 total.

3. 2023 World Championship Finishing Position – Aug 14 – Sept 1, 2023: Baku, Azerbaijan:

- An athletes' 2023 World Championship finishing position, based on the result of the finals, will be factored into the ranking list. An athlete can earn performance points as follows:
 - Gold (1st place) = 6 points,
 - Silver (2nd place) = 5 points,
 - Bronze (3rd place) = 4 points,
 - 4th = 3 points,
 - 5th = 2 points,
 - 6th = 1 point.

4. Combined Score Ranking List

- Selection Match 1 Qualification + Selection Match 1 Finals Points + Selection Match 2 Qualification + Selection Match 2 Finals Points + 2023 World Championships Performance Points.

KEY CONSIDERATIONS

“USA SHOOTING – ATHLETE SELECTION PROCEDURES – 2024 OLYMPIC GAMES – SHOTGUN – JANUARY 4, 2023” is guided by a combination of laws and guiding principles as dictated by the Ted Stevens Amateur Sports Act (ASA), the bylaws of USA Shooting, and the bylaws of the United States Olympic and Paralympic Committee (USOPC).

1. Ted Stevens ASA - Title 18 U.S.C. § 220522 (10) gives us the first three guiding criteria:
 - (10) ensures that the selection criteria for individuals and teams that represent the United States are—
 - (A) fair, as determined by the corporation in consultation with the national governing bodies, the Athletes’ Advisory Council, and the United States Olympians and Paralympians Association;
 - (B) clearly articulated in writing and properly communicated to athletes in a timely manner; and
 - (C) consistently applied, using objective and subjective criteria appropriate to the applicable sport.

Implications

- (A) fair, as determined by the corporation in consultation with the national governing bodies, the Athletes’ Advisory Council, and the United States Olympians and Paralympians Association.
 - As noted in the timeline above the Selection Procedure was reviewed and signature approved by the CEO of USA Shooting, Craig Kozeniesky, Shotgun National Team Coach, Jay Waldron, Athletes’ Advisory Council Chair, Sarah Scherer and USOPC High Performance Director, Julie Miller.
 - The purpose of this step-by-step review process by figures of authority of the National Governing Body, the Athletes’ Advisory Council, and the United States Olympic and Paralympic Association/USOPC is to ensure a fair procedure is created by way of multiple levels of review and approval.
- (B) clearly articulated in writing and properly communicated to athletes in a timely manner
 - The Selection Procedure was clearly posted on the USA Shooting website on January 17th, 2023. This was more than 100 days prior to the start of Selection Match 1 (May 17-28).
 - It was discussed during the 2023 Shotgun Informational Update (both verbally and in writing).
 - It was further agreed upon by each individual athlete prior to the start of Selection Match 1 (Hillsdale, Michigan) through a ‘Trials Participation Agreement.’
- (C) consistently applied, using objective and subjective criteria appropriate to the applicable sport.
 - This process has been consistently applied to all competitors.
 - Only objective measures (scores from Selection Match 1, Selection Match 1 Finals Points, scores from Selection Match 2, Selection Match 2 Finals Points, 2023 World Championship Performance Points) appropriate to ISSF Shooting are being used as selection criteria.

2. USA Shooting's Bylaws additional state that part of the mission of USA Shooting is to: ““obtain for the United States, in cooperation with the USOPC... the most competent Amateur Athlete representation possible for the United States in the sport of ISSF Shooting.” (Article III D (2)).”

The Selection Procedures accomplish this mission.

- The Selection Procedures take into consideration the head-to-head competition of U.S. Athletes.
 - Objectively evaluates athletes over 20 rounds and 500 total targets.
 - Additionally, rewards athletes ‘Finals Points’ for top three finishes at the Selection Matches.
 - Additionally, rewards athletes ‘Performance Points’ for performances on the international stage at the 2023 World Shooting Championships.
3. Case Number 01-23-0002-7452 in the matter of Arbitration between Kimberly Rhode and USA Shooting was also evaluated specifically for the Arbitrator’s judgement regarding the inclusion of performance points from the 2022 World Championships in the calculation of the aggregate score of the 2023 World Championship Team Selection.

After consultation with multiple attorneys and experienced NGB High Performance Directors, the Selection Committee believes:

- There is no issue of retroactivity with regard to the use of the 2023 World Championship performance points as the match was held and points earned after the approval of the 2024 Olympic Selection Procedure.
- The issue of retroactivity regarding the 2022 World Championship performance points was addressed by the arbitrator who found that the use of the 2022 performance points in calculation of the aggregate score and subsequent selection of the 2023 World Championship Team was fair and appropriate. For this reason, the use of 2022 World Championship points in qualifying for the 2023 World Championship Team was not retroactive for purposes of the 2024 Olympic Selection Procedures.

CONCLUSION

Through this analysis the Selection Committee determines that the “USA SHOOTING – ATHLETE SELECTION PROCEDURES – 2024 OLYMPIC GAMES – SHOTGUN – JANUARY 4, 2023” as published on January 17th, 2023 were fair, clearly articulated in a timely manner, and have thus far been consistently applied and thus meet all legal requirements of the Ted Stevens Amateur Sports Act, and bylaws of USA Shooting and The United States Olympic and Paralympic Committee.