Player Safety in Youth Sports: Sportsmanship and Respect as an Injury Prevention Strategy

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PLAYER SAFETY IN YOUTH SPORTS: SPORTSMANSHIP AND RESPECT AS AN INJURY-PREVENTION STRATEGY

Douglas E. Abrams*

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C. Teachable Moments

INTRODUCTION

The night was November 3, 1999, and only seconds remained in a junior varsity hockey game between two bitter local rivals, New Trier High School and Glenbrook North High School, at the Rinkside Sports Ice Arena in Gurnee, a suburb of Chicago. New Trier was comfortably ahead, 7–4, in the teams’ first encounter since Glenbrook North had edged New Trier 3–2 for the Illinois State Junior Varsity Title a season earlier.  

Junior varsity contests do not normally provide lasting memories in any sport, but this early-November game would be different. Beginning shortly after the opening faceoff, “violence flared repeatedly” and “the mood grew ugly.” Eyewitnesses would later describe the game as “an intense battle,” with each team’s parents and students heckling rival fans and players. The teams themselves traded taunts and squared off in altercations, unrestrained by their respective coaches—leaders that pediatric professionals recognize as “the most important individual[s] for maintaining safety” in youth leagues.  

One coach reportedly left the bench and strode onto the ice in the middle of the game to confront a referee, and the

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5. Id.; Robinson, supra note 3; see also Smith et al., supra note 2.
Glenbrook North coach allegedly "incit[ed] his players to 'take special action'" against New Trier's fifteen-year-old sophomore, cocaptain Neal Goss, whose three goals helped seal his team's ultimate victory. In total, the referees called sixteen penalties, a particularly high number for a junior varsity hockey game.

When the final buzzer sounded to end the contest, or within a second or two thereafter, a fifteen-year-old Glenbrook North player skated full speed across the ice, blindsided Neal Goss, and cross-checked him headfirst into the rink's sideboards. "This is what you get for messing," the player allegedly said as Goss laid on the ice, permanently paralyzed from the neck down.

Neal Goss' catastrophic spinal cord injury introduces this Article's two conclusions, drawn from the Author's experiences and concerns about player safety, both as a lawyer for the last thirty-five years and as a volunteer coach of youth league and high school hockey teams for more than forty years. Both conclusions concern injury prevention, the first obligation of parents and coaches who conduct and supervise games for the estimated twenty-five to thirty million boys and girls who participate in organized sports leagues in the United States each year.

First, society should not exaggerate the law's role in preventing avoidable injury to "youth leaguers"—players in...
Sports events conducted by public and private schools, private organizations, and public agencies such as parks and recreation departments. Americans often look to the law for enforceable standards to help govern personal behavior, but, as Part I of this article discusses, the law provides youth leaguers only limited protection. A civil action for damages and a criminal prosecution were filed shortly after Goss' injury, but neither proceeding did anything to prevent the student's lifelong paralysis.

Second, the protections afforded to players through the national safety standards established by safety experts—such as equipment designers, physician groups, and national youth sports governing bodies—are similarly limited. As Part II of this article discusses, parents and coaches who behave irresponsibly can neutralize safety standards and put players in harm's way in a matter of moments. Protective equipment is designed and playing rules are conceived with sound medical advice at the national level, but young athletes wear equipment and compete at the local level.

For years, schools and national youth sports governing bodies (USA Hockey, US Youth Soccer, the American Youth Soccer Organization, and others) have influenced local behavior through adult-education programs that emphasize sportsmanship and mutual respect among competitors and their families. Posters, videos, DVDs, brochures, website entries, and similar materials provide the framework for mandatory parent meetings that local leagues and teams

18. See discussion infra Part I.C.
19. See discussion infra Part I.B.
20. See discussion infra Part II.
often conduct, usually during the preseason period. These materials typically cast parents and coaches as role models for the players they raise and supervise.

The "role model" approach makes sense because youth leaguers are not born with preconceived attitudes about sportsmanship and respect, but instead, like all other children, learn from what they see and experience. These athletes react not only to media reports of foul play in professional sports but also to the verbal and nonverbal cues passed on to them by their parents and coaches—the most influential adults in their athletic lives. While adults carefully watch their children as they play organized sports, the children also watch the adults.

Sportsmanship and mutual respect indeed teach children citizenship, but they do much more than that. Adherence to sportsmanship and mutual respect can also help prevent many avoidable injuries that may disrupt and even devastate the lives of young athletes and their families. If New Trier and Glenbrook North had played hard but clean, Neal Goss would likely have walked out of the rink that night because sportsmanlike, respectful teens trained by responsible adults do not blindside opponents or drive the opponents' heads into the ground at the end of a game.

23. See, e.g., Bach, supra note 22, at 16; Parent Education Information, supra note 22; Parents, supra note 22.


25. The "role model" approach is premised on the social theory of learning, which theorizes that individuals process information "through the observation of others' actions" and that as individuals "observe other actors, they often imitate their behavior." Sarah A. Soule, The Diffusion of an Unsuccessful Innovation, ANNALS AM. ACAD. POL. & SOC. SCI., Nov. 1999, at 120, 124.

26. MICHAEL A. MESSNER & DONALD F. SABO, SEX, VIOLENCE & POWER IN SPORTS: RETHINKING MASCULINITY 91 (1994) (recognizing that "violent adult athletic role models and rewards from coaches, peers, and the community for the willingness to successfully use violence creates a context in which violence becomes normative behavior").

27. See Tator et al., supra note 7, at 451, 455.

This Author’s years of coaching experience support the conclusion that adult-education materials created and distributed by schools and national youth sports governing bodies do, in fact, successfully influence many adults to embrace sportsmanship and respect. More work, however, still needs to be done. According to a 2010 poll that Reuters and Ipsos, a market research company, conducted in twenty-two nations, parents in the United States still rank as the world’s “worst behaved” parents at children’s sports events.\(^{29}\)

As they seek new ways to influence adult attitudes, schools and national youth sports governing bodies should combine the time-tested and assuredly valuable citizenship-based “role model” message with new safety-based messages that prominently and directly link sportsmanship and respect to injury prevention. When sportsmanship and respect prevail, children striving to win are less likely to get hurt.\(^{30}\)

New safety-based messages may strike a receptive chord in parents and coaches, reminding them that maintaining sportsmanship and respect during games and practice sessions remains every family’s concern, even families whose children play clean.\(^{31}\) Avoidable injury arising from local abandonment of these values frequently strikes youth leaguers at random.\(^{32}\) Neal Goss was simply in the wrong place at the wrong time, a victim of an opponent’s impetuous violence. The victim lying paralyzed on the ice at the end of the New Trier–Glenbrook North hockey game could have been any parent’s child because the volatility that the adults encouraged and tolerated throughout the contest deprived every player of the safety provided by protective equipment and carefully crafted national safety standards.\(^{33}\)

Finally, this Article’s conclusion discusses why adult-education materials, which now stress citizenship but draw a link to safety only in passing, if at all, should be recast to

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30. See discussion infra Part II.B.
31. See discussion infra Part II.A.1–2.
33. Id. (noting that society must be able to admit the pervasiveness of violence in youth sports before it “can begin to reassert a sense of ethical order” to the problem”).
sensitize parents and coaches to a straightforward formula: \( \text{Sportsmanship} + \text{Respect} = \text{Safety} \).\(^{34}\)

I. THE LAW'S LIMITED ROLE IN INJURY PREVENTION

"If your only tool is a hammer," the old saying goes, "all your problems will look like nails."\(^{35}\) Because the litigation model dominates law school curricula, lawyers sometimes spend their entire careers reflexively viewing accidents and other significant problems as potential lawsuits destined for the courtroom.\(^{37}\) Nonlawyers also tend to visualize civil or criminal trials as the tools of choice because most Americans develop their impressions of the legal system from either watching television law dramas or serving on jury duty.\(^{38}\)

The law's role in promoting youth leaguers' safety, however, can be overstated. Lawyers, economists, and other commentators participating in the national "tort reform" debate disagree about the capacity and propriety of negligence law to influence corporate and individual conduct before injury occurs and to compensate victims afterwards.\(^{39}\) Without entering that debate, it seems clear that civil actions for damages can only compensate youth leaguers, such as Neal Goss, for injuries that have already occurred. Moreover, a third or more of a victim's recovery after settlement or trial often goes not to the injured, but to the plaintiff's lawyer, under the contingent fee retainer agreements common in

\(^{34}\) See discussion infra Conclusion.


\(^{36}\) The litigation model focuses on the outcomes of a court case, "usually expressed in terms of winners and losers." Susan Jacobs Jablow, Newly Formed Collaborative Law Committee to Educate Attorneys, 13 LAW. J. 3 (2011). This model "works well in many areas of law, where there are clear-cut disputes about money or property. However, in legal matters involving personal relationships, the litigation model may intensify painful emotions and fail to address the issues that are most important to the parties involved." Id.


\(^{39}\) See generally KENNETH S. ABRAHAM, THE FORMS AND FUNCTIONS OF TORT LAW (3d ed. 2007) (discussing various provisions taken by participants in the "tort reform" debate).
personal injury suits. For their part, criminal prosecutions can only punish wrongdoers for inflicting prior injuries. Prevention thus remains the most child-protective strategy because litigation cannot necessarily make an injured youth leaguer's life good; the most it can often do is make that life less bad.

A. Premises Liability

The law's impact on youth leaguers' safety begins with an analysis of premises liability, the obligation of both owners and managers to assure that safe conditions mark fields, gymnasiums, and other similar venues. The prospect of premises liability may help prevent some injuries by encouraging school districts, parks and recreation departments, and other public agencies and private businesses to impose greater safety measures on the venues that they manage. The professionals in charge of these entities are more likely than laypersons to be familiar with legal proceedings and to retain lawyers and insurance risk managers who understand that potholes, poor lighting, rotted benches, and similar hazards invite litigation, much of it avoidable or made less costly by exercising reasonable care and foresight.

Settlements or judgments after trial in premises liability suits following youth sports injuries are certainly not unknown, and it may be difficult or impossible to deter a plaintiff's lawyer from filing suit against owners or managers even with weak evidence. In more than forty years, however, this Author cannot recall ever having coached a youth hockey game in an ice rink that appeared unsafe or genuinely contributed to an injury. No media report, and no

42. For a discussion on premises liability, see generally WALTER T. CHAMPION, JR., FUNDAMENTALS OF SPORTS LAW §§ 2:6, 7:1–7:5 (2d ed. 2004); GLENN M. WONG, ESSENTIALS OF SPORTS LAW 122–26 (4th ed. 2010).
44. See generally id.
later allegation in the civil or criminal filings, suggested that conditions at the Rinkside Sports Ice Arena had anything to do with the injury that confined Neal Goss to a wheelchair, unable ever again to walk or care for his daily needs.

B. National Safety Standards

What about potential negligence liability based on either the quality of protective equipment or the sufficiency of playing rules established by schools or national youth sports governing bodies? These national safety standards remain central in contact sports such as hockey or football, but these sports do not hold a monopoly on injuries—or lawsuits.46

Concern about negligence liability doubtlessly influences engineers who design protective equipment, and schools and national youth sports governing bodies that establish and periodically refine playing rules.47 Decision makers act not only from a genuine desire to prevent injury but also because they know that their organizations typically have “deep pockets” that attract plaintiffs’ lawyers seeking damages.48

For example, USA Hockey’s steady march toward more protective safety standards,49 since the Author first laced on skates nearly fifty years ago, has undoubtedly spared many youngsters avoidable injury. Neal Goss was injured while he wore a helmet, face cage, and other protective equipment that met USA Hockey safety specifications, whose sufficiency was not questioned.50 Further, regardless of whether the performance of the coaches or referees during the New Trier–

46. See, e.g., CONSUMER PRODS. SAFETY COMM’N, 2009 NEISS DATA HIGHLIGHTS (2009), http://cpsc.gov/neiss/2009highlights.pdf (discussing injury rates for various sports, including ones not considered to be contact sports).


48. See Linda S. Calvert Hanson & Charles W. Thomas, Third Party Tort Remedies for Crime Victims—Searching for the “Deep Pocket” and a Risk Free Society, 18 STETSON L. REV. 1, 33 (1988) (arguing that “in an era during which the search for ‘deep pockets’ and a society free of risk is accepted by many as a worthy goal . . . it appears to advance a definition of foreseeability” in premises liability “that is so tortured that it often has the effect of blurring the edges between negligence and strict liability”).


50. O’Matz, supra note 9 (discussing the Goss family’s lawsuit, which named only participants responsible for the Nov. 3 game, without naming USA Hockey).
Glenbrook North game met the minimum expectations for responsible adult leadership, no report indicated that any coach or referee had evaded or failed USA Hockey’s nationally-mandated criminal or child abuse background checks,51 or lacked the classroom training certification required of coaches and officials.52

Nor was negligence evident in USA Hockey’s national playing rules,53 which provide penalties for both “checking from behind”54 and “cross-checking,”55 the particular violations committed by Neal Goss’ opponent when he delivered his blow at the end of the game.56 The Glenbrook North player who injured Neal Goss received a penalty for “checking from behind” and a thirty-day suspension pending a hearing before state amateur hockey officials.57

C. The Legal Process

With the sufficiency of USA Hockey national safety standards not in issue,58 the law reacted to Neal Goss’ life-changing injuries as best it could. Concluding that the blindside hit occurred seconds after the game ended while Goss was skating to his team’s bench, the state prosecutor charged the opponent with two felony counts of aggravated battery.59 One count alleged great bodily harm, and the other alleged use of the hockey stick as a deadly weapon.60 The opponent (who remained unnamed by the media because he was a minor) entered an Alford plea61 to one count of simple

52.  See id.
53.  See generally USA HOCKEY, supra note 12.
54.  See id. r. 608, at 60 (prohibiting “checking from behind”).
55.  See id. r. 609, at 60 (prohibiting “cross checking”).
56.  See Schuette, supra note 32, at 529.
58.  See discussion supra Part I.B.
60.  Herguth, supra note 59; Hussain, supra note 10; O'Matz, supra note 9.
61.  North Carolina v. Alford, 400 U.S. 25 (1970) (affirming the constitutionality of an Alford plea in which a defendant pleads guilty while maintaining his or her
misdemeanor battery. The juvenile court judge sentenced him to 120 hours of community service at a facility for paralyzed patients and placed him on probation for a period of two years, during which he could not play contact sports.

Facing lifetime costs for medical and around-the-clock personal care, Neal Goss and his family filed a multimillion dollar civil action for damages. The suit alleged that five defendants—the Glenbrook North opponent; the Glenbrook North coach; the Illinois Hockey Officials Association; the Northbrook Hockey League, which sponsored the Glenbrook North team; and the Amateur Hockey Association of Illinois—negligently failed to maintain adequate control over the game. The parties reached private settlements in some of the civil suits, and USA Hockey’s insurance also helped meet Gross’ ongoing expenses.

II. THE CENTRAL ROLES OF SPORTSMANSHIP AND RESPECT IN INJURY PREVENTION

The national safety standards fashioned by equipment designers and USA Hockey did not fail Neal Goss, nor did the legal process that played catch-up after his injury. Instead, players on both teams were left vulnerable by rabid local adults who let the game get out of hand and abandoned effective control, neutralizing the national standards that were designed to prevent injury.

In their adult-education materials produced for local parents and coaches, national youth sports governing bodies should explicitly link sportsmanship and respect with player safety. A simple analogy demonstrates the need for this link.

innocence, conceding that prosecutors had enough evidence to convict).
63. Hussain, supra note 10.
64. O'Matz, supra note 9.
66. See discussion supra Part I.B–C.
67. “Children’s sports are in many respects becoming less of a game and more an extension of their parents’ lives.” Schuette, supra note 32, at 523. “When parents focus on sport and winning in these terms (that being as a means of realizing external goals), they are . . . consequently increase[ing] the probability or tendency that children will employ unfair, unethical, and unsportsmanlike behavior in the quest to seize the glory and prestige that is at the end of the winning rainbow.” Id.
In purpose and form, a sport's rulebook resembles the statutes and laws that influence other aspects of our daily lives. "The life of the law," said former Harvard Law School Dean Roscoe Pound, "is in its enforcement." 68 Pound meant that achieving a statute's protective purpose, depends on responsible public and private enforcement because words protect no one and statutes do not apply themselves. 69 Similarly, a youth sport's playing rules are merely words on paper, and achieving their protective purpose depends on parents, coaches, officials, and league administrators—all of whom, by responsibly enforcing standards of sportsmanship and respect, remain committed to injury prevention.

A. Prevention Strategies in the Upbringing of Children

1. Existing Prevention Strategies in American Life

If adult-education materials stressed sportsmanship and respect as an injury-prevention strategy in youth sports, these materials would follow a path already familiar in American life. A wide range of public and private prevention strategies already seek to protect children from conduct dangerous to themselves or others. 70

For example, organized after-school activities and other prevention programs enable adults to reduce rates of juvenile delinquency, eliminating much conduct by minors that would be a crime if committed by an adult. 71 Researchers have also demonstrated the effectiveness of classroom curricula that enable teachers to help prevent violence and bullying in the nation's elementary and secondary schools. 72

69. Id. at 605 (noting that the law "must be valued by the extent to which it meets its end, not by the beauty of its logical processes or the strictness with which its rules proceed from the dogmas it takes for its foundation").
72. See, e.g., Douglas E. Abrams, A Coordinated Public Response to School...
Like these and other juvenile prevention programs, new initiatives that link sportsmanship and respect to player safety will not prevent all unfortunate incidents.73 Juvenile prevention programs achieve success through reduction, not perfection.74 Reduction—motivating much of the targeted audience to modify their behavior75—remains a realistic and worthwhile goal when the unpalatable alternative would be toleration of unacceptably high rates of incidents.76

2. A New Injury Prevention Strategy for Youth Sports

a. The Existing Framework

Parents and coaches might feel tempted to dismiss Neal Goss’ paralysis as extraordinary, and not as a meaningful predicate for sustained safety-based prevention initiatives in youth sports generally. The disregard for sportsmanship, respect, and safety that marked the New Trier–Glenwood North hockey game, however, helped produce consequences that remain extraordinary only in their severity.77

Sports medicine specialists and other pediatric professionals understand how runaway emotions during a game can endanger player safety.78 The “Safety Checklist” provided by the National Athletic Trainers’ Association, for example, includes these measures: “Coaches should strictly enforce the sports rules,”79 and leagues should “[d]evelop a


73. See O’Matz, supra note 2 (quoting Alan Kray, president of the Northbrook Hockey League, as acknowledging that “[t]here are penalties every game,” including “checking-from-behind (penalties),” and that “[i]t happens in hockey . . . in football,” and “in lots of [other] contact sports”).

74. “Reduction, the most realistic outcome of prevention efforts, remains a worthwhile goal when the alternative is tolerating unacceptably high rates of injury to person or property.” Abrams, supra note 72, at 411.


76. Abrams, supra note 72, at 411.

77. Schuette, supra note 32, at 533 (acknowledging that absent the severity of Gross’ injuries “it is unlikely that [his] case would have ever made headlines”).

78. See infra notes 79–86.

79. See, e.g., NAT’L ATHLETIC TRAINERS ASS’N & N. AM. BOOSTERS CLUB ASS’N, SPORTS SAFETY CHECKLIST TO HELP PREVENT COMMON ATHLETIC INJURIES 2 (n.d.),
“seton hall journal of sports and entertainment law [vol. 22.1]

sports/parent ‘code of conduct,”’ that encourages the adults to “[a]lways show good sportsmanship.”80

A provocative 2008 study conducted by the Center for Injury Research and Policy at Nationwide Children’s Hospital underscores how local adherence to a youth sport’s national playing rules enhances player safety.81 The study focused on nine high school sports: boys’ football, soccer, basketball, wrestling, and baseball; and girls’ soccer, volleyball, basketball, and softball.82 Researchers estimated that between 2005 and 2007, more than 98,000 injuries in these sports were directly related to an act that a referee, official, or disciplinary committee ruled illegal.83 Thirty-two percent of these injuries were to the head or face, and twenty-five percent were concussions.84

“Each sport has . . . rules developed to promote fair competition and protect participants from injury,” the Children’s Hospital researchers concluded.85 “[E]nforcing rules and punishing illegal activity is a risk control measure that may reduce injury rates by modifying players’ behavior.”86

The overheated New Trier–Glenbrook North hockey game demonstrates, as the Children’s Hospital researchers suggest, that adherence to sportsmanship and respect helps assure youth leaguers’ safety by promoting competition within the letter and spirit of playing rules developed over time.87 Paralysis and other catastrophic injuries are indeed rare, but observers continue to report “innumerable cases . . . throughout the country every month . . . of games turning tragic at the hands of enraged parents”88 during brawls and other similar encounters. “Waves of head-butting, elbowing and fighting have been reported at youth sporting events


80. Id. at 5.
81. See Collins et al., supra note 28, at 34.
82. Id.
83. Id.
84. Id. at 36.
85. Id. at 34.
86. Id.
87. See Collins et al., supra note 28, at 34.
across the country."

With improper adult conduct disturbingly common in youth sports, it is not unreasonable to think that for every reported incident other such incidents never reach the media.

As this Article's Introduction noted, the 2010 poll that Reuters and Ipsos jointly conducted underscores the prevalence of adult misbehavior at youth sporting events. Out of the twenty-two nations polled, parents in the United States ranked as the world's "worst behaved" parents at these events. Sixty percent of American adults who attended youth sports contests reported that they saw parents become either verbally or physically abusive toward coaches or officials. Runner-ups were parents in India (59%), Italy (55%), Argentina (54%), Canada (53%), and Australia (50%).

“It's ironic that the United States, which prides itself in being the most civilized country in the world, has the largest group of adults having witnessed abusive behavior at children's sporting events," said an Ipsos senior vice president.

The Reuters-Ipsos' poll confirmed earlier estimates of adult misbehavior. For example, in a Survey USA poll conducted in Indianapolis, Indiana, 55% of parents reported that they observed other parents engaging in verbal abuse at youth sporting events and 21% witnessed a physical altercation between other parents. Likewise, in a Minnesota Amateur Sports Commission survey, 45.3% of youth leaguers said that adults called them names, yelled at them, or insulted them while they played in a game; 21% said that they played with an injury because they were pressured to do so; 17.5% said that an adult had hit, kicked, or slapped them during a game; and 8.2% said that they were pressured to harm others intentionally.

90. Parents Worst Behaved, supra note 29.
91. Id.
92. Id.
94. See Parents Worst Behaved, supra note 29.
95. Morrison, supra note 88.
96. FRED ENGH, WHY JOHNNY HATES SPORTS: WHY ORGANIZED YOUTH SPORTS ARE FAILING OUR CHILDREN AND WHAT WE CAN DO ABOUT IT 140 (2002).
The National Alliance for Youth Sports has estimated that about fifteen percent of youth league games involve at least one confrontation between a parent and a coach or official. In a survey conducted by *Sports Illustrated For Kids* magazine, 74% of youth athletes reported watching out-of-control adults at their games; 37% of the athletes witnessed parents yelling at children; 27% saw parents yelling at coaches or officials; 25% observed coaches yelling at officials or children; and 4% saw violence by adults.

Linking cause and effect in sports can be imprecise, but precision is not necessarily a prerequisite for initiatives designed to improve the circumstances of youth athletes. These consistent poll and survey numbers give ample justification to infer the existence of a relationship between adult behavior and player safety, even where the avoidable injuries would not approach the severity of Neal Goss’ injury.

On the first anniversary of the fateful New Trier–Glenbrook North rematch, a veteran hockey referee said that “nothing” had changed in Chicago-area high school hockey. “It’s just as bad as it ever was,” the referee concluded. “There’s kids being carried off the ice every night. You have parents acting like animals in the stands, coaches acting like animals on the bench . . . [b]ut when their kid gets hurt, they . . .

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101. Id.
can't figure out why.”

b. The Outlook for the Future

As a longtime youth-league coach, this Author remains confident that thoughtful adult-education materials can lead many—though certainly not all—parents and coaches to link sportsmanship and respect to player safety. At one end of the spectrum, some adults will likely continue to resist messages urging sportsmanship and respect, including safety-based messages. At the other end, some adults need no reminders about sportsmanship and respect because the two virtues already define their lives. In the vast middle, however, parents and coaches remain unsure about how to behave, perhaps from their own inexperience in youth sports, or perhaps because their own children only recently began playing.

Before and during the New Trier–Glenbrook North hockey game, responsible adult enforcement of national safety standards could have scripted a happier ending. Media reports did not indicate that, as game day approached, any adult sought to cool tempers and prepare for a spirited yet sportsmanlike contest. The adults needed only to listen to what their children said at home because taunting, trash talking, and threats of violence do not arise for the first time by spontaneous combustion when players arrive at the game. As the game itself spiraled out of control for an hour or more, the press did not report that any adult in the rink—any parent, coach, referee, or league administrator—possessed the ethical compass, emotional strength, or common sense to stop

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102. Id.
103. See, e.g., Bill Wells, Zealous Parents Troubling, THE REPUBLICAN (Springfield, Mass.), Mar. 7, 2010, at B8, available at Factiva, Doc. No. SUNW000020100309e6370001v (“75 percent of all people involved in youth sports are quality, first-rate people . . . . 5 percent are just nuts . . . . 20 percent consists of good people . . . . [b]ut when it comes to youth sports, something happens. Something gets triggered.”). Fred Engh, president of the National Alliance for Youth Sports, has estimated that the number of problem youth sports parents has increased from about 5% to about 15%. Chat Transcript: Fred Engh on Sports Rage, ABC NEWS (Sept. 11, 2000), http://abcnews.com/US/story?id=94468&singlePage=true.
105. Id.
the game, deliver a public announcement requesting calm, instruct the players to regain their composure, or take any other steps to move the teams back from the brink before it was too late.

The enduring lesson of the New Trier–Glenbrook North donnybrook is that when local adults compromise sportsmanship and mutual respect and let the “hot blood of emotions” get the better of them,106 these adults undermine the capacity and efficacy of national safety standards that are designed to protect the safety of youth athletes. When safety-based adult education induces parents and coaches to do better, every injury prevented will spare some youth leaguer short-term disability, long-term distress, or both. Players and families spared this damage will be much better off, even though they may never know of their good fortune. “An ounce of prevention,” taught Benjamin Franklin, “is worth a pound of cure.”107

B. Crafting Safety-Based Prevention Messages Grounded in Sportsmanship and Respect

Where do we go from here? As they design and disseminate adult-education materials, schools and national youth sports governing bodies often produce effective messages in hard copy brochures, on DVDs, on league websites, or on posters displayed at the fields and other venues where children play organized sports.108 Creating messages that link sportsmanship and respect to player safety presents a convenient opportunity because it requires only that the creators recast the materials that these governing bodies already use.109

1. Sportsmanship

Effective parent-education materials stressing safety would recognize that embracing sportsmanship from the relative security of a keyboard, speaker’s podium, or preseason parents’ meeting takes only words, which can come

108. See supra notes 23–24.
easily because they carry no consequences. Maintaining sportsmanship while watching games from the stands, directing the team from the bench, or playing on the field can be much tougher because impulses toward self-restraint clash with equally strong—and sometimes stronger—passions to win.

The clash is real because maintaining sportsmanship with a lit up scoreboard depends on willpower—as President Abraham Lincoln put it on the eve of the Civil War—to overcome passion and heed “the better angels of our nature.”110 In a national sports culture that values winning, rewards winners, and sometimes views winners as “good people” and losers as “bad people,”111 living up to Lincoln’s admonition can be a tall order.

Effective safety-based adult-education materials would also acknowledge what every athlete and youth leaguer’s parent and coach already knows—that winning is preferable to losing.112 Wanting to win is a perfectly natural impulse, and indeed defines the essence of sportsmanship at any age and at any level of amateur or professional play.113 The integrity of sport depends on competitors who each care about the scoreboard. Athletes unconcerned about the score should not play because they deny their opponents the spice that comes from physically and emotionally invigorating competition.

Effective safety-based appeals for sportsmanship would also recognize, however, that the integrity of sports depends on each player’s resolve to pursue victory within the rules, and then to shake hands with the opponent and accept the outcome gracefully—win, lose or draw. The British National Association of Coaches has it right: “Sport without fairplay is not sport and honours won without fairplay can have no real value.”114

111. BERNIE SCHOCK, PARENTS, KIDS AND SPORTS 31–32 (1987); see also THOMAS TUTKÓ & WILLIAM BRUNS, WINNING IS EVERYTHING AND OTHER AMERICAN MYTHS 8 (1976) (describing positive characteristics attributed to winners and negative characteristics attributed to losers).
112. Schuette, supra note 32, at 515 (noting that in the American society “winning is rewarded and athletes revered”).
113. Id. at 519 (noting that a “moral and physical ethos” were cornerstones to “the initial rise of organized youth sports”).
114. THE GROWING CHILD IN COMPETITIVE SPORT 8 (Geof Gleson ed., 1986)
2. Respect

Even if Neal Goss had emerged unscathed that cold November night, the suburban Chicago hockey game brought no honor to anyone in the ice rink because the game proceeded without mutual respect, the cornerstone of sportsmanship.

By tolerating and indeed encouraging trash talking and physical confrontations, the hockey players and their families did not live up to the aspiration to "respect the game" by playing or rooting vigorously while trying their best to win within the rules.115 "Respect the game" has almost become a term of art and, indeed, was the title of Ryne Sandberg's acceptance speech when the Chicago Cubs second baseman was inducted into the Baseball Hall of Fame in 2005.116

The New Trier and Glenbrook North hockey players did not respect their opponents as fellow competitors entitled to a hard, spirited contest. The players did not respect their families or themselves by playing clean. Parents, coaches, and league administrators did not respect one another or the players by maintaining decorum in the stands and on the benches.

Collective disrespect endangered every New Trier and Glenbrook North player, even ones who played within the rules that night. Local breakdowns in sportsmanship and respect bring a shared risk on the field. As catcher Crash

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3. Building on Existing Citizenship-Based Messages

National youth sports governing bodies, schools, national youth sports reform organizations, and local leagues already advance sportsmanship and respect as the lodestars for athletic competition.119 Some of these organizations have also explicitly linked sportsmanship and respect to safety.120 With some tailoring, existing adult-education materials can combine citizenship-based and safety-based messages for the first time or can stress the combination more prominently.

For example, one national governing body, USA Hockey, already instructs that “[f]air play and respect are the backbone of any successful amateur sports program.”121 The ultimate goal is a compact among “all participants and spectators [to] have respect for all players, coaches, officials, administrators, spectators and the sport of hockey.”122 Specifically, USA Hockey emphasizes that: (1) “[p]layers are encouraged to develop a deep sense of respect for all (opponents and officials),”123 (2) “[c]oaches are responsible for instructing their players to play the sport in a safe and sportsmanlike manner,”124 (3) “[e]ach official should enforce all playing rules fairly and respectfully,”125 and (4) “[s]pectators are encouraged to support their teams while

117. BILL DURHAM (The Mount Company 1988).


119. See sources cited infra notes 121–139.

120. See, e.g., LITTLE LEAGUE BASEBALL, PLAY IT SAFE: A PRACTICAL APPROACH TO LEADERSHIP RESPONSIBILITY IN AN EFFECTIVE LITTLE LEAGUE SAFETY PROGRAM 4:11 (1998), http://littleleague.org/Assets/forms_pubs/asap/Section4_PlayItSafe_2010.pdf (“Good sportsmanship and courtesy, which are necessary for a harmonious and safe environment, can be taught best through the good example set by all adults on and off the field.”); RESPECT SPORTS, http://respectsports.com (last visited Nov. 30, 2011) (“respectful behavior in youth athletics will result in the establishment of standards that foster a healthy and safe environment”).

121. See USA HOCKEY, supra note 12, at vii.

122. Id.

123. Id. at viii.

124. Id.

125. Id.
showing respect for all players, coaches, officials and other spectators.”

Turning to youth sports reform organizations, the nationally recognized Positive Coaching Alliance (PCA) advances “Honoring the Game” as “the governing precept in youth sports.” The precept is grounded in “respect for Rules, Opponents, Officials, Teammates and one’s Self.” Several national sports governing bodies, including Little League Baseball, USA Water Polo, and USA Rugby have embraced PCA’s call for honor and respect. The American Youth Soccer Organization (AYSO) similarly strives to “create a positive environment based on mutual respect rather than a win-at-all-costs attitude, and . . . to instill good sportsmanship.” “A key component of ethical behavior,” adds U.S. Lacrosse, “is respect.”

Local leagues and concerned parents and coaches have created citizenship programs bearing such names as “Respect Sports,” “Respect the Game,” and “Respect My Game.”

126. Id.
127. THOMPSON, supra note 98, at 110.
128. Id.
As it receives players from youth sports programs, the National Collegiate Athletic Association (NCAA) introduced its RESPECT Sportsmanship Initiative in 2009. Through its credo—“RESPECT. It’s the Name of the Game”—the NCAA Initiative aims to “address sportsmanship head-on” by reinforcing the importance of a respectful competitive environment.

With sportsmanship and respect already prominent in youth sports, recasting existing citizenship-based messages to stress player safety seems to be a natural step in the effort to serve the best interests of youth leaguers.

CONCLUSION

A. “[O]ne Word—Respect”

In the wake of Neal Gross’ injury, Chicago Tribune writer Bob Verdi challenged his readers with a direct question: “Where did our children learn disrespect for the games and opponents they play?” Paraphrasing cartoonist Walt Kelly, Verdi blamed the adults: “We have met the enemy and it is us.”

New safety-based adult-education materials should squarely confront “the enemy,” the attitudes of many parents and coaches in youth sports. The first step for these adults is to recognize that fidelity to sportsmanship and respect does not indicate softness toward opponents, or lack of passion to win. Ryne Sandberg took the lead during his induction to the National Baseball Hall of Fame in Cooperstown in 2005. “[I]f in high school sports treat each other badly, disrupt games, or generally behave in a manner unworthy of the game itself, they are devaluing what you, and all of us, care so much about.”

138. See generally id.
139. Id. at 2.
141. Id. (paraphrasing cartoonist Walt Kelly, creator of “Pogo”).
there was a single reason I am here today,” the Chicago Cubs star told the audience in his acceptance speech, “it is because of one word—respect.”

I was in awe every time I walked on to the field. That’s respect. I was taught you never, ever disrespect your opponent or your teammates or your organization or your manager and never ever your uniform. . . . I played [the game] right because that’s what you’re supposed to do—play it right and with respect.

Sandberg’s abiding respect guided his will to win throughout his sixteen-year major league career, though he too recognized that respect has taken a hit in recent years. “When we all played,” said the new Hall of Famer at the Cooperstown ceremony, respect for the game “was mandatory. It’s something I hope we will one day see again.”

B. “[T]orment . . . for the Rest of Their Sad Lives”

The second step in confronting “the enemy” within us is to recognize that the ultimate goal of youth sports is to leave the players with memories to savor during a lifetime of good health. The final score of the New Trier–Glenbrook North game has long since faded from memory, a meaningless statistic when compared with the catastrophic injury suffered by fifteen-year-old Neal Goss. Every person in the Rinkside Sports Ice Arena that night—including many adults whose passion to win overwhelmed concern for sportsmanship, respect, and safety—learned a bitter lesson.

The lesson, articulated by President George Washington in his Farewell Address in 1796, is that self-discipline means tempering passion with reason. Glenbrook North parents came to their senses once they saw the human costs of a breakdown in sportsmanship and mutual respect. When their team faced off against Evanston a few days after Neal Goss lay facedown on the ice, the chastened Glenbrook North

142. Sandberg, supra note 116.
143. Id.
144. Id.
parents cheered as their rivals scored the first goal, a generous gesture grounded in reason but delivered too late.\footnote{146}

The New Trier–Glenbrook North junior varsity hockey game had no winners, only losers. Neal Goss and his opponent were both reportedly clean players not known for skating at the edge of the rules.\footnote{147} The opponent received only one penalty during the prior season.\footnote{148} According to Nancy McMahon, whose son played on the Glenbrook North team, and whose husband Jim was a former Chicago Bears quarterback, the opponent was “just the sweetest thing.”\footnote{149}

“[B]oth of these children,” said one writer about Neal Goss and the opponent who blindsided him, “will be tormented by this for the rest of their sad lives.”\footnote{150} “I can never say ‘sorry’ enough,” read the opponent from a prepared statement at the juvenile court dispositional hearing.\footnote{151} “I pray every day for Neal and a medical miracle that could end this suffering.”\footnote{152} “Part of me has survived,” Neal Goss responded in the prepared statement he read in court, “and part of me has been lost forever.”\footnote{153} Each young man likely spoke from the heart after learning the grim consequences of casting aside sportsmanship and respect.

Neal Goss remains confined to a wheelchair, dependent on around-the-clock caregivers to bathe and dress him and help with other daily activities because he has no use of his legs, no movement in his fingers, and only limited movement in his arms and wrists.\footnote{154} Despite these obstacles, he achieved a perfect score on the mathematics part of the Scholastic Aptitude Test (SAT), earned a business degree at the University of Pennsylvania’s Wharton School of Business, and secured a position as a financial analyst at a Chicago investment firm.\footnote{155} “When you look at what he has had to
overcome,” says the firm’s general manager, “it’s inspirational.”

Neal Goss’ story thus proceeds more heroically than many of the attendees at that early-November junior varsity game might initially have expected. The story demonstrates that the indomitable human spirit has an uncanny capacity to overcome adversity, and that athletes fortified by years of physical and emotional discipline sometimes demonstrate the greatest resilience of all.

C. Teachable Moments

Wise parents and coaches of youth leaguers seek out “teachable moments,” opportunities to educate their children with positive lessons drawn from bad events. Sometimes, however, the adults can learn as well as teach.

Neal Goss’ injury holds two important lessons for the parents and coaches who guide young players. First, the law usually cannot make an injured youth leaguer whole because the civil or criminal proceeding happens only after the injury. Second, and perhaps more important, parents and coaches who behave irresponsibly can put the players in harm’s way when passion unrestrained by reason neutralizes the safety measures built into national equipment standards and a sport’s rulebook.

With these lessons in mind, schools and youth sports governing bodies would serve the teaching process best by coupling existing citizenship-based messages in their print and electronic adult-education materials with a strong, clear, and prominent new message that also stresses injury prevention:

“Sportsmanship + Respect = Safety.”

People who cringed as Neal Goss left the ice rink on a stretcher that cold November night undoubtedly wished that they could turn back the clock and script a different ending to the game. Goss’ story might have had a much happier ending if the players on the ice that night had been protected not only by national equipment safety standards, but also by local

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156. Id.
157. See discussion supra Parts I, II.A.1–2.
158. See discussion supra Part II.B.
adherence to principles of sportsmanship and respect that help ensure a safe, spirited athletic competition.