

Stockton Court Case Update

On Friday Nov 15, 2019, USA-Swimming posted a news item on the USA-S website stating that a jury in the Jane Doe v. USA Swimming case in Stockton, California, found that USA Swimming was not responsible for the actions committed by a coach employed by a California swim club.

On Saturday Nov 16, 2019 a number of newspapers around the Bay Area including the San Jose Mercury News, also published the outcome of the trial. This news article was reported that Stockton Swim Club and Pacific Swimming settled with the plaintiff for 1.125 million dollars. Prior to the published news article, the financial settlement of Pacific Swimming with the plaintiff was unknown to the General Chair and members of the Pacific Swimming Board of Directors. In order to get a better understanding of what occurred a number of the Pacific Swimming Board of Directors reviewed the chronology and actions reported in the newspaper article.

We can report to our members after a lengthy investigation of court documents and requests for information from the lawyers engaged to defend Stockton Swim Club and Pacific Swimming by USA-S the following:

The Risk Management (Insurance) Company that insured Stockton Swim Club settled during the mediation meeting for one million dollars which was accepted by the plaintiff and resulted in Stockton Swim Club being dropped as a defendant in the court case.

Prior to the start of the trial, the Risk Management (Insurance) Company that insured Pacific Swimming offered one hundred and twenty five thousand dollars on behalf of Pacific Swimming which was accepted by the plaintiff. This resulted in Pacific Swimming also being dropped as a defendant in the court case.

The case continued into a jury trial with USA Swimming being the only defendant. The outcome of the trial was that USA-S was found not responsible for the actions committed by a coach employed by the Stockton Swim Club. The settlement on behalf of Stockton Swim Club and Pacific Swimming was not discussed or considered during the jury trial but was included in the news article as announced by the plaintiff's attorney as a side item in his press announcement.

Pacific Swimming deeply regrets that a swimmer was harmed and agrees that everyone needs to continue to do more to ensure a safer environment for our athletes. The USA Swimming Safe Sport program and initiatives have been judged to meet or exceed the standard of care for a youth serving organization. Pacific Swimming will follow the guidelines provided by this program and its initiatives and will strongly encourage all of our member clubs to do likewise.

If you are a survivor of abuse, we encourage you to report to law enforcement and to the U.S. Center for SafeSport. USA Swimming also offers resources to survivors. For more information visit the Pacific Swimming website at www.pacswim.org or the USA Swimming website at www.usaswimming.org/report or email swimassist@usaswimming.org.