

## Your Legal Rights and Responsibilities



Donald C. Collins

### AGGRESSIVE REPORTING WOES

**Q** An official in our association is in some hot water. After working a high school basketball game involving a player who is being recruited by a large university in our state with a nationally recognized basketball program, a gentleman loitering nearby the officials' locker room asked the official what he thought of the player. The official gave a smart alec response, saying the kid would be lucky to get a scholarship to the local community college let alone a big university. It turns out the man who asked the question was a reporter and the official's quote was in the paper the next day. Don't reporters have to identify themselves so people know they are "on the record." What should the official do?

**A** The way journalists gather news is a heated legal and ethical area involving hidden cameras, deception and even reporters taking jobs to get inside secrets. Those aren't libel cases. The people involved acknowledge the truth of what was reported. They just think the reporter was underhanded in getting information. Generally a reporter who loses a surreptitious news gathering case invaded somebody's privacy or violated some legal obligations to the people they report on.

A referee has two legal problems when making comments in public. First, he's in a public place so he has no real expectation of privacy. Second, even if a reporter does something wrong to get the news, he or she has a pretty much absolute right to print it — especially if it's true.

The referee has some ethical problems, too. Once it's written, it's written. People may forgive the referee if he or she sues for libel. I don't think people will be too forgiving if the referee said the wrong thing, admits it and then says the reporter tricked him or her.

In short, from a legal perspective if you say it in public you're fair game. Because the referee here said things in public, he or she probably can't win any case about privacy or other obligations that the reporter violated. However, surreptitious newsgathering cases yield strange results, so the referee should consult a First Amendment lawyer.

From an ethical perspective, reporters probably should identify themselves when conducting interviews. So the referee could call the newspaper editor or ombudsman and gain an apology from the paper. That won't change the fact that the story got published though.

Associations should handle the problem in advance.

Associations need policies on when officials should comment

to the media about a game (probably *never!*). They also need to teach officials that while in public, their comments are public. The pregame and postgame only take place behind closed doors. Skill assessments only take place in private.

Associations also need policies about when officials can fulfill a social or public relations function and describe their profession or praise coaches or players for long-term service or general character. Sportsmanship awards and scholarship support link referees to the community. Advance training and policies are the way to go here. *Donald C. Collins is the executive director of the San Francisco Section of the California Interscholastic Federation. He is a longtime basketball official and lawyer. This material is intended for informational purposes and is not legal advice.* □

NATIONAL ASSOCIATION OF SPORTS OFFICIALS



### Membership Drive *(continued from p.N1)*

**Assault Protection Program.** It provides up to \$3,000 coverage for certain expenses resulting from injuries suffered when an official is the victim of an assault and/or battery by a spectator, fan or participant while the official is performing officiating duties.

**Assault Accident-Medical Coverage.** Benefits are payable at 80 percent of usual and customary charges and up to \$5,000 after a \$250 deductible has been met. That coverage is in addition to other valid and collectible insurance.

**Optional Game Fee Loss Insurance.** It protects you from losing officiating game fees because of injury. Members have two game-fee protection options to choose from that is payable up to 26 straight weeks.

**Referee magazine.** Monthly members-only edition of *Referee*

magazine. The issues are in full-color and contain 100 pages of officiating techniques, mechanics, personal development, industry news, rule changes, case study situations and full-length feature articles.

**It's Official newsletter.** Monthly 16-page newsletter providing association news, information, caseplays and educational product discounts.

**NASO LockerRoom e-newsletter.** Monthly e-newsletter keeps you up-to-date on officiating techniques and news.

**Annual sport quizzes.** Online quizzes that will help you improve your knowledge of the rules.

**Advocating on critical issues impacting sports officiating.** Through its media relations, NASO has been responsible for the promotion of positive awareness for sports officials.

**Discounts.** Money-saving discount on registration to sports officiating's most important annual event, the NASO Summit and members-only buying discounts on *Referee* and NASO publications, which includes savings up to 45 percent.

**Relocation referral services.** When you move to a new area, NASO will put you in touch with officiating leaders to keep your officiating career on track.

**Marriott Athletic VIP card.** Members receive a sport rate of up to 50 percent off the regular room rate at participating hotels where space is available.

And best of all, NASO membership is tax deductible. For more information please contact NASO at 800/733-6100 or visit our website at [www.naso.org](http://www.naso.org). □