

Sports Event Management and Security: Legal Issues, Strategies

By Lee Green, J.D. on October 05, 2016hst

A diverse range of event management and event security challenges confront the operators of sports events at the professional, collegiate and interscholastic levels. A similarly wide scope of issues is present for the organizers of related enterprises such as concerts, plays, festivals and other entertainment activities involving large gatherings of people. Prevailing best-practices standards for such occasions have emerged from a series of court case rulings in recent decades addressing the liability of event managers for failing to exercise reasonable care to protect the safety and well-being of spectators, athletes, coaches, officials, performers, event workers and other third parties present at a venue. In particular, five event disasters and the lessons learned from each are responsible for shaping the modern approach to event management and security.

On December 3, 1979, more than 10,000 concert-goers with general admission tickets (non-reserved seating; first to a seat gets that seat) to see the British rock band The Who were gathered several-hundred-deep outside the still-locked doors along the front of Cincinnati's Riverfront Coliseum. The doors were not opened at the announced time, causing the waiting fans to become increasingly unruly. When Pete Townshend and Roger Daltrey went on stage to do a last-minute sound check, many of the fans mistakenly thought the concert was starting and the crowd surged forward, crushing those in the front against the building.

After several minutes passed, two doors were opened (only two ticket-takers were available) and the throng then began shoving to get to those openings, resulting in a melee during which 11 persons were trampled and died from asphyxiation, 26 more were critically injured, and hundreds more sustained varying degrees of physical injuries. Negligence lawsuits against the concert promoter and the city of Cincinnati, alleging a lack of reasonable care in the planning and operation of the event – especially related to the then-common practice of unassigned seating at concerts – were settled four years later for a total of \$2.4 million. The disaster was the catalyst for the birth of the discipline of event management and for the development of best-practices standards at large gatherings of people in entertainment and sports venues.

On April 15, 1989, shortly before the kickoff of an FA Cup semifinal game between Liverpool and Nottingham Forest at Hillsborough football stadium in Sheffield, England, a human crush occurred inside the two central "pens" at the west end of the stands, allocated to Liverpool supporters and located directly behind one of the goals. The pens, common at the time in most British stadiums,

were sections of the stands enclosed in high steel fencing to prevent football hooligans from being able to rush onto the field or into other sections of the stands.

The human stampede occurred when, in an attempt to ease the overcrowding in the two central pens where fans most desired to sit because of their behind-the-goal location, police supervising the event ordered exit gates to the overcrowded pens to be opened, thinking fans already packed inside would exit and then re-enter less crowded pens to the sides. The opposite occurred and when the exit gates were opened, those waiting to enter from outside the stadium surged into the central pens, leading to a crush in which 96 died and 766 were severely injured. The coroner's inquest and a long series of public and private investigations of the disaster, the most recent of which was just completed and its formal report published in April 2016, led to extensive changes not just in sports event standards-of-practice at English soccer venues, but in event planning strategies at athletics and entertainment venues worldwide. The lawsuit judgments and settlements in the Hillsborough disaster resulted in more than £30 million being paid to the victims and their families.

On October 30, 1993, at Camp Randall Stadium in Madison, Wisconsin, as the home team Badgers secured a 13-10 victory over archrival Michigan, approximately 12,000 spectators surged out of five student sections onto the field, collapsing chain-link and rail fences, resulting in a crush on the field in which hundreds of fans were knocked down and trampled, 10 of whom were unconscious and not breathing when first treated by paramedics at the scene, and 80 more of whom were seriously enough injured to be transported to hospitals for treatment.

The student sections at the time were general-admission seating, resulting in severe overcrowding in the most desirable parts of the stands; and when the stampede to get onto the field began, dozens of rows of fans were almost instantly compressed against restraining fences and railings adjacent to the field. No one died in the melee, but 16 required hospital stays, two of whom were in critical condition. The resulting lawsuits were settled for a collective \$1.2 million and investigations of the situation led to changes nationwide in crowd-control strategies for field-rushing and courtstorming, changes in ticketing policies, and new strategies for bleacher design.

On February 6, 2004, on senior night for the boys basketball team at Tucson (Arizona) High School, the home team's star player, 6-foot-6 Joe Kay, a National Merit semifinalist with a 4.5 grade point average and a volleyball scholarship to Stanford, made an exclamation dunk as time expired, punctuating his team's win over its biggest rival. In celebration, the crowd charged onto the

floor and mobbed the star player, knocking him to the floor, breaking his jaw against the hardwood, and twisting his neck in a manner that tore his left carotid artery and induced a stroke.

The cognitive injury, which left Kay partially paralyzed on his right side and ended his sports career, severely impaired his ability to walk, talk, read, write, think – he had previously excelled at high level math and science – and play musical instruments – he had won several jazz competitions playing the saxophone. The Kay family sued the school district for negligence because of its failure to exercise reasonable care in sports event planning and the suit, which was eventually settled for \$3.5 million, garnered so much media attention that it led to extensive changes nationwide in the recommended strategies for event management and security at high school athletics contests.

On April 15, 2013, two bombs exploded near the finish line of the Boston Marathon, resulting in the deaths on that day and during the event's aftermath of three civilians and two police officers, along with injuries to another 264 civilians and 16 police officers. One of the perpetrators died three days later during a shootout with authorities and the other, captured on April 19, was convicted of 30 terrorism-related charges and sentenced to death. No civil lawsuits were filed nor were any allegations levied of negligent event planning against the marathon organizer, the Boston Athletic Association. However, in the year afterwards, One Fund Boston distributed more than \$61 million to 232 claimants and insurance companies paid out an undisclosed dollar value to 113 claimants, mostly for business interruption and property damage.

In the wake of the tragedy, increased efforts began to be given by sports event organizers at all levels – professional, college and high school – to reasonable and feasible event security precautions that might be implemented to safeguard against acts of terrorism or active shooter scenarios and to strategies for outdoor events spread out over large areas such as the 26.2-mile course for a marathon.

The Seven Steps to Effective Event Management & Security

1. Design and configuration of the event and facility.
2. Development of a spectator behavior policy.
3. Event-day implementation of the plan.
4. Development of a communication plan for the event.

5. Preparation of an emergency contingency plan.
6. Consideration of the special needs of the disabled.
7. Assessment of liability insurance needs for the event.

The Modern Approach

As a result of these five event tragedies and others similar to them, a modern approach to event management and security has emerged involving seven stages of policy development and implementation:

1. Design and configuration of the event and facility: The event and facility should be zoned into activity areas structured to control and limit access to those authorized for admission into each area. The public area should be those locations such as entrances, ticket booths, concession stands, restrooms and first-aid stations. The performance area should be limited to event administrators, coaches and athletes, and includes locker rooms and team meeting rooms. The service area should be accessible only to ticket sellers, concession workers and custodial workers, and includes ticket booths, concession stands, supply rooms and storage areas. The support area should be accessible only to event personnel such as security, police and medical personnel. The parking area should be designated for the event and carefully supervised. Closed areas should be secured to ensure that they are off-limits to everyone at the event.

2. Development of a spectator behavior policy: The policy should define reasonable, enforceable and clearly communicable limitations on spectator behavior at the event. Included should be clear guidelines regarding prohibited items such as weapons, alcohol, objects that can be thrown, noisemakers, objectionable signs and the like. Also included should be clear guidelines for behavioral standards regarding issues such as courtesy to other spectators, cheers and chants, sportsmanship standards, and profane language restrictions. Consideration must also be given to the media that will be used to communicate the policy, including the role of the public-address announcer, signs at gates, signage, game programs and event supervisors. Training must be provided for all event managers regarding consistent enforcement of the behavior policy and response strategies for all contingencies.

3. Event-day implementation of the plan: Execution of the security plan on game day should focus on controlling entry to the facility and controlling movement between the activity areas zoned for the event. Ticket takers and event supervisors should be trained to visually screen entrants and persons

already inside the venue for indicia of trouble; one speaker at the 2016 National Sports Safety & Security Conference was Salim Toorabally, the French event worker who recounted the training he had received that empowered him to, on his first day on the job on November 13, 2015, to visually recognize that an individual trying to enter the national soccer stadium Stade de France in Paris was concealing something under his coat. Toorabally's actions in preventing the suspicious individual from entering the venue may have saved thousands of lives, including French President François Hollande who was inside the stadium to watch that night's France-Germany soccer friendly, when the man, who turned out to be a suicide bomber, walked away from the turnstile and detonated his vest of explosives, killing himself and one bystander, the first of a series of terrorist acts across Paris that night that claimed the lives of 130.

4. Development of a communication plan for the event: The International Association of Venue Managers (IAVM), the professional organization for event managers, offers extensive resources related to event security, including books, videos, journals and seminars. The IAVM has created a "phase coding system" for use in governing communication over radios, walkie-talkies or cellphones during events. Information is available at www.iavm.org.

5. Preparation of an emergency contingency plan for the event: The planning process for event management must include anticipation of the types of crises that might arise and appropriate response measures, including contingencies such as a fire, a bomb threat, a contact emergency, a crowd disturbance, an illness or injury-related medical emergency, a problem in a parking area, a power failure or a weather hazard. Preparations should also be made for more dire types of emergencies that, although unlikely to occur at a high school sports event, are sadly more than just a remote possibility in modern times, including situations such as a terrorist act, a bomb explosion or an active shooter scenario. Contact information for outside emergency response personnel and agencies should be compiled in advance and access for those personnel and agencies to the venue should be communicated to them in advance. Evacuation procedures should be designed so that training and rehearsal may be provided for event managers.

6. Consideration of the special needs of the disabled: The key to addressing special-needs issues is to understand and anticipate the challenges that confront the disabled, including seating locations and access to those locations, accessibility of entrances to and exits from the venue, companions and companion animals, restroom accessibility, concession and merchandising access, emergency issues, and evacuation procedures.

7. Assessment of the liability insurance needs for the event: The IAVM has resources available regarding suggested insurance strategies for sports events. In addition, schools should consider consulting with their state high school association to inquire about group insurance options related to their school's sports events. In sum, planning is the key to event security and all seven steps of an effective event management and security plan must receive careful consideration in order to prevent the occurrence at your school or any of the types of event tragedies that continue to occur in the United States and around the world. For additional information and to obtain event management support resources, in addition to the IAVM, consult the National Center for Spectator Sports Safety & Security (NCS4) at www.ncs4.com.