



Regulating Mixed Martial Arts in Indian Country

by Andrew Hofstetter

Mixed Martial Arts (MMA), or combative sporting events, has grown since the 1990s. MMA events have become more popular over the years at tribal casinos and resorts. With this in mind, tribal governments, tribal gaming commissions, and casino operations have made tremendous strides to educate themselves about the sport. Tribes have developed medical and licensing protocols, training and certification programs, rules and regulations, and ordinances to mitigate risk and liability to the tribe.

We must first understand how combative sporting events began, for over time there have been various types that are all related in one form or another which include the following:

- **Boxing**, profoundly portrayed by matches of Muhammad Ali. Boxing dates back to the original Olympic Games of Greece in 688 BC. It became immensely popular in England during the 18th and 19th century. The first regulating rules were the Broughton's Rules, which were put in place by the champion Jack Broughton in 1743. These rules were intended to protect the fighters in the ring and provide a baseline foundation and structure for the sport. The most prevalent rules to this day are the London Prize Ring Rules, which set the standard for ring size, established the 30-second knock down, and prohibit head-butting and hitting below the belt among other rules.
- **Kick Boxing**, spawned from traditional martial arts such as Karate and Muay Thai mixed with traditional Western Boxing, in some cases referred to as a "hybrid" martial art. It came into world-wide prominence during the 1960s and '70s along with various sub-genres.
- **Muay Thai**, originated in Thailand and is known as the art of eight limbs. It consists of the combined use of fists, elbows, knees, and shins intended for use in close combat situations where the entire body is a weapon. Modernization for Muay Thai began in the early 1900s and was largely influenced by the growth of Western (British) Boxing. The entire sport owes its origins to Suan Kulap College in Thailand, the first place to build a permanent ring.
- **Mixed Martial Arts (MMA)**, originated from a similar Greek fighting event, Pankration which included a combination of grappling and striking. Also rooted in Brazilian fighting events called Vale Tudo, the term "Mixed Martial Arts" was first documented by a television critic speaking of UFC 1 in 1993.



Regulators in MMA look at protecting the fighter, patrons, staff and the organizing tribe with approved protocols, rules, regulations, and ordinances. With that being said, tribes should be wary of promoters who bring their own referees, judges, doctors, and inspectors to make everything a one-stop shop. Appealing as this may be, it does raise considerable concern when it comes to risk and liability, protection of the fighter, and maintaining a fair and safe environment. The involvement of a third non-biased party such as a Gaming Commission or Athletic Sports Authority is very important to ensure that regulations, ordinances and protocols are being followed, and the outcome is a safe and fair fight. The public image of the tribe is at center stage when it comes to the appearance of the fight, and a decision that is questionable, or failure to stop the fight at the appropriate time, could start a massive media storm. The participation of a third-party regulator removes any perception of conflict of interest. Should a fighter be injured in the ring on your tribal property, it will not only bring attention to your tribe, but the subsequent investigation will focus on how the fight was regulated and sanctioned and examining the rules, regulations, and protocols to identify whether protections were in place and whether they were followed. This is why it is so important to understand the value of having a third-party such as a Gaming Commission sanction an MMA event to bring balance to not only the ring but to the spectators as well.

Development of a Commission – This can be done through various methods that include proclamation, resolution, and ordinances by the Tribal Council or the leading Tribal Authority. Numerous tribes have achieved athletic oversight utilizing their existing Gaming Commission to create a Sports Athletic Committee consisting of Gaming Commission staff, or by the creation of a Tribal Sports Athletic Commission. The Commission establishes ordinances, rules and regulations, licensing standards, protocols, and sanctioning of events. By establishing a Commission, the tribe becomes self-regulating, which is an extension of sovereignty. The regulation of MMA events ensures the protection of the tribe and gaming facility and provides for the health and safety of the fighters.

Responsibilities of the Promoter – The promoter shall ensure the following: (a) everyone involved in the event is licensed by the Gaming Commission; (b) Surety Bond (at a minimum of \$25,000) will be provided, ensuring payment for the fighters in case the promoter reneges; (c) Medical and Accidental Death Insurance (at a minimum of \$25,000) is provided to all

fighters; (d) fighters' contracts are provided specifying the conditions that must be followed; (e) event permits and/or a sanctioning permit are completed and provided to ensure the maintenance of adequate public safety at all events, ring or cage, and the integrity of gloves.

Responsibilities of the Tribe or Commission:

- Enforce approved rules and regulations and ordinances and protocols.
- Check fighters against National ID card database; check fighters records.
- Check for any current suspensions, wins and losses, physician's suspensions, technical knockout (TKO) or knockout (KO), and failed drug tests.
- Validate fight results on Fightfax or *abc.mixedmartialarts.com* (post event).
- Hire trained staff.
- Review and approve fighters' contracts (bout contracts).
- Arrange for drug testing.
- Provide: licensed physicians (minimum of two), a plastic surgeon and ambulances (minimum of two).
- Approve fight card.
- Oversee match making of fighters to ensure they are equal weight, wins, losses, and experience.
- License the judges, referees, fighters, managers, time keepers, physicians, matchmaker, seconds, announcer, inspectors, promoters, and telecast promoters such as ESPN, etc.

Responsibility of an Inspector – Inspectors are responsible for a fighter's wellbeing and safety. Inspectors check all hand wraps and sign off on each one. All bags are inspected by an inspector upon arrival to look for unapproved medical items, food, and open containers. They examine all gloves for any rips, tears, irregularities, or anything that could harm the fighters in any way. They also examine the cage for any irregularities that may include sharp edges, uneven floor, padding, or anything that could cause harm. Inspection of fighters' shoes, shoelaces, personal protection, gloves, mouthpiece, jewelry, hair, shorts, ankle or knee wraps are equally important. The inspector supervises all fighters who are being drug tested. The inspectors are the eyes and the ears of the Gaming Commission, accountable for protecting the fighters, attendees, staff, and the tribe.

Muhammad Ali Act – Though there are no federal regulations for MMA, boxing has a federal regulation, the Muhammad

Ali Act, or commonly referred to as the Ali Act. The law was introduced in 1999 and enacted on the May 26, 2000 by the 106th Congress. The Ali Act was created to:

- Protect the rights and welfare of boxers.
- Aid state boxing commissions with the oversight of boxing.
- Increase sportsmanship and integrity within the industry.

The Act amends the 1996 Professional Boxing Safety Act by expanding existing legislation against exploitation, conflict of interest, and enforcement as well as adding amendments. It was enacted in response to widespread abuse of boxers by means of exploitation, rigged rankings and rigging matches.

Medical Requirements – To help ensure the fighter is able to fight and to protect the fighter and everyone involved, the following must be followed: blood work results must be completed 90 days before the event, which includes testing for Hepatitis B and C and HIV; and radiological and neurological exams must be done, if a cause arises. In addition, fighters who are 36 years of age or older must have a general physical, EKG, stress echo test, and eye exam. Female fighters must also have a negative pregnancy test. All fighters must complete a urinalysis test including drug testing and steroid testing, if a cause arises.

Fighter Suspensions or Fines include:

- Late to the rules meeting, weigh-in, or pre-event physical.
- No show to an event.
- Failure to disclose to ringside physician any medications used.
- Failure to follow a doctor's direction.
- Refusal to take a drug test or testing positive on test.
- Unsportsmanlike conduct.
- Leaving ring before being cleared by doctor.

As you can see, there are many moving pieces when it comes to regulating MMA fights. It is an explosive sport which elevates the risk and liability of the tribe if tribal statutes are not followed, so it is advisable to be prepared for any possibility. Despite the complications of regulation, MMA is an entertaining event that draws thousands of fans. ♣

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