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| Steve Smith | <p>Hi this is Steve Smith and Rich Young from Bryan Cave Leighton Paisner and welcome to our podcast. Today we're talking about anti-doping. Rich you have been for a long time, the world's leading expert on anti-doping. What are the hot button issues that you see going on right now with Tokyo?</p> |
| Rich Young | <p>Well thanks Steve. There are a lot of people who would say that I'm, OK, but not the world's leading expert but! So some interesting perspectives on doping and anti-doping at the games. When I first got involved in working in anti-doping 20-30 years ago, this is my perspective that the IOC's view was that they didn't want any positive tests at the games because that would have a negative effect on sponsors and trust in the Olympics and all of that.</p> <p>In modern times when we've come to realize that a certain number of athletes dope, their view is changed that if they don't catch some athletes doping at the games, it means that the anti-doping program isn't working. Just a very interesting paradigm shift.</p> <p>Another thing that's very different is the amount of pre-games testing. All of the international federations do extensive testing before the athletes go to the games. The national Olympic committees do that because they don't want to send dirty athletes and bring disrepute on their own country. And the IOC does a lot of pre-games testing.</p> <p>Another change is the sophistication of the anti-doping system and the laboratories and how that plays into the games of cops and robbers. So, an example, I was working for World Anti-Doping Agency, "WADA," during the Salt Lake Olympics. And I was listening to just a vignette on NBC talking about how in the fight between the cops and robbers, when it came to darbepoetin the robbers were way ahead because it was undetectable and it was known that European athletes were using it.</p> <p>So darbepoetin is a form of EPO. EPO is a wonder drug in medicine. It helps, it's naturally produced by the body, but synthetic EPO helps the bone marrow make red blood cells. So if you got sickle cell anemia, it used to be you had to have transfusions. Now you can take EPO.</p> <p>And they've since developed more wonder drugs that last longer, do different things and the like and darbepoetin was one of them. And I kind of chuckled when they said, we don't have a test for this. Because UCLA laboratory was doing the testing at the Olympic games and I knew we did have a test for it. So the more they told the world that we didn't have a test, the more likely we were gonna get a positive.</p> <p>And I got a call from the lab at about 11 o'clock one night saying: Saying Rich we got one. And it turns out they got three, they were high profile athletes, two Russians and a guy with a German name who is skiing for Spain. And I'll never forget the conversation, I said: Well how do we know? And he said because I talked to the guy at Amgen who developed the drug, showed him the electropherogram from this athlete and his words were: "That's my baby"!</p> |

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| | So, so you know, the level of sophistication in the anti-doping program, the number of tests, the seriousness of the tests, has really, really changed over the years. |
| Steve Smith | Great, well what do you say we bring in our guest Alan Abrahamson to talk a little more? |
| Rich Young | Yeah, that's great! |
| Steve Smith | So Rich, we're really lucky to have joining us today Alan Abrahamson live from Tokyo, for that matter. Alan it's a, it's a, it's great thrill for me. I remember watching you years ago on TV and reading your columns in the LA Times and now 3Wire Sports, so thank you for joining us. |
| Alan Abrahamson | Thank you, I appreciate that. I don't know if it was a thrill, but thank you so much! That's very kind of you! |
| Rich Young | So we're talking today about anti-doping at the games and you're on the ground in Tokyo, what are you hearing about the latest developments in anti-doping and things that are going on there? |
| Alan Abrahamson | Well to be honest, right now, for once, really for once, the anti-doping scene is on the back burner. The only doping that anyone is talking about is spitting into a tube for Covid. Honestly, that's all anybody can talk about is Covid. I'm sure there will be doping matters. The only doping that's gone on so far is a cocaine case involving an Australian equestrian, who shockingly because the Australians are up in your face about doping all the time. They're like: Oops! We have a doping case. And he has been summarily executed from the Australian team. So that's the doping scene from here right now. |
| Rich Young | So how about some of the pre-games doping cases, like Sha'carri Richardson? What's your take on that great controversy? |
| Alan Abrahamson | Well, I have written about Sha'carri at length, so where would you like to start? My take is that she violated the rule. The rule is the rule, and she knew with certainty what she was doing when she for sure inhaled and I think she has accepted her sanction with grace. And I then think we can start there and then I think we can go on to the hypocrisy that's been shown by the United States Government all over the place if you'd like? |
| Rich Young | Hey, well, what do you have to say? |
| Alan Abrahamson | Well, I think it's crazy that the United States Government responding to public pressure from blue state advocates is now saying let's review the rules when it's been the United States Government that has, that was at the outset a proponent for including marijuana on the band list. It's been USANA that's been a proponent for keeping marijuana on the list, all these years and if you recall, at the beginning of President Biden's term, there were five staffers summarily dismissed from the White House for weed violations. I mean these sorts of things are just double standards all over the place. Should marijuana use be reviewed? Probably, but this is about as light a sanction as it's gonna get, and we have to remember that 18 jurisdictions to the United States is not a reason to change a global standard. I mean this is a substance that's still subjects you to prison time here in Japan, or in say Indonesia or other countries. And the United States is not the sole entity in the world that should be determining global anti-doping policy. |
| Rich Young | I had some experience with that since I tiered the CAS decision in Ross Rebagliati in Agano and the entire lobby of the hotel room where we were |

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| | having our hearing was filed with Japanese law enforcement when he tested positive for marijuana. |
| Alan Abrahamson | I'm sure! |
| Rich Young | <p>I think, I think in my experience with the world anti-doping code, USANA has not been a supporter of marijuana on the list, but clearly the U.S. Government has, that's, they have been a major supporter and you're right, the rest of the world isn't where our 18, 19 states are.</p> <p>The other thing, the other thing on the Richardson case that people seem to admit, everybody seems to focus on the 30 day suspension, but that isn't what's keeping her out of the Olympic games in the 100 meters. The reason she can't run the 100 meter is whoever wins the Olympic trials runs the 100 meters and her win was disqualified.</p> |
| Alan Abrahamson | <p>Oh for sure, I mean immediately upon the positive test, she was dq'd. Look the other thing that I think people are not fully understanding is that, and I think you, in particular Rich have some experience and understanding about this and Steve you do too probably, it is that the level of marijuana or THC, metabolized in your system, has been substantially increased and it's not that she, we know, the race was on a Sunday, she acknowledges that she used on Thursday.</p> <p>If she were, let's just speak about this is in the hypothetical rather than saying Sha'carri. If one were to inhale on a Thursday and compete and since marijuana is an in competition substance. If one hypothetically were to be a one-time user and inhale on Thursday and then compete on Sunday, then maybe you're metabolite levels might be "x."</p> <p>But since the level is now 180, that would suggest that whoever might be using that substance, might well be using that substance with some recurring, if not regularity, might be using the substance in a recurring fashion or with some regularity. And that's I think something that's gotten lost in all the to-and-fro, all the controversy here.</p> |
| Rich Young | Do you have a prediction on what will happen to marijuana? |
| Alan Abrahamson | I think the rule will stay exactly the way it is. |
| Rich Young | OK. |
| Alan Abrahamson | What's your prediction? |
| Rich Young | I don't know, I'll probably be in the middle of it, so. I'll write whatever they tell me to write! |
| Alan Abrahamson | Yeah, I just don't see, I-I-I mean, since, even in our own country, we don't have a majority view that marijuana ought to be legalized. I just don't see how we can make the case globally that the rule ought to change significantly. |
| Rich Young | So let me ask you another sort of open-ended question. As what, how many Olympics have you been to, a hundred? |
| Alan Abrahamson | This is my 11 th – you're close! |
| Rich Young | Every two years? |
| Alan Abrahamson | Yeah exactly. |
| Rich Young | Four years in the beginning. |
| Alan Abrahamson | Yeah, every two years my kids and my wife, say: "Shew! See ya!" |

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| Rich Young | My sense is that from the beginning, it was a whose winning the cops or the robbers in trying to catch athletes? And in the early years clearly the robbers were winning. What's your sense as to where we are today? |
| Alan Abrahamson | My sense is that the cops have made some progress, but the robbers are still winning. Here's the way I usually tell this story, gentlemen. I worked for the Los Angeles Times for 17 years and the first 8, of first 9 of those years I covered hard news. And I did things like, you'll remember the trial of Lyle and Erik Menendez the gentlemen that shotgun their parents to death. |
| Rich Young | Yeah, yeah. |
| | <p>And I mean I covered some really horrific crimes – right? And I'd like to think that when I came back to sports in 1998 that I was what my journalism professors at North-Western had told me. I was pretty sceptical of everyone and everything – right?</p> <p>And so I came back to sports and Olympics and I was chatting really early on with Jerry Long at the New York Times. And he said to me, you know they're all doping? And I said: No! I said: Really? And a year later he said: So? And I said: They're all doping.</p> <p>And so, I don't know if they're all doping, but I will tell you after sitting in Tyla Hamilton's living room and having him tell me about a vanishing twins, or listening to Maryann Jones and reading her book, in bright red letters, I did not dope. And having Lance Armstrong, you know, tell me, time-and-again, that he did not dope and so on and so forth.</p> <p>And then of course Rich and I will well remember Floyd Landis and everything that he asserted. I'm pretty sceptical about this whole enterprise and I think that you know the percentage gains at very elite sports are significant, 1 or 2% and that's the difference between 8th place and a medal.</p> <p>The risk and reward dynamic or equation is what an elite athlete has to weigh and typically, a very smart athlete or a good coach can manage that equation and that's why I think these were it all cases are so significant because the AIU in particular has figured that out.</p> <p>I'm, I'm, I'm pretty sure that a significant number of these people are for sure tempted and if not tempted they're doing something. There are very few people who I think are clean. I mean I think Katie Ledecky for one is clean, I do. I think she's clean. I cannot say for, with great assurance that they're a lot of other people I know are clean. I would go to my grave thinking even Nathan Adrian for one was clean.</p> <p>I think the cultures of certain programs are cleaner than others. I think the U.S. Swim team is cleaner than others, but you know, I wouldn't swear that everyone on the U.S. Swim team is clean.</p> |
| Rich Young | So, it's interesting, I mean you mentioned four cases that I was personally involved with and I think in the early days I would have agreed with you. You know, we hear from athletes after we catch them that you guys in the anti-doping cop side are making it so damn hard to dope successfully, that |

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| | <p>it's almost not worth it. I mean these are athletes, these are cyclists that are using variants of EPO.</p> <p>What do you think, I mean, there's a lot of emphasis by WADA and others on the ethics of clean sport and that if we're really gonna successfully fight doping we need to have athletes truly believe that it is if you dope it's bad as stealing money from your grandmother's purse.</p> <p>You think we're gonna get anywhere with that, or there's so many cultural differences that there are places and countries where of course you'd steal money from your grandmothers purse if you needed it?</p> |
| Alan Abrahamson | <p>I'm gonna answer this seriously, rather than colloquially because my first response is to be glib. I think most people want to be good. But when you get to a certain level, I think the difference between winning and not winning is very small physically, and as the, as we all understand, what, what performance enhancing substances do is it enables you to train harder and recover faster, and that can make a big difference in your physical ability.</p> <p>And then it's up to you mentally. You know championship athletes are a different sort of breed of cat. We in the west, you know, if you grow up in kindergarten or grade school or middle school being raised, I'm generalizing here on you know, mom, God, and apple pie and country. That's a beautiful thing we like to think, but that, that's, those are cultural norms that may or may not apply around the world. Again, I'm generalizing and you know, people at the top level of international sport, often can be or simply are ruthless in their pursuit of winning.</p> <p>And I think it's a laudable goal to say that ethical pursuit of winning is valuable. I don't know how we instil that in a generation of clean athletes successfully. I-I-I don't know how to do that.</p> |
| Steve Smith | <p>You know, I also go back to Alan, going way back in the memory banks but there was the survey by Sports Illustrated where they asked athletes, if you can take this pill, you'll win a gold medal, but you'll be dead in five years, would you take it? And I think, maybe around 60% said they would take it. And that kind of underscores what you're talking about that, ruthlessness, the focus on winning above all else, leads to that kind of decision.</p> |
| Alan Abrahamson | <p>And it's not just, you know, those of us of a certain age grew up acculturated by our rivalry with the Soviet Union and its satellite nations and I think the 21st Century is going to see the same sort of rivalry with China. But it's not just that there's a good and bad as you know, we're good and they're bad, you know, like Rocky 4 with Elan Drago or something.</p> <p>You know, we cheat here too, we're just, as I say all the time, we just cheat in a capitalistic way, and we should not be under any illusion that we don't cheat. We cheat all the time.</p> |
| Rich Young | <p>So, one of the points that you made was that a lot of people and I think it would be more true in some of the western nations than some of the others, really would like to play by the rules but one of the things that caused Victor Conte to be so successful in his BALCO doping program was his convincing his athletes that it's not cheating if everybody's doing it. And that was track and field in some of our professional sports. But when you</p> |

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| | <p>look at cycling and the Lance Armstrong era, that was essentially his coach, Johan Bruyneel's case when we brought that case to CAS.</p> <p>And it wasn't a successful defense even though it is true. So I think we have at least made some significant changes in wiping out the notion that everybody's cheating you know. I don't think we'll ever be at a point where we say we can catch everybody.</p> |
| Alan Abrahamson | <p>Do you? I'm not trying to be challenging here Rich because I mean I think I'm knowledgeable, but I would defer to you considerably. Do you think we've made progress? I mean I think, I go back to you know, what Mr. Armstrong told Oprah, you know, he said: "Everyone's doing it." And that was like putting you know, doping...</p> |
| Rich Young | Air in your tires! |
| Alan Abrahamson | <p>Air in your tires or water in your bottle, you know, and I can't say that I watched every stage of the tour that just ended, but I'm at a loss to explain some of these physical performances.</p> |
| Rich Young | <p>I guess my answer is yeah, I think we've made a lot of progress and I would base that on athletes who've said, you've made it so hard on us it isn't worth it. It's the number of, the way our laboratories have been able to detect ever more minute quantities.</p> <p>And the other thing that I think has been a major difference is the use of investigations in doping cases. You know, when we were both youngsters in this anti-doping world, there were positive tests and that's all we had. But if you look at Marion Jones or Lance Armstrong or the Russian investigation, those are all investigations that resulted in doping cases.</p> |
| Alan Abrahamson | Un huh. |
| Rich Young | I think the thing that scares me the most is a repeat of state directed doping like we discovered in Russia, somewhere else. |
| Steve Smith | <p>Well, you know, along those lines, let's turn to that subject. That's something that continues to have a big impact and looks like it will for some time to come. Alan how do you see that ending? When do you see the penalties on the Russians ending and things getting back to the way they were?</p> |
| Alan Abrahamson | <p>Do I think that the penalties ending on the Russians and things getting back to the way they were is necessarily a bad thing, or a neutral thing? Is that what you're asking?</p> |
| Steve Smith | Not really, but I'll let you answer how you, however you are. |
| Alan Abrahamson | <p>Well, this is a much, is a very complicated, needless to say it's a very complicated question and very complicated subject. This goes back to what we all learned in law school. What's the purpose of a sanction? Is it to deter? Is it to punish? Is it to rehabilitate? Is there any rehabilitating this state? Look, I come at this from the perspective of.... I start here and then maybe we can have an interesting conversation.</p> <p>I think the Olympic games have to include the Russians. The Olympic games are flawed and imperfect. We are all flawed and imperfect and, but to have the, the idea of the Olympic games is to bring the peoples and especially the young people of the world together. Because when we do that we find out that we are more alike than we are different. And it's only by having that one-to-one contact that we can break down barriers and we</p> |

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| | <p>can realize that maybe Rocky Balboa and Ivan Drago have something in common, to go back to the caricatures.</p> <p>But that's the truth that we don't need to be involved in a stereotypical caricature of each other. And that's the whole point of an Olympic game, and it's one of my concerns about these games in Tokyo, where I'm not sure what kind of mingling the athletes are gonna have in the village.</p> <p>So, do I think the Russians need to be at the games? Yes. Was there state sponsored doping, or state linked or state affiliated? Whatever word we wanna use here? Yes. Should there have been a sanction? Yes. What should that sanction have been? That's a very complicated question because to punish the athletes of now, for something that happened in 2014 is a very complicated question.</p> <p>To punish summer sport athletes for something that happened at the winter games is a further complication and not only that and I've maybe been the only journalist in the west who said this, I do not think that Grigory Rodchenkov is a good guy in any way shape or form. I mean he's a liar and a cheat and a scoundrel in every way. Not the hero that he's made out to be in Icarus. And so, it's very, very, very complicated and multi-layered. So how's that for an answer?</p> |
| Rich Young | It's a great answer, it's an honest answer, it's an accurate answer. I'll put it another way, it's a great analysis, it's an accurate analysis, but what's the answer? What would you do? |
| Alan Abrahamson | <p>Yeah, I don't know because the Russians are never going to admit how far up the chain this went, even if we might suspect how far up it went. They're just never going to do it, you know? And so that leaves us with what? And I've been also the only journalist in the west who said that each and every one of the individual Russians deserves due process. Which they do!</p> <p>Again so, excuse me, I think once the penalty, the sanction, excuse me, has run its course and I think we all have to, we have to take a deep breath and say: OK, you know, let's move on.</p> |
| Rich Young | Are you worried at all about this kind of state directed doping occurring again in Russia or other countries? |
| Alan Abrahamson | Sure, I mean, I think you'd have to be naïve not to think that it might, or would or could or will happen again. |
| Rich Young | OK, and so I for one have that pretty high up on the agenda of issues that the anti-doping movement needs to be mindful of. Would you agree with that? |
| Alan Abrahamson | I would say it would be a very key action item. |
| Rich Young | Ok, good, well this has been fascinating, thank you so much! |
| Alan Abrahamson | You're welcome, it's really fun and interesting to talk about it with two people who are themselves so knowledgeable. |
| [END OF TRANSCRIPTION] | |