

February 23, 2023

Anthony A. Marnell III
Chairman
Nevada Athletic Commission
3300 W. Sahara Ave., Suite 450
Las Vegas, NV 89102

Dear Anthony A. Marnell III:

On behalf of the Brain Injury Association of America, we are writing to ask for the State of Nevada Athletic Commission to consider a suspension of the “sport” of slap fighting, which you approved in October 2022. As this “sport” has gained more notoriety due to its appearance on *The Power Slap: The Road to the Title*, a primetime television program on TBS, your approval gives legitimacy to an activity that is nothing short of watching traumatic brain injury happen to its participants in real time.

By the nature of this event’s rules, which stipulate that participants are not allowed to defend incoming blows, you are allowing a situation where participants are repeatedly concussed for entertainment. There is no sport here.

The rules as approved by the Nevada Athletic Commission make no mention of a process or procedures for determining if a participant has developed a concussion. According to the definition of a concussion by the Centers for Disease Control, a concussion is caused by a hit to the body or a blow or jolt to the head or that forces the brain to move rapidly back and forth. Concussions are traumatic brain injuries (TBIs), and it is a myth that concussions are not serious. They can be devastating if not attended to properly. It is important that those who sustain a concussion get proper assessment and treatment, and it is very important that they not sustain multiple concussions. Sustaining multiple concussion can greatly increase your likelihood of developing post-concussive syndrome (PCS) or chronic traumatic encephalopathy (CTE). Repeated concussions have also been shown to increase the likelihood of developing other neurological disorders as well.

Regardless of procedures in place to prevent concussions after the fact, many in the medical community have raised questions about how this sport was ever approved by your commission. To date, you have not released the names or information of any medical professionals involved in the approval process. There has also been to our knowledge no studies done to show what

effects “Slap Fighting” has on participants, but you don’t need to be a medical professional to see the damage it has caused.

Recently, U.S. Reps. Bill Pascrell, Jr. (D-NJ-09) and Don Bacon (R-NE-02) of the Congressional Brain Injury Task Force sent a letter (attached for your reference) seeking answers from Warner Bros. Discovery CEO David Zaslav about the program. BIAA echoes their concerns that this program glorifies dangerous and aggressive behavior at the expense of its participants’ long-term health.

We urge you to use your authority to put an end to this activity before more traumatic brain injury occurs to its participants.

Sincerely,



Rick Willis
President and CEO
Brain Injury Association of America



Paige Melton-Ivie
Chairwoman
Brain Injury Association of America

Congress of the United States
Washington, DC 20515

February 15, 2023

Mr. David Zaslav
CEO
Warner Bros. Discovery
230 Park Ave S.
New York, NY 10003

Dear Mr. Zaslav:

As the Co-Founders and Co-Leaders of the Congressional Traumatic Brain Injury Task Force and authors of the Traumatic Brain Injury Act, we write to you with grave concerns about your new show, *The Power Slap: The Road to the Title*. This crass program glorifies dangerous and aggressive behavior at the expense of its participants' long-term health.

From what we can tell, *The Power Slap* capitalizes on violent behavior and lurid drama masquerading as athletic prowess for profit. Participants are subject to sudden and powerful blows to the head and face causing "rotational acceleration," a primary cause of concussion and Chronic Traumatic Encephalopathy (CTE). In recent years a large body of evidence has established CTE as a direct cause of memory decline, impaired cognition, depression, impulsive behavior, suicidal ideations, parkinsonism, and dementia.¹

These disastrous health effects are often correlated with contact sports like boxing and football.² Yet, the governing bodies of these sports have made strides in recent years to preserve the history and tradition of physical activity while seeking to understand the causes of CTE and implement appropriate safety precautions. *The Power Slap* makes no similar good faith effort to do the same, while exposing participants to brain trauma without protective measures. In fact, participants are penalized for any movement or attempt to mitigate a blow. This deadly combination of force, rotation and lack of defensive gear or posture is inexcusable and possibly fatal.

In exchange for endangering their mental and physical health, participants are offered a paltry \$2,000 and optional cursory screening from the Cleveland Clinic's Lou Ruvo Center for Brain Health. *Power Slap* participants may not demonstrate immediate injury, but the unnecessary

¹ Stern, R. A., Riley, D. O., Daneshvar, D. H., Nowinski, C. J., Cantu, R. C., & McKee, A. C. (2011). Long-term Consequences of Repetitive Brain Trauma: Chronic Traumatic Encephalopathy. *PM&Amp;R*, 3, S460–S467. <https://doi.org/10.1016/j.pmrj.2011.08.008>

² Cunniff, M. (2016, April 14). *The Reality of Brain Trauma in Sports*. UCSF Synapse. <https://synapse.ucsf.edu/articles/2016/04/14/reality-brain-trauma-sports>

damage caused to their brain will have long lasting and disastrous consequences. Endeavor Productions, TBS, and UFC appear to have created and profited off a deadly television show, with significant reach and impact, without implementing basic and commonsense safety protocols.

The Power Slap seems to be geared toward a younger audience. Its dangerous content is not sheltered behind a paywall, nor are any attempts made to protect the most vulnerable viewers. Instead, the program debuted during a popular time slot, exposing families and children to unnecessary violence. And the Power Slap's social media accounts are replete with sleekly produced clips designed to attract young viewers and encourage them to share the show widely, possibly unaware of the dangers. The videos glorify those who can withstand the worst blows to the head without collapsing. We watched footage of a man struck in the face crumple to the ground displaying unmistakable "fencing posture," a telltale sign of brain trauma, yet at no point was this communicated to viewers; the violence was posted solely to titillate.

Martial arts and combat sports have a long and storied tradition. Students are entrusted with sacred rituals and techniques that reflect the beauty and mystery of cultures and families through generations. "Slap fighting," as displayed in The Power Slap, has no such cultural ties, and sacrifices the health of participants for cheap fame and profit.

We strongly suggest that you reconsider broadcasting this problematic programming and request your prompt reply to the questions below.

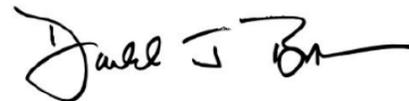
- (1) Does your program run a disclaimer at the beginning and end of each episode of The Power Slap detailing the impacts of concussions, repeated head trauma, and Chronic Traumatic Encephalopathy?
- (2) Do participants have access to a comprehensive, long-term, and free brain monitoring programs, including a designated fund to cover related health care costs? This should include baseline testing to include vision, hearing, an overall health assessment and a magnetic resonance imaging scan. If so, are they compensated for these expenses? If not, please explain.
- (3) Please detail how the show informs all participants, in writing, about the dangers of concussions and repetitive brain injury including how their participation in The Power Slap events exposes them to possible long-term effects that may not be evident for many years.

There are measures that would constitute a bare minimum to protect Americans. There must be limits. The health of Americans matters more than corporate profit.

Sincerely,



Bill Pascrell, Jr.
Member of Congress



Don Bacon
Member of Congress

CC: Ari Emanuel, Endeavor Productions