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The following is a description of facts surrounding an incident in the Iowa State vs South Dakota on April 24th, 2010.

INCIDENT: On April 24th, 2010, the NCBA was contacted (via cell phone) by the officers of the South Dakota Club Baseball team during the second game of the Saturday double header vs Iowa State. The purpose of their call was that the umpires were concerned about the presence of beer cans in the ISU dugout and the speculation that a member(s) of the ISU team was drinking in the dugout. USD contacted their Regional Director (Savannah Harp) to ask what they should do about the umpires concerns. They were instructed to continue playing the game and to have the umpires document any specifics about the incident as best as possible and submit an incident report to the NCBA for review.

On April 25th, 2010, the Umpire in Chief of the game (Luke Hofkamp) provided Mid-America Regional Director (Savannah Harp) with the following report of the incident:

“This memorandum is in regards the second game of the doubleheader on Saturday, April 24, 2010 between the club baseball teams of Iowa State University (ISU) and The University of South Dakota (USD). To officiate this contest I was partnered with Mark Zalme, selected to be the home plate umpire and it was decided that I would act as “Umpire-in-Chief” for this game. I did not umpire the first game of the doubleheader.

During the top half of the first inning Mr. Zalme noticed the presence of two cans appearing, in his words, “to be Bud Light cans wrapped in paper bags” within the southernmost corner of the ISU dugout (See appendix for diagram). These contests are officiated under NCBA rules where the presence of alcohol in the playing area which is illegal pursuant to rule 14.02.00 (<http://www.clubbbaseball.org/files/2007%20NCBA%20Rules.pdf>).

Mr. Zalme informed me of the presence of beer within the dugout in the middle of the 1st inning. I asked Mr. Zalme to “make sure you are positive that is what you are seeing.” I wanted to make sure that the cans were in fact beer not another substance such as energy drinks (e.g. Red Bull, Amp, ect.). It was at this point that I attempted to see the cans he was referring to, but due to the angle at which I was standing, I was unable to see the cans of interest.

Mr. Zalme approached me again after completion of the bottom of the 1st inning and informed me that he was certain that the cans were beer. I noted this finding on the back of my line-up cards for purposes of this report. Again I was unable to see the cans of interest. I would like to make this statement very clear that I never did see the cans of interest. The finding of the cans and the initiation of the protest is based solely on Mr. Zalme’s observations. However, in conversation his statements were such that there was little doubt in my mind as to their validity. Therefore, I felt strongly enough about the situation that I felt it necessary to approach the manager of the USD team.

In the middle of the 2nd inning I approached the manager of the USD baseball team Adam Gale with this information. He stated that “he wanted us to be absolutely certain of this” observation prior to taking any further action. During this same time interval, I ran over to Mr. Zalme and again made sure that he was absolutely certain of this observation. I informed him and made him fully aware that I had not seen the cans of interest, and if a formal protest was to be made it would be based solely on his observation. He stated that his prior statements were correct and would stand by them in this report.



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Following completion of the bottom of the 2nd inning I once again approached Mgr. Gale with Mr. Zalme's confirmation of his statement regarding the presence of Bud Light cans within brown paper bags in the dugout of ISU. He stated that he would contact his district commissioner or contact person to verify how to proceed with a formal protest of the game. He also asked if I could provide any more information about the incident including if he had seen anyone drink from the cans, the numbers of any players involved, identifying marks on bags within the vicinity or other relevant information. Immediately following these questions I quickly jogged over to the first base side of infield and in a conversation with Mr. Zalme he stated that he was unable to provide any of the requested information other than the presence of the Bud Light cans within the dugout.

Later in the game Mgr. Gale informed me that he was filing a formal protest. I noted this as the game would be now played under protest. He stated that he would need a formal written report from both umpires. I informed Mr. Zalme and he stated that he would have no issues with this.

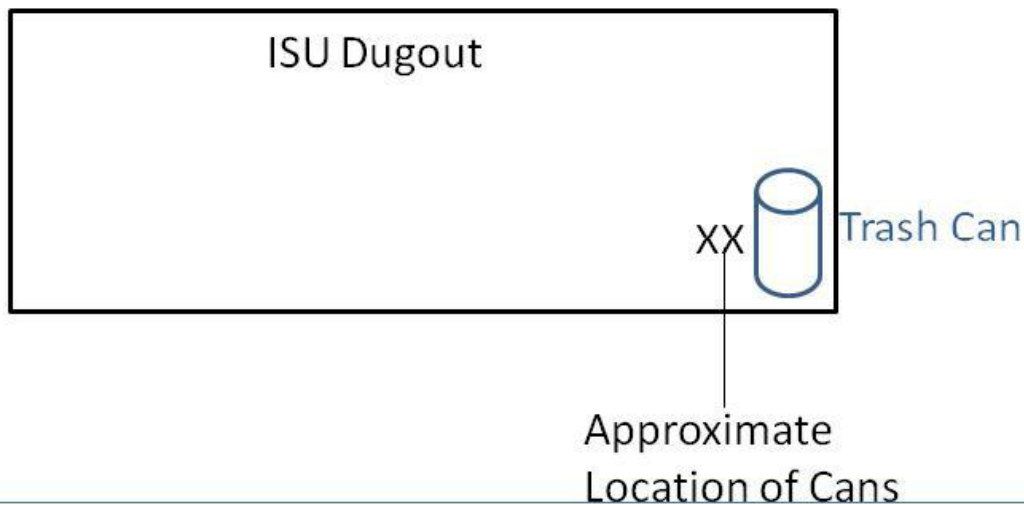
The next day I contacted Mgr. Gale via a call to his cell phone regarding how to proceed with this report. It was at this time that I was informed that following the game the players of the USD baseball team required the use of the trash can from the visiting dugout as a weight to hold the tarps onto the field. In an inspection of the trash can Mgr. Gale informed me that they did in fact find beer cans within brown paper bags in the trash can of the visiting dugout matching the description provided by Mr. Zalme. To my knowledge there is no photographic or material evidence of this finding.

The game overall proceeded without incident. During the game both teams played with sportsmanship, hustle and respect for each other. To my knowledge the finding of the Bud Light cans was not reported to the ISU manager or team during or after the completion of the game. USD won the game in the scheduled 7 innings.

Please contact me if any further information regarding the inquiry is required, however additional details as to the actual observation of the cans of interest please direct questions to Mr. Zalme, as stated earlier in this report I did not see the cans. I have attached a diagrammatic representation of the dugout and placement of the cans as I understood the situation from Mr. Zalme. Mr. Zalme has read this report in its entirety has approved the content and is to be considered his formal report.

Luke Hofkamp
Umpire-in-Chief
4/25/10

Mark Zalme
Umpire
4/25/10



1st

*Diagram not to scale for representative purposes only

By: Luke Hofkamp



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After reviewing the umpire's incident report, the NCBA deemed that this should be investigated further and began an investigation in to the incident. An email was sent to the ISU Officers and Administration asking for comment on the allegations.

On April 27th, ISU Club Baseball Vice President (Tyler Strub) responded for the request for comment with the following

"The claim is accurate. I pitched during game 1 of the series on Saturday. After the game was over I went and got 2 tall-boys. I knew that I wasn't going to be playing the second game because Smaga (our coach) told me so. I drank one of the tall-boys between the games/during the first inning in the dugout. The other one I placed in my bag. No one else had a drink besides me.

Rule 18.03.1 of the NCBA Division 1 Rules states: By signing the liability waiver each player agrees that the use of drugs, alcohol, or any other substances that could cause danger or detrimental effects upon the participant's performance as a member of this organization is strictly prohibited during NCBA Sanctioned Competition.

I do not believe that having a beer could cause "detrimental effects on my performance" because 1) I was not on the field "performing" at any time during the game and 2) a person can / is legal to drive with one beer in their system, so obviously "detrimental effects" are out of the question.

I realize that having a beer in the dugout is not the image that the NCBA wants to convey. For that, I apologize. I was truly frustrated with my / the team's performance, but I realize that does not have just cause as to having a beer in the dugout. I do not believe that I violated any of the NCBA rules, however, I am sorry if I have embarrassed the League."

On April 29th, ISU Club Baseball President and Head Coach (Jim Smaga) responded for the request for comment with the following

"I would first like to start off by apologizing for the trouble and conduct of this past weekend. For most, it was a wrong decision that was made, and both Tyler and I regret what happened. As for my statement on the situation, this took place in the second game of the Saturday double header. I happened to play myself in the game as well as coach the game itself. We were the away team so we batted first. Once the inning was over with, I came into the dugout and saw the Tyler was drinking. I immediately told him to either throw them away or but them in his bag. Tyler did what I told him to do, and that was all. I talked to Tyler and told him the was a bad decision to bring that into the dugout, and he apologized to me and he did what I asked of him. After that, we played the rest of the game without any disturbances.

To sum up some key points, I do feel that this was a mistake and should never had happen. But I still stand behind Tyler and his dedication to both the Iowa State baseball club and to the game of baseball itself. He is one of the most influential people that I have had the chance to work with. His strive to making our team, and the league better is incomparable. Both Tyler and I know that we have made a mistake and we are ready to suffer the consequences, but I do ask that you consider the fact that this is the first time that our club has gotten into any sort of trouble to my knowledge for a long time if at all. I can not say it enough that we are truly sorry for the trouble and pain that we have caused the NCBA, South Dakota, and the game of baseball. This will never



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happen again, and I hope that you accept my apology for the events that have conspired from this last weekend. If you do have any other questions for myself or anyone else in the club, please do not hesitate to ask. Again I am sorry for our actions.”

DISCIPLINARY ACTION: After reviewing the facts as well as the disciplinary precedent set forth by the Southern Illinois University - Carbondale incident of April 1, 2006, the NCBA is issuing the following penalties:

The NCBA has decided to place the Iowa State University Club baseball team on probation for the entire 2011 NCBA season for conduct their baseball operations in a manner which is very much unacceptable by NCBA standards. At the conclusion of the 2011 season, the NCBA will evaluate ISU's status to determine if they should remain on probation or have their probationary status lifted.

- 22.01.0 A team can be placed on probation if they forfeit 3 or more NCBA scheduled conference games in a single season, forfeit to 2 or more conference opponents in a single season, or if they conduct the baseball operations of their team in a manner not considered acceptable by NCBA standards.
- 22.03.0 Probations and Expulsions are not automatic and are evaluated on a case-by-case basis by the NCBA.

Tyler Strub will be suspended for the entire 2011 NCBA season. During this suspension, he may not compete in any NCBA Sanctioned Baseball Games as a player, coach, or manager. Additionally, during this suspension, Tyler will not be recognized by the NCBA as a suitable officer of the Iowa State Club Baseball Team.

No disciplinary action will be taken against president and head coach Jim Smaga. By all accounts he showed zero tolerance for Tyler's conduct in the dugout and eliminated the problem (drinking in the dugout) once it came to his attention.

NOTES: For the past 10 years, the NCBA has worked exceptionally hard to raise both the level of play as well as the public persona regarding the validity of collegiate club baseball. When the NCBA first started in 2000, the term "club" was often confused with the term "intramural" which brought about public images of "pickup" or "sandlot" baseball. Thus the NCBA expects its member teams and participants to conduct themselves with a minimal level of common sense which protects the integrity and image of the NCBA and the game of baseball itself. When NCBA Sanctioned Baseball Games are treated like "Beer League Softball", the credibility of the NCBA as a legitimate collegiate baseball league is tarnished. The NCBA is proud of the fact that we are able to facilitate the opportunity for college students to play competitive baseball. More so, we are proud of the growth in reputation that collegiate club baseball has achieved since the NCBA's inception, and we will not allow one team or one individual to jeopardize that reputation. We owe it to all our member teams and participants to protect it for both club baseball players now and in the future.

Sandy Sanderson
President
National Club Baseball Association