



**Testimony: AB-76**

**Assembly State Relations and Government Operations**

**11/4/15**

Thank you Chairman Swearingen and members of the committee for the opportunity to testify in support of Assembly Bill 76 that would regulate the sport of kickboxing and other combat sports that involve blows to the head.

I am pleased to be a co-author of this legislation with Rep. Kleefisch and Senator Cowles. Senator Cowles was a co-author of a law I passed during the 2009 session that regulates mixed martial arts fighting.

When we passed the mixed martial arts law the sport was coming into its own as a national sport, with UFC gaining millions of viewers and venues across the state were holding mixed martial arts competitions on a regular basis.

Most of these competitions were held I believe with the health of the fighters in mind but there were many cases where this was not the case. We heard stories from fighters around the state who told us of examples where there was no plan in place for medical emergencies and bouts where they did not get paid. I believe passage of that law has largely resolved those issues and protected fighters when they step into the cage.

It also helped us avoid a patchwork of local ordinances that were pushing unregulated bouts out into areas of the state further away from public scrutiny—moves that put even more fighters at risk.

Already I've heard the city of Milwaukee is considering a kickboxing ordinance that could have similar results. This bill would help us avoid that—and by doing so—better protect those who compete in kickboxing and similar combat sports not covered by our mixed martial arts law.

What we did not foresee at that time was the movement by some fighters and promoters from the regulated mixed martial arts sport to that of kickboxing which is not regulated. There are no laws in place to protect the kickboxers' health, to make sure fighters are evenly matched or even to make sure they are paid.

Sadly, we are going to here today from relatives of Dennis Munson Jr. who collapsed in the ring during his first match. It is his story—and the hope that we can prevent similar tragedies-- that is the inspiration behind this bill.

We will also hear from Adrian Serrano, a mixed martial arts fighter who competed in many unregulated bouts and who opposed the mixed martial arts law. Mr. Serrano has had a change of heart and now supports the law and he's here with his son Adrian Jr. today to testify in support of AB-76.

I am grateful for the support of--and efforts of my colleagues on the other side of the aisle--to improve the safety for those who compete in combat sports like kickboxing. I believe this bill is thoughtful. Fiscally responsible. And that it will ultimately save lives.

I hope you will agree so we can tell the Munson family that Dennis did not die in vain and so we can also tell young Mr. Serrano that we want to make sure, as he continues to compete in these types of sports, that we have his health and safety in mind.

Thank you.



# JOEL KLEEFISCH

STATE REPRESENTATIVE • 38<sup>TH</sup> ASSEMBLY DISTRICT

## **Assembly Bill 76: Relating to the Regulation of Unarmed Combat Sports**

### *Assembly Committee on State Affairs and Government Operations*

Thank you Chairman Swearingen and members of the Committee on State Affairs and Government Operations for holding a hearing today on Assembly Bill 76, authored by myself, Senator Hansen and Senator Cowles.

Today I am happy to say that the family of Dennis Munson is here to tell their story. Without going into too much detail, I will say that Dennis died last year in Milwaukee during an unregulated fighting match. The circumstances of his death are heartbreaking and I am here to ask for your support on a measure that I believe will prevent future heartbreak.

I am never a proponent for increased government regulation, and always air on the side of caution when debating solutions that will add another layer of red tape. However, in this instance I am willing to make an exception. This legislation is about safety and justice, and that's the bottom line.

I will be speaking on Assembly Bill 76, as amended by Assembly Amendment 1. Assembly Amendment 1 makes some important, substantive improvements to the original language that I feel are vital to touch on. Not only does the amendment significantly reduce the fiscal impact of the legislation, it resolves several concerns that were raised as a result of the original language.

The bill, as amended, defines the term "unarmed combat sports" to mean any form of fighting in which the objective is for a contestant to injure or incapacitate one's opponent via blows to the head. The original language included a definition that was much too broad and would have had incidental influences on sports that we are not seeking to regulate (karate, wrestling, etc.).

Current law already has in place a number of requirements for anyone seeking to put on a Mixed Martial Arts or Boxing Match. This legislation simply extends those requirements to any Unarmed Combat Sport Match. These requirements ensure the contestants are safe, and include things like requiring a physician be present, requiring an ambulance to be present, and requiring a licensed referee to officiate the match.

To me, this legislation is common sense. The state already regulates MMA and Boxing Contests, and Kickboxing should have been included when those regulations were put in place.

I have included with my testimony a copy of a legislative council memo outlining Assembly Amendment 1, a supplemental fiscal estimate that was generated based on the bill, as amended, as well as a copy of the news story outlining the heartbreaking story of Dennis Munson's death and the state's inability to investigate the circumstances leading up to it. I have also passed out copies of comments made by an international kickboxing referee regarding his thoughts on the Munson Match. Again, thank you for the opportunity to testify, I am happy to answer any questions you might have.

fightreferee@yahoo.com

Without Prejudice.

85 Gilbertstone Avenue  
Yardley, Birmingham. B26 1HY  
United Kingdom  
November 2<sup>nd</sup> 2015

To whom it may concern.

**RE: Amateur Kickboxer Dennis Munson Jr (Deceased). March 2014.**

I am a Professional World A1 Class Martial Arts Referee. I am also a qualified Martial Arts Instructor and holder of a Black Belt in Full Contact Karate and Kickboxing.

I have been a Referee for almost twelve years and have refereed many fights, in rings, on mats and in cages. I have been asked for my opinion on the events as seen on the YouTube Channel highlighting the above fight.

The bout to which I refer above, was in my opinion, very poorly supervised, and could even be described by some as neglectful.

The first responsibility of any Referee is to ensure the safety of the Fighters. Safety must always be a primary concern, and must be in the uppermost thoughts of all Officials involved in the bout. It strikes me that as an Amateur, and I believe this was the inaugural fight of the Deceased, extra care should have been taken by all involved to ensure the safety of both Fighters.

I have never known a complete Novice to fight Full Contact without a head guard. There are arguments for and against the use of head guards, but it is pretty universally accepted that Novices must use them until they become "C" Class Fighters, (normally between three and six wins in to their career.)

I always check on the welfare of any Fighters under my control, and instantly stop a fight or obtain medical advice if I have any concerns whatsoever. It seems in the fight concerned, the Deceased was showing very awkward and drunken-style movement. This is not acceptable in my opinion and should have been recognised as a problem. I was concerned to see that the attending Medical Officer did not seem, in my opinion, to be fully focused on the event taking place. A Medical Officer has the right to stop a fight.

I feel that questions must be asked regarding the level of supervision of a Novice fight, and believe that this could have been handled far better than it was. The outcome of this fight

which resulted in a death was, in my opinion, avoidable.

I welcome questions that people may have regarding the officiating of Kickboxing, and can give professional and impartial advice or opinion.

Yours

**Pete Richardson**



Monday, November 2, 2015

To the esteemed Sponsors of Assembly Bill 76, Representatives Brostoff, Kleefisch, Berceau, Danou, Edming, Hintz, Kahl, Mursau, A. Ott, Zepnick, Zamarripa and Steffen, and cosponsors Senators Cowles, Hansen and Harris Dodd.

I am writing on behalf of my business partner Duke Roufus and myself, owners of Roufusport Martial Arts Academy in Milwaukee, WI, to thank you and offer our full support of Assembly Bill 76.

Duke has 41 years of experience in the industry, is a former 4-Time World Heavyweight Kickboxing Champion and considered one of the top trainers of Striking and Mixed Martial Arts in the world. I have 19 years experience in the industry as a martial arts school owner and combat sports event promoter (WI LIC #5-280), having produced Boxing, Kickboxing and MMA events in Wisconsin, throughout the US and Canada. Roufusport produced former UFC Lightweight World Champion and Milwaukee native Anthony Pettis and is home to one of the premier fight teams in combat sports worldwide today.

Duke and I appreciate your combined bi-partisan efforts to add state oversight and regulation of Kickboxing, Toughman and any other form of unarmed combat sport that allows striking to the head with the intent to cause unconsciousness to current law. Assembly Bill 76 closes a loophole that we tried very hard to close in 2009-10 when we led the successful statewide campaign to get Mixed Martial Arts (MMA) regulated in Wisconsin.

Our combat sports events have always been considered the standard-bearer for how shows should be ran in a safe and professional manner. State regulation and oversight of these events will level the playing field so all combat sports promoters will finally have to work in the same safe, professional and cohesive manner as we have done for over 19 years.

State Boxing and MMA Director Adam Burkhalter and his staff have been excellent to work with, and we appreciate the state's attention to not only safety, but to keeping the fees and expenses associated with regulation reasonable and affordable for competitors, coaches, officials and promoters. We feel Wisconsin has one of the best state commissions in the country, and Mr. Burkhalter and his staff should be formally recognized for their dedication, hard work and integrity.

Once again, a heartfelt thank you to each of you for joining forces and coming together on Assembly Bill 76. Your efforts have been noticed and are appreciated.

Sincerely,

Duke Roufus and Scott Joffe  
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## WISCONSIN LEGISLATIVE COUNCIL

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*Terry C. Anderson, Director*

TO: REPRESENTATIVE JOEL KLEEFISCH

FROM: Anna Henning, Staff Attorney <sup>AK</sup>

RE: Assembly Amendment \_\_ (LRBa0250/1) to 2015 Assembly Bill 76, Relating to the Regulation of Unarmed Combat Sports

DATE: March 31, 2015

This memorandum responds to your request for a description of Assembly Amendment \_\_ (LRBa0250/1) ("the amendment") to 2015 Assembly Bill 76, relating to the regulation of unarmed combat sports.

### CURRENT LAW

Under current law, mixed martial arts fighting contests are subject to certain state regulations, which are set forth in ch. 444, Stats., and ch. SPS 192, Wis. Adm. Code. For purposes of those regulations, the definition of "mixed martial arts" specifically excludes fighting in which the contestants in a match use the same single form of martial arts, even if the match is part of an event comprising more than one such match and not all the matches in the event use the same single form of material arts. [s. 444.01 (1j) (a), Stats.]

### ASSEMBLY BILL 76

Assembly Bill 76 generally makes all unarmed combat sports subject to the regulations that apply to mixed martial arts contests under current law. The bill defines "unarmed combat sports" to include wrestling, kickboxing, karate, mixed martial arts, and any other form of unarmed combat, except that it does not include boxing, which is regulated separately.

The bill specifies that the following events and people are not subject to the regulations:

- Any karate contest, match, or exhibition in which all of the contestants are amateur participants, defined to mean contestants who do not compete for a prize, in cash or otherwise, that has a value of more than \$25.

- Any interscholastic or intercollegiate contest, match, or exhibition.
- An elementary or secondary school, college, or university karate or wrestling coach who receives compensation for teaching or coaching karate or wrestling only from the school, college, or university.

### THE AMENDMENT

The amendment revises the scope of activities to be regulated under the bill. Specifically, the amendment removes the definition of "unarmed combat sports" that expressly includes "wrestling, kickboxing, karate, mixed martial arts, and any other form of unarmed combat." Instead, the amendment defines "unarmed combat sports" to mean any form of fighting in which the objective is for a contestant to injure, disable, or incapacitate one's opponent. In addition, the amendment narrows the scope of regulated activities by specifically excluding any fighting in a contest for which the rules prohibit a contestant from striking an opponent's head.

The amendment makes several changes that add clarity or arise from the above change to the definition of "unarmed combat sports." It adds definitions of "boxing" and "mixed martial arts."<sup>1</sup> It also removes specific, enumerated exceptions to the regulations that are created under the bill but are arguably unnecessary under the amendment because they apply to events and people that would not likely be subject to regulation under the amendment.

In addition, the amendment gives the Department of Safety and Professional Services (DSPS) the discretion to require more than one physician to be present during each unarmed combat sports match, whereas current law, unchanged by the bill, merely specifies that "a physician" must be present.

Finally, the amendment gives DSPS the authority to promulgate any rules necessary to implement and enforce ch. 444, Stats.

If you have any questions, please feel free to contact me directly at the Legislative Council staff offices.

AH:ksm

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<sup>1</sup> One provision in ch. 444, Stats., would continue to apply only to mixed martial arts under the bill.



## Fiscal Estimate Narratives

DSPS 4/7/2015

LRB Number	15a0250/2	Introduction Number	AA1-AB76	Estimate Type	Supplemental
<b>Description</b> Regulation of unarmed combat sports					

### Assumptions Used in Arriving at Fiscal Estimate

According to the Division Administrators and the Budget Director, this legislation will have a SIGNIFICANT impact on DSPS. There will be costs associated with creating 58 new credential applications; editing website pages; developing new, and updating and modifying existing administrative rules; setting up credential types in the Integrated Credentialing and Enforcement (ICE) System database; setting up 58 new credential types in the Online Licensing Application System (OLAS). The most significant costs will be ongoing costs related to managing and coordinating the unarmed combative sports program. Duties will include: processing credentials, event planning, event coordination, event regulation, enforcement actions, bout result reporting, and processing check payments for event professional services. DSPS estimates that 8,000 hours or the equivalent of four FTE will be required to carry out these duties. The increase in costs cannot be absorbed within the existing budget.

AMENDMENT: The fiscal estimate has been revised. The definition of unarmed combat sports has narrowed the scope of the sports that DSPS will need to regulate. The amendment narrows the scope so that DSPS will essentially regulate Kickboxing and Toughman Contests. This will lessen the number of new credentials needed to 12 and reduce the amount of additional time needed to regulate.

### Long-Range Fiscal Implications

## Fiscal Estimate Worksheet - 2015 Session

Detailed Estimate of Annual Fiscal Effect

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> 15a0250/2	<b>Introduction Number</b> AA1-AB76	
<b>Description</b> Regulation of unarmed combat sports		
<b>I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):</b>		
<p>According to the Division Administrators and the Budget Director, this legislation will have a SIGNIFICANT impact on DSPS. There will be costs associated with creating 58 new credential applications; editing website pages; developing new, and updating and modifying existing administrative rules; setting up credential types in the Integrated Credentialing and Enforcement (ICE) System database; setting up 58 new credential types in the Online Licensing Application System (OLAS). The most significant costs will be ongoing costs related to managing and coordinating the unarmed combative sports program. Duties will include: processing credentials, event planning, event coordination, event regulation, enforcement actions, bout result reporting, and processing check payments for event professional services. DSPS estimates that 8,000 hours or the equivalent of four FTE will be required to carry out these duties. The increase in costs cannot be absorbed within the existing budget. AMENDMENT: The fiscal estimate has been revised. The definition of unarmed combat sports has narrowed the scope of the sports that DSPS will need to regulate. The amendment narrows the scope so that DSPS will essentially regulate Kickboxing and Toughman Contests. This will lessen the number of new credentials needed to 12 and reduce the amount of additional time needed to regulate.</p>		
<b>II. Annualized Costs:</b>	<b>Annualized Fiscal Impact on funds from:</b>	
	Increased Costs      Decreased Costs	
<b>A. State Costs by Category</b>		
State Operations - Salaries and Fringes	\$43,200	\$
(FTE Position Changes)		
State Operations - Other Costs	11,900	
Local Assistance		
Aids to Individuals or Organizations		
<b>TOTAL State Costs by Category</b>	<b>\$55,100</b>	<b>\$</b>
<b>B. State Costs by Source of Funds</b>		
GPR		
FED		
PRO/PRS	55,100	
SEG/SEG-S		
<b>III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)</b>		
	Increased Rev	Decreased Rev
GPR Taxes	\$	\$
GPR Earned		
FED		
PRO/PRS		
SEG/SEG-S		
<b>TOTAL State Revenues</b>	<b>\$</b>	<b>\$</b>
<b>NET ANNUALIZED FISCAL IMPACT</b>		
	<u>State</u>	<u>Local</u>

NET CHANGE IN COSTS	\$55,100	\$
NET CHANGE IN REVENUE	\$	\$
<b>Agency/Prepared By</b>		
<b>Authorized Signature</b>		
<b>Date</b>		
DSPS/ Michelle Bea Beasley (608) 267-1811	Eric Esser (608) 267-2435	4/7/2015

DEATH IN THE RING | WATCHDOG REPORT

## Milwaukee kickboxer Dennis Munson Jr.'s death follows cascade of errors by fight officials

Combat sports, MMA have boomed while regulation remains uneven patchwork

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*By John Diedrich of the Journal Sentinel staff*

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With two rounds in the books, Dennis Munson Jr. slumped on the stool in the corner of the ring, the hoots and hollers of a Friday fight night echoing through the cavernous ballroom.

The 24-year-old, wiry and chiseled, had struck hard in the first round, but faded fast in the second. Now everything depended on the third and final round. Munson sagged and swayed as a coach barked instructions, propping him up.

It was Munson's first kickboxing match.

Munson and his twin brother had watched fights like these since they were kids growing up on Milwaukee's gritty northwest side. The two were inseparable. They worked out together, lifting weights on a bench their sister's boyfriend bought them when they were 10. They even had jobs at the same nursing home, working in maintenance.

They got an apartment together, but picked separate gyms and slightly different paths — kickboxing for Dennis, mixed martial arts for Derrick. Now, Derrick sat in the audience at the Eagles Club, a 1920s-era relic that had hosted fights for generations. He was the lone family member to make it to Dennis' debut.

Dennis had spent a year training at Roufusport MMA Academy, toiling in the gym's entry-level classes, watching and learning from the other fighters until he made it onto the fight team. For his first match, he strained to cut weight — about eight pounds — to make the 135-pound bantamweight division, and had to sell tickets just to make it on the fight card.

A few hundred spectators were on hand, but many more seats were empty. Some people

milled near the bar. A ring girl in hot pants and high-heeled boots strutted past, the card held above her head announcing the third round as lights pulsed and music blared.

The referee summoned the fighters. Munson rose, wobbled and staggered forward.

He had two more minutes to fight.

And just five hours to live.

## Fast-growing sport

Before Munson climbed into the ring on March 28, he stepped into the fast-growing world of combat sports and ultimate fighting.

With their nonstop action and spectacular knockouts, the sports have moved from the shadows of underground, bare-knuckle brawls in the 1990s and into the mainstream of sold-out arenas and pay-per-view cable audiences in the millions.

Like hundreds of aspiring fighters, Munson started at Roufusport, a bustling gym on Milwaukee's west side. It is owned by Jeffrey "Duke" Roufus, who along with his brother, Rick, was a world champion kickboxer two decades ago. The brothers grew up in Milwaukee. Their father started training them in martial arts from the time they were in kindergarten.

Duke Roufus and his business partner, Scott Joffe, do more than run a gym. They are the area's primary fight promoter, putting on several events a year. Roufus is well-known and connected in the world of mixed martial arts and has developed deep ties with a handful of officials — referees, doctors, announcers and others — who work the fights for him.

Initially, Roufus was a skeptic of mixed martial arts or "ultimate fighting" — an amalgamation of disciplines, borrowing from many combat sports: wrestling, boxing, kickboxing, jiu-jitsu and more. In media reports, Roufus called it "barbarism."

Today the sport has more uniform rules and has distanced itself from the early "no-holds-barred" days, though it remains, at its core, violent and bloody.

Roufus added MMA training to his gym almost a decade ago, and has become a top trainer of such fighters.

He groomed current lightweight champion Anthony Pettis, who rose from Milwaukee streets to celebrity status, landing on a Wheaties box and the reality show "The Ultimate Fighter," put on by Ultimate Fighting Championship, the world's top mixed martial arts promoter.

Some come to Roufus' gym just for the exercise. MMA workouts are notoriously difficult. But many have aspirations of getting into the ring to fight, following in Pettis' footsteps.

As combat sports have become more popular, safety concerns have increased.

No agency tracks deaths in the sports. A Milwaukee Journal Sentinel review found 12 deaths of kickboxers and MMA fighters since 2007 worldwide.

Serious injuries are far more common. Professional mixed martial arts fighters suffer a traumatic brain injury in almost one-third of bouts, exceeding the rates in football, hockey and boxing, according to a study by the University of Toronto from earlier this year.

Combat sports face an uneven patchwork of regulation across the country. Some states closely regulate them, while others pick and choose which ones they sanction.

In Wisconsin, mixed martial arts joined boxing as sports regulated by the state in 2010, but the similar sport of kickboxing was among those left out of the state law. UFC promoters require such sanctioning in states where its fighters perform, and the move was intended to lure the events here.

So on the night Munson stepped into the ring for the first time, there was no state commissioner or inspectors and no second ringside doctor. Munson and the other kickboxers had not received full physicals by a doctor, which would have been required for an MMA bout.

They weighed in on the morning of the bout, giving them only hours to replenish weight lost to fight in a lighter class. It is a less expensive option for the promoter because officials don't need to be paid to be there the day before.

But the state views that approach as more dangerous. In MMA matches in Wisconsin, officials require weigh-ins to be done the day before a fight. That allows more time for fluids to be replenished including around the brain, where they increase protection from blows.

Because the fight was unsanctioned, state regulators say they are powerless to investigate what happened that night — even though the officials who worked the fatal fight are licensed by the state to work at mixed martial arts events.

Munson's death was investigated by the Milwaukee Police Department and referred to the district attorney's office, which declined to issue charges. In September, the Milwaukee County medical examiner's office ruled Munson died as a result of head trauma.

A Journal Sentinel review found a cascade of errors was made by fight officials — all of whom have been closely linked to Roufus for years. On the night Munson died, the officials failed to intervene at key moments as he exhibited what a dozen independent experts who reviewed a video of the fight say were obvious signs of distress. Several said the fight should have been stopped.

Even after Munson collapsed, care was delayed by a disagreement over treatment, hang-ups exiting the building and confusion about ambulance care. Skilled paramedics were waved off and Munson was taken to a nearby regular hospital, instead of Milwaukee's Level One trauma center.

"From A to Z, I can't tell you what was done right here," said Michael Schwartz, a veteran ringside doctor from Connecticut. "People have to recognize you can't take shortcuts on this. People die."

Munson's family is struggling to make sense of how a young man in top shape could be gone. His mother, Macie Bryant, blames the referee, the doctor and especially her son's coaches for failing to act on obvious signs of distress.

"That wasn't a piece of meat with eyes, that was a human being. That was my son," she said. "I know he signed up for this, but as far as I'm concerned, when they sent him back out there, they killed him."

Roufus did not return a reporter's messages. Joffe said those in charge that night acted appropriately.

"I think everyone did what they could at the time for Dennis....This is just a tragic situation," Joffe said. "Everything we do is done with fighter safety in mind. He looked like an exhausted fighter."

## Catching fighter fervor

Given their early passion for fights, Dennis and Derrick Munson appeared to be destined for rough-and-tumble sports.

But their mother would have none of it.

Bryant, a single mom, kept the children close to home and doted on the twins — the youngest of her five.

"It was just us," said Brandy Gee, eight years older than the twins. "She would say, 'Why do you need to go out there? You have everything here.'"

And their mother was tough. One time, the twins were caught playing with matches. Their mother took the door off their bedroom.

The twins slept in the same room into adulthood. Even after they moved into their own place, they slept on couches in the living room for more than a year, though the apartment had two bedrooms.

They were polite and soft-spoken, even when they squabbled.

"They'll be having a heated argument but they wouldn't raise their voice," their sister said.

Dennis wanted to play high school football, but his mother wouldn't sign the form.

"I was trying to keep them out of trouble," his mother said. "I know things happen, and I didn't want it to happen to them."

Through a school-to-work program, Dennis got a job at Alexian Village, a nursing home on the northwest side. His brother followed.

Dennis later enrolled in Kaplan University hoping to become a police officer. And he and his brother started chasing the dream to be the kind of fighters they watched as boys.

At Roufusport, Dennis started out in martial arts exercise classes. He came in early — working out for several hours — and stayed late to learn from others' sparring.

He was unpolished but determined to improve. In a year, he progressed through four belts, from white to green, showing he could take a punch and not back away. He was ready for sparring — simulated fighting with a teammate in the gym. He soon told the coaches he wanted to join the fight team and get a real bout.

## **A sign of trouble**

Dennis Munson's debut was recorded by a cameraman working for Roufusport. Fighters often get videos of their fights, both for training purposes and as mementos.

The video of Munson's fight would end up as police evidence.

It shows a strong first round by Munson and a faltering second.

Experts said the first sign of trouble came at the start of the second round: Munson's feet crossed — something that would have been drilled out of him by coaches during training. His arms dropped. He stumbled slightly and started taking undefended blows to the head and body.

Typical of amateur kickboxers at this weight, the punches were not especially forceful. But the experts noted Munson was not wearing protective headgear.

Headgear is required for amateur kickboxers in some other states and for amateur boxers in Wisconsin, but Roufus' promotion company, North American Fighting Championship, did not require it for this unregulated event. Munson usually was required to wear headgear while

training.

In a fight, the referee, doctor and cornerman are most responsible for fighter safety. Though the March fights were unregulated, their roles and responsibilities were the same as in a regulated event, Joffe said.

The referee was Al Wichgers, who has nearly four decades of experience, regularly working at Roufus-sponsored events.

The referee has the authority to stop the bout if a fighter is not defending himself or is receiving excessive punishment, according to experts. A "standing eight-count" can be called — most often after a knockdown — to assess a fighter's condition.

Carlos Feliciano, the medical director at a testosterone center in Milwaukee, was the ringside doctor. Feliciano also works out at Roufusport. The doctor is supposed to watch for injuries and can call time to assess a fighter or ask the referee to end the bout.

The cornerman was Scott Cushman, Roufusport's longtime lead striking instructor. Munson's every-day coach, Joe Nicols, also was in the corner. Their job is to coach technique while watching for signs of trouble. They know their fighters' tendencies, how they move and dodge strikes. Experts said their oversight is especially important for novices such as Munson.

As the second round progressed, signs that Munson was in trouble became more obvious, according to the experts who watched the video.

"He doesn't look like the same fighter," said veteran ringside doctor Sherry Wulkan, medical chief of the New Jersey State Athletic Control Board. "I would be on more-than-high alert at that point."

Feliciano, the doctor, said he wasn't worried. To him, Munson looked like a typical first-timer who started too hard and ran out of steam.

"I really thought it was more of a fatigue thing," he told the Journal Sentinel.

The video shows Feliciano took his eyes off the fighters at key moments, as he looked at his cellphone and talked to others ringside.

When the second round ended, Munson stumbled as he walked to his corner. He sat on the stool but struggled to stay up. Cushman repeatedly pushed up his head and chest. Veterans of the sport say this kind of treatment happens, especially when a coach thinks his fighter is tired.

Between rounds, the referee stood in a neutral corner. If he had concerns, he didn't act on them. He declined to be interviewed.

The video didn't pick up what cornerman Cushman said to his fighter, but he later told police he asked Munson if he was OK because he didn't "look like himself in the ring." Munson said he was just tired, according to Cushman.

Cushman's body language indicated he was unhappy, "almost disgusted," said referee John McCarthy of Los Angeles.

"He's not understanding what is going on with his fighter," McCarthy said. "He is just disappointed in his performance."

Cushman did not return calls for comment.

As Cushman yelled at Munson, pushing up his head, the ring doctor sat about 10 feet away, looking at his cellphone. He put the phone down as Munson rose from his stool for the start of round three.

Munson wobbled as he stood and nearly crashed to the mat. Cushman caught him.

He staggered out to face his opponent.

## 'Pressure to win'

Michael Vang also was fighting in his first bout, for an Appleton gym. Vang said it was tough to be calm during the fight. He was nervous, happy and scared all at once.

"Things felt unreal," he told the Journal Sentinel.

Vang said he knew the fight was his when Munson's hands began to drop, leaving him open to shots.

"He stopped defending himself," he said.

Vang expected the referee to stop the fight or at least give Munson a standing eight-count. Had Wichgers stopped for an eight-count, it would have meant a point deduction by the three judges, all but ensuring victory for Vang.

In kickboxing, there is no built-in way to concede — and a stigma against it. Quitting is not an option for Roufusport fighters, Munson's teammates said.

"There is a lot of pressure to win," said fighter Amanda Johnson. "They are very concerned about their reputation. ... We fight till we collapse, and that's exactly what he did."

Munson's fellow newcomers on the team watched the fight and worried. Some veteran fighters were horrified. They heard people in the audience laugh as Munson reached for ropes that weren't there.

"It was a very twisted sight," said Justin Arredondo, who sparred with Munson frequently.

Others in the audience shouted for the fight to be stopped.

Nothing happened.

The experts conceded that watching a video is different than seeing a fight live. But they said the worsening signs of distress in Munson were clear by the third round.

"It was tragic given the amount of experience there: doctor, corner, ref — the three people who have the power to stop the bout, who have the authority, who have the knowledge," said referee Kevin MacDonald of Boston. "Nobody saw this, and somebody should have."

Wichgers, the referee, would later tell police that Munson "appeared to be paying attention to his cornerman when he was talking to him and also defended himself when he was in the ring."

Wichgers also told police that his three priorities in the fight were fighter safety, fairness and

"entertainment of the audience."

The independent fight experts all said audience entertainment was a concern of the promoter, not of the referee.

"That shouldn't even enter their mind," said Nick Lembo, attorney for the New Jersey State Athletic Control Board. "The referee is there as the policeman, is there to ensure fairness, to call fouls, to have consistency of the match rules, and the referee's main purpose is the first line of defense for the safety of the competitor."

With 10 seconds left in the fight, the timekeeper smacked together two wooden paddles, signaling the round was almost over.

Vang delivered a flurry of punches and then a knee to Munson's head. Munson grabbed Vang and hung on. Wichgers separated the fighters and then signaled them to fight on.

The bell sounded before they could resume.

Munson stumbled to his corner and draped both arms on the ropes. Cushman stepped into the ring. The lights went low, leaving the ring bathed in a purplish glow.

The doctor, Feliciano, glanced into each fighter's corner — and again picked up his cellphone, the video shows. Wichgers stood in another corner.

Cushman turned the slumping Munson around, pushed him up and talked to him with his hand on his hip.

Then Munson crumpled to the mat.

## **Struggle to make weight**

In the weeks prior to his first bout, Munson worried about being able to make weight. Fellow fighters wondered if he was ready.

Five weeks before the fight, Munson committed in a contract to compete at 135 pounds, Joffe

said. Fighters who don't make weight can face "punitive fines" from the promoter.

It's unclear how much weight Munson had to cut; Joffe said it was about eight pounds. By all accounts, it was a struggle for the already lean young man.

"He was stressing," said Cody Heck, who was on the fight team with Munson. "We all talked to him and told him, 'You gotta eat.'"

Weight-cutting is a widespread tactic in combat sports, but comes at a risk as fighters try to replenish lost fluids between the weigh-in and the fight.

Some states are considering increasing scrutiny of the weight-cutting process. In California, fighters would weigh in twice and be limited in the percentage of weight they can cut between weigh-ins, said Andy Foster, executive officer of the California State Athletic Commission.

"It allows for healthy rehydration but not ridiculous rehydration," Foster said.

Several high-profile MMA and kickboxing fighters have collapsed following weight cuts in the past several years. Last year, a fighter in Brazil died after he suffered a stroke while in a sauna cutting weight.

Joffe said the Roufusport fighters are told how to safely cut weight.

"All you can do is tell them what to do, but you can't force them to do it," he said.

Some fighters said there were no classes on weight-cutting at Roufusport. The amateurs learned from the professional fighters.

They talked about "eating clean," focusing on fish and spinach and other healthy foods. But if that doesn't get them all the way down, they shed water weight. Fighters may sit in a sauna, work out while wearing plastic bags, stop drinking water. Derrick Munson later told police that his brother wore extra clothes when he worked out and skipped meals.

Dennis Munson also struggled with his fighting skills, which is common for newcomers. He was fast, but he had trouble keeping his hands up as a defense.

"It takes a long time to get comfortable with people punching at your face," said Johnson, his

teammate. "You panic and don't react properly, and that's what happened with him."

The weigh-in for the March fight was held at the Eagles Club, about eight hours before the event. A nurse did the prefight exam, which amounted to checking fighters' vital signs.

Had it been a state-regulated event, Munson and the others would have received a full physical from a doctor in the weeks prior to the fight.

About 11 a.m., Munson texted his brother, Derrick, the good news that he made weight. Derrick said he would drive him to the fight later in the day.

On their way to the fight, according to the police report, Dennis Munson had one complaint: He was thirsty.

Derrick didn't see his brother drink anything before the fight.

## Missing video footage

After the fight, Roufusport submitted two videos to Milwaukee police.

The high-definition video of the fight, which police used to write their report, is missing 32 seconds at the most critical moment, when Munson fell to the canvas.

A low-definition video shows the entire fight. In those 32 seconds, Cushman — the cornerman — pushes up a slumping Munson, then slaps him, holding him up by the neck and face. Wichgers, the referee, comes over.

Cushman leans over to signal for medical help from Feliciano, who is looking at his cellphone. The timekeeper taps the doctor to get his attention. Munson collapses.

Roufusport officials can't explain the missing video footage.

"No one intentionally edited anything out," Joffe said. "We aren't hiding anything."

A police spokesman said detectives "don't believe that the starting and stopping of the video

was as a result of editing to mislead them."

After Munson collapsed, the doctor came to the edge of the ring but did not enter. Cushman knelt over Munson for almost a minute.

Two crew members from Curtis Ambulance, hired to work the fight for Roufusport, walked around the ring. Then, Munson was rolled out of the ring.

In states such as New Jersey, a doctor would have been the only one allowed near a collapsed fighter, who likely would have been put on a board, had his neck supported and quickly taken to the hospital.

"They rolled this kid out of the ring not knowing what was wrong with him," said Rob Hinds, a 19-year veteran referee from Chicago. "Amateur, pro — it doesn't matter. That is an outrage."

Munson was pulled into a seated position on the ring apron by the Curtis crew. They moved him to a chair. Paramedic David O'Brien wanted to give Munson oxygen, according to a Curtis Ambulance report. Feliciano, the doctor, said no.

"MD requested that I not use O2 and just help him sit up," O'Brien wrote in his report.

The experts were hard-pressed to figure out why Feliciano would deny oxygen to someone who had just collapsed. It is always best to err on the side of caution, they said.

Darnell Smith, a friend and fellow fighter, rushed to Munson's side.

He said Munson's mouth was open but he couldn't speak. His eyes were dry. Smith asked Munson to blink if he could hear him. Nothing.

"He had a pearly glare in his eyes like he was dead for weeks," he said.

## Call to Fire Department delayed

The Curtis crew summoned another ambulance. But instead of calling the Milwaukee Fire

Department initially — as required under the company's operational agreement with the city — they called for a second Curtis unit.

The agreement, which covers all private ambulance calls, says the Fire Department's advanced paramedic unit must be called immediately for advanced life support emergencies. But in Munson's case, about 15 minutes passed before the Fire Department was called.

Fire officials and M. Riccardo Colella, the medical director for the city's paramedic services, are investigating Curtis' actions after learning about the delay from the Journal Sentinel.

Jim Baker, president of Curtis, said the company stands by its actions.

"I am really comfortable the system worked the way it was supposed to," Baker said.

Two minutes after Feliciano first denied oxygen for Munson, he allowed the Curtis crew to administer it, the report says. Munson was hooked up to an IV and put on a stretcher.

Paramedics wheeled Munson away from the ring, but were stopped by a manually operated freight elevator. There was no way to communicate with the elevator operator, who was two floors below and happened to be in the bathroom.

Paramedics waited at the elevator for two minutes, Joffe estimated. But witnesses said it was more like five minutes. Meanwhile, Munson's respiratory rate crashed, according to the paramedic records.

The elevator operator heard banging when he got back from the bathroom. He took the elevator up and brought Munson down.

"No one told me I needed to be up here," the operator, who asked that his name not be used, told the Journal Sentinel.

Curtis Ambulance did not file an event plan with the city, as required by its agreement and by state rule, according to Colella and fire officials.

By the time Munson was rolled out the front of the building, the second Curtis ambulance had arrived. A Fire Department engine and paramedic unit arrived a short time later.

The second Curtis crew told the Milwaukee paramedics that they had a doctor on board and they were transporting the patient to the hospital. That is allowed under a policy that calls for a private ambulance to leave for the hospital if it would take too long to transfer a patient to another vehicle.

The doctor didn't go to the hospital. He went back to the fights, which continued on schedule.

Feliciano told the ambulance crew to take Munson to Aurora Sinai Medical Center, a mile away, instead of to Froedtert Hospital, the area's only Level One trauma center, six miles to the west. Feliciano picked Sinai because it was close and he thought Munson had suffered no "significant trauma," the Curtis report says.

Given Munson was in a fight in which blows were exchanged, Fire Department officials said their paramedics would have taken him to Froedtert — just as they would handle a similar injury in an assault case. Sinai also is not equipped to treat someone who has lost consciousness, said Colella, the city's emergency medical director.

"It is the wrong place to go," he said. "The fact that this person was brought there is contrary to all our transportation destination policies. The system did not work the way it should."

Some of the experts who reviewed the video said it didn't look like Munson took hard enough blows to cause trauma. But others said the safe call would have been to take the fighter to a trauma center.

"By definition if you get hit in the face, it is trauma," said Schwartz, who founded the American Association of Professional Ringside Physicians. "Even if your suspicion is low, it can't be zero."

In fact, Munson was suffering from head trauma.

## **Lethal force to the brain**

Munson arrived at Sinai about 30 minutes after he collapsed. He was in a comatose state.

Emergency room staff assumed a head injury, according to medical records.

Tests showed high levels of sodium, potassium and lactic acid in his system, but there was no sign of a brain bleed.

Munson's family, scattered around town, hurried to the hospital. Derrick rode in the ambulance. By the time his sister, Brandy, got there to hold Dennis' hand, she said his body was rock hard. His hands were clenched.

She said her brother lifted his head up, opened his eyes, looked at her and mouthed the words, "Help me."

Then he flat-lined.

Munson's brother pleaded with him, "Please, bro, don't leave me. Don't leave me like this. Now I don't got nobody," his sister said.

Resuscitation continued for an hour. Munson was declared dead just after midnight.

The medical examiner opened an investigation, which went on for months. Testing in the brain revealed blunt force injuries that led to swelling and damage to electrical functions in the stem and elsewhere, said Milwaukee County Medical Examiner Brian Peterson. Damage in the brain led to organ failures, Peterson said.

"We know force was applied and this is confirmation of a closed head injury. In this case, sufficient force was dealt to the brain to be lethal," he said.

"If you take the fight out of it, he would still be with us."

Peterson's office found that sickle cell trait, a health condition carried by Munson, may have contributed to his death, but it didn't cause it. Sickle cell trait typically has no effect on its carriers, but has been associated by some pathologists and researchers with sudden death in rare circumstances, such as intense exercise.

"Had he not had sickle, we would have had the same result," Peterson said.

## State has no authority to probe death

In the wake of the fight, Roufusport officials said nothing has changed in the way they prepare fighters or present fights. Yet there is evidence to the contrary.

Roufusport disbanded its kickboxing team in late summer. Joffe said the decision was a financial one because mixed martial arts makes more money.

Fighters in the gym said there has been a greater emphasis on cutting weight safely since Munson's death and that a nutrition expert was made available to amateurs.

Curtis, Roufusport and the Eagles Club have reviewed how to quickly remove injured fighters and agreed that the elevator must stay on the ballroom level when there are fights at the club.

Several fighters have left Roufusport in the wake of Munson's death.

"We as fighters trust these men to protect us when we can't protect ourselves, and they failed to do that," said Jamie Sromalla, who trained with Munson. "People need to know. This can't happen again."

Besides the Fire Department's review of the private ambulance company's actions, no one is investigating Munson's death. The state says it has no authority to investigate the death or the actions of those in charge that night because it was an unregulated event.

"We only handle what the statute allows. It is not in our legal power to investigate," said Hannah Zillmer, spokeswoman at the Department of Safety and Professional Services.

Munson's death highlights the danger of a promoter-regulated fight, said Steve Fossum, head of the International Kickboxing Federation, which has overseen bouts in three dozen states and in the 1990s supervised Roufusport events.

"If I am regulating my own events, it is a conflict of interest," Fossum said.

Joffe said he and Roufusport support the state regulating kickboxing in Wisconsin.

Officials at state commissions and the sport's largest training group are planning to use video of the Munson bout as a training tool for officials who work fights.

"That is an important fight," said Lembo, attorney for the New Jersey board. "It is not the most brutal fight. There are signs (that) should have been acted upon. There is a lot you could show referees and doctors and inspectors."

Seven months after Munson died, his family is still struggling with what happened. His sister has organized memorials in her brother's name to address neighborhood violence.

"I want our hurt to turn into hope for someone else. It has to," she said. "The family didn't just suffer a loss, the world suffered a loss."

Derrick lives in the apartment he shared with his brother. He goes to the gym every so often, but he has no plans to fight.

He still can't talk about his brother's death.

*Gary D'Amato of the Journal Sentinel staff contributed to this report.*

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