



Decision

by

the FIBA Disciplinary Panel established in accordance with
Section H.7.8.3 of the
Internal Regulations governing Doping Control
in the matter

Jerome Beasley
(born 17 May 1980)

("the Player")
(Nationality: USA)

Whereas, the Player underwent a doping test on 9 December 2008 in Hertogenbosch (The Netherlands) after a match of the FIBA Eurochallenge 2009 between Eiffel Towers Den Bosch and BC Siauliai;

Whereas, the analysis of the Player's sample was conducted at the Laboratory of Seibersdorf (Austria) which is a WADA-accredited laboratory. The sample showed the presence of metabolites of cannabis in excess of 15 ng/ml (level reported: 54.8+/-34 ng/ml);

Whereas, the Player waived his right to request an analysis of the B sample;

Whereas, by letter dated 9 January 2009 FIBA suspended the Player with immediate effect, both for international and national competitions;

Whereas, on 18 February 2009 the Player and his Agent, Justin Haynes, were heard via telephone conference by a FIBA Disciplinary Panel composed of Mr. Antonio Mizzi, President of FIBA's Legal Commission, Mr Marek Palus, Member of FIBA's Legal Commission and of Dr. Heinz Günter, Vice President of FIBA's Medical Commission. Ms. Cendrine Guillon, FIBA Anti-Doping Manager and Dr. Dirk-Reiner Martens, FIBA Legal Advisor were also in attendance.

Whereas, the Player

- did not contest the result of the test;
- admitted that he used cannabis;
- argued that he had no intention to enhance his performance;
- stated that he was in receipt of FIBA's letter regarding his provisional suspension not earlier than Monday 12 January 2009 and that ever since he was unable to play professional basketball; and
- affirmed that he had committed no previous anti-doping-rule violation.

Now, therefore the Panel takes the following (Art. H.7.8.3.1 FIBA Internal Regulations hereafter "IR"):

DECISION

A period of three months ineligibility, i.e. from 12 January 2009 to 11 April 2009, is imposed on Mr. Jerome Beasley



Reasons:

1. The Player has committed an anti-doping-rule violation pursuant to H 7.2.1.1. of the IR since a prohibited substance (cannabinoids) listed in WADA's Prohibited List (in force since 1 January 2008) under letter S8 was found in his urine sample. This fact remained uncontested.

2. WADA's Prohibited List identifies cannabinoids as a Specified Substance, for which, according to H 7.8.2.2. of the IR, in the event that the Athlete can establish that the use of such substances was not intended to enhance his sport performance, the period of ineligibility is as follows
 - First violation: At a minimum, a warning and reprimand and no period of ineligibility for further Events, and at a maximum one (1) year's ineligibility.
 - Second violation: Two (2) years ineligibility
 - Third violation: Lifetime ineligibility

3. In view of the fact that
 - the Player represented to have used cannabis only for personal reasons and not in order to improve his athletic performance;
 - the Player has expressed his regret for the violation committed.

4. Based on previous practice, the Panel holds that, in the absence of exceptional circumstances, it is appropriate to impose on the Player a sanction of three months.
5. The Panel deems fair pursuant to Art. H.7.8.2.7 of the IR that the period of ineligibility is to start on 12 January 2009, when the Player was provisionally suspended by FIBA.
6. This decision is subject to an Appeal according to the FIBA Internal Regulations governing Appeals as per the attached "Notice about Appeals Procedure".

Geneva, 20 February 2009

On behalf of the FIBA Disciplinary Panel



Antonio Mizzi
President of the Disciplinary Panel