

COMMISSIONER'S RULING ON VORACEK APPEAL

On March 12, 2019, I held a hearing on the appeal of the Department of Player Safety's decision to impose a two-game suspension on Jakub Voracek for an interference infraction against Johnny Boychuk in the game between the Philadelphia Flyers and the New York Islanders on Saturday, March 9, 2019. Mr. Voracek was represented at the hearing by Philadelphia Flyers' General Manager, Chuck Fletcher, Mr. Voracek's agent, Petr Svoboda, as well as representatives of the National Hockey League Players' Association. At the hearing, Mr. Voracek and his representatives conceded that a one (1) game suspension would have been accepted without appeal, but requested that I reduce the suspension from two games to one.

During the play at issue, Mr. Boychuk skates through the offensive zone in the direction of the puck which had been rimmed around the goal line. As Mr. Boychuk skates through the circle towards the corner boards, Mr. Voracek, waiting along the half wall near the side boards, takes an affirmative step to the left directly into Mr. Boychuk's line of motion, and drives upwards into Mr. Boychuk, causing a forceful blow where substantial contact was made with Mr. Boychuk's head. Neither Player was near the puck at the time the Players made contact with one another, resulting in an interference penalty on Mr. Voracek.

At the hearing, Mr. Voracek conceded that his conduct constituted interference. He said that he believed that Mr. Boychuk intended to hit him as opposed to making a play on the puck. As a result, in order to protect himself from injury, Mr. Voracek said that he braced himself for the hit, and said that he did not lunge towards or into Mr. Boychuk.

While I accept Mr. Voracek's explanation that he thought Mr. Boychuk was going to initiate a check, the video makes it clear that it was Mr. Voracek who initiated the contact. At the hearing, it was acknowledged that Mr. Voracek had other options available to him, but instead Mr. Voracek moved into Mr. Boychuk's path by taking a step to the left and driving upwards into Mr. Boychuk. The onus was on Mr. Voracek to avoid causing a significant blow to Mr. Boychuk's head. The force was significant enough to cause Mr. Boychuk to require medical attention on the ice and he did not return for the balance of the game. It is worth acknowledging that during his long career in the NHL, Mr. Voracek has maintained a strong character and a clean record with no prior supplemental discipline history. However, that does not absolve Mr. Voracek of the responsibility to play this game in a safe manner in accordance with the applicable rules. Accordingly, the Department of Player Safety's decision to suspend Mr. Voracek is supported by clear and convincing evidence and is affirmed.

Mr. Voracek will be eligible to return following Philadelphia's March 14, 2019, game against the Washington Capitals.



Gary B. Bettman

Dated: 3/13/19