

EVIDENCE GATHERING GUIDELINES

US Equestrian appreciates the assistance of Ralph Alfano along with Mary Choate, David Distler, Karen Golding, and Dan Reed in putting together these guidelines.

INTRODUCTION

As a Federation Steward/Technical Delegate, the Federation membership relies on you to correctly obtain and record valuable information regarding incidents that occur at Federation Licensed Competitions. It is important that you properly report information.

Gathering evidence correctly at the start will go a long way to ensure a thorough and, more importantly, fair investigation.

Any incident at a Federation Licensed Competition should be treated seriously and professionally. Any matter has the potential to go to the Hearing Committee, so the correct action at the outset will go a long way to ensure a fair outcome. Allegations of sexual misconduct must be reported immediately to the U.S. Center for SafeSport and to the appropriate authorities within 24 hours of receiving the report.

These guidelines must be followed to ensure that all the information or evidence you collate will be of value not only throughout an investigation but also within any formal proceedings.

Confidentiality: As a Federation Licensed Official, you are bound by the Licensed Officials Code of Ethics. It is critical that all participants are treated professionally and kindly.

Social media is a powerful tool. We recognize the benefits of social media when used appropriately and effectively. Social media usage is not appropriate in any circumstances as it relates to any matter or person under investigation or at any stage in the regulatory process. We appreciate your cooperation in refraining from using social media as it relates to any matter or person that may be subject to the regulatory process. Please refer to the Licensed Officials Social Media Policy for further guidelines.

WHAT IS EVIDENTIARY MATERIAL?

Evidentiary material is anything that may be used during a regulatory proceeding to prove or disprove the allegations. The material can be potentially anything but will include:

- Statements from individuals with whom you speak to (you will need to record the details of those witnesses present, phone numbers and email addresses and any available photographic evidence they may have recorded)
- Any documents (such as entry blanks and judge's cards)
- Physical Exhibits (such as illegal equipment, bloodied tack, whips, spurs)
- Images—Photos and Videos (horse injuries/wounds; class video or pictures)

EVIDENCE COLLECTING MATERIALS

For every competition where you are serving as a Steward / Technical Delegate it would be best practice to have the following items available. These will help you carry out professional evidence gathering when an incident occurs.

Notebook

A small pocket sized notebook and pen are essential for you to record your actions and in order to record what you are told by different individuals. Date and time of all entries is recommended as are obtaining signatures of the person giving you any information you record. You can also sign or initial each entry. Obtain the names and contact information of all eye witnesses and try to interview them if possible.

Camera/Video

A digital camera or cell phone with the ability to record video should be available. When taking pictures, if possible make sure that the pictures place a date-time stamp on the photo (if the camera has this capability). If possible the background should be visible in the picture to help identify the location, day/time, and horse/individual.

Re-sealable plastic bags and labels

If you collect any evidence this should be placed in a bag and sealed. A label should be applied to the bag for identification and continuity. The label should show the date and time you sealed the bag, the name of the competition at which it was discovered and the identity of the person who gave you the item. It may be helpful to keep a note card in each bag. You should sign the label and try to get the person who gave you the item to sign it as well.

NOTEBOOK ENTRIES

Competition Name: _____ Date: March 1, 2021

3:45 p.m.—Approached by exhibitor who just witnessed another exhibitor excessively using his whip on his horse while returning to the stalls in Barn 2.

Witness: Jane Smith

(Phone: 555-444-1234 Email: janesmith@gmail.com)

Exhibitor: John Doe

Horse: TINKER BELL (entry #123)

4:00 p.m.—I went to Barn 2 and found the horse and groom at the wash racks, being hosed down. Myself and another Steward observed obvious and severe welts on both the right and left flanks.

Groom's Name: Charles Brown

Photographs taken at 3:55 p.m.

4:30 p.m.—I found the Trainer, John Doe, at the competition ring. I pulled him aside away from other exhibitors and spectators and informed him of the gravity of the situation with TINKER BELL. Mr. Doe admitted to me that he was wrong in his treatment of the horse.

Competition Name: _____ Date: March 2, 2016

Follow-Up to John Doe / TINKER BELL Incident

11:35 a.m.—I accompanied the Competition Vet, Dr. Sally Jones, to Barn 2 to examine TINKER BELL. Dr. Jones has submitted her own written account of the horse's condition. Additional photos were taken during the examination.

12:30 p.m.—Competition Management was informed of this incident and supported the decision of myself and the other Steward to Charge John Doe with a violation of the welfare rules.

NOTEBOOK ENTRIES CONT.

- Anything can be recorded in your notebook. It doesn't matter how insignificant it may seem. It may become relevant later on.
- Everything should have a date and time.
- Be prepared to provide a photocopy of your notes to the Federation.
- Your notes may be viewed by the Federation's CEO, General Counsel, parties to a hearing, or the Hearing Committee. Keep them clear and concise. Check your spelling, especially with names.
- Get contact information for every person you speak to. Telephone numbers, email addresses, times of availability if possible.

TAKING PHOTOS AND VIDEOS

Photographs are often the best way to capture the detail of a situation. Do not be afraid to take photographs. Take as many as possible getting as much detail as you can.

Any images should have a time/date stamp applied, if possible. If you use a digital camera ensure the time and date are set correctly.

Videos also provide good information and should be taken where possible, such as during an examination of an animal.

At the start of any video footage the following statement should be recorded:

"I am (name) at (competition and location) the date is (date) and the time is (time)"

A verbal commentary should also be carried out during filming. Describing in detail what you are filming to provide the viewer with as much information as possible.

After the event, copy your photos and videos to media that you are happy to give away, such as a blank CD/DVD or memory stick. This can then be passed to the Federation to assist with the investigation.

Retain the original recording or photo for use in any hearing proceeding and certifying the copy as being a true copy, again where possible label with date/time and your signature. Additionally, record this action in your notebook.

CONTINUITY AND PRESERVATION

Showing continuity means being able to show a chain of custody of your evidence from the point it was collected to when it is used in a formal proceeding. The purpose of this is to show that the evidence has not been tampered with or changed in any way since it was collected.

When an item is taken the time and date must be recorded in your notebook.

When you pass on anything you have collected to somebody else then you must record who you gave it to and at what date/time.

Subsequently that person should record movements of the item, and so on.

Ultimately the Federation will need to account for all movements of the item so the reliability of that evidence cannot be questioned.

If an item is placed in a bag, best practice would be to attach a label to the bag containing the following information:

- Item Description
- Time/Date it was collected
- Competition where it was collected, if applicable
- Name of person who collected the item
- Name of who it was handed to, with time/date
- Signatures of all persons handling the item

SOURCES OF INFORMATION

Be mindful that evidence can be in any form and can come from any place. Consider collecting or recording anything which you think will be useful.

The majority of information will come from verbal accounts given to you at the time. This can come from:

- Rider/Owner/Trainer of the Horse
- Original Informant (who may wish to remain anonymous, so be prepared to record name and contact details for the Federation separate from your notebook)
- Other Witnesses—Grooms, Officials, Competition Staff, Spectators, etc.

Any verbal account should be recorded in your notebook with a time/date and signatures.

DEALING WITH QUESTIONS

It is highly likely that you will be asked questions regarding the outcome of an investigation. In this situation it is best not to try and give an answer and provide any misleading information which may cause problems later on.

The following statement should be given in such circumstances:

“The Federation will be investigating this matter and all material obtained by us will be passed to them.”

CONTACT INFORMATION

Main Number | 859-258-2472

After-Hours Numbers (*for Licensed Officials only*) | 859-312-5186

US Equestrian Headquarters

Emily Pratt, Director of Regulations

epratt@usef.org | 859 225 6956

Sonja S. Keating, General Counsel

skeating@usef.org | 859 225 2045



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