



DOG OBEDIENCE CLUBS OF FLORIDA



DOCOF

Standard Operating Procedure

Title	Managing Misconduct And Misbehavior				
Number	17001	Date Approved	9/3/17	Date Active	9/3/17
Rescinds		Review Date		Pages	8
Purpose It is the purpose of this procedure to standardize the manner in which the organization deals with misconduct and misbehavior associated with the annual event.					
Policy DOCOF will ensure that all members are treated fairly and encourage sportsmanlike conduct as well as demonstrate behavior that is to the betterment of the sport of obedience and DOCOF					
Practice DOCOF will act in good faith and fairness in response to charges on misconduct and misbehavior in accordance with the Rules and Bylaws and this procedure.					
Authority And Makeup Of Hearing Committee At the time of its event, the DOCOF Board of Trustees shall carry full weight and authority deal with any misconduct or abnormality that may occur in connection with its event. As used herein, the term "Event Committee" is all encompassing and means Obedience Trial Committee. Event in this instance means the Annual DOCOF Tournament. Article VIII , of <i>The DOCOF Bylaws</i> , hereafter referred to as " <i>Bylaws</i> ," gives the Event Committee the right to suspend any person, dog or team from any or all privileges of the DOCOF for conduct prejudicial to the best interests of dogs, the events, or the DOCOF, alleged to have occurred in connection with or during the progress of its event, after the alleged offender has been given an opportunity to be heard. When dealing with such matters, the committee represents the DOCOF and every person who enjoys the sport of Obedience. It is the responsibility of Event Committees to deal with misconduct or misbehavior in connection with a DOCOF event. DOCOF rules and regulations shall be in full force for the time immediately preceding, during and immediately following the event. Expulsion from DOCOF membership may only be accomplished by the delegate's vote at a meeting.					
1.0 Committee's Duty It is the duty of the committee to deal with acts of alleged prejudicial conduct which occur during or in connection with the event. It is also the Committee's responsibility to deal with scoring abnormalities, rule interpretation, and enforcement. The phrase "in connection with" means any incident where the parties involved are there because of the event; for example, at a dinner connected with the event, in a parking lot adjacent to the event					

grounds, at a hotel facility, or abuse of a hotel facility. Incidents occurring while traveling to, from and between events are not considered to be in connection with an event. While a club can hope that no problem of this nature will arise, its committee must be prepared to deal with such incidents in a creditable manner should they occur.

2.0 Composition Of The Event Committee

The Committee shall consist of three members of the DOCOF Board of Trustees and two exhibitors selected the year before at the annual meeting. It is not necessary that every member of the committee participate in the proceedings, but a majority of the committee must participate. (A "majority" is interpreted to mean at least three committee members.) No person should serve on an Event Committee unless he or she is prepared to carry out the duties fairly and impartially. Reasons for a committee member's recusal or disqualification include the following: (1) the member will appear as a witness at the hearing; (2) an immediate family or household member of the committee will appear as a witness at the hearing; (3) the committee member has a personal or business relationship with the accused or complainant; (4) the member co-owns a dog or dogs with the accused or complainant; (5) the member does not feel that he or she can be impartial; or (6) the member witnessed the event. A recusal occurs when a committee member voluntarily withdraws from the committee; and a disqualification occurs when a majority of the other committee members affirmatively vote to disqualify a member from further participation in the proceedings.

The Event Committee Chair will be the highest ranking member of the Board of Trustees who is present at the hearing. The Board should attempt to have all available committee members present for the hearing. If the members of the committee have been disqualified or recused themselves, and if the exclusion of these members renders the committee's composition less than three, it is the responsibility of the committee to contact club delegates who are at the event, but did not witness the incident, to fill the vacancy. In the discretion of the Event Committee Chair, his or her duties as the Chair or solely as the presiding officer at the hearing may be delegated to another Committee member, with the original Chair continuing to serve on the Committee.

3.0 Conduct Prejudicial To The Sport

Proceedings may involve different types of conduct. One test in connection with any kind of scene or altercation occurring during an event is whether a family attending an event for the first time would be likely to decide, after witnessing such an incident, that the sport is not for them. While the number of people witnessing the incident should be taken into consideration, conduct that is known to only one or two people at an event can also be prejudicial to the sport. Among the kinds of conduct that may occur are: a demonstration of dissatisfaction with a judge's decision, including refusal to accept a ribbon or throwing a ribbon on the ground; altercations with officials or participants; abusive or foul language in public; and mistreatment of a dog. If there is any indication that a purportedly abused dog is physically injured, it is the duty of the committee to have it examined as soon as possible by a veterinarian, and a detailed report made of the physical injuries. As in any sport, conduct that may, in the opinion of the committee, be prejudicial to the sport, can take other forms that do not fall within these descriptions.

4.0 Procedure

Preliminary Investigation

4.1. Complaint Investigation.

A member of the committee will investigate all complaints or incidents and make a preliminary determination whether, if the alleged conduct was proven true, it is prejudicial to the sport, and it occurred at or in connection with the event.

The member should

4.1.1. Interview the complainant, accused and known witnesses.

4.1.2. Obtain contact data of the individual making the complaint as well as the accused and witnesses.

4.1.3. Get the complaint in writing using the Complaint Form (attached).

4.1.4 The investigating member will complete the Preliminary Investigation Form

4.1.4.1. Should the investigation results in a clear case of misconduct or misbehavior and the accused waives a formal hearing the Committee will immediately determine the required response.

4.1.4.2. The Event Committee may respond with the following corrective actions.

- a. Verbal Reprimand to the accused team or individual
- b. Written Reprimand to the accused team or individual
- c. Removal of the exhibitor and his or her score from the team score
- d. Removal of the teams scores from the final placement scores
- e. Suspension of the exhibitor or the team for the following year
- f. Permanent suspension from competition in future events.

4.2. If it is determined that a Formal Hearing should be held the Board will be gathered in a room separate from the tournament. The Committee will then decide a course of action.

4.3. Should a formal hearing be required, the committee will follow the Formal Hearing Procedure.

5.0 Formal Hearing

In the event that a Formal Hearing is required the committee will provide a Notice of Hearing as soon as is practicable. Delegates should be notified by email even if at the

event. The notice shall include the following:

5.1 Notice Of Hearing

An incident has occurred requiring a Formal Hearing of the Event Committee.

5.1.1 The accused was provided a copy of DOCOF Standard Operating Procedure 17001.

5.1.2 A formal hearing is required when the accused indicates they will not accept the result of the Committee following the Preliminary Investigation.

The accused must be given reasonable time to secure witnesses and to prepare. It is up to the accused to request additional time if needed.

6.0 Formal Hearing

Conduct Of Hearing

6.1 The Chair will introduce himself or herself and the members of the committee and designate one member of the committee to keep a record of the proceedings. If the hearing is recorded all participants must consent and the recording must be submitted with the report.

6.2. Advisal of Charges. The Chair will again advise the accused of the specific charges.

6.3. Advisal of Rights. The Chair advised the accused of these rights:

6.2.1. To hear, confront and question all witnesses

6.2.2. To present witnesses on his or her own behalf

6.2.3. To testify on his or her own behalf.

6.4. Witness List. The Chair will determine the list of witnesses to be called by the committee and the accused. Witnesses include the accused and the complainant.

6.5. Unauthorized Persons Excused. The Chair will excuse all persons except the committee, and the accused. The witnesses are to be excused from the proceeding, except when they were called on individually to testify.

6.6. Witnesses. The Chair will call and swear in the witnesses: first, those named by the committee; then, those named by the accused. The Chair will ascertain the full name and address of each witness. The Chair will question the witness and then allow the accused to question the witness. A summary of each witness's testimony is made including the questions asked by the accused. (An appropriate oath is as follows: "Do you swear or promise that you will tell the truth, the whole truth and nothing but the truth?")

6.7. Procedural issues raised during the hearing should be noted.

- 6.8. Accused Statement. After all the witnesses testified, the Chair will permit the accused to make a final statement in response to the charges. This is in addition to the testimony of the accused.
- 6.9. Close Hearing. The Chair will then excuse all persons except the committee and asks the accused to remain available to receive the committee's decision. If the hearing is recorded the recording should stop at this point.
- 6.9.1. Should the Formal Hearing result in a clear case of misbehavior the Committee will immediately determine the required response.
- 6.9.2. The Event Committee may respond with the following corrective actions.
- a. Verbal Reprimand to the accused team or individual
 - b. Written Reprimand to the accused team or individual
 - c. Removal of the exhibitor and his or her score from the team score
 - d. Removal of the teams scores from the final placement scores
 - e. Suspension of the exhibitor or the team for the following year
 - f. Permanent suspension from competition in future events.

Post-Hearing

- 7.0. Findings. After deliberation and by majority vote, the committee makes these findings:
- 7.0.1. As to whether the charged conduct has been proven
- 7.0.2. Whether such conduct was prejudicial to the best interest of DCOF, Obedience, and good sportsmanship
- 7.0.3. Whether the charged conduct occurred in connection with, or during the progress of, its event.
- 7.1. Decision
- 7.1.1. The committee found that all three of the elements in charge(s) number _____ were not proven and dismissed the charge(s).
- 7.1.2. The committee found that all three elements in charge(s) _____ were proven and it will determine the appropriate corrective action.
- 7.1.3. The committee stayed the corrective action, the Committee is allowed to apply a reprimand as a mitigated penalty and the committee is recommending a mitigated penalty.
- 7.2. Notice. After the committee made its decision, the Chair will:
- 7.2.1. Immediately notified the accused of the charges that were dismissed and

those that were sustained.

7.2.2. If charges were sustained, the accused will be so advised and notified of his or her immediate suspension of any or all DOCOF privileges.

7.2.3. Committee must notify the accused, in writing, in person or by certified mail return receipt requested and first- class mail, of the committee's decision and of any corrective action, if one was ordered.

8.0 Appeal

In the case of suspensions, the accused may appeal to the Delegates at the next regular Delegate Meeting.

8.1 Suspension

A person suspended from DOCOF events may not participate in any event under DOCOF rules and regulations, except as a spectator. The reference to attending any event held under DOCOF rules as a spectator is all encompassing. It includes, but is not limited to, prohibiting a suspended person from grooming or in any way preparing a dog for the event; leading a dog anywhere on the event grounds; holding an entered dog on the event grounds; or attempting to influence a dog or a handler in an event.

A person suspended from DOCOF events may not serve as a delegate or officer as they would be considered out of good standing.

Explanatory Notes

Examples Of Misconduct Warranting Corrective Action.

The following are examples of misbehavior that would require corrective action but are not all inclusive or are they to be consider mandatory.

a. Verbal Reprimand to the accused team or individual

- First time occurrence of inciting an argument with an exhibitor or judge
- First Time Failing to perform assigned tasks during the event
- First Time Failing to pickup after your dog

b. Written Reprimand to the accused team or individual

- Second Time of the above offenses
- Unsportsmanlike conduct deleterious to DOCOF
- Generation of a complaint from an event supporting hotel.

c. Removal of the exhibitor and his or her score from the team score

- An exhibitor attempting to deceive the judge in competition

- Failing to comply to qualification requirements per the Rules and Regulations
 - Striking a dog
 - Leaving a dog in an un-air-conditioned vehicle
 - Showing an ineligible dog
 - A dog attacking a dog
- d. Removal of the teams scores from the final placement scores
- More than one team member attempting to deceive the judge in competition
 - The team, its captain or delegate surreptitiously entering an exhibitor that is not on their membership list.
 - Abuse of dogs
- e. Suspension of the exhibitor, dog or the team for the following year
- Deliberately attempting to change or enter a false score in the competition
 - Abuse of a dog(s)
 - A dog attacking a person
- f. Permanent suspension from competition in future events.
- Abuse of dog(s)
 - Deliberately damaging ring or event equipment
 - Theft of DOCOF or Exhibitor property
 - Assault and/or Battery by an exhibitor on a judge, exhibitor, event staff member, or spectator
 - A dog attacking a person

DEFINITIONS OF OFFENSES

ABUSE: Improper treatment which could cause serious injury to animals.

ACCUSED: The exhibitor or team that has allegedly been involved in misconduct.

ATTACK ON A PERSON: Actions by a dog wherein the dog lunges toward a person aggressively, snaps at a person (no contact is required) or makes contact with a person with its teeth during aggression.

CHAIR: The Senior Ranking member of the Board of Trustees assigned or by default the head of the Event Committee.

CRUELTY : Conscious action or inaction that may endanger life or cause serious health consequences to animals.

HARASSMENT : Inappropriate comments and/ or conduct regarding but not limited to another individual's race, color, religion, disability, national origin, age, sexual orientation, or gender.

IMPROPER TREATMENT : Inappropriate treatment or handling of an animal not likely to cause serious injury, e.g. excessive or harsh discipline/training.

MISBEHAVIOR: An action perpetrated by a dog that is deleterious to the Sport of Obedience, to DOCOF, or its exhibitors, staff, officers or guests.

MISCONDUCT: An action verbal or physical perpetrated by a person that is deleterious to the Sport of Obedience, to DOCOF, or its exhibitors, staff, officers or guests.

NEGLECT: Inadequate care or voluntary inattention to basic needs, ignoring the safety and well-being of animals because of haste or ignorance.

WITNESS: An individual who states that he or she saw heard or experienced the misconduct or misbehavior.

Event Committee Preliminary Investigation Checklist

Upon Receiving a formal complaint i.e. a complaint of misconduct or misbehavior that cannot be resolved with a simple request of the accused party.

	Have the complainant complete the complaint form. Ask that the complainant to remain on the premises.
	Contact the accused and advise them of the complaint. Ask that they remain on the premises.
	Contact and assemble the Event Committee and hold a Preliminary investigation
	Three members are required.
	Confirm there are no conflicts of interest.
	Senior Board member acts as the chair and lead.
	Conduct a preliminary investigation
	Determine what if any result is required.
The Event committee can recommend the following or a modified version of	
	<ul style="list-style-type: none"> a. Verbal Reprimand to the accused team or individual b. Written Reprimand to the accused team or individual c. Removal of the exhibitor and his or her score from the team score d. Removal of the team's scores from the final placement scores e. Suspension of the exhibitor or the team for the following year f. Permanent suspension from competition in future events.
	Contact the accused and advise them of the result.
	Have the accused sign the bottom of the complaint form.
	Act on the Committee Result or prepare for the Hearing should the accused not accept the committee's result.
	Complete the Hearing Announcement form and email it or deliver it to the accused.
	Assemble witnesses and advised them of the hearing information
	Secure a site for the hearing.
	Conduct the hearing
	Act on the Hearing Result.