

# USA GOLF

# Response and

# Resolution Policy

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## Contents

Introduction

Reporting Mechanism

Referral of Report

Jurisdiction Notification

Mandatory Reporting

Prohibition of Retaliation

Jurisdiction of Reported Allegations

Responsiveness to Requests

Data Tracking

## Introduction

Participant safety, both on and off the field of play, is of the utmost importance to USA Golf. USA Golf requires reporting of violations of the Minor Athlete Abuse Prevention Policies (**MAAPP**), its Safe Sport Policy, and all sexual, emotional, and physical misconduct by all participants.

USA Golf's Response and Resolution Policy and Process, outlines the reporting requirements for participants for all forms of abuse, the jurisdiction of USA Golf and the U.S. Center for SafeSport (**the Center**), and USA Golf's duty of fair and honest investigations, whether conducted internally or by the U.S. Center for SafeSport. USA Golf's Executive Director and General Counsel are responsible for ensuring that the requirements set forth herein are met.

## Reporting Mechanism

USA Golf requires reporting all concerns of sexual, physical, or emotional misconduct, or violations of the MAAPP. USA Golf follows the reporting procedures of the U.S. Center for SafeSport (the Center), the United States Olympic and Paralympic Committee (**USOPC**), and the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017 (**the Act**).

Report to USA Golf by submitting a Misconduct Form to [AndyLevinson@pgatourhq.com](mailto:AndyLevinson@pgatourhq.com). USA Golf's reporting mechanism has no associated costs, fees, or other financial barriers attached to submitting a report. Reporters have the option to remain anonymous when filing a report. For the avoidance of doubt, the Center shall have exclusive jurisdiction over allegations of sexual misconduct. Any report to USA GOLF of abuse that falls within the Center's exclusive jurisdiction will be forwarded to the Center for investigation.

In addition, and in accordance with the USOPC's NGB Athlete Safety Policy, USA Golf will (i) notify the Office of Athlete Safety ([athlete.safety@usopc.org](mailto:athlete.safety@usopc.org)) related to allegations that occurred at an OPTC or at a USOPC Delegation Event and any temporary measures imposed; and (ii) notify the Office of Athlete Safety of any temporary measure(s) (imposed or removed) affecting Participants who might or will be attending a Delegation event, have access to an OPTC, or receive a benefit and/or service from the USOPC.

## Referral of Report

Any report received by USA Golf of an allegation that falls within the U.S. Center for SafeSport's exclusive jurisdiction must be referred by USA Golf directly to the Center immediately and no later than within 24 hours of receiving such report.

## Jurisdiction Notification

USA Golf will promptly inform an identified reporting party of its jurisdictional determination regarding their report to USA Golf, communicating via email that the matter either is being referred to the U.S. Center for SafeSport, or is being addressed by USA Golf. Presently, USA Golf manages all cases outside of the U.S. Center for SafeSport's jurisdiction.

## Mandatory Reporting

1. **Reporting Requirements related to Child Abuse, including Child Sexual Abuse.** An Adult Participant who learns of information or reasonably suspects that a child has suffered an incident of child abuse, including sexual abuse, must immediately:
  - a. Make a report to law enforcement **AND**
  - b. Make a report to the U.S. Center for SafeSport **AND**
  - c. Comply with any other applicable reporting requirements under state law. For information on how to report suspected child abuse to appropriate law enforcement agencies, [please click here](#).

Reporting to the Center alone is not sufficient. All reported allegations that raise a reasonable suspicion of child abuse, including child sexual abuse, must be reported to law enforcement immediately after becoming aware of the allegations, in accordance with federal law. All reported allegations that raise a reasonable suspicion of child abuse, including child sexual abuse, and sexual misconduct must be reported to the U.S. Center for SafeSport immediately upon becoming aware of the allegations.

Child Abuse includes incidents that involved a victim who is a minor at the time of the alleged incident, even if the victim is now an adult.

Reports to the U.S. Center for SafeSport can be made through the [online reporting form](#) or by phone at 833-587-7233. The U.S. Center for SafeSport's reporting mechanism has no associated costs, fees, or other financial barriers attached to submitting a report. Reporters have the option to remain anonymous when filing a report.

2. **Reporting Requirements Relating to Sexual Misconduct.** The U.S. Center for SafeSport has exclusive jurisdiction over incidents of sexual misconduct for both minor and adult participants. An Adult Participant who learns of information or reasonably suspects that an incident(s) of Sexual Misconduct has occurred, must immediately report the incident(s) directly to the Center. This reporting requirement applies regardless of whether the suspected victim is an adult or minor.

Reports to the U.S. Center for SafeSport can be made through the [online reporting form](#) or by phone at 833-587-7233.

3. **Additional Misconduct that Adult Participants must report to the Center:** Criminal Charge(s) or Disposition(s) involving sexual misconduct or misconduct involving Minors; Misconduct related to the Center's process, including suspected incident(s) of aiding and abetting, abuse of process; Retaliation.

Reports to the U.S. Center for SafeSport can be made through the online reporting form or by phone at 833-587-7233.

#### 4. Emotional and Physical Misconduct and Violations of the Minor Athlete Abuse

**Prevention Policies:** An Adult Participant who learns of information or reasonably suspects that an incident(s) of emotional or physical misconduct (including bullying, stalking, hazing, and harassment) prohibited under the SafeSport Code has occurred must report it to the Executive Director of USA GOLF.

An Adult Participant who learns of information or reasonably suspects a violation of the Minor Athlete Abuse Prevention Policies or other proactive policies must report it to the Executive Director of USA GOLF.

Reports to USA Golf can be made by submitting ([insert USA GOLF misconduct form link](#)) to [AndyLevinson@pgatourhq.com](mailto:AndyLevinson@pgatourhq.com). USA Golf's reporting mechanism has no associated costs, fees, or other financial barriers attached to submitting a report. Reporters have the option to remain anonymous when filing a report.

The USA GOLF Executive Director is responsible for checking the SafeSport email inbox daily for any reports that USA Golf may receive.

#### Prohibition of Retaliation

USA Golf prohibits retaliation before, during, and after the process (whether led by the Center or USA Golf) of resolving an abuse or misconduct allegation. USA Golf's Whistleblower Policy is available for more information.

#### USA Golf Jurisdiction of Reported Allegations

All allegations that fall under USA Golf's jurisdiction are tracked in an Excel sheet. This document tracks the date the report was received, the individuals implicated in the report, the stage of the investigation, and other pertinent information.

USA Golf's Judicial Committee reviews the report, investigates, and renders a decision. These Committee members are appointed by the Board of Directors of USA Golf and meet the definition of independent members. These Committee members have established their own investigation process, with input from key staff members at USA Golf, and is reviewed frequently to ensure it is being followed or updated as applicable. The process

#### Judicial Committee - Grievance Process

1. Executive Director to ensure complaint is received by the Chair of Judicial Committee
2. USA GOLF legal counsel to log on Grievance Tracking Sheet and track process through to closure.
3. Executive Director to notify Respondent of complaint within 3 working days (Notice to include the charges or alleged violations, with specificity and in writing, and possible

consequences if the charges are found to be true) and will include that the parties have the right to representation

4. Executive Director to ask for 3 members of Committee to serve on Hearing Panel for this case. Chair to make determination. Other individuals who do not serve on the Judicial Committee may be considered as outlined in the Bylaws.
5. Director of Membership, Safe Sport, and Governance to arrange conference call for Committee
6. At least two members of the Committee to hear perspective from both Complainant and Respondent and ask for any supporting information. This information to be shared with the Hearing Panel
  - a. this may be done prior to the Committee hearing/meeting or
  - b. can take place for a defined period (i.e., 15 minutes per person) during the hearing/meeting.
7. Hearing Panel (Judicial) min of 3 members present, including 1 athlete. Review case and make a decision to submit to the BOD. This to be communicated in writing to the Chair of the Board.
8. Executive Director to notify Respondent and Complainant in writing of outcome.

USA Golf's Executive Director is the designated representative at USA Golf who ensures the Response and Resolution policy is followed.

### Ongoing U.S Center for SafeSport Investigations

USA Golf may implement temporary measures, if necessary, prior to the assertion of jurisdiction by the U.S. Center for SafeSport. USA Golf also enforces temporary and permanent measures, including bans, implemented by the Center. USA Golf can implement temporary measures, excluding suspensions, in cases that the Center has exercised jurisdiction.

USA Golf will not interfere in, attempt to interfere in, or attempt to influence the outcome of any U.S. Center for SafeSport investigation. Additionally, the USA Golf Executive Director will respond to requests from the Center regarding the eligibility status of a Participant and/or the existence of USA Golf imposed temporary measures or safety plans within 72 hours of the request.

When the Center has imposed a measure, the Executive Director notifies the relevant individuals and informs them of the required actions (e.g., suspending their membership, withdrawing their sanction). If the Center determines that the individual should be banned, the Executive Director works with the USA Golf legal counsel to update the USA Golf Banned List on the USA Golf website.

### Data Tracking

USA Golf's legal counsel maintains a Complaint Tracking schedule in Excel of all reports made to include emotional or physical misconduct, MAAPP violations, and reports of retaliation. USA Golf manages all reports of emotional and physical misconduct, MAAPP violations, and reports of retaliation.

For emotional or physical misconduct, the schedule tracks total reported incidents, number of investigations, and total number of violations adjudicated by USA Golf.

For MAAPP violations, the schedule tracks the total reported incidents by policy type, the total number of investigations, and the total number of violations adjudicated by USA Golf.

For reports of retaliation, the schedule tracks the total reported incidents, the total number of investigations, and the total number of violations adjudicated by USA Golf.

US AGOLF shall not permit any individual with sanctions or restrictive temporary measures from participating in any event, program, activity, or competition authorized by, organized by, or under the auspices of USA GOLF.

### Policy to submit to the Center “Data of Matters Addressed by the Organization”:

USA Golf must annually submit to the Center data regarding:

- a. Reports of emotional or physical misconduct made to USA Golf or its local affiliated organizations (if applicable).
  - i. Total reported incidents of alleged emotional misconduct
  - ii. Total reported incidents of alleged physical misconduct
  - iii. Total number of investigations of alleged emotional misconduct
  - iv. Total number or investigations of alleged physical misconduct
  - v. Total number of violations for emotional misconduct adjudicated by USA Golf, separated by cases adjudicated by USA Golf and cases adjudicated by its LAOs
  - vi. Total number of violations for physical misconduct adjudicated by USA Golf, separated by cases adjudicated by USA Golf and cases adjudicated by its LAOs
- b. Reports to USA Golf or its local affiliated organizations that a Participant violated the Minor Athlete Abuse Prevention Policies (MAAPP).
  - i. Total reported incidents of alleged violations of the MAAPP, by policy type
  - ii. Total number of investigations of alleged violations of the MAAPP
  - iii. Total number of violations of the MAAPP, separated by cases adjudicated by USA Golf and cases adjudicated by its LAOs
- c. Reports to USA Golf or its local affiliated organization that a Participant engaged in retaliation.
  - i. Total reported incidents of alleged retaliation
  - ii. Total number of investigations of alleged retaliation
  - iii. Total number of violations of retaliation policy separated by cases adjudicated by USA Golf and cases adjudicated by LAOs