

EVIDENCE GATHERING GUIDELINES

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

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INTRODUCTION

Federation members rely on our Stewards and Technical Delegates to gather relevant information about incidents that occur at Federation Licensed Competitions. This work is vital to protecting the integrity and fairness of our sport.

Gathering evidence effectively at the start will go a long way to ensuring a fair outcome.

Any incident observed or reported at a Federation Licensed Competition must be treated seriously and professionally. Any matter has the potential to go to the Hearing Committee, and taking the correct steps at the outset is important for the integrity of the process. These guidelines are intended to assist Stewards and Technical Delegates in collecting necessary and relevant information that can be used as evidence for evaluating whether disciplinary proceedings are warranted.

Important reminders:

- Any allegations of sexual misconduct regardless of the severity must be reported immediately to the U.S. Center for SafeSport. Additionally, allegations involving child abuse or sexual misconduct with anyone under 18 years of age must be reported immediately to the authorities.
- Federation Licensed Officials are bound by the Licensed Officials Code of Ethics. All observed or reported allegations of misconduct must be treated confidentially and with discretion. All participants must be treated respectfully and professionally.
- Federation Licensed Officials are bound by the Social Media Policy. Social media usage is not appropriate in any circumstances relating to any potential disciplinary matter. Licensed Officials are expected to cultivate and nurture an environment of trust, integrity, and respect.

WHAT IS EVIDENCE?

Evidence is anything that may be used during a disciplinary proceeding to prove or disprove an allegation. Evidence can come in many forms and from many places. Consider collecting or recording anything that you believe could be useful in documenting an incident. These are just a few examples:

- Statements from individuals who witnessed or have knowledge of the incident, particularly any relevant details. Statements signed and dated by the witness are preferred.
- Any documents, such as entry blanks and judge's cards.
- Physical evidence, such as improper equipment, bloodied tack, whips, and spurs.
- Photos and videos, including those taken by you, witnesses, and/or the official competition photographer or videographer.

EVIDENCE COLLECTING MATERIALS

We recommend that Stewards and Technical Delegates always have the following items when serving in their official capacity:

- Notebook
- Camera/Cell Phone
- Gloves
- Re-sealable plastic bags and labels

NOTEBOOK

A small pocket-sized notebook and pen to record your actions and what you are told by different individuals. Alternatively, you could record a memo on your phone and record witness statements, with their permission.

- Anything can be recorded in your notebook. It doesn't matter how insignificant it may seem. It may become relevant later.
- Each entry should have a date and time.
- Include the contact information of everyone you speak with, including correct spelling of names, telephone number(s), emails, and member information.
- Be prepared to provide a copy of your notes to the Federation.
- Notes may be viewed by Federation leadership, the parties to a hearing, and/or the Hearing Committee. Keep them clear and concise.

HERE ARE SOME EXAMPLES OF 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 (TD or neutral witness) observed obvious and severe welts on both the right and left flanks. I called the Competition Vet and requested an exam of TINKER BELL.

Groom's Name: Charles Brown

Photographs taken at 4:05 p.m.

4:30 p.m. — I witnessed Competition Vet, Dr. Sally Jones, examine TINKER BELL. Her statement is attached to my report. 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. — I issued John Doe a Yellow Warning Card and reported a violation of GR838. The horse was pulled from further competition.

CAMERA/CELL PHONE

Photographs and video are often the best way to capture the detail of a situation. Have a small digital camera or cell phone with the ability to take photographs and record video. If you use a digital camera, adjust the settings so the image shows the correct date and time. Do not be afraid to take photos and/or video. Capture as much detail as you can and take photos/video showing the background, location, day/time, and the horse/individual. Photos/video are especially important during an examination of an animal.

At the start of any video, it is helpful to include a statement like this:

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

If possible, include a verbal commentary during filming. Describe in a neutral and detailed manner what you are filming to provide the viewer with as much information as possible. Here are some examples:

I am observing trainer (name, if known) training/schooling a (color/gender, if known) horse identified as (name and/or back number, if known).

I am observing a (describe color, gender, and/or division, if known) horse that appears to have welt marks on the (left, right, both) hindquarters. The welt marks are raised and warm to the touch.

After the event, copy your photos and videos to media that you are happy to give away, such as a thumb drive, or use a file-sharing site such as DropBox, GoogleDrive, or ShareFile to share with the Federation. The Federation can send you a link to upload the photos/video if needed.

Keep a record in your notes of when you sent the photos/video to the Federation and make sure the Federation confirms receipt.

Retain the original recording or photos for use in any hearing proceeding.

The Federation can assist you with preservation if needed. You may need to sign a sworn statement confirming that the images are true and correct copies of the originals.

PRESERVATION OF EVIDENCE

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 you take custody of physical evidence or someone sends you photographs or videos, 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 you collect any physical evidence, each item should be placed in its own bag and sealed. A label should be applied to the bag for identification and continuity. 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

It may be helpful to keep a note card in each bag with this information.

WITNESS ACCOUNTS/STATEMENTS

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. Collect each witness's full name, phone number, email address, and any available photos/video they may have recorded.

You can also collect signed, written statements from witnesses. For this, you may want to carry a separate notebook and pens. If a witness is willing to give a written statement, ask them to include everything they recall about an incident even if it seems like an unimportant detail.

DEALING WITH QUESTIONS

It is highly likely that you will be asked questions regarding the status of an investigation. In this situation it is best to simply state as follows:

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

WHAT TO DO NEXT

Please send all information to makeareport@usef.org or file report through the online portal.

CONTACT INFORMATION

Main Number | 859-810-8733

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859-312-5186

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