



# PROCEDURAL CHECKLIST

## Event Committee Hearings

**AMERICAN  
KENNEL CLUB®**

Club \_\_\_\_\_

Defendant \_\_\_\_\_

Address \_\_\_\_\_

Event \_\_\_\_\_

Date \_\_\_\_\_

The AKC requires that each Event Committee review and become familiar with the contents of the booklet titled “*Dealing With Misconduct at American Kennel Club Events.*” This checklist must be completed by the Event Committee Chair and signed. The accused must also sign this document.

Please be advised, if an Event Committee receives a complaint alleging that a dog has attacked a person or dog resulting in injury, pursuant to Chapter 11, Section 8-A, of the *Rules Applying to Dog Shows*, or the applicable rule in each sport, the committee must complete a Disqualification by Event Committee form. The form is included in each club’s Event Kit.

This checklist is part of the record of the Event Committee Hearing concerning the alleged conduct of an individual, and must be submitted with the complete report of the proceedings. The report must be received by the Executive Secretary of the AKC within five (5) days of the last date of the event or within five (5) days of the date of the hearing if held subsequent to the date of the event. The complete report must be sent to AKC (Attn: Executive Secretary), 101 Park Ave., New York, NY 10178.

### PREHEARING (pages 9-12)

### CHECK THE APPROPRIATE BOX

- 1. Preliminary Investigation. Investigated complaint and made a preliminary determination that the alleged conduct, if proven true, was prejudicial to the sport and it occurred at or in connection with the event. Interviewed the complainant, accused and known witnesses. If a minor is involved, followed the procedures in Section V of *Dealing with Misconduct*.  YES  NO
- 2. Name, address, telephone number, and email address of the individual making the complaint as well as the accused and witnesses obtained.  YES  NO
- 3. Got the complaint in writing. Wrote “Complaint” on the complaint.  YES  NO
- 4. It was determined that a hearing should be held. If no hearing held, provide an explanation: \_\_\_\_\_  YES  NO
- 5. Notice of Hearing. The accused was advised at \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_ (date) of the setting of the hearing.  YES  NO
  - a) The accused was provided with a copy of the “*Dealing With Misconduct*” booklet.  YES  NO
  - b) Accused was provided with a copy of the complaint and was told he/she was being charged with the following misconduct:  YES  NO

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- c) The accused was advised the hearing will be held \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_ (date).

(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. The Chair established the committee as follows (include address, telephone number and email address):

Chair \_\_\_\_\_  
Secretary (person keeping record of proceeding) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

HEARING  
(pages 12-14)

- 7. Introduction. The Chair introduced himself or herself and the members of the Committee and designated one member of the Committee to keep a record of the proceedings. If the hearing was recorded all participants consented and the recording was submitted with the report.  YES  NO
- 8. Advisal of Charges. The Chair again advised the accused of the specific charges (same as #5B).  YES  NO
- 9. Advisal of Rights. The Chair advised the accused of these rights:  YES  NO
  - a) To hear, confront and question all witnesses;
  - b) To present witnesses on his/her own behalf; and
  - c) To testify on his/her own behalf.
- 10. Witness List. The Chair determined the list of witnesses to be called by the Committee and the accused. Witnesses include the accused and the complainant.  YES  NO

Committee's Witnesses:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Accused's Witnesses:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 11. Unauthorized Persons Excused. The Chair excused all persons except the Committee, the accused and the AKC Representative. The witnesses were excused from the proceedings, except when they were called on individually to testify.  YES  NO

12. Witnesses. The Chair called and swore in the witnesses (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?”). The order of witnesses typically is: first the Committee witnesses, then the accused witnesses. The Chair ascertained the full name and address of each witness. The Chair questioned the witness and then allowed the accused to question the witness. A summary of each witness’s testimony was made including the questions asked by the accused.  YES  NO
13. Procedural issues raised during the hearing are noted in the hearing summary.  YES  NO
14. Accused Statement. After all the witnesses testified, the Chair permitted the accused to make a final statement in response to the charges. This is in addition to the testimony of the accused.  YES  NO
15. Close Hearing. The Chair then excused all persons except the committee and asked the accused to remain available to receive the committee’s decision. If the hearing is recorded the recording should stop at this point.  YES  NO

POSTHEARING  
(pages 15-16)

16. Findings. After deliberation and by majority vote, the committee made these findings:  YES  NO
- a) As to whether the charged conduct has been proven;
- b) Whether such conduct was prejudicial to the best interests of purebred dogs, AKC events or the AKC; and
- c) Whether the charged conduct occurred in connection with, or during the progress of, its event.
17. Decision. Please circle which option(s) apply and indicate the charge(s) with the option(s).  YES  NO
- a) The committee found that all three of the elements in charge(s) number \_\_\_\_ were **not proven** and it dismissed the charge(s).
- b) The committee found that all three elements in charge(s)\_\_\_\_ were **proven** and it suspended the accused from any or all AKC privileges.
- If 17 b) is circled, did the committee stay the suspension?  YES  NO  
Only if the AKC Disciplinary Guidelines allow for a reprimand as a mitigated penalty AND the committee is recommending a mitigated penalty, may the committee grant a stay.
18. Notice. After the committee made its decision, the Chair:
- a) Immediately notified the accused of the charges that were dismissed and those that were sustained.  YES  NO
- b) If charges were sustained, the accused was so advised of the committee’s decision and notified of his/her immediate suspension of any or all AKC privileges (unless stay issued. See 17b).  YES  NO
- c) Committee notified the accused, in writing, by certified mail return receipt requested and first-class mail, of the committee’s decision and of any suspension, if one was ordered.  YES  NO
19. Submission of report to AKC. Send to the AKC, to be received within five (5) days of hearing or incident, a complete report of the proceedings, which includes the following. **PLEASE CHECK EACH ITEM INCLUDED:**
- A copy of the signed written complaint, marked “Complaint”
- A comprehensive summary of the hearing (see Section X of *Dealing with Misconduct*)
- This Procedural Checklist
- A duplicate copy of the committee’s decision and notice of suspension, if applicable, mailed to the accused.

\_\_\_\_\_  
Signature – Chair

\_\_\_\_\_  
Signature – Defendant

Attesting to the fact that all items on this list were completed.

Attesting to the fact that Items 3, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 17, and 18 were completed.

## AKC DISCIPLINE GUIDELINES - EFFECTIVE October 15, 2019

### **Explanatory Notes**

- Articles XII and XIV allow for discipline for “conduct alleged to have been prejudicial to the best interests of purebred dogs, purebred dog events, or the AKC.”
- Discipline in excess of the Aggravated term, or less than the Mitigated term, must be approved by the AKC Board of Directors (“Board”). Discipline imposed for cases not covered by the Guidelines must be approved by the Board.
- Circumstances that could, but would not necessarily result in an act of misconduct being Mitigated would include, but not be limited to:
  1. The lack of any prior offense.
  2. The lack of experience as a participant in events.
  3. The minimal nature of the offense.
  4. Recognition of wrongdoing.
  5. The recommendation of the Events Committee.
  6. Payment of restitution and proof thereof prior to AKC reviewing the matter.
- Circumstances that could, but that would not necessarily result in an act of misconduct being Aggravated would include, but not be limited to:
  1. A record of prior offense(s).
  2. Extensive experience as a participant in events.
  3. The seriousness of the offense.
  4. Refusal to acknowledge wrongdoing prior to formal issuance of Charges.
  5. The recommendation of the Events Committee
  6. The action(s) of the individual resulted in the death of dog(s)
  7. The misconduct is directed towards or with a person under 18 years of age.
  8. Failure to pay restitution prior to AKC reviewing the matter.
- An especially egregious offense will result in a more severe length of suspension and/or fine than suggested in the Guidelines.
- Multiple serious offenses may result in a lifetime suspension of all AKC privileges.
- These Guidelines will be reviewed from time to time.
- Event Suspension is a suspension of event privileges for the individual and applies to dogs registered or co-registered at the time of suspension, or subsequently obtained during the term of suspension, which may not be entered or compete in events during the term of suspension unless they are transferred to another individual.
- Registration Suspension is a suspension of registration privileges, which means AKC will not accord registration of any litter, or individual dog or transfer ownership of a dog solely or in part by the suspended individual. In addition, AKC will not register any litter of dogs if the sire of the litter was owned solely or in part by a person who is suspended on the date the mating occurred.
- Suspension of all privileges would include both event suspension and registration suspension.
- At the discretion of the Management Disciplinary Committee (“MDC”) or the Staff Event Committee (“SEC”), a condition of suspension can include the prohibition of a suspended individual from being allowed on the grounds of an AKC approved event. The factors for MDC or SEC to take into consideration in adding this condition of suspension are 1) the possibility of future harm to an individual(s) and/or animal(s); 2) the nature of the conduct that lead to the suspension; and 3) the involvement of the authorities.
- Payment of restitution for damages shall be paid as a condition of any reinstatement of privileges, in addition to any other applicable conditions.
- Complaints against a judge at an event which involve deviation from standard judging procedure and responsibilities are to be reported to the Field Representative in attendance or the applicable AKC department and handled internally by the AKC.
- Conduct addressed by SEC involving an individual who is an AKC approved judge, may lead to review by the applicable AKC department to determine if further action is warranted specific to the person’s judging privileges.
- When discipline guidelines become less punitive, the new penalty (suspension period and conditions and fine, if applicable) will be applied to persons currently under suspension for that offense.
- Month is abbreviated as “mo”. A month suspension is defined as being thirty (30) days.
- For violations denoted with an asterisk (\*), reinstatement is contingent on passing an AKC kennel inspection, which will be scheduled only after the associated fine has been paid.
- The classification of an offense(s) within these Guidelines will be made by either the MDC or SEC. SEC will base the classification on the wording in the complaint and may determine that multiple offenses apply. The penalties for multiple offenses will run concurrently unless MDC or SEC determine that based on the severity of the offenses or record of prior offenses consecutive penalties are warranted.

**IN THOSE CASES WHERE AN EVENT OR REGISTRATION SUSPENSION IS CALLED FOR, THE AKC MANAGEMENT DISCIPLINARY COMMITTEE MAY RECOMMEND THE SUSPENSION OF ALL PRIVILEGES, WHEN WARRANTED BY THE SEVERITY OF THE CASE.**

**SUSPENSION OF ALL AKC PRIVILEGES**

<b><u>OFFENSES</u></b>	<b><u>MITIGATED</u></b>	<b><u>STANDARD</u></b>	<b><u>AGGRAVATED</u></b>
<b>I. Inappropriate Treatment of Animals</b>			
a. Cruelty in connection with an event	5 yr/\$1000	10 yr/\$2000	Up to life/up to \$10,000
b. Physical Abuse at or in connection with an event by individual	6mo/\$500	1yr/\$1000	Up to life/up to \$10,000
c. Physical Abuse at or in connection with an event by club	Rep/\$300	Loss of event/\$500	Loss of event/\$1000
d. Neglect at or in connection with an event by individual	3mo/\$500	6mo/\$1000	Up to life/up to \$10,000
e. Neglect at or in connection with an event by club	Rep/\$100	Loss of next event/\$300	Loss of next event/\$500
f. Improper Treatment in connection with an event	Rep/\$100	3 mo/\$300	Up to life/up to \$10,000
g. Judicial or administrative determination of inappropriate treatment*	5 yr/\$1000	10 yr/\$2000	Up to life/up to \$10,000
h. Unacceptable conditions, dogs and/or facility*	3 mo/\$500	1 yr/\$1000	Up to life/up to \$10,000
i. Whelping dogs at event site	Rep/\$200	3 mo/\$500	Up to life/up to \$10,000

<b><u>OFFENSES</u></b>	<b><u>MITIGATED</u></b>	<b><u>STANDARD</u></b>	<b><u>AGGRAVATED</u></b>
<b>II. Registration Violations</b>			
a. Submission of a false application to register or transfer (not signature forgeries), which affect the Stud Book *	3 yr/\$500	5 yr/\$1000	Up to life/up to \$5000
b. Selling or buying AKC registration papers*	5 yr/\$500	10 yr/\$1000	Up to life/up to \$5000
c. Refusing to produce dogs or records*	6 mo/\$500	5 yr/\$1000 <sup>1</sup>	Up to life/up to \$3000 <sup>1</sup>
d. Non-compliance with AKC's Rules and Regulations on Record Keeping and Identification	Rep/up to \$50	6 mo/up to \$500	Up to Life/up to \$3000 <sup>2</sup>
e. Submission of an AKC litter application which the individual should have known contained a false certification as to the sire and/or dam of the litter (DNA exclusion)*	<b><u>2 Exclusions/5yrs</u></b> 6 mo/\$500	<b><u>3 Exclusions/5yrs</u></b> 1 yr/\$1000	<b><u>4 Exclusions/5yrs</u></b> Up to 5 yrs/up to \$2000

<b><u>OFFENSES</u></b>	<b><u>MITIGATED</u></b>	<b><u>STANDARD</u></b>	<b><u>AGGRAVATED</u></b>
<b>III. Misconduct Against a Club</b>			
a. Judicial or administrative determination of, or a signed admission or, unauthorized use of club funds.	1 yr/\$1000	5 yr/\$2000	Up to 10 yr/up to \$5000

<b><u>OFFENSES</u></b>	<b><u>MITIGATED</u></b>	<b><u>STANDARD</u></b>	<b><u>AGGRAVATED</u></b>
<b>IV. Misconduct Against an Individual</b>			
a. Harassment, physical	3 mo/\$300	2 yr/\$1000	Up to life/up to \$40,000
b. Harassment, verbal or written	3 mo/\$100	1 yr/\$1000	Up to 2 yr/up to \$2000

**Harassment:** Inappropriate comments, conduct and/or contact regarding but not limited to race, color, religion, disability, national origin, age, sexual orientation, gender, gender identity, or are sexual in nature.

<b><u>OFFENSES</u></b>	<b><u>MITIGATED</u></b>	<b><u>STANDARD</u></b>	<b><u>AGGRAVATED</u></b>
<b>V. Violation in regard to official AKC documentation</b>			
a. Creation, falsification or alteration of an official AKC document	1 yr/\$500	3 yr/\$1000	Up to life/up to \$5000

## SUSPENSION OF EVENT PRIVILEGES

### OFFENSES

#### **VI. Misconduct By or Directed against a Judge**

	<u>MITIGATED</u>	<u>STANDARD</u>	<u>AGGRAVATED</u>
a. Physical contact of an insulting or provoking nature	Rep/\$100	3 mo/\$300	Up to 5 yrs/up to \$1000
b. Inappropriate, abusive or foul language directed personally to a judge	2 mo/\$100	6 mo/\$500	Up to 1 yr/up to \$1000
c. Inappropriate public criticism of a judge, not disruptive, but demonstrating lack of sportsmanship	Rep/\$50	1 mo/\$200	Up to 3 mo/up to \$300
d. Public criticism of a judge that causes a disruption at an event	Rep/\$100	3 mo/\$300	Up to 6 mo/up to \$500
e. Unsportsmanlike conduct during an event including but not limited to:			
1. Refusal or throwing down of ribbon	Rep/\$100	3 mo/\$300	Up to 6 mo/up to \$500
2. Leaving ring without permission	Rep/\$100	3 mo/\$300	Up to 6 mo/up to \$500
3. Refusing to continue to compete	Rep	3 mo/\$300	Up to 6 mo/up to \$500
4. Failure to follow a judge's instruction	Rep	45 d/\$150	Up to 3 mo/up to \$300
f. Attempting to influence a judge	3mo/\$300	1 yr/\$1000	Up to life/up to \$5000
g. Judging improprieties (the judge himself/herself or complicity with a judge)	1yr/\$500	2yr/\$1000	Up to life/up to \$5000 <sup>3</sup>

<sup>1</sup>If reinstated, must start with a new colony, or in lieu thereof, bring back dogs from the old colony for which a DNA profile is recorded with the AKC and is positively identified via microchip or tattoo.

<sup>2</sup>The actual fine assessed shall be sufficient to cover all reinstatement costs, but in no instance shall it exceed the maximum amount indicated.

<sup>3</sup>An aggravated penalty may include a suspension from all AKC privileges.

### OFFENSES

#### **VII. Disorderly Conduct**

	<u>MITIGATED</u>	<u>STANDARD</u>	<u>AGGRAVATED</u>
a. Physical contact of an insulting or provoking nature	Rep/\$100	3 mo/\$300	Up to 10 yr/up to \$10,000
b. Inappropriate, abusive or foul language	Rep/\$100	1 mo/\$500	Up to 1yr/up to \$1000
c. Personal property damage	Rep/\$100	1 mo/\$500	Up to 1yr/up to \$1000
d. Impairing a club's ability to retain site	3 mo/\$100	3 mo/\$500	Up to 1yr/up to \$1000
e. Failure to properly control a dog at an event	Rep/\$200	3 mo/\$500	Up to 1yr/up to \$1000
f. Disruptive behavior at an event	Rep/\$100	3 mo/\$300	Up to 1yr/up to \$500
g. Unauthorized removal of property at or in connection with an event	3 mo/\$500	1 yr/\$1000	Up to life/up to \$10,000

### OFFENSES

#### **VIII. Violation of AKC Rules/Regulation or Club Regulations**

	<u>MITIGATED</u>	<u>STANDARD</u>	<u>AGGRAVATED</u>
a. Showing the wrong dog without voluntary correction	Rep/\$300	1 mo/\$500	Up to 3 mo/up to \$1000
b. Substitution	2 yr/\$1000	5 yr/ \$3000	Up to 10 yr/up to \$5000
c. Benching violations (per dog)	Rep	Rep/\$250	Rep/Double Fine for each Repeated offense
d. Disregard of published club regulations (e.g, parking, ex-pens, crates in aisle, unauthorized concessions, selling puppies, etc.)	Rep/\$100	1 mo/\$500	Up to 3 mo/up to \$1000
e. Entering/exhibiting altered dog (temporary alteration)	Rep/\$500	6 mo/\$1000	Up to 1 yr/up to \$2500
f. Entering exhibiting altered dog (permanent alteration)	1 yr/\$1000	2yr/\$2000	Up to 5yr/up to \$5000

g. Willful refusal to return ribbon or prize after award disallowed	Rep/\$100	1 mo/\$200	Up to 1mo/up to \$500
h. Gun safety violation (by gunner)	Rep	1yr/\$500	Up to 2 yr/up to \$1000
i. Gun safety violation (by club)	Rep/\$100	Loss of next event/\$300	Loss of next event/\$500
j. Providing fraudulent information on an entry to show an ineligible dog	3 mo/\$500	6 mo/\$1000	Up to 1 yr/up to \$2000
k. Misuse of a tracking device in connection with a Field Event	6 mo/\$500	1 yr/\$1000	Up to 2 yr/up to \$2500
l. Entering/Exhibiting dog that the entrant knew or should have known is ineligible to compete in the event	Rep/\$200	1 yr/\$1000	Up to 5 yr/up to \$5000

## **SUSPENSION OF REGISTRATION PRIVILEGES**

### **OFFENSES**

#### **IX. Registration Violations**

	<b><u>MITIGATED</u></b>	<b><u>STANDARD</u></b>	<b><u>AGGRAVATED</u></b>
a. Submission of a false application to register or transfer (not signature forgeries), which do not affect the Stud Books online or paper	1 yr/\$200	3 yr/\$300	Up to 5 yr/up to \$500
b. Signing AKC applications to register or transfer in blank; failure to properly complete an AKC document to show the name and address of the individual to whom the dog was directly transferred and the date of the transfer*	Rep/\$300	3 mo/\$500	Up to 1yr/up to \$2000
c. Failure to complete supplemental transfers (i.e., jumping transfers). Failure to complete proper chain of registration on an AKC registered or registerable dog*	Rep/\$300	3 mo/\$500	Up to 1 yr/up to \$2000
d. Submission of application containing a false certification as to the signature of one of the owners (this includes making false complaints)	1 mo/\$300	6 mo/\$500	Up to 1 yr/up to \$1000
e. Submission of an online application without written permission from the co-owner or co-litter owner	Rep	3mo/\$500	Up to 1yr/up to \$1000
f. Signing AKC documents on behalf of another without filing a properly completed Power of Attorney Form	Rep	3 mo/\$500	Up to 1 yr/up to \$1000
g. Attempting to register a litter whelped outside of the U.S. <sup>4</sup>	Rep/\$200	6 mo/\$500	Up to 1 yr/up to \$1000

### **OFFENSES**

#### **X. Circumvention of Suspension**

	<b><u>MITIGATED</u></b>	<b><u>STANDARD</u></b>	<b><u>AGGRAVATED</u></b>
a. Circumvention of Suspension*	Rep/Double Original Fine	Double Original Suspension and Fine	Up to life/up to \$5000
b. Aiding and abetting the circumvention of an AKC suspension of registration or all privileges ( <b>All Privileges</b> )*	Rep/\$500	5 yr/\$1000	Up to Life/up to \$5000
c. Aiding and abetting the circumvention of an AKC suspension of event privileges ( <b>Event Suspension</b> )	Rep/\$500	6 mo/\$1000	Up to 1 yr/up to \$5000

<sup>4</sup> If now living within the U.S., six months; if residents are still outside of the U.S., indefinite, with an application for reinstatement upon return of the U.S.

## **Definitions of Offenses**

- Abuse:** Improper treatment which could cause serious injury to an animal.
- Cruelty:** Conscious action or inaction that may endanger life or cause serious health consequences to animals.
- Harassment:** Inappropriate comments, conduct and/or contact regarding but not limited to race, color, religion, disability, national origin, age, sexual orientation, gender, gender identity, or are sexual in nature.
- Improper Treatment:** Inappropriate treatment or handling of an animal not likely to cause serious injury, e.g. excessive or harsh discipline/training.
- Neglect:** Inadequate care or voluntary inattention to basic needs, ignoring the safety and well-being of animals because of haste or ignorance.