

UNITED STATES SOCCER FEDERATION, INC.

I. Policy 531-9—Misconduct Toward Game Officials (Former Rule 3041)

Section 1. General

Misconduct against referees may occur before, during and after the match, including travel to and from the match. Misconduct may occur also at later times when directly related to duties of a game official as a referee.

Section 2. Rule Application

(A) This policy shall supersede all rules of Organization Members that pertain to assaults or abuse upon Federation referees, assistant referees, the manner and means of hearings, appeals, and rehearings in matters pertaining thereto.

(B) Nothing in this policy rule shall be construed to restrict or limit any league, event/tournament or State Association from applying equal or greater restrictions to anyone not listed in section 4(a)(1) of this policy (i.e., a spectator associated with a club or team).

(C) This policy shall not apply to players, coaches, managers, club officials, or league officials while participating in Professional League Member activities.

Section 3. Terms and References

As used in this policy—

(1) “Referee” includes the following:

- (a) all currently registered USSF referees, assistant referees, 4th officials Or others duly appointed to assist in officiating in a match.
- (b) any non-licensed, non-registered person serving in an emergency capacity as a referee (under Rule 3040).
- (c) any club assistant referee.

(2) “Hearing” means a meeting of at least three neutral members, one of which is designated or elected to serve as chairman. The hearing shall be conducted pursuant to guidelines established by the State Association.

(3) (a) (i) Referee assault is an intentional act of physical violence at or upon a referee.
(ii) For purposes of this policy, "intentional act" shall mean an act intended to bring about a result which will invade the interests of another in a way that is socially unacceptable. Unintended consequences of the act are irrelevant.

- (b) Assault includes, but is not limited to the following acts committed upon a referee: hitting, kicking, punching, choking, spitting on, grabbing or bodily running into a referee; head butting; the act of kicking or throwing any object at a referee that could inflict injury; damaging the referee's uniform or personal property, i.e. car, equipment, etc.
- (4) (a) Referee abuse is a verbal statement or physical act not resulting in bodily contact which implies or threatens physical harm to a referee or the referee's property or equipment.
- (b) Abuse includes, but is not limited to the following acts committed upon a referee: using foul or abusive language toward a referee; spewing any beverage on a referee's personal property; spitting at (but not on) the referee; or verbally threatening a referee.
- (c) Verbal threats are remarks that carry the implied or direct threat of physical harm. Such remarks as "I'll get you after the game" or "You won't get out of here in one piece," shall be deemed referee abuse.

Section 4. Jurisdiction and Hearings

(A) General

- (1) When any amateur or professional player, coach, manager, club official or game official assaults or abuses a referee, the original jurisdiction to adjudicate the matter shall vest immediately in the responsible State Association which is affiliated with the United States Soccer Federation.
- (2) When an allegation of assault is verified by the State Association the person is automatically suspended until the hearing on the assault.
- (3) The State Association must hold a hearing within thirty (30) days of the verification by the Association of the abuse or assault or, if applicable, the thirty-day period provided by subsection (b) (3) of this section. If the Association does not adjudicate the matter within that period of time, original jurisdiction shall immediately vest in the Federation's Appeals Committee to adjudicate the matter, to which the same provisions as to the term of suspension shall apply.
- (4) Failure to hold the initial hearing shall not rescind the automatic suspension.
- (5) In cases of report of referee abuse, a hearing is held only when requested by the alleged assailant or otherwise deemed appropriate by the convening authority.

(B) Events and Tournaments

- (1) In the event an assault or abuse of a referee occurs in an event outside the

alleged offender's home state, the referee shall (A) immediately notify the Event/Tournament Chairman and (B) forward a copy of the game report and his/her comments on the incident to the Event/Tournament Chairman.

(2) The Event/Tournament Chairman shall have the right to immediately convene a hearing at the site of the Event/Tournament, at which the alleged offender, the coach of the alleged offender when the offender is a player and the game official should be present. Information presented at this hearing shall promptly be relayed to the alleged offender's State Association President by the Event/Tournament Chairman, both orally and in writing; however, failure to provide written information shall not restrict the offender's home State Association from taking action with regard to any referee abuse or assault.

(3) Final jurisdiction shall vest with the alleged offender's home State Association. A hearing shall be held by that State Association within thirty (30) days of the receipt of the initial report of the abuse or assault on a referee.

Section 5. Penalties and Suspensions

(A) Assault

(1) The player, coach, manager, or official committing the referee assault is automatically suspended as follows:

- (a) for a minor or slight touching of the referee or the referee's uniform or personal property, at least 3 months from the time of the assault;
- (b) except as provided in clause (3) or (4), for any other assault, at least 6 months from the time of the assault;
- (c) for an assault committed by an adult and the referee is 17 years of age or younger, at least 3 years; or
- (d) for an assault when serious injuries are inflicted, at least 5 years.

(2) A State Association adjudicating the matter may not provide a shorter period of suspension but, if circumstances warrant, may provide a longer period of suspension.

(B) Abuse

The minimum suspension period for referee abuse shall be at least three (3) scheduled matches within the rules of that competition. The State Association adjudicating the matter may provide a longer period of suspension when circumstances warrant (e.g., habitual offenders).

Section 6. Appeals

(A) Assault

A player, coach, manager, or official who is found to have committed the assault may appeal to the Appeals Committee by following the procedures of Federation Bylaw 705 within ten (10) days from receipt of the decision of the State Association.

(B) Abuse

A player, coach, manager, or official who is found to have committed the abuse may appeal to the Appeals Committee by following the procedures of Federation Bylaw 705 within ten (10) days from receipt of the decision of the State Association.

Section 7. Procedure for Reporting Assault and Abuse

(A) Procedures for reporting of referee assault and/or abuse shall be developed and disseminated by the National Referee Committee to all Federation registered referees for use in their National State Associations.

(B) Referees shall transmit a written report of the alleged assault or abuse, or both, within 48 hours of the incident (unless there is a valid reason for later reporting) to the designee of the State Association and the State Referee Administrator. For tournaments or special events, the referee shall transmit a written report to the tournament director on the day of the incident and to his home state SRA within 10 days of the incident.

II. Bylaw 701. HEARING PROCEDURES

In all hearings conducted under these bylaws, the parties shall be accorded —

- (1) notice of the specific charges or alleged violations in writing and possible consequences if the charges are found to be true;
- (2) reasonable time between receipt of the notice of charges and the hearing within which to prepare a defense;
- (3) the right to have the hearing conducted at a time and place so as to make it practicable for the person charged to attend;
- (4) a hearing before a disinterested and impartial body of fact-finders;
- (5) the right to be assisted in the presentation of one's case at the hearing;
- (6) the right to call witnesses and present oral and written evidence and argument;
- (7) the right to confront witnesses, including the right to be provided the identity of witnesses in advance of the hearing;
- (8) the right to have a record made of the hearing if desired;
- (9) a written decision, with reasons for the decision, based solely on the evidence of record, issued in a timely fashion;
- (10) notice of any substantive and material action of the hearing panel in the course of the proceedings; and
- (11) equality concerning communications and no ex parte communication is permitted between a party and any person involved in making its decision or procedural determination except to provide explanations involving procedures to be followed.

III. Policy 701-1—Right to Assistance at Hearings

This policy provides the minimum rights that each party would have at a hearing with respect to the right to assistance in presenting one's case at a hearing, as must be allowed under Federation Bylaw 701(5). These minimum rights apply to hearings conducted by State Associations and their members or other hearing body. A copy of these minimum rights should be delivered to the parties with the notice of the hearing.

(A) Each party at a hearing shall have the right to have an individual present at the hearing to assist the party in presenting the party's case. Such individual may, but shall not be required to, be an attorney.

(B) If the State Association or member of the State Association ("Complainant") is represented by another individual at any hearing and the hearing panel allows that individual to speak, question the parties and/or witnesses, or grants that individual any other rights, then it shall afford all other parties, or the individual representing the party, including an attorney, the same rights during the course of the hearing as is allowed to the individual representing the Complainant.

(C) If an attorney is present at a hearing to assist a party in presenting the party's case, it shall be made clear at the commencement of any such hearing that the hearing shall proceed in accordance with the State Association's hearing rules and procedures. All Federal, State or local Rules of Evidence or Civil Procedure shall not be applicable.

(D) A State Association may provide, as part of its hearing rules and procedures, that an individual assisting a party may be allowed to speak on behalf of the party, make requests or ask questions at the hearing.

(E) Regardless of whether the State Association allows the individual assisting the party the rights to speak, make requests or ask questions, as noted in Paragraph 4 above, an individual assisting the party in presenting the party's case shall have the right to be physically present in the hearing room, and so as not to interfere with the hearing procedure, it is also recommended that the individual be seated close to the party (either behind or next to the party) so that the party may seek assistance when desired during the course of the hearing.

(F) During the course of the hearing, the party may confer briefly with the individual who is assisting before making a statement or request or prior to responding to a question. The panel conducting the hearing may limit the frequency and duration of the conferences so as not to unduly interfere with the proceeding.

(G) If there is confusion or concern, the party may request a recess to confer with the individual assisting the party. Such a request should be granted unless the number of requests by a party becomes unreasonable or the length of a requested recess is deemed by the hearing panel to be unreasonable.

(H) An individual assisting a party may prepare written materials for the party and collect documents for the party. However, the party must submit or present the materials and documents as materials and documents of the party, and not of the individual assisting. The party has complete responsibility for those materials and documents and is subject to questioning about them.

(I) Nothing contained in this policy shall prevent a State Association from allowing greater rights to assistance than those set forth in Paragraphs 1–8 above. For example, a State Association may, but shall not be obligated to, allow more than one individual to assist a party at any given time.

(J) The rights, either mandatory or permissible under this policy, shall be consistently applied, and the State Association should not arbitrarily allow or disallow the rights set forth above to those individuals assisting a party in the presentation or defense of the party's case.

