USA Baseball Internal Response and Resolution Policy and Process

Purpose USA Baseball (USAB) is committed to the safety of all individuals who participate in its programs or events, including without limitation minors and vulnerable adults. To help protect these individuals, USAB has the following resources and protocols in place to address reports of alleged physical misconduct, emotional misconduct, sexual misconduct, or violations of the Minor Athlete Abuse Prevention Policies (MAAPPs) within the sport. This policy outlines the response and resolution process of USAB both for Non-Covered Minor Participants and Non-Covered Adult Participants (and thus, who are not under the jurisdiction of the U.S. Center for SafeSport (the "Center") or the United States Olympic and Paralympic Committee (USOPC)), and for Adult Participants and/or Minor Participants of USAB (and thus, who are, who are under the jurisdiction the Center and the USOPC).

Policy Statement

I. Reporting Mechanism

A. USAB provides three ways for individuals to report abuse and misconduct within the sport:

1. The Online Incident Reporting Form
    a. The Online Incident Reporting Form can be found at www.USABReport.com
    b. The Online Incident Reporting Form is available for the public to use and has no associated costs, fees, or other financial barriers attached to submitting a report.
    c. Individuals can report anonymously
2. Contacting the following USAB staff directly via phone or email.
    a. Paul Seiler
    CEO/Executive Director
    PaulSeiler@usabaseball.com
    (919) 474-8721 x213
    b. Lisa Braxton
    Director, Athlete Safety
    LisaBraxton@usabaseball.com
    (919) 474-8721 x243
3. Incident reports can also be made to the Center's reporting portal (http://www.uscenterforsafesport.org/report-a-concern)

B. **Reporting Requirements by Misconduct Type**

1. Individuals should report allegations of misconduct to the appropriate authority based on the nature of the allegation, as outlined below:
    a. Sexual Misconduct: Allegations of sexual misconduct must be reported to the U.S. Center for SafeSport. Allegations or reasonable suspicion of child sexual abuse must also be reported to law enforcement and USA Baseball in accordance with the mandatory reporting requirements outlined in Section IV.
        a. Reporting Link: https://uscenterforsafesport.org/report-a-concern/
    b. Verbal, Emotional, and Physical Misconduct: Allegations of verbal, emotional, and physical misconduct should be reported to USA

Baseball through one of the reporting mechanisms outlined in Section I.A. USA Baseball will refer allegations to the Center when they fall within the Center's jurisdiction. Allegations involving suspected child abuse must also be reported to law enforcement in accordance with Section IV.

a. Reporting Link: www.usabreport.com

c. Minor Athlete Abuse Prevention Policies (MAAPPs) Violations: Allegations of MAAPP violations should be reported to USA Baseball through one of the reporting mechanisms outlined in Section I.A. USA Baseball will refer allegations to the Center when they fall within the Center's jurisdiction.

a. Reporting Link: www.usabreport.com

II. Referral of Report to the Center:

A. Any report received directly by USAB that falls within the Center's exclusive jurisdiction over Adult or Minor Participants of USAB (as defined by the Center) must be referred by USAB directly to the Center immediately and no later than within 24 hours.

III. Jurisdiction Notification:

A. Upon receipt of complete information related to a report, USAB must promptly inform an identified reporting party of its jurisdictional determination regarding their report, communicating that the matter either is being referred to the Center, being addressed by USAB directly, or being referred to the organization that has jurisdiction over the incident.

IV. Mandatory Reporting:

A. USAB and Adult Participants of USAB follow a mandatory reporting policy requiring the following:

1. Allegations or reasonable suspicion of child abuse, including but not limited to child sexual abuse, must be reported to law enforcement immediately, and no later than within 24 hours
2. Allegations or reasonable suspicion of child abuse, including child sexual abuse, and sexual misconduct, must also be reported to the Center and USAB (after the report to law enforcement) immediately, and no later than within 24 hours.
3. Allegations of sexual misconduct, emotional abuse and/or other conduct prohibited by the Center by an Adult Participant, or by a Minor Participant against a minor, must be reported by USAB to the Center within 24 hours.

B. USAB staff and Adult Participants are required to comply with any applicable state and federal laws on the mandatory reporting of child abuse or sexual misconduct.

V. Prohibition of Retaliation

A. USAB prohibits retaliation before, during, and after reporting, investigation and/or determination (whether such process is led by USAB or by the Center) of resolving an abuse or misconduct claim.

VI. Investigation and Resolution of Reported Allegations

A. Allegations within USAB's Jurisdiction:

1. Reported allegations of abuse and misconduct that fall within USAB's jurisdiction where the Center declines jurisdiction will be addressed and resolved as follows:

   a. If the incident is reported via direct communication to USAB staff, the staff must immediately report the incident to USAB's CEO and Director, Athlete Safety. The Director, Athlete Safety will document the report via USAB's Online Incident Reporting Form.
   b. If the incident is reported via direct communication to USAB's CEO and/or Director, Athlete Safety, the Director, Athlete Safety will document the report via USAB's Online Incident Reporting Form.
   c. If the incident is reported via USAB's Online Incident Reporting Form, or once the Director, Athlete Safety documents the report via USAB's Online Incident Reporting Form, USAB will then determine if individuals involved are non-Covered Adult Participants or non-Covered Minor Participants, or instead are covered Adult-Participants or Minor Participants as defined by the Center.
   d. If the individuals involved are Adult-Participants or Minor Participants of USAB, the Director, Athlete Safety will then report the incident to the Center.
   e. If the individuals involved are non-Covered Adult or non-Covered Minor Participants of USAB, the Director, Athlete Safety will then determine if the individuals are affiliated or not affiliated with USAB.
   f. If the individuals involved are not affiliated with USAB, the Director, Athlete Safety will then report the incident and provide Athlete Safety Resources to the organization with whom the individuals involved are affiliated. USAB will also notify the claimant that USAB is referring the reported allegations to the affiliated organization.
   g. If the individuals involved are affiliated with USAB, USAB will assume jurisdiction over the incident and will enlist the services of a third-party investigation firm to investigate the incident. USAB will also notify the claimant that USAB is accepting jurisdiction of the incident.
   h. While the investigation is on-going, USAB may impose temporary disciplinary measures to parties involved. The decision whether to impose temporary disciplinary measures will be in USAB's sole discretion.
   i. The third-party investigation firm will gather statements from all parties involved and present a final, written report to USAB.
   j. Upon receipt of the final report, USAB will make a final disciplinary decision and provide all parties with a notice of final decision and any sanctions that may be imposed. Sanctions may include, but are not limited to training and education requirements, temporary or permanent suspension from USAB events and programming, and/or placement of the individual(s) on USAB's Ineligible List.

2. Should a report of minor athlete sexual abuse be reported to anyone within the USAB (staff, contracted staff, Board of Directors, or volunteers) either through in-person communication, phone, text, email or any other electronic communication the following protocol should be enacted:
    a. USAB's CEO and Director, Athlete Safety must immediately be notified.
    b. USAB's CEO and Director, Athlete Safety will ensure that local authorities have been contacted. If it cannot be confirmed that local authorities have been contacted, or if local authorities have not been contacted, USAB's CEO and Director, Athlete Safety will contact local authorities immediately provided there is enough information given to do so.
    c. If not enough information is known to report to local authorities, USAB will enlist the services of a third-party investigative firm. As soon as enough information is gathered to report, a report will be made to local authorities. USAB will always report to local authorities and keep all correspondence from law enforcement, even if a report cannot be accepted. If more information becomes available, USAB will update law enforcement.
    d. USAB's Director, Athlete Safety will report the incident to the Center via the phone number provided by the Center's website (833-587-7233). If the incident involves an Adult Participant and/or Minor Athlete of USAB and occurred during USAB sanctioned events, the Center will accept jurisdiction. USAB will also notify the claimant that USAB is referring the reported allegations to the Center.
    e. If the report involves an individual who is affiliated with USAB but is not an Adult Participant or Minor Participant of USAB, USAB will accept jurisdiction and will enlist the services of a third-party investigation firm to investigate the incident. USAB will also notify the claimant that USAB is accepting jurisdiction of the incident.
    f. While the investigation is on-going, USAB may impose temporary disciplinary measures to parties involved.
    g. The third-party investigation firm will endeavor to gather statements from all parties involved and present a final written report to USAB.
    h. Upon receipt of the final report, USAB will make a disciplinary decision and provide all parties with a notice of decision and any sanctions that may be imposed. Sanctions may include training and education requirements, temporary or permanent suspension from USAB events and programming, and/or placement of the individual(s) on USAB's Ineligible List.
    i. In the event the reported incident does not involve an Adult Participant or a Minor Participant of USAB, or an individual affiliated with USAB, or a USAB minor athlete, and the baseball organization with which either the participating adult or the minor athlete is associated is known, USAB's Director, Athlete Safety will notify said organization both via phone and via email of the reported incident.

a. USAB's CEO and Director, Athlete Safety will contact local authorities immediately provided there is enough information given to do so.
b. The report to the organization with which the individual(s) are involved should include as much known information as possible.
c. Further, information on investigation service provider will be given to said organization.
d. All organizations should use whatever method for further investigation of report they deem appropriate.
e. USAB will also notify the claimant that USAB is referring the reported allegation to said organization.

B. Allegations within the Center's Jurisdiction

1. The Center has the exclusive jurisdiction to investigate and resolve allegations that an Adult Participant engaged in one or more of the following:
    a. Sexual Misconduct, including without limitation child sexual abuse and any misconduct that is reasonably related to an underlying allegation of Sexual Misconduct;
    b. Criminal Charges or Dispositions involving Child Abuse or Sexual Misconduct;
    c. Misconduct Related to Reporting, where the underlying allegation involves Child Abuse or Sexual Misconduct;
    d. Misconduct Related to Aiding and Abetting, Abuse of Process, or Retaliation, when it relates to the Center's process;
    e. Other Inappropriate Conduct
2. The Center has discretionary jurisdiction to investigate and resolve allegations that an Adult Participant engaged in one or more of the following:
    a. Non-sexual Child Abuse;
    b. Emotional and physical misconduct, including stalking, bullying behaviors, hazing, and harassment;
    c. Criminal Charges or Dispositions not involving Child Abuse or Sexual Misconduct;
    d. Minor Athlete Abuse Prevention Policy or other similar Proactive Policy violations;
    e. Misconduct Related to Aiding and Abetting, Abuse of Process, or Retaliation, when it relates to the processes of the USOPC, USAB or any other organization under the Center's jurisdiction.

1. Reported allegations of abuse and misconduct that fall within the Center's jurisdiction will be addressed and resolved as follows:
    a. If an incident is reported to USAB and the individuals involved are Adult Participants as defined by the Center, USAB will report the incident to the Center and must allow the Center to handle the investigation and make any decision on sanctions.

b. USAB will assist the Center in their investigation as requested by the Center.
c. For cases for which the Center accepts jurisdiction, USAB shall not interfere in, or attempt to influence the outcome of, the investigation.
d. USAB will also notify the claimant that USAB is referring the reported allegations to the Center.

2. If the Center receives a report and requests that USAB provide guidance on whether or not the individuals involved are Adult Participants of USAB, USAB's designated representative(s) for responding to such requests are the CEO and/or the Director, Athlete Safety and the CEO and/or USAB's Senior Director, Athlete Safety will respond to the Center within 72 hours. The Center's requests may include:
   a. Whether the individual is an Adult Participant or Minor Participant (as defined by the Center) of USAB.
   b. The eligibility status of an Adult Participant
   c. The existence of any USAB-imposed temporary measures or safety plans
   d. Any other information the Center deems necessary

B. Allegations within other Organizations' Jurisdiction
   1. Reported allegations of abuse and misconduct that do not fall within USAB's or the Center's jurisdiction will be addressed and resolved as follows:
      a. If an incident is reported to USAB and the individuals involved are not affiliated with USAB, the report will be disseminated to the relevant baseball/softball organization with which the respondent is affiliated, and a list of all available resources will be provided to the relevant baseball/softball organization.
      b. USAB is not responsible for these investigations and it is up to individual organization on how they will or will not proceed with the information provided.
      c. Included with the list of all available resources is the contact information for USAB's third-party investigation firm if the relevant organization should need their services. The relevant organization is responsible for all costs associated with using the third-party investigation firm.
      d. USAB will notify the claimant that the USAB is not accepting jurisdiction of the incident.

C. USAB's Director, Athlete Safety and Director, Athlete Safety are required to attend the Center's Investigator Training. USAB's Director, Athlete Safety is also required to ensure the Response and Resolution Policy is being followed.

II. Formal Notice of Interim or Final Resolution by USAB:

A. If, through USAB's response and resolution process, USAB suspends, temporarily suspends, or otherwise renders an individual ineligible, USAB must notify the Center within 72 hours of the affected individual, sanction, and term of sanction. The information will be entered into the Center's Centralized Disciplinary Database

(CDD).

III. Policy to Enforce Sanctions, Temporary Measures, and Administrative Holds Issued by the Center:

A. For any notice of imposed Sanctions, Temporary Measures, or Administrative Holds (a case resolution by the Center when a Respondent is not currently participating in sport, but was an active Participant at some point previously) issued by the Center, USAB:
    1. Notifies all affected individuals or organizations within 72 hours
    2. Has and follows a U.S. Center for SafeSport Quality Control System that prohibits those individuals with sanctions, temporary measures, or administrative holds from participating in any event, program, activity, or competition authorized by, organized by, or under the auspices of USAB
    3. Reports to the Center immediately and no later than within 24 hours any known or suspected incident of an Adult Participant violating existing Sanctions, Temporary Measures, or Administrative Holds and takes prompt and effective action to ensure enforcement
    4. Reports to the Center immediately and no later than within 24 hours any instance of "Aiding and Abetting" (as defined in the SafeSport Code) by any third parties, of any individuals under Sanctions, Temporary Measures or Administrative Holds issued by the Center.

B. USAB tracks reported allegations and outcomes involving Adult Participants and/or Minor Participants where the Center has taken jurisdiction and within USAB's jurisdiction through the Center's database, and for non-Covered Adult Participants and/or non-Covered Minor Participants where the Center has declined jurisdiction but the within USAB's jurisdiction through a third-party database that is connected to the Online Reporting Form found on USAB's website.

IV. Interference/Restrictions/Enforcement

A. USAB shall not interfere or attempt to influence the outcome of any Prohibited Conduct investigation regardless of jurisdiction.

B. USAB must prohibit any individual who is an employee, agent, or contractor, from assisting a member or former member in obtaining a new job (except the routine transmission of administrative and personnel files) if the individual knows that such member or former member violated the policies or procedures of the Center related to sexual misconduct or was convicted of a crime involving sexual misconduct with a minor.

C. If a USAB Participant is sanctioned or subject to Temporary Measures under the USOPC Athlete Safety Policy, that sanction(s) or Temporary Measure(s) must be reciprocally enforced by and between all NGBs and LAOs within the Olympic and Paralympic Movement.

V. Policy to submit to the Center "Data of Matters Addressed by USAB"

A. USAB must annually submit to the Center, using a Center-provided template, the following data:
    1. For reports of emotional or physical misconduct made to USAB:
        a. Total reported incidents of alleged emotional misconduct

b. Total reported incidents of alleged physical misconduct
c. Total number of investigations of alleged emotional and physical misconduct
d. Total number of violations for emotional and physical misconduct
e. Total number of violations for emotional and physical misconduct adjudicated by USAB's Local Affiliated Organizations ("LAO(s)").

2. For reports to USAB that an Adult Participant violated the Minor Athlete Abuse Prevention Policies (MAAPPs):
   a. Total reported incidents of alleged violations of the MAAPPs, by policy type
   b. Total number of investigations of alleged violations of the MAAPPs
   c. Total number of violations of the MAAPPs
   d. Total number of violations of the MAAPPs adjudicated by USAB's LAO(s)
3. For reports to the Organization that a Participant engaged in retaliation:
   a. Total reported incidents of alleged retaliation
   b. Total number of investigations of alleged retaliation
   c. Total number of violations of retaliation policy
   d. Total number of violations of retaliation policy adjudicated by USAB's LAO(s)

Terminology

Adult Participant of USA Baseball – Any adult (18 years of age or older) who is a member of one of the following groups:

- USA Baseball Board of Directors
- USA Baseball Board of Directors Committees and Sub-Committees
- USA Baseball Full-Time Staff and Interns
- USA Baseball National Team Program Contracted Staff
- USA Baseball National Team Identification Series Contracted Regional Directors and Coaches
- USA Baseball Prospect Development Program League Contracted Staff
- USA Baseball Appalachian League Contracted Staff
- USA Baseball Championships Events Coaches
- USA Baseball Futures Events Coaches
- USA Baseball Clinic Hosts and Regional Clinic Speakers
- USA Baseball Events Contracted Athletic Trainers
- USA Baseball Events Contracted Umpires and Assignors

Minor Participant of USA Baseball – An Amateur Athlete under 18 years of age who participates in, or participated within the previous 12 months in, a USA Baseball National Team Program, Athlete Development Program, National Team Development Program, or the Prospect Development Pipeline League.

Non-Covered Adult Participant of USA Baseball – Any adult (18 years of age or older) who is involved with USAB programs other than the programs listed within the definition of an Adult Participant of USAB.

Non-Covered Minor Participant of USA Baseball – An Amateur Athlete under 18 years of age who participates in, or participated within the previous 12 months in, an event, program, activity, or competition of USAB other than the programs listed within the definition of a Minor Participant of USAB.

United States Olympic & Paralympic Committee (USOPC) – The United States Olympic & Paralympic Committee was reorganized by the Ted Stevens Olympic and Amateur Sports Act, originally enacted in 1978. It is a federally chartered nonprofit corporation and does not receive federal financial support (other than for select Paralympic military programs). Pursuant to the Ted Stevens Olympic and Amateur Sports Act, the USOPC has the exclusive right to use and authorize the use of Olympic-related marks, images and terminology in the United States. The USOPC licenses that right to sponsors as a means of generating revenue in support of its mission. Unlike most other nations, the United States does not have a sports ministry. The USOPC has two primary responsibilities in its oversight of Olympic and Paralympic sport in the United States. The first is to generate resources in support of its mission, which is to help American athletes achieve sustained competitive excellence. The second is to ensure organizational resources are wisely and effectively used to that end.

U.S. Center for SafeSport (the Center) – The U.S. Center for SafeSport is an independent nonprofit organization committed to ending all forms of abuse in sport. This includes bullying, harassment, hazing, physical abuse, emotional abuse, and sexual misconduct and abuse. The U.S. Center for SafeSport is the first and only national organization of its kind. The center provides services to sport entities on abuse prevention techniques, policies and programs and provides a safe, professional and confidential place for individuals to report sexual abuse within the U.S. Olympic and Paralympic Movements.