

PERSONAL CONDUCT POLICY
Texas Quarter Horse Association
Formally enacted September 12, 2018

It is a privilege to be part of the Texas Quarter Horse Association (“TQHA”). All persons affiliated with TQHA, whether a member or employee must refrain from “conduct detrimental to the integrity of and public confidence in” the TQHA. This includes members, Board of Directors members, Executive Committee members, and employees of TQHA. All members of the Board of Directors and Executive Committee shall be required to sign a copy of this Personal Conduct Policy as a condition precedent to serving in such capacity.

Conduct by any member of TQHA that is illegal, violent, dangerous, or irresponsible puts humans or horses at risk, damages the reputation of others in the horse industry, and undercuts public respect and support for the TQHA. As members of TQHA, we must endeavor at all times to be people of high character; we must show respect for others inside and outside our workplace and in volunteer capacities; and we must strive to conduct ourselves in ways that favorably reflect on ourselves, the horse industry, and the TQHA. In order to uphold our high standards, when violations of this Personal Conduct Policy do occur, appropriate disciplinary action must follow.

This Personal Conduct Policy is issued pursuant to the authority of the Executive Committee pursuant to Bylaws to address and sanction conduct detrimental to the TQHA and the horse industry. It applies to each member of TQHA.

Expectations and Standards of Conduct

It is not enough simply to avoid being found guilty of a crime. As members of TQHA we are all held to a higher standard and must conduct ourselves in a way that is responsible, promotes the values of the TQHA, and is lawful.

Members convicted of a crime or subject to a disposition of a criminal proceeding (as defined in this Policy) are subject to discipline. But even if the conduct does not result in a criminal arrest, prosecution or conviction, members found to have engaged in any of the following conduct will be subject to discipline. Prohibited conduct includes but is not limited to the following:

- Actual or threatened physical violence against another person, including but not limited to domestic violence, child abuse, and other forms of family violence;
- Assault and/or battery, including sexual assault or other sex offenses;

- Stalking, harassment, or similar forms of intimidation;
- Illegal possession, illegal use, or illegal distribution of drugs;
- Crimes involving cruelty to animals as defined by state or federal law;
- Crimes of dishonesty such as blackmail, extortion, fraud, breach of fiduciary duty, theft, money laundering, or racketeering;
- Theft-related crimes such as burglary, robbery, or larceny;
- Conduct that poses a genuine danger to the safety and well-being of another person;
- Conduct that undermines or puts at risk the integrity of the TQHA or TQHA personnel or volunteers; and
- Conduct that jeopardizes the health, welfare and safety of any horse.

What Happens When a Violation of This Policy is Suspected?

Investigations – Whenever the TQHA Executive Committee becomes aware of a possible violation of the Personal Conduct Policy, it will undertake an investigation, the timing and scope of which will be based upon the particular circumstances of the matter. Any such investigation may be conducted by TQHA, independent parties, or by a combination of the two. In cases that are also being investigated by law enforcement, the TQHA will work to cooperate with and to avoid any conflict or interference with the law enforcement proceedings.

In conducting investigations, the TQHA will make reasonable efforts to safeguard requests for confidentiality from witnesses and others with information. In addition, the TQHA will not tolerate any retaliation against anyone who in good faith reports a possible violation or provides truthful information during an investigation. Any person who directly or indirectly through others interferes in any manner with an investigation, including by retaliating or threatening to retaliate against a victim or witness, will face separate disciplinary action under this policy. Prohibited retaliation includes, but is not limited to: threats, intimidation, harassment, or any other adverse action threatened, expressly or impliedly, or taken against anyone who reports a violation or suspected violation of this Policy or who participates in an investigation of a complaint.

In investigating a potential violation, TQHA may rely on information obtained by law enforcement agencies, court records, or independent investigations conducted at the direction of the TQHA. TQHA members are required to cooperate in any such investigation and are obligated to be fully responsive and truthful in responding to requests from investigators for information (testimony, documents, physical evidence, or other information) that may bear on whether the Policy has been violated. A failure to

cooperate with an investigation or to be truthful in responding to inquiries will be separate grounds for disciplinary action.

Discipline – A member violates this policy when he has a disposition of a criminal proceeding (as defined), or if the TQHA’s investigation demonstrates that he engaged in conduct prohibited by the Personal Conduct Policy. In cases where a member is not charged with a crime, or is charged but not convicted, he may still be found to have violated the Policy if the credible evidence establishes that he engaged in conduct prohibited by this Personal Conduct Policy.

A Chairperson, a TQHA employee or TQHA member who will be a highly-qualified individual with a criminal justice background, will be appointed by the TQHA Executive Committee to the Conduct Committee. The Conduct Committee Chairperson will follow the process outlined below to investigate a potential violation, produce a report and if desired present a disciplinary recommendation for the Executive Committee’s consideration. The Executive Committee will review the report (and recommendation, if presented) and determine the appropriate discipline, if any, to be imposed on the member.

To assist in evaluating a potential violation, expert and independent advisors may be consulted by the Conduct Committee Chairperson, the Executive Committee, and others as needed. Such advisors may include former members and others with appropriate backgrounds and experience in law enforcement, academia, judicial and public service, mental health, and persons with other specialized subject matter expertise, including but not limited to veterinary medicine. Any experts or advisors consulted in this respect may provide advice and counsel or testimony as appropriate, but will not make any disciplinary determinations.

Members and employees who are subject to discipline will be given notice of the potential violation for which discipline may be imposed. The member will be furnished with the records and other reports that were relied on in addressing the matter, including records from law enforcement (if available) and a copy of any investigatory report and any documents relied upon by a TQHA investigator in generating the report. The member will be permitted to submit information in writing to rebut or otherwise respond to the report. In addition, he will have the opportunity to meet with the Conduct Committee Chairperson in advance of discipline being imposed. In cases where there has been a criminal disposition, the underlying disposition may not be challenged in a disciplinary hearing and the court’s judgment and factual findings shall be conclusive and binding, and only the level of discipline will be at issue. Notwithstanding, the member will be free to offer facts regarding the disposition that may mitigate the discipline imposed.

Following review, the Executive Committee will communicate its decision to the member regarding

any disciplinary action to be taken. Depending on the nature of the violation and the member's record, discipline may be a fine, a suspension for a fixed or an indefinite period of time, a combination of the two, or banishment from TQHA with an opportunity to reapply. Discipline may also include a probationary period and conditions that must be met for reinstatement and to remain eligible to participate in TQHA. Repeat offenders will be subject to enhanced and/or expedited discipline, including banishment from the TQHA with an opportunity to reapply. In determining discipline, both aggravating and mitigating factors will be considered. Reference also may be made to requirements to seek ongoing counseling, treatment, or therapy where appropriate.

With regard to violations of the Personal Conduct Policy that involve: (i) criminal assault or battery (felony); (ii) domestic violence, child abuse and other forms of family violence; (iii) sexual assault involving physical force or committed against someone incapable of giving consent; or, (iv) animal neglect or cruelty, a first offense will subject the offender to a baseline suspension for one year, with consideration given to any aggravating or mitigating factors. The presence of possible aggravating factors may warrant a longer suspension. Possible aggravating factors include, but are not limited to, a prior violation of the Personal Conduct Policy, similar misconduct before joining the TQHA, violence involving a weapon, choking, repeated striking, or when an act is committed against a particularly vulnerable person, such as a child, a pregnant woman, or an elderly person, or where the act is committed in the presence of a child as well as any form of animal abuse or neglect. A second offense will result in permanent banishment from the TQHA. An individual who has been banished may petition for reinstatement after one year, but there is no presumption or assurance that the petition will be granted.

Appeals of discipline will be reviewed by the Executive Committee and the three most immediate Past Presidents ("Appeal Panel"). The decision of the Appeal Panel shall be final.

Reporting – Members and employees of TQHA are obligated to promptly report any matter that comes to their attention (through, for example, personal observation, victim or witness reports, law enforcement, or media reports) that may constitute a violation of this Policy. TQHA Executive Committee members and the Executive Director are expected to educate the TQHA membership on this obligation to report. Any report should be made any member of the Executive Committee. Questions about whether an incident triggers a reporting obligation should be directed to any member of the Executive Committee or the Executive Director of TQHA.

Failure to report an incident will be grounds for disciplinary action. This obligation to report is broader than simply reporting an arrest; it requires reporting to the TQHA any incident that comes to the

member's attention which, if the allegations were true, would constitute a violation of the Personal Conduct Policy.

It is important to remember that the obligation to report is a continuing one, and is not satisfied simply by making an initial report of an incident. The obligation includes reporting on a timely basis all information of which a member becomes aware. If a member learns additional information, including but not limited to information regarding the nature of an incident, the identity of witnesses, statements regarding the incident (including by the accused), or the existence of evidentiary material (such as documents, electronic communications such as emails or text messages, medical reports, photographs, audio or video recordings, or social media activity), it must promptly report that information to the TQHA office.

Anyone who believes that he or she is a victim of conduct that violates the Personal Conduct Policy or who learns of or witnesses such conduct is strongly encouraged to report the matter to a member of the Executive Committee or the Executive Director of TQHA. Reports will be addressed promptly and confidentially. Any member with questions regarding either this reporting obligation or any other aspect of this Personal Conduct Policy may contact any member of the Executive Committee or the Executive Director of TQHA.

Conduct Committee – To ensure that this policy remains current and consistent with best practices and evolving legal and social standards, the Executive Committee shall name a Conduct Committee on an annual basis. This committee will be made up of TQHA members, who will review this policy at least annually and recommend any appropriate changes in the policy, including investigatory practices, disciplinary levels or procedures, or service components. The committee will receive regular reports from the disciplinary officer, and may seek advice from current and former members, as well as a broad and diverse group of outside experts regarding best practices in academic, business, and public sector settings, and will review developments in similar workplace policies in other settings.

Definitions –

“Disposition of a Criminal Proceeding” – Includes an adjudication of guilt or admission to a criminal violation; a plea to a lesser included offense; a plea of nolo contendere or no contest; or the disposition of the proceeding through a diversionary program, deferred adjudication, disposition of supervision, conditional dismissal, or similar arrangements.

“Probationary Period” – Members found to have violated this policy may be placed on a period of

probation as determined by the Executive Committee. During such period, restrictions on certain activities, limitations on participation in TQHA activities, or other conditions may be imposed. Failure to comply with such conditions may result in additional discipline including an extension of the period of suspension.

“Repeat Offenders” – Members who have had previous violations of law or of this policy may be considered repeat offenders. When appropriate, conduct occurring prior to the member’s association with the TQHA will be considered.

“Workplace Setting” – The workplace setting means any location or conveyance used in connection with TQHA activities, including the TQHA controlled facility, location at which a TQHA-sponsored and/or TQHA sanctioned event takes place, and while traveling as an official representative of TQHA or TQHA-related business.

“Member” – For the purposes of this Personal Conduct Policy, means any current member of TQHA and includes any member who serves on the Board of Directors, Executive Committee and/or is a Past President.