

2022 Jefferson Dad Vail Regatta

Protest Procedure

The 2022 Jefferson Dad Vail Regatta will use the same protest procedures defined in the USRowing's Rules of Rowing 2022 Edition / Rules of Racing.2022. The appropriate articles that define the protest procedures are provided verbatim below.

2-604 Matters Subject to Protest (*)

- (a) Any Crew claiming that a Race in which it competed was not fair or proper, or that the Rules of Racing were not followed, or that its opportunity of winning was unfairly deprived, may raise an objection as described in **Rule 2-605 (“Raising an Objection”)**.
- (b) Only matters that affect the substantial rights of a Crew shall be subject to protest, and the Jury shall disregard harmless errors that did not affect the outcome of the Race.
- (c) To the extent that Race Officials acting within the scope of their duties make explicit findings of fact, those findings shall be final.

2-605 Raising an Objection (*)

- (a) An objection involving the conduct of a Race shall be lodged by the Crew at the finish while it is still on the water and before the Referee declares the Race to be official unless circumstances beyond its control prevent it from doing so. A coach or other Team member may not lodge an objection on behalf of a Crew. An objection concerning exclusion of a Crew at the start may be lodged with the Starter at the time the penalty is imposed.
 - 1) An objection concerning any action on land shall be lodged by an affected Team member with the Chief Judge, or with another Race Official designated by the Chief Referee, within one hour after being informed of such action. The protest statement required under **Rule 2-606 (“Filing the Protest Statement”)** shall be filed within the same time.
- (b) A Crew wishing to lodge an objection shall signal to the Referee immediately after finishing the Race by having a member of the Crew raise his or her hand until the attention of the Referee has been gained. The Crew shall then explain its objection and state its requested resolution or outcome.
- (c) The Referee shall make his or her decision and inform the objecting Crew as well as any other affected Crews of his or her decision and then display a white or red flag as described in **Rule 2-501 (“Finish of the Race”)**

2-606 Filing the Protest Statement (*)

Once an objection is lodged, a Crew wishing to be heard before the Jury shall submit a concise written statement, describing the facts that underlie the objection and the relief that the Crew seeks, to the Chief Judge, or another Race Official designated by the Chief Referee whose identity is conspicuously posted, within **one hour** after it

reaches land. The written statement shall comprise the protest statement. **The statement shall be accompanied by cash or check payable to the LOC in the amount of \$50.** An objection in which such a protest statement is not filed shall not be heard.

- (a) The protest statement shall be signed by a member of the objecting Crew in his or her individual name. Such signature constitutes a representation to the Jury that the facts contained therein are true and correct to the best of the signer's knowledge or belief.
- (b) The \$50 shall be returned to the Crew if the objection is upheld, or if it is found by the Jury to be substantially justified. The \$50 shall be returned to the Crew if an appeal to USRowing under **Rule 2-608 ("Appeal from the Jury")** is sustained. The \$50 shall otherwise be remitted to the LOC.
- (c) The written protest statement may be amended after it is submitted, but the Jury may take such amendment into account in assessing the credibility of the statement

2-607 Protest Hearing

- (a) The purpose of a protest hearing is to review the events of a Race that a Crew has objected to and determine, in a speedy time frame, an outcome that is fair for all parties.
- (b) In deciding a protest, the Jury may impose any of the penalties described in **Rule 2-602 ("Types of Penalties")** or take any other action that an individual Race Official acting in the same situation would be empowered to take.
- (c) The Jury shall adjudicate a protest statement after having conducted a hearing. The decision of the Jury shall be based solely on the testimony and evidence presented before it in the hearing.
 - (1) The hearing shall not commence until after each Crew named or involved in the action leading to the filing of the protest statement has had a reasonable opportunity to inspect the written protest statement and gather evidence in its favor.
 - (2) When a crew's objection appears to involve an explicit finding of fact, the Jury may make the determination that the matter is not subject to protest following a review of the Crew's protest statement and testimony from the appropriate Referee(s).
- (d) Each Crew named or involved in the protest statement shall have the right to have one representative present at the hearing, except for the actual deliberations of the Jury. This representative may be a coach, manager, or other Team member. This representative shall not be a witness at the hearing.
- (e) The Jury shall review the protest statement, hear relevant testimony and review appropriate evidence.
- (f) Witnesses who give evidence before the Jury shall not be present at the hearing except for such time as they are actually giving testimony.
- (g) Formal rules of evidence shall not apply, and the Jury may consider any evidence or testimony that it considers to be useful in resolving the issues. Presentation of evidence may be by narrative testimony, tangible evidence, or by questions asked by the Jury. A representative of a Crew may request that a question be asked by the Jury.
- (h) After the Jury has deliberated, it shall render its decision. The Chief Referee will announce the Jury's decision to all parties to the objection.

- (i) Upon the request of any party to the objection, the Jury shall provide a written statement of findings and conclusions that formed the basis of its decision