

United Schutzhund Clubs of America

Board of Inquiry

Re: Response to Executive Board modifications regarding charges against Anjuli Kolarik

Date: October 30, 2018

Executive Board Modification

The Executive Board upheld the findings against Anjuli Kolarik regarding animal neglect related charges, however, did not find the following recommended sanctions against Mr. Kolarik appropriate:

“The Board of Inquiry recommends that Ms. Kolarik face a one-year suspension in membership of USCA. Any membership in USCA after the suspension expires shall require that Ms. Kolarik:

- Not hold or seek any office in USCA for a period of two (2) years after the end of the suspension.
- Hold a permanent probationary status that would allow permanent expulsion from USCA if she is found ever found guilty of an animal related neglect, cruelty, or abuse charge in the future.”

The Executive Board asked that the Board of Inquiry “reconsider” the charges against Ms. Kolarik and recommended the following:

- Ten year suspension to include never hold or seek any office in USCA and permanent probation status that would allow permanent expulsion from USCA if she is ever found guilty of an animal of an animal related neglect, cruelty or abuse charge in the future.

Background on Board of Inquiry Recommendation

The Board of Inquiry initially recommended the sanctions based on review of Executive Board ballots over an eighteen year period. There were two Board of Inquiry investigations related to the generic umbrella of “animal mistreatment” that the recommended sanctions were based on (it is noted that some historical information related to Executive Board ballots appears incomplete, but what is available was reviewed). One case involved a USCA member kicking another competitor’s dog at a trial, which resulted in a public reproof. The second case involved a member who pled guilty to a “dog-fighting conspiracy,” which is a felony offense. This guilty plea carries a sentence of up to five years in federal prison without parole, plus a fine up to \$250,000 and an order of restitution. The American Working Malinois Association was the original dog sport organization to investigate this charge and suspended the individual for a period of ten years with no additional sanctions. USCA upheld the ten-year suspension and also did not institute any additional sanctions against this individual.

Although the Board of Inquiry does not object *in principle* to harsher sanctions against Ms. Kolarik, the sanctions recommended by the Board of Inquiry were based on how frequently lengthy suspensions were utilized by USCA as well as the past precedent of cases investigated by the Board of Inquiry and upheld by the Executive Board.

Discussion

The proposed sanctions by the Executive Board for Ms. Kolarik are harsher than what USCA instituted for an individual who pled guilty to a felony offense related to dog-fighting. There is no objective evidence or past precedent to support this. However, having individuals within the organization that have pled guilty of animal neglect, abuse, and cruelty are certainly detrimental to the interests of USCA, so the Board of Inquiry feels sanctions up to those that were imposed against the individual involved in the dog-fighting conspiracy would be appropriate.

With that said, the USCA Bylaws Section 3(c), article states that the recommendation by the Board of Inquiry “shall be sustained, modified, or rejected by the Board of Directors.” Although the Board of Inquiry appreciates the Executive Board keeping lines of communication and discussion open on this matter, the USCA Bylaws do not have steps in place for the Board of Inquiry to “reconsider” initial recommended charges. It is up to the Executive Board to independently sustain, modify, or reject the recommendations set forth by the Board of Inquiry. If the Executive Board feels it is appropriate to set a new “past precedence” in this case due to the impact that animal neglect, abuse, and cruelty cases have on USCA the Bylaws contain no restrictions on doing so.

If the Executive Board feels that the sanctions imposed on the individual involved with the dog-fighting conspiracy were not harsh enough, this may be an opportunity for the USCA Executive Board to evaluate how reciprocity agreements are handled within USCA and all involved organizations to minimize the inconsistency and irregularities that are found between sanctions imposed by different organizations. The Board of Inquiry investigated two cases in 2018 alone where this issue was highlighted both directly and indirectly.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Justine Kreso', with a long horizontal flourish extending to the right.

Justine Kreso
Chair, USCA Board of Inquiry