

**USADA-Led Non-Analytical Investigations
Under the USADA Protocol for Olympic and Paralympic Movement Testing**

PRINCIPLES

- **Undertake vigorous investigation of potential rule violations.** Code Arts. 5.8.3, 7.6, 7.7, and 20.5.7; USADA Protocol Secs. 1, 3, 4, 5.
- **Investigation takes place whenever there is a reasonable cause to suspect that an anti-doping rule violation may have been committed.** Code Art. 20.5.7; ISTI Art. 12.3.2; USADA Protocol Sec. 1.
- **The goal of each investigation is reliable evidence.** Code Art. 3.2.
- **Each investigation is conducted fairly, objectively, and impartially.** ISTI Art. 12.3.3. “Integrity” is an important principle in USADA investigations. For example, USADA is always truthful with witnesses and respondents and does not claim to have incriminating evidence that it does not have. USADA will never harass or intimidate witnesses or respondents in the course of its work with athletes. USADA goes into each investigation with an open mind and simply follows the facts. It is only after it becomes apparent that an anti-doping rule violation has occurred that USADA starts to build a case. USADA’s strict conflict of interest policy also applies to its investigations. USADA will not attempt to persuade other organizations to withhold rights or property from an athlete unless where such an action is permitted by the rules of that organization.
- **All persons interviewed by USADA during the course of an investigation will be treated with dignity and respect.**
- **All reasonably available investigative resources may be used to conduct investigations.** ISTI Art. 12.3.4; USADA Protocol Sec. 1. The Code does not allow USADA to exercise “prosecutorial discretion” and decide to take no action in cases where the evidence indicates that an anti-doping rule violation has occurred. USADA can, however, prioritize the use of its resources. Our highest-priority investigations are those that: a) relate to athletes or other persons who would otherwise represent the United States at the Olympic Games, Pan American Games, or World Championships; b) have the potential to involve doping by multiple athletes through the involvement of athlete support personnel; or c) potentially involve the use of prohibited substances or prohibited methods that are more difficult to detect through the analysis of urine or blood samples.
- **Athlete and Athlete Support Personnel Cooperation.** Code Article 21 requires all athletes and athlete support personnel to cooperation with USADA investigations of anti-doping rule violations. In particular, USADA has found that the cooperation of clean athletes is crucial to maintaining a level playing field in their sport.

- **Each investigation protects and upholds the established rights of athletes, athlete support personnel and other persons set forth in the Code, USADA Protocol, ISTI and ISPPPI.** Prior to initiating an interview with a U.S. athlete who USADA has and/or expresses any specific suspicion committed an Anti-Doping Rule Violation, USADA will advise the athlete: that USADA is investigating potential anti-doping rule violations, which is a serious matter; that USADA's Investigation Principles and Athlete Interview Responsibilities govern the interview and all interactions with USADA, providing URLs for both documents on USADA's website; and that the USOC athlete ombudsman is available as a resource if the athlete has questions. The applicability of these Principles to USADA investigations and the opportunity for athletes to contact the USOC athlete ombudsman will be made clear in USADA's educational materials for athletes. USADA may, in its discretion, provide the same advice where no specific suspicion exists.
- **Each investigation is conducted independently of outside operational control.** Code Art. 20.5.1.
- **Discussions regarding substantial assistance and sanctions with potential witnesses follow the requirements set forth in Article 10.6.1 of the Code.**
- **USADA cooperates with and seeks the cooperation of government agencies as provided in the Code.** Code Arts. 20.5.3 and 22.2.
- **Each investigation will also follow all applicable state and federal laws.**
- **A USADA decision to assert an anti-doping rule violation based on non-analytical evidence is subject to the hearing and appeal process set out in the Code and USADA Protocol.** Any decision by USADA not to bring a case forward as a result of an investigation or to impose a sanction on an athlete or other person is always reviewable by both WADA and the relevant International Federation. If WADA believes that USADA has taken too long to render a decision in a particular investigation, WADA may elect to appeal directly to the Court of Arbitration for Sport as if USADA had rendered a decision finding no anti-doping rule violation. Code Art. 13.3.
- Anti-doping rule violation decisions arising out of USADA Olympic Movement investigations are also ultimately subject to review on the merits through established legal processes including the independent AAA arbitration process and the CAS appeal process. Code Arts. 8 and 13; USADA Protocol Sec. 17.
- Any claim that USADA has failed to follow these Principles shall be addressed as a contract issue between USADA and the USOC and shall not be admissible or used as a defense in any anti-doping rule violation proceedings.

Effective 1/1/2017