

SUGGESTED HANDLING OF RECORDER REPORTS

Proper handling of recorder reports is important to the ultimate success of the recorder process. When a submitted report is not handled properly, it may become useless as evidence in the event a recorder finds it necessary in the future to file a formal complaint against a subject. To prevent a player memo from becoming just another piece of paper and irrelevant at a disciplinary hearing, the recorder should adhere to the process described in regulations and in this document in resolving a report.

Other than following the suggested process, the most important responsibility for the recorder is to maintain the privacy and confidentiality of those concerned. In discussing the report, the recorder should, in so far as possible, refrain from using names. It is the intent for the recorder process to be confidential. However, most people who submit a report or player memo (the reporter) understand that the person about who they are reporting (the subject) will usually be able to identify the reporter or at least narrow it down to two or three possible people.

Upon receipt of a player memo (report) dealing with behavior or actions, except for major ethical breaches such as collusive cheating (*see section V below*), the steps to follow are:

I. Assess the Report.

A. ACBL Jurisdiction

The main point of this endeavor is to determine that the reported behavior or action is within ACBL's jurisdiction.

For example, the reporter may have said that he had agreed to buy the subject's dinner Friday evening if the subject would play bridge with him on Saturday. But, the subject reneged on the agreement after they had left the restaurant.

While this is not a nice thing, if true, it is not within ACBL's jurisdiction.

Action for the recorder: Speak with reporter to educate him on the limits of ACBL processes. Place in your administrative file (these are reports that you have addressed and resolved but not elected to record).

B. Not Serious Enough for Any Disciplinary Process or a Tournament Director Ruling Situation.

There are some reports that allege behavior, that although irritating, for which a disciplinary body would not discipline someone even if used in conjunction with other player memos or complaints.

For example, a report alleges that the subject sneezed loudly during a game. People do many things that may irritate you but just because you are irritated is no reason for the complaint to enter the ACBL's disciplinary process.

Another example, a report alleging that a person made an out of tempo call and his partner bid on. When this or any other break in proper procedure occurs, a player must call the tournament director to report the violation and give the tournament director the opportunity to resolve the issue.

Action for the recorder: Speak with reporter to educate him on the limits of ACBL processes. Place in the administrative file.

II. Investigate

A. More Information.

If more information is required from the reporter or director or witnesses, the recorder should speak to anyone of the above that can clarify the report. This should be done before the recorder speaks to the subject.

B. Pre-Evaluation

Before speaking with the subject, the recorder should make preliminary evaluations based upon, 1) the subject being able to present evidence noting that the allegation is baseless or 2) agreeing to the report. If the recorder has some idea of whether the report is going to be recorded dependant upon the subject's statements; the recorder may be able to resolve the matter at that meeting.

C. The Subject.

Before discussing the incident with the subject, the recorder should make sure that he has a clear understanding of the report and possible resolutions dependent upon the subject's comments. The recorder should give the subject ample opportunity to give his side of the story and be careful to remain objective and receptive. When the recorder is going to maintain a record of the report ("record"), he should give the subject an opportunity to put his side of the incident in writing to be kept with the report. If the subject does not do so, the recorder should write down the subject's comments.

III Evaluate and Resolve.

- A. After investigation, the recorder should evaluate the report to determine the proper resolution. In some few instances, the recorder may need more information from the reporter, subject or witnesses even after discussions. If so, this should be done before making a final determination.
- B. After completing the investigation and evaluation, the recorder decides upon a final resolution of the player memo, which includes any notes.
 - 1. Record - this is the end product of most reports that are within ACBL's jurisdiction. Most findings are not clear-cut as one or two people say one thing - the others are 180 degrees opposite in their perceptions. Therefore, the recorder should maintain a record with all comments.
 - 2. Administrative - this is considered a closed file for the recorder's information only. It contains a full report and is maintained only so the recorder knows that he has fully addressed the issue and chose not to record.
 - 3. Make a complaint - when the recorder determines that the one-time issue is serious enough that a disciplinary committee should hear the issue or the recorder is aware of other player memos so that this is a pattern of conduct, the recorder should make a complaint to the organization (unit or district) having jurisdiction. This is usually the unit or district that appointed the recorder. The complaint should be clear that this is a request for charges to be made to the organization's disciplinary committee. When the recorder makes a complaint, the recorder becomes the complainant and the reporters are witnesses.
- C. Informing the Reporter and Subject
 - 1. Subject - the subject must always be told the recorder's final resolution; record, file a complaint, nothing (administrative file). This is basic fairness as: if recorded, the subject may find this to be part of a charge at a disciplinary hearing and if a complaint is filed, it will be part of a charge.
 - 2. Reporter - the recorder needs to exercise good judgment in informing a reporter of final resolution. If a complaint is to be filed, the reporter must be notified, as the reporter will be a witness. If the report is to be recorded, the recorder should notify the reporter that it is being recorded but, basically, may elect to say only that it has been addressed. In some cases, if the report is not being recorded, the reporter needs to know why no action was taken. In others, where further investigation showed that the reporter was acting in good faith but erroneously (sometimes due to inexperience at bridge), the recorder may elect to say only that the report was addressed.

- IV. Copy the Office of National Recorder
Whenever a report is "recorded," the recorder should send a copy to the Memphis to be entered in the National database. Anytime a recorder in an ongoing case needs recorder history (or lack thereof), he should contact the ACBL National Recorder in Memphis.

- V. Report of Serious Ethical Breach
A report alleging serious ethical breaches, such as but not limited to collusive cheating must be handled with care. Careful observation and additional investigation are in order. Since the ACBL National Recorder has had experience in these matters and has additional investigative tools available, a recorder should consult with the ACBL Recorder prior to launching an investigation or taking any action.