



Charged Party(ies) Jack Adams ACBL # 3331334 Hearing Date 4/2/20

Disciplinary Body District 16 Disciplinary Committee Hearing Location telephonic

Charging Party Lauri Laufman ACBL# 4079 736 Complainant Bob Dpwlen ACBL# J245716

**COMMITTEE MEMBERS WHO HEARD THE CHARGES**

Name	ACBL #	Name	ACBL #
Charles Gillis	K271699		
Steve Shirey	M893131		
Dave Swarhout	J448986		

**INDIVIDUALS THAT PARTICIPATED IN THE HEARING** (excluding committee members)

Name	ACBL#	Via	Capacity	Name	ACBL#	Via	Capacity
Rebecca Brown	K046334	telephonic	Panel Admin			Select One	Select One
Robb Gordon	K652927	telephonic	Adv-Charging			Select One	Select One
Melody Euler	2870827	telephonic	Witness			Select One	Select One
Elizabeth Giroir	9452176	telephonic	Witness			Select One	Select One

**EVIDENCE AND ARGUMENTS PRESENTED** (Summarize evidence and arguments presented including testimony. If additional space is needed, continue on page 3 of this hearing report.) (Note: provide new documentary evidence introduced during the hearing to the Office of National Recorder)

The panel heard the testimony of witnesses Melody Euler and Elizabeth Giroir and the Charged Party, Jack Adams. They also heard the opening and closing statements of Robb Gordon, Advocate for the Charging Party. Ms. Euler (a Tournament Director) and Ms. Giroir both testified to having separately observed Adams shuffling and dealing and looking at some of the cards before placing them in boards for play. Additionally, they observed him placing an Ace on the bottom of the deck he was making. These observations occurred at Houston (U174) Sectionals in June and April, 2019 respectively. When questioned by a committee member, Ms. Euler conceded that she did not seek to have Mr. Adams eliminated from the event, despite her observations. Mr. Adams denied intentionally looking at any of the cards while shuffling and dealing. Rather, he said that at 80 years old, he is visually impaired and his hands are not nimble. He said that decks used at tournaments are often stiff so that he "fanned" or "riffed" them to loosen them up. Committee members asked why he didn't have other players at the table do the dealing, given his physical limitations. He responded that he didn't think to do so and that sometimes he shuffled and dealt while alone at the table. Mr. Adams did not challenge the witnesses' observations, but said that any glimpsing of or placing of cards not yet played was entirely unintentional and completely due to his physical limitations; moreover, he said that his eyesight is so bad that any cards apparently glimpsed were probably not actually seen by him. Mr. Gordon, as Advocate and National Recorder, stressed the need for the bridge community to deter any unethical behavior and concluded that Mr. Adams certainly had violated acceptable ethical behavior under the CDR. The Committee agreed, finding Mr. Adams guilty of the charge, but considered certain factors in mitigation.

**COMMITTEE FINDINGS OF FACT** (based on the evidence, state the committee's conclusion as to what happened)

Mr. Adams conduct constituted a violation of CDR 3.20 in that he inappropriately viewed and/or placed cards as he shuffled and dealt during teams events occurring during the April, 2019 and June, 2019 Unit 174 Sectionals in Houston, TX.

**DECISION** (click on the box next to Not Guilty or Guilty of violating the CDR to add a check mark.)

Not guilty (check here and skip the remainder of this page)  Guilty (continue by selecting the Grounds for Discipline which led to the finding of guilty. Note: A party may only be found guilty of a violation originally stated in the Charge Letter.

**CDR GROUNDS FOR DISCIPLINE** Type the section(s) and description(s) found in CDR 3 which led to the discipline).

CDR 3.20 Cheating and other Ethical Violations,

**DISCIPLINE** (Unless a discipline begins immediately, which requires you to complete a Notice of Immediate Discipline, all begin dates should start at least five days after the you submit this hearing Report to the Office of National Recorder.

**Disciplined Party is convicted of premeditated or collusive cheating (or has admitted to such action). CDR 4.1.8 (a)** YES  NO   
If yes, all masterpoints, titles and ACBL status ranks and other ACBL related awards earned by the disciplined party will be forfeited. These penalties also apply to the teammates and partners while playing with the disciplined party during the seven years preceding the date the Charges were brought through and including the date of this final decision.

	Start Date	End Date	Additional Requirements/Comments
<input type="checkbox"/> REPRIMAND		N/A	<input type="checkbox"/> Letter of Reprimand Attached
<input checked="" type="checkbox"/> PROBATION	7/2/2020	1/2/2021	
<input type="checkbox"/> SUSPENSION			

Is the disciplined party Suspended because of an Ethical Violation (CDR 4.1.8 (b))? YES  NO

If yes, the masterpoints and titles won in the event by the disciplined party, partners and teammates in which the offense occurred will be forfeited.

Is the Suspension imposed due to an Ethical Violation more than one year (CDR 4.1.8 (b))? YES  NO

If yes, the MPs, titles or other ACBL related award earned by the discipline party within twelve months preceding the date of the offense will be forfeited.

EXPULSION  N/A

SUSPENDED SENTENCE (only used in conjunction with an imposed Suspension from above that you have converted to Probation). State the condition of the sentence below

EXCLUSION from Events and Programs (list the exclusions and the dates of the events or activities). CDR 4.1.6

REDUCTION OR FORFEITURE of Masterpoints (MP) or Tournament Rank or Disqualification.

- Remove MPs earned in the event in which the offense occurred
- Reduction of rank in the event in which the offense occurred
- Disqualification in the event in which offense occurred
- Remove MPs earned for the entire tournament in which the offense occurred
- Disqualification in the tournament

The teammates and partners will also receive these penalties in the event in which the offense occurred.

**STATE THE OFFENSE(S) FROM APPENDIX B, CHART 1 and/or CHART 2 OF THE CDR**

E19 Cheating and other Ethical Violations not specifically cited by other sections of this Appendix (CDR 3.20)

The discipline imposed above is outside  the recommended guidelines of Appendix B, Chart 1 and/or Chart 2. If it is OUTSIDE the guidelines, a reason must be stated below.

While the Disciplinary Committee members found Mr. Adams guilty of the charge, they were persuaded to impose probation, rather than suspension, given his lack of prior record of violation and his actual physical impairments that may have impeded his proper handling of the cards.

RESPECTFULLY SUBMITTED (CHAIR)

/s/ Rebecca Brown



Date: 4/3/2020

Electronic Signature (type name above)

Wet Signature (sign above)