



IS THIS AN AUTOMATIC REVIEW OR APPEAL OR BOTH Automatic Review

CHECK THE APPELLANT (party who filed the appeal)

<input type="checkbox"/>	Disciplined Party	Keith Harrison	ACBL #	Q577641	Disciplined Party	Joan Webb	ACBL #	Q479240
<input type="checkbox"/>	Charging Party	Joseph Jones	ACBL #	5399696	Location of Hearing	Web-Conference using Zoom		
Appellate Body		Appeals and Charges Committee				Date of Hearing	05/05/2021	
Original Disciplinary Body		Online Ethical Oversight Committee				Date of Hearing	03/15/2021	
Original Complainant		Robb Gordon	ACBL #	K652927	Effective date of the CDR consulted		May 29, 2020	

DISCIPLINE BEING APPEALED OR REVIEWED

Disciplined Party	Discipline	Beginning Date	Ending Date
Both Parties	Suspension, 2 years	10/2/2020	10/1/2022
Both Parties	Probation, Lifetime	10/2/2022	Indefinitely
Both Parties	Excluded from playing in ACBL sanctioned events online, 5 years	10/2/2022	10/1/2027
SEE ADDITIONAL DISCIPLINE BELOW			

Additional comments or description regarding discipline being appealed or reviewed

Both Parties: Excluded from playing as partners in all ACBL sanctioned events, 10 years - 10/2/2022 - 10/01/2032
 Both Parties: Removal of MPs earned 12 months preceding the last date that they earned MPs as a pair in any online ACBL sanctioned game.
 Both Parties: Members not in Good Standing 04/06/2021 - Indefinitely.

The Disciplined Parties were found responsible of violating CDR 3.20 by the OEOC. The offense cited by the OEOC panel was E19 Cheating and other Ethical Violations not specifically cited by other sections of the Appendix (CDR 3.20).

BASIS FOR APPEAL (skip this section if this is an Automatic Review)

<input type="checkbox"/>	Decision not supported by the weight of evidence.
<input type="checkbox"/>	Procedures were inconsistent with CDR which affected the substantial rights of Appellant or undermined the confidence in the integrity or fairness of the disciplinary process.
<input type="checkbox"/>	Discipline inappropriate.
<input type="checkbox"/>	One or more person(s) on the hearing panel had bias (objection to such bias was raised at the hearing).

COMMITTEE MEMBERS WHO REVIEWED THE MATTER OR HEARD THE APPEAL

Name	ACBL #	Name	ACBL #
A.J. Stephani, Chairman	Q368694	Jeff Overby	O879926
Dennis Carman	O828450	Laurie Rowe	P508832
Margot Hennings	N242118	Tim White	M029585
Deana Liddy	P205082		

ALSO PRESENT (include web-conference (WC), in person (P), telephonic (TP), etc. and include their capacity as witness, expert, etc.)

Name	ACBL #	Via	Capacity	Name	ACBL#	Via	Capacity
Linda Dunn	P197314	WC	In-House Counsel				
Ryan Connors	Q758913	WC	Charging P Co-Adv				
Robb Gordon	K652927	WC	Charging P Co-Adv				

See attached report.

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

See attached report.

DECISION OF APPELLATE COMMITTEE

<input type="checkbox"/>	Remanded for rehearing	Disciplinary Body expected to rehear.	
<input checked="" type="checkbox"/>	Decision of the original hearing committee is upheld.		
<input checked="" type="checkbox"/>	Decision of the original hearing committee is amended as described below:		
	Discipline	Beginning	Ending
<input type="checkbox"/>	Reprimand	N/A	N/A
<input checked="" type="checkbox"/>	Probation	10/02/2023	10/01/2033
<input checked="" type="checkbox"/>	Suspension	10/02/2020	10/01/2023
<input checked="" type="checkbox"/>	Other	N/A	N/A
	Please describe other decision below:		
	Excluded from playing together as a pair as a condition of their Probation (10/02/2023-10/01/2033) and removal of 10% of each of the their total Masterpoints.		
	See attached report for additional detail regarding the amended discipline.		

RESPECTFULLY SUBMITTED (CHAIRMAN)

/s/ A.J. Stephani		Date:	5/10/2021
Electronic Signature (type name above)	Wet Signature (sign above)		

In the matter of Keith Harrison and Joan Webb, the ACBL Appeals and Charges Committee [A&C Committee] conducted an Automatic Review of the Online Ethical Oversight [OEOC] decision finding them responsible for violating ACBL Code of Disciplinary Regulations [CDR] 3.20: Cheating and Other Ethical Violations. Citing E19 of the former Appendix B, the OEOC Panel recommended a Suspension of 2 years followed by a lifetime Probation and the removal of masterpoints earned in the 12 months preceding the last date that they earned masterpoints as a pair in any online ACBL games. In addition, they recommended that the Charged Parties be excluded from playing as partners in all events sanctioned by ACBL for 10 years and from playing in all ACBL online games for 5 years.

The A&C Committee commends the OEOC Panel for its extensive Hearing Report, and it appreciates their effort to provide insight into their deliberations and their reasoning for both the determination of responsibility and the recommended discipline. We owe a debt of gratitude time to the volunteers who populate our disciplinary panels and occupy supporting roles. They devote an enormous amount of time in these cases and we appreciate that they produce reports that are clear and insightful. The length of and amount of detail included in each Panel's Hearing Report is the decision of the Panel, based on its perception as to what is necessary to meet the burden of the CDR charge. In many cases, a shorter Hearing Report will be sufficient.

The A&C Committee unanimously upholds the OEOC Panel's determination that Keith Harrison and Joan Webb violated CDR 3.20.

Given the flagrancy of the Charged Parties' actions and the length of time over which the Ethical Violations were proved, the A&C Committee believes that a longer Suspension of 3 years, beginning on the effective date indicated under the CDR, is appropriate. Lifetime Probation, however, has downstream effects that make it an awkward discipline. We determine that a lengthy Probation period of 10 years is appropriate. Imposing Exclusions with periods of time distinct from the length of Probation is practically challenging and runs the risk of both administrative and member confusion. Accordingly, we impose the Exclusion of playing together as a pair in any ACBL game as a condition of Probation.

Attempting to surgically excise specific Masterpoints won illicitly comes with its own set of problems, and the A&C Committee notes that CDR's recommendation of a fixed percentage of total Masterpoints is a suitable approach. Accordingly, the Committee removes 10% of each of the Charged Parties' total Masterpoints.