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**PANEL REPORT
 NEGOTIATED RESOLUTION REVIEW
 BEFORE THE APPEALS AND CHARGES COMMITTEE**

Date of Review	8/28/2024		Case No.	2024-ACBL-198				
CDR Version	5/8/2024	CDR Violation	301(A)(4) Misuse of Hand Records or Other Information. "Misuse of Hand Records or Other Information" is the acquisition of information in any form concerning a deal yet to be played to completion. This includes hand records in any form (paper, electronic, etc.), digital information, wearing a wire, communication with other persons, or any other method or means used to obtain information about a deal.					
Disciplined Party	Dexter Perkins III		ACBL #	1017675	District	14	Unit	104
Disciplined Party	N/A		ACBL #	N/A	District	N/A	Unit	N/A
Disciplined Party's Advocate	N/A		ACBL #	N/A				
Charging Party	Jeff Edelstein		ACBL #	O200338				
Charging Party's Advocate	N/A		ACBL #	N/A				
Panelists	Larry Sealy		ACBL #	P541643				
	Tim White		ACBL #	M029585				
	Jackie Zayac		ACBL #	P386273				



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SUMMARY OF REVIEW:

The Panel reviewed the following documents: Negotiated Resolution, Membership Profile, Charge Letter, Recorder Complaint, Previous Disciplinary Record, Investigation Report, Perkins Hand Analysis, Perkins Hyperlinks, and Notice of Intent to Initiate Arbitration before the IBA.

A Negotiated Resolution was agreed to by the party and ACBL Management, in which the Charged Party admitted to a violation of CDR 301(A)(4): Misuse of Hand Records or Other Information (CDR effective May 8, 2024). The discipline agreed to is listed on page 3 of this report.

This case against Mr. Perkins was an unusual case of self-kibitzing in ACBL Virtual Club games. Most Charges of ethical conduct in online play involve an allegation of collaborative action between partners, i.e., the sharing of information about their hand to each other.

Mr. Perkins is an ACBL-certified director authorized to run Virtual Club games, so he was able to see all four hands on one computer (while logged in as the Director) and play on a separate computer. Directors are ultimate authorities in Club games and must be seen as above reproach. Ethical violations while directing besmirch our game.

The panel did not believe an 18-month suspension and 2-years' probation (with an excision of 10% of his Masterpoint®) alone was sufficient. Going forward, Directors must understand the seriousness of ethical violations, and that their punishment will be proportional to the damage they do. Therefore, the Panel rejects the Negotiated Resolutions with the following conditions for acceptance:

- 18-months' Suspension
- 2-years' Probation
- A prohibition against directing any ACBL-sanctioned game in the year following the end of the Probationary period.
- He will be a Member Not in Good Standing until the Probation ends.

Mr. Perkins agreed to these conditions. The panel approves the new agreement.

ADMISSION OF VIOLATION:

Mr. Perkins provided the following:

- a. In late 2019 or early 2020, in response to COVID, two of our local bridge clubs switched from face-to-face to online games. I do not remember the exact sequence of events, but eventually the club leaders agreed that I would set up and direct 880 versions of two games a week. Alternative directors were (rarely) Michael Leighton and Tom Rand.



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- b. I found that directing online games was boring because I just sat there and looked at a computer for a couple of hours.
- c. So, I decided to play in the games while I was directing. This was a mistake for several reasons. In particular, it was hard to focus on both playing and directing simultaneously. More important: it was impossible not to see some complete deals - often before I played a hand. This occurred most often when there were director calls. But, initially, when the computer running the game was sitting next to the one where I was playing bridge, I found myself glancing at it occasionally.

To minimize these problems, I started closing the computer screen but I still had to look when there were director calls. And eventually I just started leaving the screen open.

- d. I tried my best not to take advantage of the unauthorized information I obtained. On some hands, for example, I consciously bid what I thought the field would bid. But the statistics provided to me (EDGAR report) make it clear that I was using my position to gain a competitive edge.
- e. I did not, on purpose, set out to cheat. I just am not that competitive, and our local games are penny-ante. But the statistics are damning. So, I was stunned to see those numbers and am embarrassed and ashamed. It is only now, looking back, that I can see how my bidding and card play were undoubtedly influenced.
- f. As part of the investigative report, there is a summary of 28 boards that, according to the author of the report, show evidence of cheating. I have gone through those hands carefully and find that the vast majority do not, imo, support an accusation of cheating. Most are just good bridge and perhaps, lucky decisions. But there are a few that I just cannot explain. They look suspicious and I cannot remember them well enough to explain what I did, and for two I cannot imagine what a reasonable explanation would be. They strongly support the notion that I was using unauthorized information. My colleagues and fellow directors, Rand and Leighton, as well as my partner Kasper, also reviewed the hands and agree with my conclusions.
- g. The level of bridge play in our local clubs is very poor. I have played against, and sometimes as partner with, all the club members many times over several decades. I know how they play and I know their "tells." Given a two-way finesse, I bet I (and Tom and Mike) get it right 90% of the time. I bet I find the queen of trumps most of the time too. They always cover an honor with an honor even if they should not. They hop up with an ace when they should not and hesitate when being finessed. (Except for one person who always hesitates when NOT being finessed.) And when they open 35 in first seat quickly, I know they should have opened 15. So, when playing in our local games, I expect to do much better than when playing in a different venue. I think this, in part, explains the EDGAR statistics.
- h. But even with the above said (bullet g), the charges against me are valid. The record is clear that I took advantage of my position as director. I do not know how often it happened, but it happened multiple times and it is inexcusable.



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DISCIPLINE IMPOSED:

	Discipline	Start Date	End Date	Comments
x	Suspension, 18 months	7/15/2024	1/14/2026	
x	Probation, 2 years	1/15/2026	1/14/2028	
x	Extended prohibition against directing any ACBL-sanctioned game in the year following the end of the Probationary period.	1/15/2028	1/14/2029	
x	Member Not in Good Standing	7/15/2024	1/14/2028	
x	Forfeiture of Masterpoints	10%		

/s/ *Larry Sealy*, Appeals and Charges Committee, Chair

Dated: September 3, 2024