

**Changes to the Code of Disciplinary Regulations
Effective January 1, 2010**

APPENDIX B

ACBL DISCIPLINARY SANCTION GUIDELINES

The following range of discipline for conduct and ethics violations is provided as a guide to a disciplinary committee not a mandate. This is not intended to be an exhaustive list of all possible infractions but rather to set forth examples. **A committee may find that there has been a violation of the CDR for which there is no sanction guideline cited in this Appendix. In such cases,** the committee is free to impose on a guilty defendant whatever punishment it deems is appropriate from options described in ~~the~~ CDR **Section 4.**

However, a disciplinary committee, which imposes a sanction which is outside the range recommended by these guidelines, must explain why it chose the sanction imposed.

Part A of these guidelines is intended to apply to the typical case involving a single incident and a defendant who has no previous disciplinary record. If this is not the case, the committee must consider read Part B of these guidelines before deciding on an appropriate discipline.

Part A

<i>CONDUCT</i>	
OFFENSE	RECOMMENDED DISCIPLINE
C1 Poor personal hygiene or dress (CDR 3.7)	Reprimand <u>and or up to 30 days Probation</u>
C2 Rudeness in conversation, gesture, or general behavior (CDR 3.7)	Reprimand <u>and or up to 30 days Probation and or up to 30 days Suspension.</u>
C3 Publicly belittle partner or opponent on bid or play (CDR 3.7)	Reprimand <u>and or up to 30 days Probation and or up to 30 days Suspension.</u>
C4 Influence or attempt to influence an entrant to withdraw from an event to improve one's likelihood of winning more masterpoints CDR <u>3.7 and 3.12)</u>	Reprimand <u>and or up to 30 90 days Probation and or up to 90 days Suspension.</u>

C5	Intimidate or Harass <i>or intimidate</i> another player. Harass a tournament director or tournament official. (CDR <u>3.7</u> and <u>3.11</u>)	Reprimand and or up to 90 <u>120</u> days Probation and or up to 30 <u>90</u> days Suspension
C6	Intimidate or harass another player or ACBL official Harass or intimidate a tournament director, tournament official or an ACBL official. (CDR <u>3.7</u> and <u>3.11</u>)	90 <u>180</u> days Probation and or up to 390 <u>180</u> days Suspension
C7	Deliberately fail to follow instructions given by a tournament director or official, including leaving a session without permission of the tournament director or game director, <i>egregious slow play or noncompliance with conditions of contest.</i> . (CDR <u>3.1</u> , <u>3.2</u> and <u>3.7</u>)	90 days Probation and or up to 30 <u>90</u> days Suspension
C8	Fail to report <i>notify an appropriate official</i> in a timely manner <i>of</i> a score that one knows is incorrect <i>a known incorrect score</i> (CDR <u>3.2</u> and <u>3.7</u>)	90 <u>180</u> days Probation and or up to 30 <u>180</u> days Suspension
C9	Inappropriate comments (including but not limited to obscene comments) made publicly at an ACBL sanctioned event or activity. Publicly made obscene comments (CDR <u>3.7</u>)	Reprimand and or up to 120 days Probation <i>and or up to 90 days suspension.</i>
C10	Publicly accuse another player of unethical <i>bridge</i> behavior (CDR <u>3.4</u> and <u>3.7</u>)	90 <u>180</u> days Probation and or up to 180 days Suspension
C11	Threat of abusive or violent contact with another person (CDR <u>3.7</u>)	90 days <u>1 year</u> Probation and or up to 180 days Suspension
C12	Abusive or violent contact with another person (CDR <u>3.7</u>)	90 days <u>1 3 year</u> Probation and or up to 1 <u>2</u> year Suspension
C13	Knowingly submit false information or deliberately distort facts to an ACBL official or committee when E7 below does not apply. (CDR <u>3.13</u>)	90 days <u>1 year</u> Probation and or up to 1 year Suspension
C14	Failure of Complainant to appear at hearing without cause. (CDR <u>3.14</u>)	90 days Probation and or up to 3 <u>90</u> days Suspension
C15	Appeal a decision from a disciplinary body with no reasonable basis (CDR <u>3.15</u>)	Reprimand 90 days Probation to 90 days Suspension 1 year Probation and or up to 1 year Suspension
C16	Initiate disciplinary action against another player with no reasonable basis (CDR <u>3.15</u>)	30 days Suspension to 90 days Suspension 1 year Probation and or up to 1 year Suspension

C17	Initiate and maintain legal action against the ACBL, (including a District or Unit) or an ACBL official or employee acting in his or her official capacity , without first exhausting administrative remedies (CDR 3.10)	1 year Suspension <u>up to indefinite suspension pending reimbursement to ACBL of costs to ACBL to defend if the suit was unsuccessful.</u>
C18	Misappropriate ACBL, Unit or District Funds Non-payment of sums owed ACBL, a unit or a district. (CDR 3.9)	Indefinite Suspension pending return of funds <u>The body imposing the indefinite suspension will determine when, after return of the funds, the indefinite suspension will be lifted.</u>
C19	Misappropriate ACBL, Unit or District Funds (CDR 3.18)	Indefinite suspension up to <u>expulsion. The body imposing an indefinite suspension will determine when, after return of the funds, the indefinite suspension will be lifted.</u>

<i>ETHICS</i>		
OFFENSE	RECOMMENDED DISCIPLINE	
E1	Deliberately ask for or give information about a board in play after both parties <u>have</u> played it (CDR 3.2 and 3.7)	Reprimand <u>and or up to 60 days Probation.</u>
E2	Deliberately ask for or Give information about a board in play <u>to a player who has not yet played the board. prior to one or both parties playing the board</u> (CDR 3.2 and 3.7)	30 days Suspension to 1 year Suspension * /
Comment E2: <i>Because asking is covered by E11 below, change wording.</i>		
E3	Unsportsmanlike, and frivolous <u>or frequent</u> psyching (CDR 3.2 and 3.7)	Reprimand <u>60 days Probation and or up to 30 days Suspension</u>
E4	Play a convention, system, or treatment knowing it is illegal; Purposefully fail to disclose partnership agreements with intent to deceive. (CDR 3.2 and 3.7)	Reprimand <u>to 3-90 days probation and or up to 60 days Suspension *</u>

E5	<u>Purposefully fail to disclose partnership agreements with intent to deceive. (CDR 3.2 and 3.7)</u>	<u>1 year Probation and or up to 1 year Suspension. *</u>
E6	Bid or play with the specific intent to achieve a poor result on that hand (CDR 3.2 and 3.7)	90 days Probation to 90 days Suspension *
E7	Intentionally: a. change a score, b. <u>submit a false result of a hand, round or match,</u> c. <u>change or submit</u> any information that could result in awarding incorrect masterpoints <u>or</u> d. <u>enter an event for which you are not eligible.</u> (CDR 3.1, 3.7 and CDR 3.13)	180 days <u>1 to 3 year</u> Probation and or up to 1 <u>2</u> years Suspension *
E8	Accidentally gain access to information and then act on it (CDR 3.1, 3.2 and 3.7)	90 days <u>1 year</u> Probation and or up to 180 days Suspension *
E9	Hesitate with an intent to deceive; use intonations and mannerisms that may deceive opponents or help partner (CDR 3.1, 3.2 and 3.7)	1 year Probation and or up to 180 days <u>1 year</u> Suspension *
E10	Deliberately try to see from where an opponent plays his cards (CDR 3.1, 3.2 and 3.7)	90 days Probation and or up to 90 days Suspension *
E11	Actively and deliberately try to see an opponent's cards (CDR 3.1, 3.2 and 3.7)	90 days <u>1 year</u> Probation and or up to 1 year Suspension *
E12	Actively seek advance information about a board in play (CDR 3.1, 3.2 and 3.7)	2-year Suspension to Expulsion * /
E13	Prearrange a deal or part thereof including one card (CDR 3.1, 3.2 and 3.7)	2-year Suspension to Expulsion * /
E14	Intentionally gain access to hand records for an event prior to the event and enter and play in the event and or give the hand records or copies to another person prior to that person entering and playing in the event. (CDR 3.1, 3.2 and 3.7)	2-year Suspension to Expulsion *
E15	Prearranged partnership collusion by means of signaling to exchange information (CDR 3.1, 3.2 and 3.7)	Expulsion *
E16	<u>Playing in or being present in the playing area of an ACBL sanctioned event while serving a term of suspension. (CDR 3.2 and 3.5)</u>	<u>Extension of/ the suspension to twice the original term to Expulsion.</u> * /
E17	<u>Knowingly partnering or playing on a team with a person who is presently serving a suspension from ACBL or who is presently expelled from ACBL. (CDR 3.2, 3.7 and 3.19)</u>	<u>1 year Probation and or up to 1 year Suspension</u>

E18 <u><i>Cheating and similar ethical violations not specifically cited by other sections of this Appendix. (CDR 3.20)</i></u>	<u><i>90 days Suspension up to Expulsion. */</i></u>
E19 <u>Attempt to influence a decision of a disciplinary body outside of the hearing process(es). CDR 3.21</u>	Reprimand and or up to 2 years Probation and or up to 180 days Suspension.
E20 <u>Discussion of the content of the hearing, other than the committee decision, outside the hearing room by a disciplinary body member with any party (whether a party to the hearing or not). CDR 3.22</u>	Reprimand and or up to 2 years Probation and or up to 180 days Suspension.

* If a committee imposes a suspension, then it should also disqualify the pair or team from the event. This will mean the pair or team will lose its place in the event, any masterpoints earned in the event and any other benefits it may have earned from playing in the event. Should this disqualification take place after the correction period for the event has expired, other pairs and teams do not move up - the place formerly held by the disqualified contestant (pair or team) remains vacant.

If a committee imposes a suspension it is encouraged to also impose an appropriate term of probation following the term of suspension.

Part B

There are three major reasons why the suggested guidelines in Part A might not be appropriate. First, the single violation might be either so slight or severe as to make the suggested sanction inappropriate. Second, the defendant might be convicted for several violations (such as a pattern of behavior). Third, the defendant might have a previous record.

1. When the defendant's single violation is either extremely slight or severe, the committee should apply its sound, unemotional judgment. For example, either the experience or mental intentions of the defendant might be a consideration. Please explain on the Hearing Report Form why the violation was considered atypical.
2. **When the recommended sanction guidelines would not have the usual impact upon a guilty defendant, a committee may tailor the length of the discipline in order that the discipline have the desired impact.**

3. When the defendant is convicted of several violations, such as a pattern of behavior, the committee should impose a sanction as if each violation was a separate offense. The Committee should note the separate violations and/or explain the pattern.
4. When the defendant has a prior record, the ~~nature of~~ sanction imposed for the previous offense is not particularly important. The number of prior convictions is important. The reason is that the defendant was already sanctioned for the specific prior violation(s). The committee should pay close attention to how the prior conviction(s) reflects on the defendant's ability to behave according to ACBL standards and explain on the Hearing Report Form the reasons for its decision relative to the offense or offenses for which the committee has to consider another sanction.

Examples:

1. A person convicted of accidentally gaining access to information and acting on it has one conviction for bad hygiene for which he or she receive 30 days probation. Here the committee would probably disregard the prior conviction in making a decision to issue a sanction.
2. A person convicted of accidentally gaining access to information and acting on it has received 30 days probation for bad hygiene, 30 days probation for rude behavior, and 30 days suspension for a threat of violent behavior. In this case, the record indicates that this person has a history of violating ACBL regulations and the committee should increase the discipline above the maximum for the offense for which the player was convicted.

3.20 Cheating and similar ethical violation

3.21 Attempt to influence a decision of a disciplinary body outside of the hearing process(es).

3.22 Discussion of the content of the hearing, other than the committee decision, outside the hearing room by a disciplinary body member with any party (whether a party to the hearing or not).

7.7.2 Be represented at the hearing by another person who shall not be an attorney or a member of the ACBL Board of Directors. The person charged may be represented by an attorney outside the hearing room.

Appendix A

III C

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3. Once the committee has made a decision which has been communicated to the parties and other notifications have been distributed, the committee members may relate the findings and discipline imposed. A committee member may not discuss the committee's deliberations. See CDR 3.22.

Discussion:

The changes in Appendix B, Sanction Guidelines, are many. In the introduction the changes were to clarify the fact that these are suggested guidelines and that there may not be a specific guideline for an offense.

In the body the changes made were to make suggested sanctions more consistent and place the guideline in the proper section.

There was change in Part B (2) that permits the committee to adjust the length of a sanction dependent upon special circumstances. Also there was clarification in B (3).

3.20 was added to make it clear that cheating (even if not specifically covered by other grounds for discipline) is a ground for discipline.

3.21, 3.22 and the change in Appendix A are there to make certain that disciplinary committee members are aware that permissible discussion of a case outside the hearing room is extremely limited and a violation subjects that committee member to discipline.

7.7.2 is an omission of a previous motion that required this change.