



Protest nr: 02

Class	Optimist
Protestor	Technical Committee
Protestee	USA-23793 - Wylder Smith, USA-17255 - Harrison Szot, USA-22448 - Travis Greenberg
Witnesses	Measurer, Sigrid Beckman, Ale Williman
Type	protest
Incident	<p>I walked down the back of the hotel and I saw the USA Coach working on an inverted Optimist. I asked the Coach what he was doing as the boat was wet, and he denied sanding or polishing the boat when I asked. I went to the Boat Park with Ale Williman to look at the other USA boats and there were only 9 boats in the Boat Park. We returned to the back of hotel area and we noticed a tub of polish beside the boat. The boat was still there but the Coach was gone. We called Sigrid Beckmann and looked in the window of the shed and saw 2 USA Optimists inverted inside and a strong smell of polish. The coach returned; we got access to the shed; and noticed a residue on the top of the boats that transferred to my hand and a residue on the ground directly below. At no time did the Coach request permission to remove boats from the boat park or repair, sand or polish any part of the boat since all USA Optimists have completed measurement.</p>
Date/Time of hearing	17 Apr 2023 at 17:00
Location	
Procedural matters:	
Facts found:	<p>All boats of team USA had gone through event measurement by 5pm on 15th April. In the afternoon of 16th April, the three protested boats were removed from the boat park by the sailors and their coach and carried to the area around their equipment shed. Two of the boats were placed inside the shed and the third one was left outside.</p> <p>While the boats were at this location, the coach proceeded to remove the centreboard rubber stoppers in order to replace them with new ones. No permission had been requested from the Technical Committee to carry out this replacement of equipment or for removing the boats from the boat park.</p> <p>At 6pm on 16th April, the chair of the Technical Committee inspected the</p>



three boats at their location inside or next to the shed. She found a bin containing polish and a wet piece of cloth with traces of the substance. A residue of the polish transferred from the bottom surface of the three hulls onto her hand.

<b>Conclusion:</b>	<p>The boats were removed from the boat park without permission of the Technical Committee, infringing NOR 9.12.</p> <p>The substitution of the centreboard rubber stoppers was carried out without permission from the Technical Committee, infringing NOR 9.3.</p> <p>The bottom surface of the hulls was cleaned using a substance other than water, infringing NOR 9.12 and SI 5.4. The boats certainly obtained a competitive advantage through this breach.</p>
<b>Rules applicables:</b>	NOR 9.3, NOR 9.12, SI 5.4
<b>Jury Decision:</b>	Using the World Sailing Discretionary Penalty Guide, a penalty of DSQ was decided for the most serious breach which was that of SI 5.4 and the second sentence of NOR 9.12. The penalty is applied to Race 1.
<b>Date of decision:</b>	17 Apr 2023 at 18:30
<b>Jury members:</b>	Luis Ormachea, Flavio Naveira, Francisco Jauregui, Jorge Barreda, Gonzalo Risco, Guillermo Cappelletti

**Signature:**