

# DECISION

Protest by TC

Request No.: 07

Event: 2022 Chicago to Mackinac Race Number: na  
Hearing Schedule: 2022-07-25 16:00

## PARTIES AND WITNESSES

Request No.: 07: Technical Committee

J120 - Trophy - 5455 - FUNTECH - Charles Hess

## VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** Hail not required PIC told at the end of the post-race inspection

**Red Flag Displayed:** Not required

**Decision:** Request Valid

## PROCEDURAL MATTERS

### FACTS FOUND

At her post-race inspection, three of Funtech's crew did not have the required crotch strap attached to their inflatable PFDs per the CMSR.

One of the three crew showed the inspector a standard, inherently buoyant PFD.

The other two crew members showed the inspector inflatable PFDs, which per the CMSR required crotch and/or leg straps. The two crewmembers with inflatable lifejackets removed their personal crotch straps (each fashioned from a sail tie) prior to the race and testified that at no time during the race while wearing their PFDs was the crotch strap attached to their personal PFDs.

CMSR 5.18 does not specify that the straps must be as-supplied by the manufacturer or the type of webbing or cording used.

Funtech's PIC told the crew repeatedly, before and during the race, that crotch straps were required to be used while the crew was wearing their PFDs.

The knife in question during the post-race inspection, manufactured by Leatherman, was shown to be easily opened with one hand, in keeping with the CMSR requirements.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** CMSR 5.9, 5.18

Funtech did not break CMSR 5.9.

Two crewmembers' personal PFDs were not equipped with the required leg and/or crotch straps on their inflatable PFDs, breaking CMSR 5.18.

### DECISION

Date & Time: 2022-07-25 17:56 CDT

Using World Sailing's DP Guide, a starting penalty of 30% was decided for each infraction.

There were no circumstances to justify decreasing the penalty.

The penalty was increased because the breaches were deliberate as opposed to a misjudgment or carelessness.

The penalty applied is 35% of her section place per breach.

That same place penalty is also to be applied to her place in the division for each breach.

There were two breaches; therefore Funtech's penalty is 70% added to her place in her section.

That same place penalty is to be applied to her place in the division.

No other boat's scores change.

### PROTEST COMMITTEE

**Chaired By:** Patricia O'Donnell (USA)

**Committee Members:** Wendy Loat (CAN), K Hawkins (USA)

