

A HANDFUL OF SAND

Written by Charles Jay
Thursday, 13 February 2003 18:00

The 32nd Round

A few letters. A lot of criticism. A little "cease-and-desist" action. I guess that's what Teddy Atlas gets for straying from the script.

When Atlas was more or less taking his major ideas from Rounds 21 and 22 of "Operation Cleanup 2" - concerning appearances of conflict of interest between the Mandalay Bay Casino and the Nevada Commission - and conveying them to his ESPN2 audience a couple of Fridays ago, he sounded cogent, prepared, even sometimes professional.

But when left to his own devices on last week's program, when he was to come forward with "evidence" he had promised some unsuspecting reporters, he pretty much wound up with the same thing he might have found if there were a REAL tropical bay named Mandalay.

Which is to say, a handful of sand.

In an attempt, I suppose, to "nail" NSAC chairman Luther Mack, Atlas introduced a piece of evidence - a hotel bill from the Mandalay Bay, dated December 29, which demonstrated that Mack had received a "special rate" of \$115 at the hotel for a suite that, in the estimation of Teddy or one of his ESPN producers, would have gone for "about \$400".

Let me clarify a few things about this bill that Atlas DIDN'T tell you. One is that Mack actually ran up quite a substantial tab at the hotel. For example, \$93 in room service charges; \$65 in the Raffles Cafe, \$22 for in-room movies (perhaps some Vivid Video?), and the customary inflated rate on phone calls, ranging from a buck for a local call to \$39 for a 20-minute call to Los Angeles. At the end of his stay, which lasted only two days, the bill came to \$569 and change, which was charged to his Visa card.

Now, he might have had some comped meals, but I simply don't see very much room for it, judging from how many times meals were served and he was charged. And if he were gambling in the casino, I don't think he'd have received anything in the way of free drinks that wouldn't be offered to any other player at the table.

Let me relay something else to you - I'm not sure Mack got a much lower rate that anyone else could have gotten at that time, either. You must remember - Mack's stay lasted through December 27th and 28th, and the week between Christmas and New Year's is traditionally one of the slowest, if not THE slowest week of the year in Las Vegas. It follows that most hotel/casinos would be virtually giving away rooms in order to get people into the building. I know I am pelted with plenty of e-mails from Las Vegas establishments advertising ridiculously low rates during that period.

Right now, during what may be considered a somewhat slow time, I could walk into

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theMandalay Bay (wearing a disguise and using an assumed name, I suppose) and get a "Deluxe" room for \$99. Double that figure, then tell me how much more could a suite have been during the slowest week of the year, with the understanding that no one in their right mind would want to accept anything higher than a "special rate" if it were at all possible?

Given those facts, you'd have to wonder if (a) getting a discounted room, and not a "comp" at a hotel like this, would constitute a form of compensation as intended in the Professional Boxer Safety Act; or (b) if it indeed did, whether it could possibly be enough to make anyone on the state or national level do anything about it.

I don't want to make it sound as if I'm defending Luther Mack. Indeed, if there's some kind of evidence that comes to the surface proving he's dirty, so be it. And believe me, I understand the concept of technicalities. But let's put it this way - I wouldn't want to approach the U.S. Attorney in Las Vegas waving that piece of paper, in and of itself, demanding that he prosecute. It's simply not strong enough, and in fact may not amount to anything at all.

You don't want to swing and miss on something like this, because you're taken less seriously next time. And you run the risk of making your target start to look like a victim. That's exactly what's happening, judging from the reactions of some of the boxing people I've talked with. One of them, an attorney, even suggested Mack could sue ESPN and Atlas for defamation.

As we've seen, it's also the kind of thing that invites letters like the one ESPN got from the Mandalay Bay's attorneys, because it has them thinking, "Gee, if this is the best thing you can produce, what other agenda can you possibly have on your mind?" That's a legitimate question, under the circumstances.

Indeed, it leaves me wondering whether this was just a retaliatory move on the part of the network because, and only because, Mandalay Bay had revoked its hotel rooms and credentials away for the Mosley-Marquez fight.

Of course, the motivation of Atlas himself is anyone's guess. Certainly it's different than mine. I don't recall making specific allegations or strong insinuations as Atlas did. My arguments are more abstract; more academic in nature. But it seems that for Teddy, or whoever is behind him, to use this as a stepping stone to achieve a certain greater objective, he had to "get somebody". Well, that doesn't work if you're not any good at it, or if you have an unusual degree of vulnerability on your own part.

Hey - I love publicity as much as anyone, but I'm not going to ride someone else's back, or use their work, to get it.

After Atlas first went on the air to discuss the issue of the Alamos - back on January 31 - he immediately sprung into public relations mode, feeding people like Phil Mushnick of the New York Post and Larry Merchant of HBO with the "news" that he had "uncovered" these findings and conclusions, and that "hard evidence" could be expected on the February 7 telecast. Of course, they just went ahead and repeated what he said, which tells me a little something about the quality of journalism in this country.

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Look, the purpose of what I'm doing is to create discussion - to make people take a look at these issues, and take them further. And if ESPN came up with some additional, meaningful evidence that supplied a fresh angle, that certainly would be welcome. But I'm not in the business of providing a service by which people can appropriate material for purposes of enhancing their own image, whether that's for political purposes or not. And whatever thoughtless embellishments people want to inject are entirely their own responsibility.

Atlas told Mushnick, in a February 7 story, "I love boxing, it's how I make my living. That's why I can't just quietly watch it be corrupted, over and over."

He told Royce Feur of the Las Vegas Review-Journal two days ago, "I think anybody would see the obvious conflict. I have never accused them of any wrongdoing. All I have said is that the conflicts are obvious."

Fair enough - perhaps down the road we'll examine his standards in that regard.

Anyway, the aforementioned hotel bill constitutes the full extent of information Atlas has been able to find on his own, pursuant to this story, although I know he didn't exactly have to dig for it. Well, obviously I know what is on that bill, and it's not something I would have done very much with, except within the context I'm discussing it now.

Did Teddy even seriously examine this document when it was fed to him, or did he just go on the air "blind" with it? Is THIS what he is trying to build a reputation with? I hope not.

If I was out to "get someone", what I'd be trying to establish - not just about Mack specifically, but any member or employee of the commission - would be things like why, with all the hotel/casinos in Las Vegas, would a member of the commission choose to stay, at a discount rate, comp, or whatever, at an establishment that also held a promoter's license?

Or whether there were some actual comps for people on the commission, as opposed to discount rates that any number of people may have been able to take advantage of.

Or whether people associated with the commission were gambling on credit in a casino that held a license from the boxing commission, and if they were signing markers, whether those markers were being shoved in a drawer and forgotten about. If that happened, THAT would be news.

Or whether any commission members serve on the board of directors for any company that owns or controls a casino that has a promoter's license.

I mean, those kinds of things are CONCRETE - they're not just, well, sand.

And if you want to talk about Mack in particular, I'd be somewhat concerned with one statement he made which found its way onto last Friday's ESPN telecast:

"In all honesty, a lot of judges and referees get their rooms for free."

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If that's the case (and let's forget about casino discounts for a second); if Mack can betaken completely at his word, I'd want to know precisely what he was talking about. If I were part of the state attorney general's office or the U.S. Attorney's office, I'd be wanting to question him, if for no other reason than to determine what he would consider a reasonable standard in that area. I'd be questioning ring officials in the state of Nevada to ascertain whether there is any truth to Mack's statement. And if some finger-pointing starts to happen, I'd act accordingly.

This is all important because any irregularity might bring us into territory where the Professional Boxer Safety Act was being violated, making it a matter very much within the jurisdiction of the United States Attorney. That's federal, not state. That means the considerations of the governor, the senator(s), and the state attorney general don't necessarily have to mean anything, because they have no authority whatsoever over the U.S. Department of Justice.

Take a look again at the Professional Boxer Safety Act as it would theoretically apply to this:

"§ 6308. CONFLICTS OF INTEREST.

No member or employee of a boxing commission, no person who administers or enforces State boxing laws, and no member of the Association of Boxing Commissions may belong to, contract with, or receive any compensation from, any person who sanctions, arranges, or promotes professional boxing matches or who otherwise has a financial interest in a active boxer currently registered with a boxer registry. For purposes of this section, the term "compensation" does not include funds held in escrow for payment to another person in connection with a professional boxing match. The prohibition set forth in this section shall not apply to any contract entered into, or any reasonable compensation received, by a boxing commission to supervise a professional boxing match in another State as described in Section 6303 of title."

Well, DOES it apply?

From what you'd have us believe, YOU'RE the investigator, Teddy. So get to work.

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