



Gaming Commission

One Broadway Center, P.O. Box 7500, Schenectady, NY 12301-7500
www.gaming.ny.gov

March 11, 2019

Notice of Violation 19-Rivers-01 Sent Via Electronic Mail

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED],

The New York State Gaming Commission, Division of Gaming has investigated an incident that occurred February 5-6, 2019 at Rivers Casino and Resort (“Rivers”) during which an underage patron was allowed access to the back of house and the gaming floor. Commercial Gaming Inspectors [REDACTED] and [REDACTED] investigated this incident. A summary of the incident indicates the following:

Incident Summary		
<p>The Underage Patron (UAP) was identified as [REDACTED] Date of Birth [REDACTED]. UAP [REDACTED] was observed sitting down on a sofa located outside of the Elevator Entrance for approximately forty (40) minutes. UAP [REDACTED] was then observed approaching Security at the Elevator Entrance and requesting to enter the Gaming Floor to look for an associate. UAP [REDACTED] was denied access for being underage. Security at the Elevator Entrance advised Surveillance and Security at the Southwest Entrance of the denial. UAP [REDACTED] was observed accessing the Rivers Back of House (BOH) and then accessing the Gaming Floor. UAP [REDACTED] was observed sitting down at two (2) slot machines but is not observed to be gaming. UAP [REDACTED] was later discovered to be related to Rivers employee, Valet Attendant [REDACTED] [REDACTED]. UAP [REDACTED] was not observed consuming alcoholic beverages or gaming.</p>		
Incident Timeline		
Timeline	[REDACTED]	Narrative Description of Events
23:21:51-23:22:36	[REDACTED]	UAP [REDACTED] exits his car and heads to the 4th floor Parking Garage Elevator.
23:22:36-23:23:09	[REDACTED]	UAP [REDACTED] enters the 3rd elevator and stops on every floor on his way down to the Main Floor.
23:23:09-00:05:34	[REDACTED]	UAP [REDACTED] exits the elevator and sits on a sofa in the common area.



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00:05:34-00:06:13	█	UAP █ is observed approaching the Elevator Security Podium to gain access onto the Gaming Floor. UAP █ is observed being denied entry. Security Officer █ conducts a radio transmission on █ that he has a denial for an underage patron. Inspectors █ and █ both hear the call. Security Manager █ and Security Supervisor █ acknowledge the denial radio transmission.
00:06:13-00:07:01	█	UAP █ is observed walking towards Valet, he passes then heads towards the Event Center Restroom.
00:07:01-00:07:19	█	UAP █ is observed getting a drink of water from the fountain. UAP █ then proceeds into the Event Center Pre-Function Area.
00:07:20-00:07:30	█	UAP █ is observed walking through the Pre-Function Area and testing the doors therein to see if they are unlocked.
00:07:30-00:08:01	█	UAP █ is observed finding a set of doors in the Event Center Pre-Function Area to be jarred open/unlocked.
00:08:09-00:08:30	█	UAP █ is observed walking through the open/unlocked doors from the Event Center and gaining access to the BOH.
00:08:18-00:08:30	█	UAP █ is seen gaining access to the BOH area through the door marked "Team Members Only."
00:08:30-00:08:36	█	UAP █ has now gained access to the BOH and is observed near the kitchen area and heading left toward the Gaming Floor.
00:08:37-00:09:01	█	UAP █ is observed tugging on the Rush Rewards Double Doors that lead to the Gaming Floor. These doors are observed being locked.
00:09:02-00:09:25	█	UAP █ is observed walking throughout the BOH and then into the Service Elevator.
00:09:25-00:09:45	█	UAP █ is in the Service Elevator heading to the Second Floor.
00:09:45-00:09:50	█	UAP █ exits the Service Elevator and walks by a cook who is waiting for the Service Elevator. UAP █ walks towards the Surveillance and Beverage Manager Offices.
00:09:51-00:10:20	█	UAP █ is observed walking towards the Surveillance Room and the BOH staircase.
00:10:20-00:10:46	█	UAP █ can be seen coming down the hallway and passing by the Surveillance and Beverage Manager Offices on his way to the BOH staircase.
00:10:46-00:10:51	█	UAP █ walks completely down the hallway with a Food and Beverage team member walking behind him, and he enters the staircase.
00:10:51-00:11:02	█	█



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00:11:02-00:11:10	■	UAP ■ is observed walking by the Security Control desk.
00:11:10-00:11:15	■	UAP ■ takes a left down the BOH Hallway.
00:11:15-00:11:22	■	UAP ■ gains access to the Gaming Floor in the ■ Slot Section.
00:11:24-00:11:28	■	UAP ■ is observed walking on the Gaming Floor.
00:11:28-00:11:35	■	UAP ■ is observed taking a right towards Mian and then a left into the ■ Slot Section.
00:11:35-00:11:40	■	UAP ■ is observed walking by slot bank ■.
00:11:38-00:11:50	■	UAP ■ is observed walking between slot section ■ and ■ passing by slot banks ■, ■, ■, ■.
00:11:51-00:12:05	■	UAP ■ is observed next to Pit ■ (■) and taking a right toward the Marketplace.
00:12:01-00:12:05	■	UAP ■ is observed sitting down at machine ■.
00:12:05-00:12:19	■	UAP ■ is observed seated at slot machine ■ on his phone. No gaming is observed. UAP ■ is observed leaving heading back toward slot section Bravo.
00:12:20-00:16:58	■	UAP ■ is observed seated at slot machine ■ No gaming is observed. Security Officer ■ is observed locating UAP ■ at this location.
00:17:03-00:17:13	■	Surveillance is observed tracking UAP ■ and Security Officer ■ Officer ■ and Security Manager ■ to the BOH.
00:17:13-00:17:35	■	UAP ■ is observed being escorted to the Security Office by Manager ■ and Officers ■ and ■.
00:17:35-00:20:07	■	UAP ■ is observed in the Security Office with Manager ■ Supervisor ■ Officers ■ and ■ Manager ■ turns the audio on and photo copies UAP ■ Identification. Manager ■ returns the ID and verbally issues a lifetime ban to UAP ■ UAP ■ acknowledges the ban and is observed being escorted out the BOH.



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After a review of the facts and circumstances as described above, evidence shows an underage patron to be on the gaming floor for approximately 48 minutes. As such, Rivers Casino and Resort is in violation of 9 NYCRR § 5313.2(d)(3). Paragraph (3) states that a gaming facility licensee shall not allow or permit any person who is under 21 years of age to be present on the gaming floor without the escort of a licensed gaming facility employee and for longer than necessary to reach a destination that is not on the gaming floor.

A violation of paragraph (3) carries a fine of \$10,000 for a third occurrence within one year of a violation and such further action as the Commission may deem appropriate, which may include, without limitation, the suspension or revocation of the occupational license of any key employee found to be responsible for the violation. As a reminder, the most recent occurrences were set forth in previous letters dated July 31, 2018 and October 30, 2018.

Please remit the amount of this fine (\$10,000) to the New York State Gaming Commission within 30 days of this letter. [REDACTED]

[REDACTED] Payments not timely made will be subject to interest and collection fees pursuant to State Finance Law section 18. This violation has been assigned 19-Rivers-01.

If you wish to contest the violation contained in this letter, you may request a hearing pursuant to Article 3 of the State Administrative Procedure Act and Article 13 of the Racing, Pari-Mutuel Wagering and Breeding Law. Please submit a request for a hearing to Kristen Buckley, Acting Secretary to the Commission, New York State Gaming Commission, P.O. Box 7500, Schenectady, New York 12301 within 30 days of receipt of this letter.

Sincerely,

Thomas A. Anapolis
Director, Division of Gaming