



Gaming Commission

One Broadway Center
P.O. Box 7500
Schenectady, New York 12301-7500

www.gaming.ny.gov

John A. Crotty, Commissioner
Peter J. Moschetti, Jr., Commissioner
John J. Poklemba, Commissioner
Barry Sample, Commissioner
Todd R. Snyder, Commissioner

March 6, 2017

[REDACTED]

Dear [REDACTED]:

The Division of Gaming at the New York State Gaming Commission has investigated an incident at Rivers Casino & Resort in Schenectady during which an underage person was allowed access to the gaming floor.

The underage person, [REDACTED], was permitted to access the gaming floor at 10:32 p.m. during the evening of February 14, 2017. [REDACTED] subsequently played slot machines for approximately one hour and 45 minutes. At 12:30 a.m., [REDACTED] hit a jackpot for \$1,326. When [REDACTED] was asked to produce identification to claim his winnings, it was discovered that he was underage. At that time [REDACTED] was removed from the gaming floor and Commission inspectors on-site were notified.

A subsequent investigation of this incident has been conducted by Gaming Division Deputy Director [REDACTED] and Manager of Commercial Gaming [REDACTED] and [REDACTED]

[REDACTED] The investigation confirmed the following:

1. The Security Officer at the entrance where the underage individual gained access to the gaming floor did not act in accordance with established procedures. The [REDACTED] [REDACTED] Scanner in use at the point of entry was functioning properly, alerted the Officer that the individual seeking entry was underage, but the alert was disregarded.
2. The underage individual accessed the gaming floor from shortly after the time he gained entry until the time the jackpot was hit, totaling nearly 1 hour and 45 minutes.
3. In this instance Rivers Casino & Resort management was, by their own admission deficient in hiring and scheduling an appropriately qualified individual and/or providing sufficient training to Security Officers tasked with preventing underage individuals from entering the Casino Gaming Floor.

4. Upon obtaining information an underage person had hit a jackpot Rivers Casino personnel acted appropriately by notifying Security and the Commission promptly.

Commission staff has determined that the facts and circumstances illustrate violations of two regulations. First, 9 NYCRR 5313.2 (d)(3) was violated. That provision 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 this provision carries a fine of \$1,000 for a first occurrence. Second, 9 NYCRR 5313.2 (d)(4) was violated. That provision states that a gaming facility licensee shall not allow or permit any person who is under 21 years of age to make any wager at any such gaming facility. A violation of this provision carries a fine of \$5,000 for a first occurrence.

Accordingly, the Division of Gaming hereby levies a cumulative fine of \$6,000, \$1,000 for first violation of 9 NYCRR 5313.2 (d)(3) and \$5,000 for a first violation of 9 NYCRR 5313.2 (d)(4).

If you wish to contest the violations 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, One Broadway Center, Schenectady, New York 12305 within thirty days of receipt of this letter.

Sincerely,

Thomas A. Anapolis
Director, Division of Gaming