



Gaming Commission

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

April 17, 2019

Notice of Violation 19-Rivers-02 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 March 23-24, 2019 at Rivers Casino and Resort (“Rivers”) during which an underage patron was allowed access to the gaming floor, participated in gaming activity and consumed alcohol. Supervising Gaming Operations Inspector [REDACTED], Senior Gaming Operations Inspector [REDACTED], and Commercial Gaming Inspectors [REDACTED] and [REDACTED] investigated this incident. A summary of the incident indicates the following:

Incident Summary		
<p>On 3/24/2019, Surveillance advised that a suspected underage female gained access to the gaming floor. It was later discovered that on 3/23/2019 at 1428 hrs., [REDACTED] (DOB-[REDACTED]) and her boyfriend [REDACTED] were escorted on to the gaming floor by Executive Host [REDACTED]. On 3/24/2019 at 1215 hrs., [REDACTED] attempted to gain access to the gaming floor after being questioned about her identification by Security Officer [REDACTED]. Security Supervisor [REDACTED] reviewed [REDACTED] identification and granted [REDACTED] access to the gaming floor.</p> <p>Surveillance’s and NYSGC’s review showed [REDACTED] was on the gaming floor 8 hours and 37 minutes. [REDACTED] was observed gaming five (5) times. Surveillance provided point of sale receipts that confirmed three (3) beverages out of 5 were alcoholic beverages.</p>		
Incident Timeline		
Timeline	[REDACTED]	Narrative Description of Events
<u>3/23/2019</u>	[REDACTED]	<u>The Following Events occur on 3/23/2019</u>
14:28:13	[REDACTED]	On 3/23/2019, Host [REDACTED] meets [REDACTED] [REDACTED] and an unknown male at the Elevator Entrance.
14:28:21	[REDACTED]	Host [REDACTED] escorts [REDACTED] and her two companions onto the gaming floor.



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14:42:53	█	█ is observed gaming at █ for one spin by pressing the “play button.”
15:22:30	█	█ is observed gaming at █ for one spin by pressing the “play button.”
15:35:26	█	█ is observed gaming at █ for one spin by pressing the “play button.”
16:34:55	█	While at █, █ is observed placing wagers off of █ bank roll into spot █’s designated betting zone.
16:36:20	█	While at █, █ is observed placing wagers off of █ bank roll into spot █’s designated betting zone.
18:31:07	█	█ is served an alcoholic beverage from Beverage Server █.
19:11:20	█	█ gains access to the gaming floor after presenting a wristband and ID at the Elevator Entrance.
20:40:33	█	█ gains access to the gaming floor without presenting any ID.
20:58:58	█	█ receives an alcoholic beverage at █ from Beverage Server █.
22:12:46	█	An Unknown Food Runner is seen bringing two unknown beverages to █ and █ hotel room.
<u>3/24/2019</u>	█	<u>The Following Events take place on 3/24/2019</u>
12:10:00	█	On 3/24/2019, █ provides ID to Security Officer █ at the Elevator Entrance. █ ID was observed having multiple errors when scanned and is then scanned at the other podium. Again, █ ID showed different errors. Security Supervisor █ is then called to the Elevator Entrance.
12:11:48	█	Supervisor █ arrives at the right Elevator Podium.
12:14:56	█	Supervisor █ places a wristband on █ right wrist.
12:15:00	█	█ is granted access to the gaming floor.
13:58:29	█	█ receives an alcoholic beverage at █ from Beverage Server █.
14:49:12	█	Supervisor █ approaches █ at █ and ask for her ID. He then walks away with █ ID.
14:55:47	█	Supervisor █ approaches █ again and escorts her to the Security Office.
16:30:00	█	█ is escorted by Security and SPD to the Security Office from the Hotel Lobby.
16:32:00	█	█ admits to being on the gaming floor on 3/23/2019.
16:44:45	█	█ admits to consuming alcohol while on the gaming floor but denies gaming.



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16:47:00	█	█ is issued a Lifetime Ban from Rivers and placed under arrest by SPD.
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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 a total of approximately 8 hours and 30 minutes. As such, Rivers is in violation of 9 NYCRR §§ 5313.2(d)(3) and (4). Paragraph (d)(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. Paragraph (d)(4) provides 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 paragraph (d)(3) carries a fine of \$25,000 for a fourth 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 pursuant to § 5313.2(e). As a reminder, the most recent occurrences were set forth in my previous letter of March 11, 2019.

A violation of paragraph (d)(4) carries a mandatory fine of \$20,000 for a second violation within one year of a violation pursuant to § 5313.2(f). The violation of (d)(4) at issue in this letter is the second violation for Rivers within one year of a violation. As a reminder, the most recent violation related to gaming, was set forth in my letter of July 31, 2018.

Please remit the amount of this fine (\$45,000) to the New York State Gaming Commission within 30 days of this letter. █. 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-02.

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