



June 5, 2023

**Notice of Violation 23-RIV-01
Sent Via Electronic Mail**



Dear [REDACTED]:

The New York State Gaming Commission (NYSGC), Division of Gaming has reviewed an incident that occurred on April 19, 2023, at Rivers Casino & Resort (Rivers), during which Rivers employees assigned to the Electric City Poker Series failed to follow procedures as outlined in the Rivers Floor Plan Amendment 020-Electric City Poker Series submission on February 21, 2023 (FPA 020), as well as established NYSGC Rules and Regulations.

On April 19, 2023, at approximately 2:00 PM, the NYSGC observed Rivers Poker Room staff, specifically Poker Assistant Shift Manager [REDACTED] and Poker Host [REDACTED] improperly accepting and subsequently processing currency from patrons in the Event Center. Continued observation revealed tournament buy-ins (including rebuys) were conducted by Poker Room staff in the Event Center and were being transferred to the Poker cage, via a currency pouch for processing.

An independent review was conducted of surveillance of the tournament activity in the Event Center, which revealed the following:

Timeline	Narrative Description of Events
1:04:06 PM – 1:08:40 PM	Three unknown patrons produce currency to reenter the tournament. Poker Host [REDACTED] is observed accepting the currency and placing it into a currency pouch.
1:19:49 PM	An unknown patron produces currency to reenter the tournament. Manager [REDACTED] is observed accepting the currency and then hands it to Poker Host [REDACTED] who is observed placing it into a currency pouch.

Timeline	Narrative Description of Events
1:24:18 PM	An unknown patron produces currency to reenter the tournament. Poker Host [REDACTED] is observed accepting the currency and placing it into a currency pouch.
1:24:56 PM	Poker Host [REDACTED] exits the Event Center with the currency pouch containing the currency and proceeds to the Poker Cage. No Surveillance log of the movement and no Security escort took place.
1:28:24 PM – 1:32:34 PM	Two unknown patrons produce currency to reenter the tournament. Manager [REDACTED] is observed accepting the currency and holding onto the currency.
1:36:3 PM	Manager [REDACTED] passes currency off to Poker Host [REDACTED]
1:43:09 PM – 1:50:33 PM	Three unknown patrons produce currency to reenter the tournament. Poker Host [REDACTED] is observed accepting the currency and placing it into a currency pouch.
1:52:21 PM	Poker Host [REDACTED] exits the Event Center with the pouch containing the currency and proceeds to the Poker Cage. No Surveillance log of the movement and no Security escort took place.
2:01:25 PM	An unknown patron produces currency to reenter the tournament. Manager [REDACTED] is observed accepting the currency and holding onto the currency.
2:03 PM	Manager [REDACTED] passes currency off to Poker Host [REDACTED]
2:15 PM – 2:19:53 PM	Three unknown patrons produce currency to reenter the tournament. Poker Host [REDACTED] is observed accepting the currency and placing it into a currency pouch.
2:21 PM	Poker Host [REDACTED] exits the Event Center with the pouch containing the currency and proceeds to the Poker Cage. No Surveillance log of the movement and no Security escort took place.
2:55 PM	NYSGC personnel interviewed Poker Manager [REDACTED]. Manager [REDACTED] acknowledged that he authorized the rebuy process stated above.

Rivers Director of Compliance [REDACTED] submitted Floor Plan Amendment 020-Electric City Poker Series (“FPA 020”) on February 21, 2023, as required under NYSGC Rule 5323.17 (See 9 NYCRR § 5323.17) NYSGC Rule 5323.17(a)(2) requires specifically that “a detailed description of the type of gaming tournament to be offered” be included in the submission. The FPA 020 submission provided by Rivers specifically stated that “All buy-ins for the individual tournaments

will take place in the Poker Room at the Poker Cage". As evidenced by the information above, that procedure was not followed, as buy-ins for the tournament on April 19, 2023, took place outside of the Poker Cage, with direct money-handling performed by Rivers employees, Manager [REDACTED] and Poker Host [REDACTED]. Therefore, the NYSGC finds Rivers in violation of the following:

1. 9 NYCRR § 5314.3: Rivers transferred funds from one area of the casino to another, without notice to Surveillance that Rivers employees would be transferring buy-in funds for the tournament from the Event Center to the Poker Cage, resulting in Surveillance not observing the transfer, because Surveillance was not notified.
2. 9 NYCRR § 5323.17(a)(2) and the terms of FPA 020: Rivers (a) failed to follow the description and controls for its own tournament, as submitted to the NYSGC in its filed written notice, and therefore (b) offered a tournament for which a detailed description of the type of gaming tournament was not provided as required pursuant to 9 NYCRR § 5323.17(a)(2).
3. 9 NYCRR § 5323.17(a)(6) and the terms of FPA 020: the security and integrity of gaming operations were affected by Rivers failure to notify Surveillance that Rivers employees would be personally transferring buy-in funds for the tournament from the Event Center to the Poker Cage, so Surveillance did not observe this transfer of funds, contrary to any statement, description, and controls for its own tournament, as submitted by Rivers to the NYSGC.

Pursuant to Racing, Pari-Mutuel Wagering and Breeding Law (PML) §§ 104(9) and 1305(16) the NYSGC shall have all powers necessary or convenient to carry out and effectuate its purposes including, but not limited to, the power to: levy and collect assessments, fees, fines and interest and impose penalties and sanctions as authorized by law for a violation of PML, Article 13 of the PML, or any regulations promulgated by the NYSGC. As such, Rivers is fined \$1,000 for each instance of violation noted above with a patron, for a total fine amount of \$14,000.

Please remit the total amount of this fine (\$14,000) to the NYSGC within 30 days of the date of this letter. [REDACTED]

[REDACTED] Payments not timely made will be subject to interest and collection fees pursuant to State Finance Law Section 18. The violation has been assigned violation number "23-RIV-01".

If you wish to contest the violations set forth 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, NY 12305 within 30 days of receipt of this letter. Failure to request a hearing

within 30 days of the date of this Notice shall be considered a waiver of any available hearing, and any requests for a hearing received after the 30 days will be rejected as untimely.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Anapolis', with a stylized flourish at the end.

Thomas A. Anapolis
Director, Division of Gaming

Attachments (1)
Floor Plan Amendment 020 – Electric City Poker Series