



Gaming Commission

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

June 28, 2022

Notice of Violation 22-Rivers-01

Sent Via Electronic Mail ([REDACTED])

[REDACTED]

Dear [REDACTED]:

The New York State Gaming Commission, Division of Gaming (NYSGC) has reviewed an incident that occurred on May 15, 2022, at Rivers Casino and Resort, operated by Capital Region Gaming, LLC (Rivers), during which an underage person was allowed access to the casino gaming floor.

On 05/15/22, at approximately 1:00am, underage patron (UAP) [REDACTED] (date of birth [REDACTED]) approaches the southwest right security podium with a group of people. Patron [REDACTED] facilitated giving the IDs of all patrons in her group to the Rivers Security Officers at the podiums. Patron [REDACTED] hands two (2) vertical IDs to the Officers. UAP [REDACTED] ID is scanned by Security Officer [REDACTED]. UAP [REDACTED] is denied entry and exits with patron [REDACTED] through the Southwest Entrance. Upon leaving, UAP [REDACTED] receives her Under 21 ID from patron [REDACTED] UAP [REDACTED] and three (3) of her associates begin walking towards the Elevator Entrance. During the walk between Entrances, [REDACTED] appears to pass UAP [REDACTED] an ID. Patron [REDACTED] leaves the group and proceeds to the Southwest Entrance. Patron [REDACTED] gains access at Southwest Entrance using her ID. UAP [REDACTED] is interviewed at the Elevator Entrance by Security Officer [REDACTED], Security Manager [REDACTED], and Security Supervisor [REDACTED]. UAP [REDACTED] presents a borrowed ID from patron [REDACTED] [REDACTED] and then is allowed access to the gaming floor. UAP [REDACTED] walks the gaming floor with two (2) of her associates. UAP [REDACTED] meets with patron [REDACTED] and the remainder of her group at Flipt. The group receives a phone call and walks through the middle of the gaming floor and exits through the Elevator Entrance. UAP [REDACTED] was on the gaming floor for a total of thirteen (13) minutes and five (5) seconds.

A [REDACTED] review of the timeline represents the following:

Timeline	Narrative Description of Events
0100:36 hrs.	UAP [REDACTED] approaches the Southwest Entrance.

0102:33 hrs.	██████	UAP ██████ was denied at the Right Security Podium by Security Officer ██████ due to being underage and exits the Southwest Entrance.
0103:07	█████	UAP ██████ receives her Under 21 ID from patron ██████ who received it from Officer ██████
0105:11 hrs.	█████	UAP ██████ and her 3 associates all meet outside the Southwest Entrance.
0108:01 hrs.	█████	Patron ██████ removes what appears to be another ID from her wallet and hands it to UAP ██████
0109:24 hrs.	█████	UAP ██████ and her associates enter Rivers through the Valet Entrance and walk towards the Elevator Entrance. Security was notified by Surveillance at this time.
110:50 hrs.	██████	UAP ██████ was approached by Security Officer ██████
0111:28 hrs.	██████	UAP ██████ speaks with Security Manager ██████
0115:19 hrs.	██████	UAP ██████ speaks with both Security Manager ██████ and Security Supervisor ██████ who examine the ID (borrowed from ██████ ██████ presented by UAP ██████
0117:27 hrs.	█████	UAP ██████ hands the ID borrowed from ██████ ██████ to Security Officer ██████ at the Right Elevator Podium and UAP ██████ is ██████ access to the gaming floor.
0118:34 hrs.	█████	UAP ██████ sits at slot machine ██████ UAP ██████ is not observed gaming.
0120:16 hrs.	██████	UAP ██████ meets up with the remainder of the original large group and ██████ ██████ at Flipt.
0130:56 hrs.	██████	UAP ██████ and the group walk through the middle of the gaming floor and off the gaming floor through the Elevator Entrance.

After a review of the facts and circumstances as described above, evidence shows an underage individual accessed the Rivers gaming floor. As such, Rivers is in violation of 9 NYCRR § 5313.2(d)(3).

Section 5313.2(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. Pursuant to 9 NYCRR § 5313.2(e)(4), a violation of 9 NYCRR § 5313.2(d)(3) carries a mandatory fine of \$25,000 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 for a fourth violation or subsequent violation within one year of a violation. The current violation of 9 NYCRR § 5313.2(d)(3) at issue in this letter is Rivers's fifth violation of 9 NYCRR § 5313.2(d)(3) within a one-year period. Pursuant to 9 NYCRR § 5313.2(e)(4), Rivers is fined \$25,000 for this violation. The Commission has determined not to take any further action beyond the \$25,000 fine in response to this violation. Please note that the Commission may take further

action in addition to the mandatory fines in response to subsequent violations of 9 NYCRR § 5313.2(d)(3) within a one-year period.

Please remit the total amount of this fine (\$25,000) to the New York State Gaming Commission 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. This violation has been assigned 22-Rivers-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, New York 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,



Thomas Anapolis
Director, Division of Gaming