



# Gaming Commission

One Broadway Center, P.O. Box 7500, Schenectady, NY 12301-7500  
[www.gaming.ny.gov](http://www.gaming.ny.gov)

July 31, 2018

## Notice of Violation 18-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 on May 19, 2018 at Rivers Casino and Resort (“Rivers Casino”) during which an underage patron was allowed access to the gaming floor.

Commercial Gaming Inspector [REDACTED] responded to the security call of an underage patron accessing the gaming floor. An investigation of this incident was conducted by Commercial Gaming Senior Inspector [REDACTED] and Inspector [REDACTED] who verified the details of this incident. A summary of the incident indicates the following:

On May 18, 2018 at approximately 1350 hrs., Inspector [REDACTED] was informed by Security Director [REDACTED] that an underage patron was on the gaming floor. [REDACTED] DOB [REDACTED], entered the gaming floor through the South West entrance with her brother, [REDACTED]. [REDACTED] presented a Manufactured Identification (“Manufactured ID”), which was scanned at both podiums. The [REDACTED] system at each podium denied entry to [REDACTED] as indicated on the podiums’ monitors, seen on surveillance footage. Security Officers [REDACTED] and [REDACTED] are then observed allowing [REDACTED] to enter the gaming floor. [REDACTED] proceeded through the gaming floor to Pit [REDACTED]. [REDACTED] was observed gaming at Craps [REDACTED] while [REDACTED] watched. Near Pit [REDACTED] [REDACTED] is seen consuming an unknown female’s alcoholic beverage. Security Director [REDACTED] was alerted by Officer [REDACTED] that [REDACTED] may be underage. [REDACTED] was then approached by Security Officer [REDACTED] and Security Director [REDACTED].

[REDACTED] footage shows [REDACTED] in possession of an “UNDER 21” New York State ID. [REDACTED] and [REDACTED] were escorted to Security Control where [REDACTED] was discovered to be under 21. [REDACTED] was issued a 1-year ban from Rivers Casino and [REDACTED] was issued a ban from the Rivers Casino until she is 22 years of age. [REDACTED] and [REDACTED] along with their party, were then escorted off property.



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Senior Inspector [REDACTED] and Inspector [REDACTED] observed the following:		
<b>Incident Timeline</b>		
<b>Timeline</b>	<b>[REDACTED]</b>	<b>Narrative Description of Events</b>
1301:15	[REDACTED]	[REDACTED] enters the Southwest entrance and approaches the Security Podiums.
1301:31	[REDACTED]	[REDACTED] Manufactured ID was scanned at Security Officer [REDACTED] Podium. [REDACTED] Manufactured ID was rejected by the [REDACTED] system.
1302:26	[REDACTED]	[REDACTED] Manufactured ID was scanned at Security Officer [REDACTED] Podium. [REDACTED] Manufactured ID was rejected by the [REDACTED] system.
1302:45	[REDACTED]	[REDACTED] was granted access to the Gaming Floor.
1303:00	[REDACTED]	[REDACTED] is standing with a group near the [REDACTED] bank.
1303:38	[REDACTED]	[REDACTED] and her group stand in front of Villa Italia.
1304:00	[REDACTED]	[REDACTED] and her group made their way to the main cage via the outer edge of the gaming floor.
1305:44	[REDACTED]	[REDACTED] and her group stop at Duke's Bar. [REDACTED] is standing behind the other three individuals in her party. [REDACTED] is handed a water.
1308:20	[REDACTED]	All members in [REDACTED] group received alcoholic beverages, except [REDACTED].
1308:37	[REDACTED]	An unknown female joined [REDACTED] group. The group remains at Duke's until 1316:15.
1316:15	[REDACTED]	[REDACTED] and her group begin to move farther onto the gaming floor.
1316:51	[REDACTED]	[REDACTED] and her group stop between Pit [REDACTED] and Pit [REDACTED]. [REDACTED] and her group then make their way to Pit [REDACTED] and Pit [REDACTED].
1317:39	[REDACTED]	[REDACTED] and her group stop at Pit [REDACTED] where one of the unknown male members of the group buys in for an undisclosed amount. [REDACTED] stands behind her group until 1330:30.
1330:30	[REDACTED]	Unknown female in group purchases alcoholic beverage. [REDACTED] consumes the alcoholic beverage of said female. This unknown female has blonde hair and is wearing a gray sweatshirt. [REDACTED] then remained standing behind her group until 1343:57.



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1343:57	█	Security Director █ approaches █ █ and appears to ask for ID.
1344:30	█	█ █ shows Security Director █ an “UNDER 21” NYS ID.
1344:40	█	█ █ shows Security Director █ her Manufactured ID.
1345:06	█	█ █ and █ █ are escorted to the Back of House from Pit █ by Rivers Casino’s Security Director █ and Security Officer █
1346:22	█	█ █ and █ █ enter the Back of House.
1347:07	█	█ █ and █ █ enter the Security Office. During this time █ █ was issued a 1-year eviction, and █ █ was issued a ban until she turns 22 years old, by Rivers Casino.
1359:02	█	█ █ and █ █ are escorted out of the Back of House by Security Officer █
1400:00	█	█ █ and her group leave the gaming floor.
1405:23	█	█ █ left property with her group.

Attached are the scanned photos of Ms. █ Underage ID, her Manufactured ID, and the █ scan of the Manufactured ID being rejected.

The NYSGC finds Rivers Casino’s Security in Violation of 9 NYCRR § 5313.1 (a) (12): Consistent with Racing, Pari-Mutuel Wagering and Breeding Law section 1334, a gaming facility licensee shall submit to the commission a written description of its initial system of administrative and accounting procedures, including its internal control systems and audit protocols, at least 60 days prior to the projected date of issuance of an operation certificate unless otherwise approved in writing by the commission. A written system of internal controls shall include, without limitation:

- (12) procedures and controls for ensuring that all functions, duties and responsibilities are segregated and performed in accordance with sound financial practices by qualified personnel...

█  
█  
█  
█  
█



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In addition, after a review of the facts and circumstances as described above, evidence shows an underage patron, [REDACTED] [REDACTED] was on the gaming floor for 43 minutes. As such, Rivers Casino is in violation of 9 NYCRR § 5313.2(d)(3). 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.

A violation of paragraph (d)(3) carries a fine of \$25,000 for a fourth or subsequent violation 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. The violation at issue in this letter is the seventh violation for Rivers Casino within one year of a violation. As a reminder, the sixth violation was set forth in my letter of February 16, 2018.

Please remit the amount of this fine (\$25,000) 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 the identification code of "18-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. Failure to appeal within 30 days will be considered a waiver of any available appeal, and any requests to appeal received after the 30 days will be rejected as untimely.

Sincerely,

Thomas A. Anapolis  
Director, Division of Gaming