



Gaming Commission

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

July 13, 2021

Notice of Violation 21-Rivers-01 Sent Via Electronic Mail

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear Mr. Richards:

The New York State Gaming Commission, Division of Gaming (NYSGC) has reviewed an incident that occurred on June 12, 2021, 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 6/12/2021, at approximately 14:45, an underage patron (later identified as [REDACTED] date of birth [REDACTED]) gained access to the gaming floor via the elevator entrance. [REDACTED] was originally denied entry for not having identification (ID) at the elevator entrance by Rivers Security Officer [REDACTED]. Prior to gaining entry, Rivers Surveillance notified Security Officer [REDACTED] at the elevator entrance that [REDACTED] exited the elevators. Security Officer [REDACTED] copied the transmission. [REDACTED] displayed an image of an ID on her cell phone to Security Officer [REDACTED]. [REDACTED] had [REDACTED] write the information down on a piece of paper for COVID-19 tracking purposes and then permitted [REDACTED] to gain entry. [REDACTED] did not notify anyone that a person who was previously denied entry had returned with valid ID. Rivers Surveillance Shift Manager [REDACTED] contacted Rivers Security Assistant Shift Manager [REDACTED], informing [REDACTED] of the situation. [REDACTED] located [REDACTED] at [REDACTED] and escorted [REDACTED] back to the security office. [REDACTED] was ultimately charged with trespassing and arrested by the Schenectady Police Department (SPD). [REDACTED] was on the gaming floor for approximately twenty-one minutes and was not observed gaming or consuming alcohol.

A review of the timeline represents the following:

Incident Timeline		
Timeline	[REDACTED]	Narrative Description of Events



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14:22:55	█	█ is denied entry by Security Officer █ █ at the elevator entrance.
14:45:18	█	Security Officer █ permits █ to access the gaming floor.
14:45:46	█	█ walks between pits █ (█) and █ █
14:46:26	█	█ walks passed pits █ (█) and █ (█) in the direction of Marketplace.
14:47:18	█	█ turns right at Marketplace and proceeds toward the main cage.
14:47:58	█	█ walks passed the main cage cash center while talking on █ phone.
14:48:38	203	█ walks between pit █ █ and the entrance to High Limits.
14:48:52	459	█ turns right walking toward Pit █ (█)
14:49:21	459	█ stands near █ Bank.
14:50:48	459	█ sits at █ while talking on █ phone.
14:51:19	459	█ touches the screen but is never observed inserting currency into the machine.
14:51:27	█	█ is observed touching the IDeck but is never observed inserting currency money into the machine.
14:54:08	█	█ gets out of chair at █
14:54:28	█	█ leaves Section █ and begins walking toward Pit █ (█)
14:54:37	█	█ walks between Section █ and Pits █ (█) and █ (█)
14:54:59	█	█ turns right and walks between Pit █ (█) and Section █
14:55:45	█	█ enters Sportsbook walking towards Van Slyks.
14:56:00	█	█ sits down in Sportsbook.
14:57:02	█	█ gets out of chair and walks toward Section █
14:57:20	█	█ turns left and enters Section █ between █ and █ Bank.
14:57:35	█	█ exits Section █ and is waived on by a friend moving toward the Gaming Office Back of House (BOH) entrance.
14:57:56	█	█ stands near █ with two unknown males while one unknown male plays at █ █ does not touch the machine.
14:59:24	█	█ sits at █ while on █ phone.
15:01:18	█	█ is approached by Assistant Security Manager █
15:04:02	█	Assistant Security Manager █ begins to escort █ to the security office.



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15:05:45	■	■ enters BOH with Assistant Security Manager ■
15:06:11	■	■ enters the security office.
16:15:15	■	SPD enters the security office.
16:20:00	■	■ exits the security office with SPD.
16:20:58	■	■ exits BOH with security and SPD escort.
16:27:36	■	■ enters SPD car and is driven off property.

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)(1), a violation of 9 NYCRR § 5313.2 (d)(3) carries a mandatory fine of \$1,000 for a first violation. The current violation of 9 NYCRR § 5313.2(d)(3) at issue in this letter is the first Rivers has received within a one-year period.

Please remit the amount of this fine (\$1,000) to the New York State Gaming Commission within 30 days of the date 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 21-Rivers-01.

If you wish to contest the violation 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