



Gaming Commission

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

September 10, 2021

Notice of Violation 21-Rivers-02

Sent Via Electronic Mail [REDACTED]

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

Dear [REDACTED]:

The New York State Gaming Commission, Division of Gaming (NYSGC) has reviewed an incident that occurred on August 11, 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, and permitted to make wagers at the gaming facility.

On August 11th, 2021 at approximately 14:00, Rivers Security informed the NYSGC that an underage individual (later identified as [REDACTED] date of birth [REDACTED]) gained access to the gaming floor. A copy of the identification (ID) presented by [REDACTED] to Rivers Security Officer [REDACTED] is attached. At the time the NYSGC was notified, [REDACTED] was in the Security Office with Rivers Security Supervisor [REDACTED], Rivers Security Manager [REDACTED], and Rivers Security Director [REDACTED].

NYSGC Inspector [REDACTED] and Supervisor [REDACTED] conducted a Surveillance review and determined that [REDACTED] was on the gaming floor for approximately one hour and two minutes. [REDACTED] made several wagers while at the facility. The NYSGC advised Rivers Security Director [REDACTED] to confiscate any gaming cheques, vouchers, or sportsbook wagers that were in [REDACTED] possession. Security Supervisor [REDACTED] met with [REDACTED] friend, [REDACTED] and confiscated from [REDACTED] the sportsbook wagers (attached) that [REDACTED] placed and subsequently gave to [REDACTED]. [REDACTED] was escorted out of the Back of House where [REDACTED] and [REDACTED] left the property together.

A review of the timeline represents the following:

Incident Timeline		
Timeline	[REDACTED]	Narrative Description of Events
12:52:40	[REDACTED]	[REDACTED] and [REDACTED] enter the Casino through the Southwest Entrance. Rivers Security Officer [REDACTED] takes [REDACTED] ID and scans it in the Rivers Podium Software. Although [REDACTED] ID shows that [REDACTED] is under



Gaming Commission

One Broadway Center, P.O. Box 7500, Schenectady, NY 12301-7500

www.gaming.ny.gov

		21 years of age until 06/06/2022, Security Officer [REDACTED] allows [REDACTED] onto the gaming floor.
12:55:31	[REDACTED]	[REDACTED] places a \$150 sportsbook wager at Kiosk 2.
12:57:54	[REDACTED]	[REDACTED] places a second sportsbook wager for \$100 at Kiosk 2.
12:59:48	[REDACTED]	[REDACTED] places cash into [REDACTED] wagers 16 times (one bonus spin enabled) and walks away at 13:03:03.
13:03:05	[REDACTED]	[REDACTED] buys in at [REDACTED] for \$50.
13:03:45	[REDACTED]	[REDACTED] makes four wagers for \$20 total and loses all four.
13:04:25	[REDACTED]	[REDACTED] makes four wagers for \$20 total and loses all four.
13:05:01	[REDACTED]	[REDACTED] makes one wager for \$10 and loses.
13:06:01	[REDACTED]	[REDACTED] sits down at [REDACTED] and inserts cash totaling \$40. [REDACTED] wagers 11 times.
13:07:00	[REDACTED]	Graber is playing at [REDACTED] and goes into a bonus round. [REDACTED] selects the 4 bonus emblems on Graber's screen resulting in a \$238.83 win.
13:08:41	[REDACTED]	[REDACTED] inserts more cash at [REDACTED] totaling \$50. [REDACTED] wagers 73 times and leaves at 13:23:24.
13:27:20	[REDACTED]	[REDACTED] and [REDACTED] sit in the Sportsbook Lounge and view an event on a television above the Van Slyck's Bar.
13:40:33	[REDACTED]	[REDACTED] attempts to get a Rush Rewards Card. Rush Rewards denies the card request. [REDACTED] then leaves Rush Rewards. Rush Rewards Team Members notify Rivers Security of an underage patron.
13:44:05	[REDACTED]	[REDACTED] and [REDACTED] sit in the Sportsbook Lounge.
13:45:09	[REDACTED]	[REDACTED] hands [REDACTED] approximately \$20.
13:45:50	[REDACTED]	[REDACTED] places a wager at the OTB kiosk within the casino.
13:46:56	[REDACTED]	[REDACTED] returns to the Sportsbook Lounge and hands the OTB ticket to [REDACTED]
13:49:55	[REDACTED]	Rivers Security Supervisor [REDACTED] approaches [REDACTED] and [REDACTED] in the Sportsbook Lounge. Supervisor [REDACTED] escorts [REDACTED] to the Back of House.
14:14:37	[REDACTED]	Security Supervisor [REDACTED] escorts [REDACTED] out of the Back of House.
14:20:56	[REDACTED]	[REDACTED] and [REDACTED] leave the property in the same vehicle.



Gaming Commission

One Broadway Center, P.O. Box 7500, Schenectady, NY 12301-7500

www.gaming.ny.gov

After a review of the facts and circumstances as described above, evidence shows an underage individual accessed the Rivers gaming floor and made one or more wagers. As such, Rivers is in violation of 9 NYCRR §§ 5313.2(d)(3) and (4).

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)(2), a violation of 9 NYCRR § 5313.2(d)(3) carries a mandatory fine of \$5,000 for a second violation within one year of a violation. The current violation of 9 NYCRR § 5313.2(d)(3) at issue in this letter is the second Rivers has received within a one-year period.

Section 5313.2(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. Pursuant to 9 NYCRR § 5313.2(f)(1), a violation of 9 NYCRR § 5313.2(d)(4) carries a mandatory fine of \$5,000 for a first violation. The current violation of 9 NYCRR § 5313.2(d)(4) is the first Rivers has received within a one-year period.

Please remit the total amount of these fines (\$10,000) 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 New York State's State Finance Law Section 18. This violation has been assigned 21-Rivers-02.

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