



Gaming Commission

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

September 18, 2017

Notice of Violation Sent
Via Electronic Mail

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

Dear [REDACTED]:

The N.Y.S. Gaming Commission Division of Gaming has reviewed an incident that occurred on August 27, 2017 at Tioga Downs Casino during which an underage person was allowed access to the gaming floor.

Specifically, on August 27, 2017 an unidentified underage male, approximately 8 years old, gained access to the Tioga Downs Casino gaming floor. The underage child was accompanied by his father later identified as [REDACTED]

Senior Gaming Operations Inspector [REDACTED] reviewed [REDACTED] the incident. Senior Gaming Inspector [REDACTED] also interviewed Security Supervisor [REDACTED]. The following information was obtained:

Time	
16:14	Camera [REDACTED] Two adult males and the child are standing in front of the security podium and one of the adult males turns and walks on to the gaming floor. The other adult male and the child walk toward the players club
16:15	Camera [REDACTED] An adult male later identified as [REDACTED] and the child can be seen again walking from the direction of the player's club toward the gaming entrance. Mr. [REDACTED] and the child enter the gaming floor.
16:15	Camera [REDACTED] Mr. [REDACTED] and his underage son traverse sections of the gaming floor.
16:16	Camera [REDACTED] Video shows Mr. [REDACTED] sitting down at slot bank [REDACTED] and the child sitting down at the machine next to him. During this time at least two unidentified Tioga Downs employees walk right past Mr. [REDACTED] and his son and do not stop and or report the incident. Mr. [REDACTED] plays the machine until he is stopped by Security Supervisor [REDACTED] at [REDACTED]



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16:18	Camera [REDACTED] Supervisor [REDACTED] is seen exiting the gaming floor with the child.
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The facts and circumstances illustrate clearly a violation of 9 NYCRR § 5313.2(d)(3). That provision 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 this provision carries a fine of \$10,000 for a third occurrence. As a reminder, the second occurrence, related to the stroller incident, was set forth in my letter of August 10, 2017.

Accordingly, the Division of Gaming hereby levies a fine of \$10,000 for the third violation of 9 NYCRR § 5313.2(d)(3). [REDACTED]

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.

Sincerely,

Thomas A. Anapolis
Director, Division of Gaming