



NEW YORK STATE GAMING COMMISSION VIOLATION NOTIFICATION

A. Facility/Vendor:
Vernon Downs Casino and Hotel

Date of Notification: 12-7-2018

Date of Violation: 11-30-2018

Case Number: Gaming 18-020

B. Facility/Employee Cited:

<u>Name</u>	<u>License #</u>	<u>Address</u>
Vernon Downs Casino and Hotel [REDACTED]	[REDACTED]	4229 Stuhlman Rd, Vernon, NY 13476 [REDACTED]

C. Statute, Regulation or Internal Control Violated:

New York State Gaming Commission Rules and Regulations

§ 5117.1. Underage gaming violations.

(a) No video lottery gaming agent, representative, licensed employee or contractor thereof, shall allow, permit or suffer any person under the age of 18 years (underage person) to:

(3) be present on the gaming floor without the escort of a licensed video lottery facility employee and for longer than necessary to reach a destination that is not on the gaming floor.

(c) Each violation of any of the provisions of subdivision (a) of this section as to a single underage person shall be considered a separate and distinct violation.

(2) The commission shall penalize a licensee found to have violated paragraph (3) of subdivision (a) of this section as follows:

(iii) for a third violation within one year of a violation, a fine of \$10,000;

D. Summary of Violations:

On November 30, 2018 at approximately 8:23 PM, a 15-year-old girl with her mother walked onto the gaming floor after leaving the food venue area. They walked past [REDACTED] where Security Officer [REDACTED] saw them but failed to stop or verify the minor’s age as he was conversing with another staff. Security Officer [REDACTED] who was assigned to [REDACTED] nearby, also did not stop them. Surveillance video showed they walked to and briefly stood on the Player’s Club line before the mother decided to use the ATM by the Player’s Club desk. Security Manager [REDACTED] noticed them by the ATM at 8:25 PM, verified the minor’s age after the mother disclosed it, and escorted them off the property at around 8:28 PM. The girl and her mother did not touch any games.

The facility should have prevented the underage patron from entering the gaming floor, or provided escort to prevent underage loitering or gaming. Security Officer [REDACTED] was distracted and was not paying enough attention. Security Officer [REDACTED] could have also prevented the violation even if it wasn’t his primary post. This is the third violation following notice #18-019 within a year where a minor gained access to the gaming floor unchallenged. It is recommended for the facility to ensure that all staff understands their duties and always remain vigilant.

Accordingly, the Division of Gaming hereby levies a fine of \$10,000 to Vernon Downs Casino and Hotel. Please remit the fine to the New York State Gaming Commission on or before 1/6/2019. [REDACTED]

[REDACTED] If you wish to contest the violation set forth in this notice, you may request an administrative review by the New York State Gaming Commission including a hearing pursuant to Racing, Pari-Mutuel Wagering and Breeding Law 104(6). Please submit a request for any such administrative review 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 notice.

Facility Explanation of Violation (use additional sheets if required)*:

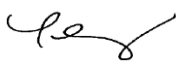


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E. Action Taken by Facility:

F. Name of Individual Completing this Form:

Printed: Thomas A Anapolis

Signature: 

Title: Director, Division of Gaming

Date: 12/7/2018

***To avoid further action pursuant to Video Gaming Regulation §5113.1, please provide sufficient explanation and action taken by facility within 30 days of the date of this notification. Please submit this completed form to:**

**New York State Gaming Commission
Video Gaming Unit
One Broadway Center
Schenectady, NY 12301**

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For New York State Gaming Commission Use Only:

**cc: Edmund Burns, General Counsel
Chris Palmer, Deputy Director, Gaming Division
Licensing**