



# Gaming Commission

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

January 12, 2018

## Via Electronic Mail

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

Re: **Notice of Violation**

Dear [REDACTED],

The New York State Gaming Commission, Division of Gaming has investigated an incident that occurred on December 24, 2017 at Rivers Casino and Resort during which an underage patron was allowed access to the gaming floor and was allowed to wager at slot machine devices as well as on table games.

This incident was reported to Commission Commercial Gaming Manager [REDACTED] by Gaming Operations Inspector [REDACTED]. An investigation of this incident was conducted by [REDACTED] who verified the details of this incident.

The review [REDACTED] showed the following:

[REDACTED]

Time	
2145:55	[REDACTED] A white Lexus SUV [REDACTED] arrives from the traffic circle entrance.
2148:42	[REDACTED] Underage 1, UFP1 and UMP1 exit vehicle and walk to SW entrance.
2149:03	[REDACTED] All walk into SW entrance.
2149:17	[REDACTED]
2149:25	[REDACTED] The three walk to SW entrance where their IDs are checked by security staff. All three present foreign passports with red covers. UFP1 and UMP1 are checked by the left security guard. S/O [REDACTED] is on the right podium and checks Underage 1's passport. [REDACTED] examines Underage 1 and the passport. Underage 1 appears to be holding each cheek with the respective hand with her palms upward and her fingers extended and joined, framing her face. [REDACTED] mimics her pose which appears to make Underage 1 laugh.
2149:45	[REDACTED] Enters walkway near poker room.
2149:50	[REDACTED] Continues on path toward Van Slycks.
2150:07	[REDACTED] Group turns toward pit [REDACTED]
2150:28	[REDACTED] Group ambles around the Casino.
2151:00	[REDACTED] Group pauses near [REDACTED]
2151:55	[REDACTED] Group walks toward pit [REDACTED] and exchange pleasantries with UMP2 and UMP3.
2152:20	[REDACTED] Group walks toward Villa.

2152:36	Group walks toward Villa.
2152:51	Group stops at Slot Block
2152:57	Underage 1 appears to examine Underage 1 does push buttons on
2153:20	UFP1 begins game play on Underage 1 observes game play.
2153:57	Underage 1 sits at in order to observe
2154:57	Underage 1 inserts a bill into
2155:14	Underage 1 hits button for first spin.
2155:54	Slot Attendant interacts with the group.
2218:49	Underage 1 gets up from with a voucher in hand.
2218:50	Underage 1 observed walking toward pit
2219:26	Underage 1 walks around pit to meet UMP2.
2220:50	Walking toward pit
2221:00	Walking toward pit
2221:30	Arrive at Cage.
2221:44	UMP2 changes red and green cheques for \$550 in cash. Underage 1 attempts to hand off her voucher to UMP2 in order to cash out for her. UMP2 rebuffs her.
2222:42	Walk away from Cage toward pit
2222:50	Walks to pit
2223:21	Arrives at pit and the group loiter near where UFP1 is playing. UMP1 is present and he allows Underage 1 and UMP2 to examine an unknown object in his hands. They all observe play on
2229:00	Group walks around pit then towards pit
2229:28	Group loiters near
2232:07	UMP1 and UFP1 begin game play on Underage 1 observe game play but does not sit.
2240:30	Underage 1 sits at UMP1 gives Underage 1 cheques.
2240:52	Dealer prompts Underage 1 and she places cheques in the betting circle of spot #3.
2240:55	Hand 1: \$15 bet. Underage 1 hits up to 20. Dealer shows 18. Underage 1 is paid \$15.
2241:53	Hand 2: \$15 bet. Underage 1 hits and busts. Dealer sweeps bet.
2242:28	Hand 3: \$15 bet. Underage 1 hits up to 17. Dealer hits up to 21. Dealer sweeps bet.
2243:12	Hand 4: \$15 bet. Underage 1 shows 20. Dealer shows 20. Push.
2244:09	Hand 5: \$15 bet. Underage 1 hits up to 21. Dealer busts. Underage 1 is paid \$15.
2244:54	Hand 6: \$15 bet. Dealer Blackjack. Sweeps bet.
2245:19	Hand 7: \$15 bet. Underage 1 shows 19. Dealer shows 20. Dealer sweeps bet.
2247:43	Underage 1 gets up from
2247:55	Underage 1 walks toward
2248:19	Underage 1 walks to Cage window 3 with UMP1.
2248:19	UMP1 hands four green \$25 cheques to the cashier which is changed for a \$100 bill. Underage 1 takes the \$100 bill.
2249:08	Underage 1 and UMP1 walk to
2250:12	UFP1 hands a bill to Underage 1.
2250:36	Underage 1 hands a \$1 bill and a voucher. pays out a \$20, two quarters and a nickel.
2251:30	Underage 1 observes game play on
2251:55	Underage 1 sits at spot #3.
2251:55	Underage 1 sits at spot #3.

2252:09	Underage 1 shows bills on
2252:18	Underage 1 UMP2 appears to wave Underage 1 off as to not enter the game mid hand.
2252:55	Underage 1 produces 5 \$20 bills and TG Dealer begins procedure to change it to red \$5 cheques.
2253:10	observes Underage 1 and asks to see ID.
2253:33	and observe passport.
2254:47	Underage 1 gets up and approaches velvet rope. gives Underage 1 back her passport. gives back cash.
2255:00	Underage 1 begins to leave toward the cage with
2255:07	Underage 1 and walk past the cage.
2255:19	Underage 1 and walk to the SW entrance. UFP1 joins Underage 1.
2256:09	Underage 1 and UFP1 exit the SW entrance.
2256:09	Underage 1 and UFP1 loiter outside SW entrance off camera.
2311	the group exits and gets in the and drive off property.

As part of Inspectors investigation he obtained a note from Gaming Commission Senior Inspector , which stated: "On December 24, 2017 at approximately 2310 hours, Senior Gaming Operations Inspector was notified of a possible under age patron on the gaming floor. Security personnel were unable to verify the patron as being under age; however, conducted an interview with Table Games Pit Manager at approximately 2330 hours in Pit stated confidently that the birth date on the passport he examined was ."

Inspector also interviewed Table Games Supervisor in regard to the incident. During the interview stated, according to Inspector that "when she checked Underage 1's passport she observed that the DOB read ."

After a review of the facts and circumstances as outlined above, evidence shows an unidentified underage patron to be on the Gaming Floor for one hour and 22 minutes. As such, Rivers Casino and Resort is in violation of 9 NYCRR § 5313.2(d)(3). Paragraph (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 (3) carries a fine of \$25,000 for a fifth occurrence 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. As a reminder, the fourth occurrence was set forth in my letter of September 21, 2017.

The evidence shows further that an unidentified underage patron placed wagers at Rivers Casino and Resort. As such, rivers is in violation of 9 NYCRR § 5313.2(d)(4). Accordingly, the Division of Gaming hereby levies a fine of \$25,000 for a third violation

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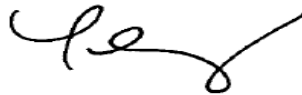
of 9 NYCRR § 5313.2(d)(4). As a reminder, the second occurrence was set forth in my letter of September 18, 2017.

Please remit the amount of these cumulative fines (\$50,000) 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.

If you wish to contest either of the violations 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. To do so, 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