

September 17, 2024

**Notice of Violation 24-RCR-05**

**Sent Via Electronic Mail** [REDACTED]

Andrew Behrens  
 Director of Compliance  
 Rivers Casino & Resort  
 1 Rush Street  
 Schenectady, NY 12305

Dear Andrew Behrens:

The New York State Gaming Commission (NYSGC), Division of Gaming, has reviewed two incidents that occurred on August 6, 2024, and August 7, 2024, at Rivers Casino & Resort (RCR). During this review, NYSGC Inspectors attended the Card and Dice Pickup with RCR Table Games Pit Manager [REDACTED] and RCR Security Officer [REDACTED]. It was determined that on both days there was an incident where one (1) Card and Dice bag retrieved from Pit Two failed to record the Opening Dealer signatures, Supervisor signatures, and “time in” section on the respective labels.

A review determined that on August 6, 2024, at approximately 10:10 a.m., while opening Blackjack (BJ) table 205, the Table Games personnel failed to properly generate a Card and Dice bag. On August 7, 2024, at approximately 2:30 a.m., the RCR Table Games Department discovered the Card and Dice bag irregularity for BJ 205.

A CCTV review showed the following:

Table Game	Timeline	Narrative Description of Events
<b>BJ 205</b>	<b>8/6/2024</b>	
	10:09:35 a.m.	RCR Table Games Assistant Shift Manager [REDACTED] retrieved two boxes of cards from the Pit Two Podium, brought them to BJ 205, and unlocked the float.
	10:13:11 a.m.	RCR Table Games Supervisor [REDACTED] removed the seal from the Blue box, signed the playing card receipt, and placed the Blue cards onto the table layout.
	10:13:25 a.m.	RCR Table Games Dealer [REDACTED] removed the seal from the Red box. Table Games Supervisor [REDACTED] then removed the playing card receipt and placed the Red cards onto the table layout.
	10:15:01 a.m.	Table Games Supervisor Catucci and Table Games Dealer [REDACTED] counted down the float contents of BJ 205. Table Games Dealer [REDACTED] then dropped the Table Inventory Slip into the drop box.

	10:17:25 a.m.	Table Games Dealer ██████ placed the empty Blue and Red boxes, along with the float lid, beneath BJ 205. However, no Card and Dice bag was observed being generated. Table Games Supervisor ██████ was observed standing at the Pit 2 Podium conversing with Table Games Assistant Shift Manager ██████
	10:17:36 a.m.	Table Games Dealer ██████ inspected the backs of the Blue playing cards and placed them into the shuffler.
	10:21:28 a.m.	Table Games Dealer ██████ then inspected the backs of the Red playing cards and placed them into the discard rack.
	<b>8/7/2024</b>	
	2:34:06 a.m.	RCR Table Games Dealer ██████ began closing BJ 205, retrieving the float lid along with the Blue and Red boxes.
	2:35:27 a.m.	RCR Table Games Supervisor ██████ attended BJ 205 to assist in closing the table.
	2:36:54 a.m.	Table Games Dealer ██████ inspected beneath BJ 205 for the Card and Dice bag and discovered that no Card and Dice bag had been generated.
	2:59:45 a.m.	RCR Table Games Pit Manager ██████ attended BJ 205 along with Table Games Dealer ██████ to generate a Card and Dice bag.

A review of the second incident determined that on August 7, 2024, while opening BJ table 205, Table Games personnel failed to generate a Card and Dice bag as required. The RCR Table Games Department identified this Card and Dice bag irregularity for BJ 205 on August 8, 2024, at approximately 2:30 a.m.

A CCTV review showed the following:

<b>Table Game</b>	<b>Timeline</b>	<b>Narrative Description of Events</b>
<b>BJ 205</b>	<b>8/7/2024</b>	
	12:56:40 p.m.	RCR Table Games Supervisor ██████ arrived at BJ 205 to initiate the opening procedures with RCR Table Games Dealer ██████. Table Games Supervisor ██████ brought both Red and Blue playing cards to the Table and began by removing the seal from the Blue box.
	12:57:50 p.m.	During the opening procedures, RCR Table Games Supervisor ██████ replaced Table Games Supervisor ██████ and proceeded to place the Blue cards into the dealing shoe.
	12:58:45 p.m.	RCR Table Games Dealer ██████ took over from Table Games Dealer ██████ and continued with the opening procedures at BJ 205.
	1:03:56 p.m.	Table Games Dealer ██████ placed the float lid and the Blue box beneath BJ 205.
	1:06:48 p.m.	Table Games Dealer ██████ inspected the backs of the Blue playing cards, and then placed the Blue cards into the discard rack and then the shuffler.
	1:06:58 p.m.	Table Games Dealer ██████ retrieved the Blue box for Table Games Supervisor ██████ while RCR Table Games Pit Manager ██████ inspected the seal and playing card receipt for the Blue box alongside Table Games Supervisor ██████

	1:06:59 p.m.	Table Games Supervisor [REDACTED] removed the seal from the Red box and signed the playing card receipt.
	1:09:24 p.m.	Table Games Dealer [REDACTED] then placed the Blue and Red boxes beneath BJ 205, though no Card and Dice bag was observed being generated.
	1:09:34 p.m.	Table Games Dealer [REDACTED] inspected the backs of the Red playing cards and placed them into the discard rack.
	<b>8/8/2024</b>	
	2:38:22 a.m.	RCR Table Games Dealer [REDACTED] retrieved the float lid along with the Red and Blue boxes. Table Games Dealer [REDACTED] alerted RCR Table Games Supervisor [REDACTED] that no Card and Dice bag was found under the table for BJ 205.
	2:50:38 a.m.	Table Games Pit Manager [REDACTED] then attended BJ 205 and, with the assistance of Table Games Dealer [REDACTED] generated a Card and Dice bag.

After reviewing the facts and circumstances as described above, the NYSGC finds RCR Table Games Department in violation of 9 NYCRR § 5322.15 (d) and (g).

Section 5322.15 (d) states that all envelopes, bags and containers used to hold or transport cards collected shall be transparent. The envelopes, bags or containers and the method used to seal them shall be designed and constructed so that any tampering shall be evident. The envelopes, bags or containers and seals shall be approved in writing by the NYSGC.

Section 5322.15 (g) states in pertinent part that at the end of each gaming day or, in the alternative, at least once each gaming day at the same time each day, as designated by the gaming facility and approved in writing by the NYSGC, and at such other times as may be necessary or if so directed by the on-site NYSGC staff, a supervisor shall collect all used decks. Such decks shall be placed in a clear sealed envelope, bag or container and a label shall be attached to each envelope, bag or container that shall identify the table number, date and time and shall be signed by the dealer and supervisor assigned to the table. The supervisor shall maintain the envelopes, bags or containers in a locked compartment within the pit stand until collection by security.

It should be noted that RCR was recently fined (Ref #24-RCR-04) for a similar violation of 9 NYCRR § 5322.15 (d) and (g).

Pursuant to Racing, Pari-Mutuel Wagering and Breeding Law (“PML”) §§ 104(9) and 1305(16) the Commission shall have all powers necessary or convenient to carry out and effectuate its purposes including, but not limited to, the power to: levy and collect assessments, fees, fines and interest and impose penalties and sanctions as authorized by law for a violation of the PML or of any regulations promulgated by the Commission.

As such, the Commission hereby issues a fine to RCR in the amount of \$1,000 for this failure to adhere to the requirements of 9 NYCRR § 5322.15 (d) and (g). Please note that the NYSGC may take further action in addition to fines in response to subsequent violations of 5322.15 (d) and/or (g) within a one-year period.

Please remit the total fine amount of \$1,000 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 State Finance Law Section 18. This violation has been assigned reference number 24-RCR-05.

If you wish to contest 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. Please submit a request for a hearing to Kristen Buckley, Acting Secretary to the Commission, New York State Gaming Commission, 354 Broadway, Schenectady, NY 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,



Scott McLearn  
Deputy Director of Gaming

SM/jb: 24-RCR-05