

IN THE MISSOURI GAMING COMMISSION

In Re:)
) DC-24-030
Century Casino Caruthersville)

PRELIMINARY ORDER FOR DISCIPLINARY ACTION

Comes now the Missouri Gaming Commission acting in its official capacity pursuant to 11 CSR 45-13.050, and states as follows:

1. The Missouri Gaming Commission (the “Commission” or “MGC”) is a State commission created under Chapter 313, RSMo, with jurisdiction over gaming activities, including riverboat gambling activities, in the state of Missouri.
2. The Commission issued a Class A gaming license to Century Casinos, Inc., to develop and operate Class B gaming licensees in the State of Missouri.
3. Century Casinos, Inc., is the parent organization or controlling entity of Century Casino Caruthersville.
4. The Commission issued a Class B riverboat gambling license to Century Casino Caruthersville to conduct games on and operate the excursion gambling boat known as Century Casino Caruthersville (the “Casino”).
5. As the holder of a Class B license, Century Casino Caruthersville is subject to the provisions of Sections 313.800 to 313.850, RSMo, and the regulations promulgated thereunder by the Commission.

STATEMENT OF FACTS¹

6. On August 13, 2023, Trooper McCormick (“Tpr. McCormick”) of the Missouri State Highway Patrol Gaming Division was contacted by Century Casino Cage Shift Manager Melinda Gammons about a possible Disassociated Person (DAP) at the cashier’s cage. Gammons advised that the patron was attempting to get a replacement player’s card, and when the patron’s date of birth was checked through the MGC DAP site, it matched with a DAP.
7. When Tpr. McCormick arrived at the cashier’s cage, he reviewed the identification card (ID) of the patron in question. The DAP file contained this patron’s correct first and middle name and the correct date of birth, but showed a different last name. When asked about the difference, the patron indicated she had gotten married.

¹ GR 20230815002

8. After confirming that the patron was the same individual listed on the DAP list, Tpr. McCormick issued her a citation for first degree trespass, pursuant to Missouri Revised Statutes section 313.813.
9. During the course of Tpr. McCormick's investigation of the DAP on the floor, he determined this DAP had been on the List since 2013, under her maiden name. The DAP changed her name in 2014 after getting married, but did not provide any name change information to MGC.
10. Tpr. McCormick's investigation further revealed that the DAP had a player's account in the Century Casino Customer Management Program (CMP) with her maiden name, that was flagged as a DAP account. The Casino Marketing Manager, Andrea Forsythe, explained that although this original account had been flagged indicating the DAP status, a second account was created using the DAP's married name, which allowed the DAP to have another active player's account in CMP.
11. This second account for the DAP, using her married name, was created on July 4, 2022, by Winner's Zone Lead Representative Natasha Becker at the Winner's Zone. Becker failed to conduct the required DAP check prior to creating the account. The DAP check would have identified the patron as a DAP.
12. The Casino's creation of the new account in the DAP's married name allowed her to participate in all activities at Century Casino. Between July 4, 2022, and July 29, 2023, the DAP's player account showed she was actively participating in casino activities. On at least seven separate dates, her player's account was used. That account showed the DAP was receiving Casino promotions and comps. It also showed she was earning points at the Casino for wagers made on table games and slots.
13. Tpr. McCormick's investigation further revealed that the DAP had been issued a replacement player's card at Century Casino on July 25, 2023. The DAP's replacement card was printed at the Winner's Zone, by Winner's Zone Supervisor Debra Gorman. Casino surveillance showed that the DAP approached casino employee Kimberly Boyle at the Winner's Zone to obtain a replacement card. Boyle was on the phone, so Gorman assisted the DAP. Boyle was already logged into the casino's computer system, and Gorman used Boyle's logged in credentials to create a replacement player's card. While using Boyle's credentials, Gorman had access to the Casino's CMP system and the MGC Web DAP List. Gorman did not follow the required DAP look-up procedures prior to issuing the DAP a replacement player's card. If a proper search of the MGC Web DAP List had been conducted, it would have allowed Gorman to identify the patron as a DAP.

LAW

14. Section 313.805, RSMo, states, in pertinent part, as follows:

The commission shall have full jurisdiction over and shall supervise all gambling operations governed by sections 313.800 to 313.850. The commission

shall have the following powers and shall promulgate rules and regulations to implement sections 313.800 to 313.850:

* * *

(5) To investigate alleged violations of sections 313.800 to 313.850 or the commission rules, orders, or final decisions;

(6) To assess any appropriate administrative penalty against a licensee, including, but not limited to, suspension, revocation, and penalties of an amount as determined by the commission up to three times the highest daily amount of gross receipts derived from wagering on the gambling games, whether unauthorized or authorized, conducted during the previous twelve months as well as confiscation and forfeiture of all gambling game equipment used in the conduct of unauthorized gambling games. Forfeitures pursuant to this section shall be enforced as provided in sections 513.600 to 513.645;

* * *

(19) To take any other action as may be reasonable or appropriate to enforce sections 313.800 to 313.850 and the commission rules.

15. Section 313.812, RSMo, states, in pertinent part, as follows:

14. A holder of any license shall be subject to imposition of penalties, suspension or revocation of such license, or if the person is an applicant for licensure, the denial of the application, for any act or failure to act by such person or such person's agents or employees, that is injurious to the public health, safety, morals, good order and general welfare of the people of the state of Missouri, or that would discredit or tend to discredit the Missouri gaming industry or the state of Missouri unless the licensee proves by clear and convincing evidence that it is not guilty of such action. The commission shall take appropriate action against any licensee who violates the law or the rules and regulations of the commission. Without limiting other provisions of this subsection, the following acts or omissions may be grounds for such discipline.

* * *

(2) Failing to comply with any rule, order or ruling of the commission or its agents pertaining to gaming[.]

16. 11 CSR 45-17.010 states, in pertinent part, as follows:

(1) There is hereby created a "List of Disassociated Persons" (List)

* * *

(3) A Class B licensee or its agent(s) or employee(s) may be disciplined by the commission if:

* * *

(B) The Class B licensee or its employee(s) or agent(s) failed to follow its procedures for complying with the provisions of 11 CSR 45-17 et seq. [DAP List requirements][.]

(4) All Class B licensees shall . . . [have] internal controls . . . which set forth the following:

(A)[P]lan for removing those persons on the [DAP] List from . . . marketing promotions . . .

(B) [P]lan for denying access by persons on the [DAP] List to-

* * *

2. Special programs such as slot and VIP cards;

* * *

4. Gaming privileges, tournaments, promotions, and payment of table winnings or prizes.

(5) After an individual's application for placement on the [DAP] List has been processed by the commission staff and the individual's name is added to the List, that individual shall remain on the List until such time as the requirements for removal from the List as described in 11 CSR 45-17.060 have been met.

17. 11 CSR 45-9.060 states, in pertinent part, as follows:

(2) Failure to comply with the provisions of this chapter is an unsuitable method of operation.

(3) Violations of the minimum internal control standards [("MICS")] by a Class A or Class B licensee or an agent or employee of a Class A or Class B licensee are deemed to be unsuitable conduct for which the Class A or Class B licensee and/or its agent or employee is subject to administrative penalty pursuant to section 313.805(6), RSMo and 11 CSR 45-1 et seq., as amended from time-to-time. Any agent or employee of a Class A or Class B licensee that is involved in a violation of the minimum internal control standards may be subject to fine, discipline, or license revocation.

18. The Commission's MICS, Chapter Q § 2.05 states, in pertinent part, as follows:

Prior to creating a player's card or printing/reprinting a player's card, the Class B licensee shall identify DAPs by examining the patron's government-issued photo identification and conducting a search of the individual's date of birth, including year of birth, listed on the identification to determine if the person is on the DAP List. If the search generates any names that have the same first or last name as recorded on the photo identification, the licensee shall research further to determine if the individual presenting the ID is a DAP.

- (A) The search shall be conducted using
 - (1) The MGC Web DAP List; or
 - (2) The downloaded DAP List in a spreadsheet format from the most recent download.

- 19. The Commission's MICS, Chapter Q §2.04 states, in pertinent part, as follows:

The Class B shall not enroll DAP's in any . . . types of promotions.

- 20. The Commission's MICS, Chapter S §5.01 states, in pertinent part, as follows:

Each user account shall be assigned to an individual and shall not be made available to or used by another individual. The individual assigned to the user account will be held responsible for all activities performed under that individual's user account.

- 21. The Casino's ICS, Chapter Q § 2.05 states, in pertinent part, as follows:

Prior to creating a player's card or printing/reprinting a player's card, Century Casino Caruthersville shall identify DAPs by examining the patron's government-issued photo identification and conducting a search of the individual's date of birth, including year of birth, listed on the identification to determine if the person is on the DAP List. If the search generates names that have the same first or last name as recorded on the photo identification, Century Casino Caruthersville shall research further to determine if the individual presenting the ID is a DAP.

- 22. The Casino's ICS, Chapter Q §2.04 states, in pertinent part, as follows:

Century Casino shall not enroll DAPS in any . . . types of promotions.

- 23. The Casino's ICS, Chapter S §5.01 states, in pertinent part, as follows:

Each user account shall be assigned to an individual and shall not be made available to or used by another individual. The individual assigned to the user account will be held responsible for all activities performed under that individual's user account.

VIOLATIONS

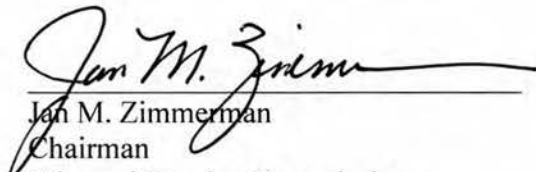
- 24. The acts or omissions of employees or agents of the Casino, as described above, involve a failure by the employees of the Casino to follow procedure and promptly identify a Disassociated Person (DAP). As a result, the DAP was able to create a player account and participate in Casino activities as well as obtain a new player card and a replacement card. In addition, one employee used another employee's account instead of her own to access a critical information technology system. These failures are injurious to the public health, safety, morals, good order and general welfare of the people of the state of

Missouri and discredits the Missouri gaming industry and the State of Missouri in that the Casino's actions violate 11 CSR 45-17.010(3)(B) and the Commission's MICS and Casino's ICS, Chapter Q, §§ 2.04 and 2.05.

25. Century Casino Caruthersville is therefore subject to discipline for such violations pursuant to Sections 313.805 and 313.812.14(2), RSMo, and 11 CSR 45-9.060(2) and (3).

PENALTY PROPOSED

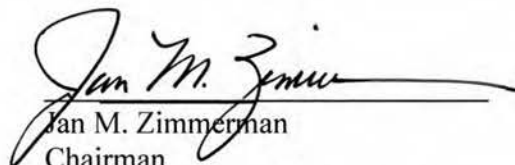
26. Under Section 313.805, RSMo, the Commission has the power to assess any appropriate administrative penalty against Century Casino Caruthersville as the holder of a Class B license.
27. THEREFORE, it is proposed that the Commission fine Century Casino Caruthersville the amount of five thousand dollars (\$5,000.00) for the violations set forth herein.


Jan M. Zimmerman
Chairman
Missouri Gaming Commission

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he caused a true and correct copy of the foregoing to be mailed, postage prepaid, this 28th day of March, 2024, to:

Denny Callen, GM
Century Casino Caruthersville
777 East 3rd Street
Caruthersville, MO 63830


Jan M. Zimmerman
Chairman
Missouri Gaming Commission