

MISSOURI GAMING COMMISSION  
COMMISSION RESOLUTION NO. 25-057b

JOSEPH MAHFOOD  
June 25, 2025

WHEREAS, Joseph Mahfood ("Mahfood"), requested a hearing to contest the Notice of Exclusion initiated against him on February 27, 2019, by the Commission's issuance of a Resolution Excluding him from Excursion Gambling Boats and Facilities in Missouri; and

WHEREAS, pursuant to 11 CSR 45-13.010, et. seq., an administrative hearing has been held on Mahfood's request and the Hearing Officer has submitted the proposed Findings of Fact, Conclusions of Law and Final Order attached hereto (collectively the "Final Order") for approval by the Commission; and

NOW, THEREFORE, BE IT RESOLVED, that the Commission has reviewed the Final Order and hereby rejects the attached Final Order in the matter of Hearing No. 19-046; and

BE IT FURTHER RESOLVED, that the Commission denies Mahfood's request for removal from the State's Involuntary Exclusion List; and

BE IT FURTHER RESOLVED, that Mahfood shall remain on the Involuntary Exclusion List and that such determination is the final decision of the Missouri Gaming Commission in this matter.

  
Jan Zimmerman  
Chairman  
Missouri Gaming Commission

**IN THE MISSOURI GAMING COMMISSION**

**In Re:**

**JOSEPH MAHFOOD**

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**DC 19-046**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDATION**

**FOR FINAL ORDER**

On March 18, 2025, a hearing was conducted on a petition filed by Joseph Mahfood seeking the removal of his name from the involuntary exclusion list ("Exclusion List"). Joseph Mahfood ("Mahfood") appeared in person and by counsel, Jonathan Andres. Deputy General Counsel, Thomas Venneman, appeared on behalf of the Executive Director of the Missouri Gaming Commission. Evidence was adduced and closed. After consideration of the testimony, exhibits and arguments, the undersigned Hearing Officer submits the following findings of fact, conclusions of law and recommendation for final order for consideration by the Missouri Gaming Commission.

**PROCEDURAL HISTORY**

Mahfood was placed on the Exclusion List pursuant to Commission Resolution No. 19-010 approved by the Missouri Gaming Commission ("MGC") on February 27, 2019. As the result of being placed on the Exclusion List, Mahfood is barred from entry into any portion of a riverboat gaming operation within the State of Missouri and prohibited from having contact of any kind with any riverboat gaming operation. According to Commission Resolution No. 19-010, Mahfood was placed on the Exclusion List because on August 22, 2017, in the United States District Court for the Eastern District of Missouri, he pled guilty to felonies of Conducting an Illegal Gambling Business, Transportation of Aid in a Racketeering Enterprise, two counts of

Laundering of Money Instruments, and Filing a Fraudulent Tax Return. Mahfood was sentenced on November 21, 2017, to a term of three years' probation, was required to complete 100 hours of community service, pay an assessment fee of \$500, and pay restitution in the amount of \$147,450.00 to the Internal Revenue Service. Mahfood was also prohibited from engaging in any form of gambling and from entering any gambling or casino establishment.

On December 14, 2018, Mahfood received an early discharge from his probation. Mahfood had paid the restitution in full, completed the required community service, complied with the directives of his probation officer, timely completed his monthly supervision reports, and had remained employed fulltime.

Mahfood previously sought the removal of his name from the Exclusion List. On March 25, 2019, he petitioned the MGC for his removal. A hearing was held on the petition which resulted in a final order denying his removal from the Exclusion List. The MGC adopted and approved the final order by Commission Resolution 19-040. In the final order adopted and approved by the MGC, the hearing officer found that Mahfood had "taken full responsibility for his Federal crimes" and "has led a productive and honorable life since committing his crimes." Ultimately, the hearing officer's opinion was – and by extension the MGC's opinion was – that Mahfood should not be removed from the Exclusion List because it had "only been twenty months since he entered his guilty plea." The final order read "Given that short duration, [Mahfood] should not be removed from the Exclusion List at this time nor should the Commission establish a definite future date for his removal from the list." The final order went on to read that Mahfood "is encouraged to continue with the progress he has made since his crimes, and to reapply for removal from the Exclusion List in the future."

### **FINDINGS OF FACT**

Mahfood has continued to live a productive and honorable life since the MGC's Resolution 19-040 in early 2019. He has been convicted of no crimes. He has not attempted to violate the prohibitions he is under as the result of his inclusion on the Exclusion List. He has remained gainfully employed under the same employer. Mahfood's primary basis for his desire to be removed from the Exclusion List is so that he can dine in the restaurant facilities at the casino near his home with family and friends.

Sometime after August 16, 2023, the MGC approved a Commission Resolution 23-085 under which Bonnie Sue Lawson ("Lawson") was removed from the Exclusion List. Lawson had pled guilty to a felony of Theft of Government Funds. She had embezzled \$118,000 from Buchanan County while she was employed there as the public administrator. Lawson admitted she used some of the embezzled funds for gambling. She served a 37-month federal prison sentence, a three-year term of federal supervised release, and repaid \$119,063.18 in restitution on November 22, 2021. Lawson was placed on the Exclusionary List on December 2, 2009. The MGC approved Resolution 23-085 removing her from the Exclusionary List sometime after August 16, 2023. As such, Lawson's request was granted by the MGC after she fully complied with all of the court sentencing requirements, including, but not limited to, repayment of restitution, and after a period of approximately 21 months after repayment of the restitution.

### **CONCLUSIONS OF LAW**

"The Commission shall have full jurisdiction over and shall supervise all gaming operations governed by Section 313.800 to 313.805." Section 313.805 RSMo. "The burden of proof is at all times on the petitioner. The petitioner shall have the affirmative responsibility of



establishing the facts of his/her case by clear and convincing evidence..." 11 C.S.R 45-13.060(2) "Clear and convincing evidence" is evidence that "instantly tilts the scales in the affirmative when weighed against the opposing evidence, leaving the fact finder with an abiding conviction that the evidence is true." *State ex. Rel. Department of Social Services v. Stone*, 71 S.W.3d 643, 646 (Mo.App. 2002) "The state has a legitimate concern in strictly regulating and monitoring riverboat gaming operations. As such, any doubt as to the legislative objective or intent as to the Commission's power to regulate riverboat gaming operations in the state must be resolved in favor of strict regulation." *Pen-Yan Investment, Inc. v. Boyd Kansas City, Inc.*, 952 S.W.2d 299, 307 (Mo. App. 1997) "Any person who has been placed on any exclusion list may petition the commission in writing and request that his/her name be removed from this list." 11 CSR 45-15.050

### **DISCUSSION**

The MGC's prior decision to deny Mahfood's request for removal from the Exhibit List was based on one reason – not enough time had passed. The question here is – has enough time passed? The Hearing Officer finds guidance on that question in the MGC's Commission Regulation 23-085 pertaining to Lawson's removal from the Exclusion List. Lawson was removed from the Exclusion list approximately 21 months after she completed all of the requirements of her sentence, including repayment of restitution. Although she remained on the Exclusion List for more than 12 years, her crime commanded a significantly harder sentence than Mahfood's did. Mahfood completed all of the requirements of his sentence over 6 years ago. The Hearing Officer is of the opinion that if Mahfood is removed from the Exclusion List based on his most recent request, the MGC's treatment of Lawson and Mahfood is reasonably comparable based on their individual circumstances -- one was removed shortly after the

completion of the requirements of a more serious sentence, the other was not removed shortly after completion of the requirements of a less serious sentence. There is a reasonable balance in these cases.

Finally, the Hearing Officer notes that the primary role of the MGC is to regulate riverboat gaming operations. Lawson's crime at least indirectly involved riverboat gaming operations in that she spent her ill-gotten gains gambling presumably at a riverboat gaming operation/casino. Mahfood's crime had nothing to do with a riverboat gaming operation/casino. Mahfood was a local "Bookie." Although the MGC had every right to place Mahfood on the Exclusion List and would have every right to keep him on that list, the Hearing Officer is of the opinion that the lack of connection between Mahfood's crime and a riverboat gaming operation mitigates in favor of his request to be removed from the Exclusion List.

IT IS THEREFORE FINALLY ORDERED AND ADJUDGED:

Mahfood's request for removal from the Exclusion List is SUSTAINED.

*/S/ Thomas B. Snider*

Dated: April 16, 2025

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Thomas B. Snider, MO Bar # 49971

MGC Hearing Officer