

IN THE MISSOURI GAMING COMMISSION

In Re:)
) DC-25-109
HGI – Mark Twain, LLC)
d/b/a Mark Twain Casino)

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 Affinity Interactive to develop and operate Class B gaming licensees in the State of Missouri.
3. Affinity Interactive is the parent organization or controlling entity of HGI – Mark Twain, LLC.
4. The Commission issued a Class B riverboat gambling license to HGI – Mark Twain, LLC, to conduct games on and operate the excursion gambling boat known as Mark Twain Casino (the “Casino”).
5. As the holder of a Class B license, HGI – Mark Twain, LLC, d/b/a Mark Twain Casino, 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 April 13, 2025, Corporal Zachary Harrison (“Cpl. Harrison”) received an Observation Report from the Surveillance Department indicating the Electronic Gaming Device (“EGD”) Entry Access Log (“MEAL book”) for Kiosk 1 had not been filled out by the Security Officers who had accessed it to check for door alarms.
7. Further review into the incident revealed that at approximately 8:03 a.m., Security Officer Michael Godman (“Godman”) failed to indicate in the MEAL book that he had accessed the kiosk due to alarm issues. At approximately 11:11 a.m., Security Supervisor Cheyenne Neely (“Neely”) failed to do the same when she accessed the kiosk for the same reason. Both Godman and Neely stated that they were unaware they had to sign the MEAL book, with both indicating they thought since they just opened the door to check alarms, an entry into the MEAL book was not needed.

¹ GR 20250531002

8. As a result of the concerning statements made by Godman and Neely, Cpl. Harrison requested the Surveillance Department conduct a 30-day review of kiosk access by staff. The review revealed that out of seventy (70) times the kiosks were accessed, there were fourteen (14) instances in which entries were not made in the MEAL book (20% failure rate).
9. On April 29, 2025, at approximately 7:00 p.m., Cpl. Harrison was contacted by Assistant Security Manager Gary Dabney ("Dabney"). Dabney indicated that a patron had been waiting on a bartender for several minutes for an alcoholic beverage and decided to pour himself a draft beer due to the delay. Dabney indicated the patron was paying for the drink he had poured himself. Dabney then confused casino policy regarding alcoholic beverages with gaming regulations. During a later conversation, Dabney again confused casino policy with gaming regulations.
10. Due to the lack of knowledge of gaming rules and regulations within the Security Department regarding these two issues, Cpl. Harrison continued his investigation. Mark Twain Casino has experienced previous and ongoing issues with properly training the Security Department. On June 26, 2024, Mark Twain Casino was fined ten thousand dollars (\$10,000.00) for training deficiencies within its Security Department (GR20230712002). The concerns addressed in that report are ongoing. Mark Twain Casino's Security Department continues to lead the other departments in the number of Compliance Directives (CDs) issued. From July 2024 to June 2025, officers in the Security Department have been issued sixteen (16) CDs.
11. In addition, Cpl. Harrison reviewed all Surveillance Observation Reports for violations regarding the Security Department from July 2024 to June 2025. During that time, there were forty-eight (48) reports generated, sometimes documenting multiple violations within one report. For comparison, in GR20230712002, there were forty-three (43) Surveillance Observation Reports from January 2022 through July 2023.
12. The forty-eight (48) reports included incidents of the Security Department failing to properly complete the Visitor/Vendor Badge Log, failing to check patron identification, failing to maintain custody of sensitive keys, failing to properly observe drops, failing to properly record turnstile meter readings, failing to properly arm alarms in the count room, disabling locks to sensitive areas, failing to inspect count room trash, accepting a tip, allowing an intoxicated patron onto the gaming floor, allowing armed law enforcement to board without notifying MGC, allowing patrons to board before opening, cancelling a late sensitive key alarm without notifying MGC or investigating, failing to properly verify identification, failing to lock doors that accessed the back of house, abandoning the Security Dispatch Office due to inadequate staffing, instructing on-duty employees to pass through turnstile and failing to report the violation, failing to observe the turnstiles, and allowing vendors on the gaming floor without issuing a vendor badge.
13. As a result of GR20230712002, Mark Twain Casino sent a letter to MGC indicating it had implemented the following measures:

- a. The Security Department completed all outstanding training, and all such training was documented in the department's internal training checklist.
 - b. Led by the Safety and Security Manager, the Security Department completed a methodical review of (i) the entirety of the Casino's Internal Control System Chapter N, including the handling of Disassociated Person; (ii) other select ICs of particular relevance to the Security Department; and (iii) Access to Sensitive Areas Charts, compliance with which is the responsibility of the Security Department.
 - c. Management reviewed any modifications to the Internal Controls with their team and circulated a read and sign to their team asking that they confirm that they have read and understand the same.
 - d. All Security staff received Missouri TIPs training on recognizing the signs of intoxicated patrons and how to address such patrons.
14. In addition, Vice President and General Manager Ryan Lounsbury announced the creation and addition of an Assistant Security Manager's position to "add a valuable additional layer of management experience, supervision and bandwidth to the department." However, this Level II position was not filled until November 6, 2024. Subsequently, on November 19, 2024, the Director of Security was terminated and this Level I position remained vacant until October 6, 2025.
15. As part of the investigation into the current concerns, Cpl. Harrison reviewed the training material and documentation of the Security Department. Training documents of all Security Officers, including the Assistant Manager, revealed similar deficiencies found in GR20230712002. Training documentation was found to be inconsistent and incomplete for all officers within the department, which is in direct contrast to the letter Mark Twain Casino sent to the MGC. The addition of the Assistant Manager position has had little to no impact in adding a "valuable additional layer of management experience, supervision and bandwidth to the department." Investigation revealed that many of the new officers are "trained" within a few days and then sent to work independently, which suggests that the training received remains extremely limited. Mark Twain Casino has also operated without a Safety and Security Manager, with Dabney acting in that role temporarily. The Casino "Onboarding and Training Plan" used to document Dabney's training was incomplete and the training he did receive was not provided by anyone with experience or knowledge of casino safety and security either locally from Mark Twain Casino or Affinity Interactive. The "Onboarding and Training Plan" is also not routinely used for all Security Officers at Mark Twain Casino, showing a lack of organization in training, knowledge, and material provided.

LAW

16. 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.

17. 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:

(1) Failing to comply with or make provision for compliance with sections 313.800 to 313.850, the rules and regulations of the commission or any federal, state or local law or regulation;

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

18. 11 CSR 45-10.030, states, in pertinent part, as follows:

(6) Class A, Class B, and supplier licensees shall ensure that all agents and occupational licensees employed by said licensees shall have a working knowledge of Missouri Gaming Statutes, Chapter 313.800, RSMo et seq., Code of State Regulations, Title 11 Division 45, the commission's published minimum internal control standards

and the licensee's system of internal controls as they pertain to the responsibilities and limitations of their job.

(7) All occupational licensees shall have a working knowledge of Chapter 313.800, RSMo et seq., Code of State Regulations, Title 11 Division 45, and the internal controls of the Class A or B licensees for whom they are currently employed by as they pertain to the responsibilities and limitations of their job.

19. 11 CSR 45-5.053, states, in pertinent part, as follows:

(2) It is the policy of the commission to require that all excursion gambling boats and gaming conducted on excursion gambling boats be operated in a manner suitable to protect the public health, safety, morals, good order, and general welfare of Missouri. Responsibility for the employment and maintenance of suitable methods of operation rests with the holder of a operator's license and willful or persistent use or toleration of methods of operation deemed unsuitable will constitute grounds for disciplinary action, up to and including license revocation.

(3) The holder of a Class A or B license is expressly prohibited from the following activities:

* * *

(I) Failing to conduct gaming operations in accordance with proper standards of custom, decorum, and decency; or to permit any type of conduct on the excursion gambling boat which reflects negatively on the reput of the state of Missouri or acts as a detriment to the gaming industry;

20. The Commission's Minimum Internal Control Standards ("MICS") and the Casino's Internal Control System ("ICS"), Chapter A states, in pertinent part, as follows:

1.06 Class B Licensees shall provide all employees with training regarding the Missouri Riverboat Gambling Act, Missouri Gaming Commission Rules and Regulations, Missouri Gaming Commission Minimum Internal Control Standards, the Class B Licensee's Internal Control System and procedures in a brief outline or general description. Each employer shall ensure that employees, prior to performing the functions and duties of their jobs, are adequately trained as to the applicable statutes, regulations and internal controls that apply to their specific job functions. The Class B Licensee shall maintain a record of all mandatory training.

21. The Commission's MICS, Chapter B states, in pertinent part, as follows:

4.02 The individual who signs out a sensitive key shall maintain custody of the key until the key is returned to the sensitive key box. Keys shall not be passed to other individuals, except keys utilized in the soft count room as noted below. In the event of an emergency (illness or injury rendering the individual incapable of returning the key)

a supervisor may return the key with a notation on the Sensitive Key Log. If an automated key system is used and an emergency warrants the need for a supervisor to return a key for an individual, an explanation shall be documented as described in the Internal Control System. The only keys that may be passed are keys utilized within the soft count room, which may be issued to the count team lead and distributed to other count team members only while inside the locked count room.

* * *

6.03 The Internal Control System shall include procedures for investigating and reporting missing sensitive keys. The MGC boat agent on duty shall be notified immediately of any missing or lost sensitive keys.

22. The Casino's ICS, Chapter B states, in pertinent part, as follows:

4.02 The individual who signs out a sensitive key shall maintain custody of the key until the key is returned to the sensitive key box. Keys shall not be passed to other individuals except keys utilized in the soft count room as noted below. In the event of an emergency, (illness or injury rendering the individual incapable of returning a key) a supervisor may return the key with an explanation attached to the Audit Key Transactions Report (Form Z.1) if using the automated key system. The only keys to be passed are keys utilized within the soft count room, which may be issued to the count team lead and distributed to other count team members only while inside the locked count room.

* * *

6.03 Any missing sensitive keys will be investigated and documented to determine the cause. The security department will investigate the incident with the employee or employees responsible for the shift involved and document the findings on a Security Incident Report (Form 17.1). The MGC boat agent on duty shall be notified immediately of any missing or lost sensitive or critical sensitive key.

23. The Commission's MICS and the Casino's ICS, Chapter E states, in pertinent part, as follows:

13.12 All access to redemption kiosks shall be documented by the person who opened the kiosk on an EGD Entry Access Log (MEAL book), which shall be kept inside the kiosk at all times. The person who opens the kiosk and signs the EGD Entry Access Log (MEAL book) is responsible for all activity inside the kiosk. The person who opens the kiosk must be present the entire time the door is open. Kiosk EGD Entry Access Logs (MEAL books) shall be retained for at least one year after the kiosk is removed from service and disposed of by the Class B Licensee and shall be archived in a manner that they can be immediately retrieved.

24. The Commission's MICS and the Casino's ICS, Chapter G states, in pertinent part, as follows:

5.05 An EGD drop area is defined as an area within a minimum five-foot radius of:

- (A) any BV can that is being dropped;
- (B) any EGD door opened for the drop process and not yet secured; and
- (C) the open side of any drop storage cart containing funds until the cart is secured in the count room or drop cart storage room.

* * *

5.17 Security Officers must be present for and observe the entire drop process. All drop devices shall be observed by security from the time the drop devices are no longer secured in the gaming device until the drop devices are secured in the count room or cart storage room.

* * *

8.05 Trash shall be collected and removed on a daily basis after the conclusion of the counts. Upon its removal from the count room, a security officer shall inspect the trash for any funds, tickets, or coupons.

25. The Commission's MICS, Chapter J states, in pertinent part, as follows:

1.03 Procedures shall be established and approved by the Commission in the Internal Control System for accurate and complete ticket accounting and calculation of the passenger count included in the admission tax calculation. The admission tax calculation shall be documented on a Daily Passenger Report.

26. The Casino's ICS, Chapter J states, in pertinent part, as follows:

1.03 The security officer assigned to the turnstiles will record the meter readings of the entrance and exit turnstiles at the required designated times for a current 2-hour gaming session as indicated on the Passenger Count Part I (Form W.1). All passengers entering through the turnstiles will be included in the admission tax calculation. The accounting department will prepare the Passenger Count Part II (Form W.2) after reviewing the information recorded on the Passenger Count Part I (Form W.1) to ensure accurate admission numbers are recorded for the calculation of admission tax. The admission tax calculation shall be documented on the Passenger Count Part II (Form W.2) and consists of the following information:

- A. Date
- B. Gaming session times
- C. Beginning and ending entrance meter readings

- D. Beginning and ending exit meter readings
- E. Time the meter readings were taken
- F. Back to back passenger count (stayovers)
- G. Total passenger count from meter readings (entrances/exits)
- H. Total ticket count
- I. End of day manual count, if applicable
- J. Calculated admission tax for the day
- K. Required signatures

27. The Commission's MICS and the Casino's ICS, Chapter J states, in pertinent part, as follows:

1.12 On-duty employees entitled to a "fee-free" admission shall not pass through the normal entrance or exit turnstiles.

1.13 Vendors who are entitled to a "fee-free" admission are not required to pass through the normal entrance or exit turnstiles. Vendors shall report to Security to obtain a vendor badge and shall sign the Visitor/Vendor Log indicating time in, time out, and the reason for their visit

* * *

2.05 The Class B Licensee shall post security personnel at each patron entrance to the gaming floor who shall ensure no one under the age of 21 is permitted to enter the gaming floor. Should security personnel not be available at a patron entrance, the turnstiles shall be immediately closed at that entrance.

28. The Commission's MICS, Chapter N states, in pertinent part, as follows:

3.01 The Internal Control System shall contain detailed procedures, including who participates in each activity, their duties and responsibilities, forms completed, signatory responsibilities, and all applicable controls for the following:

- (A) firearms prohibition;
- (B) intoxicated persons;
- (C) disorderly/disruptive patrons; and
- (D) eviction procedures.

29. The Casino's ICS, Chapter N states, in pertinent part, as follows:

3.01 The following paragraphs contain detailed procedures, including who participates in each activity, their duties and responsibilities, forms completed, signatory responsibilities and all applicable controls.

A. Firearms Prohibition

* * *

2. At no time will an armed individual be allowed to enter the casino without the MGC boat agent on duty being notified.

* * *

3. The same procedure in #2 above will be used whenever a commissioned officer, Federal, State or local, who is on duty and in the performance of an official duty enters the casino.

30. The Commission's MICS and the Casino's ICS, Chapter N states, in pertinent part, as follows:

4.02 Persons who are visibly intoxicated shall not be permitted access to or allowed to remain on the casino floor.

4.03 Persons who are visibly intoxicated shall not be allowed to place a wager.

4.04 The enforcement of admission and gambling restrictions for persons under 21 years of age shall include, at a minimum, checking their government-issued photo identification.

* * *

4.07 Visitor/vendor badges shall meet the following criteria. Badges shall be:

* * *

(F) displayed on the visitor/vendor's person in a clearly visible manner at all times while on the gaming floor or in non-public areas.

31. The Commission's MICS, Chapter N states, in pertinent part, as follows:

4.08 The Internal Control System shall include detailed procedures for the issuance of and accounting for visitor/vendor badges on a daily basis. If badges for contractors or vendors are issued for more than one gaming day special procedures shall also be submitted in the Internal Control System.

32. The Casino's ICS, Chapter N states, in pertinent part, as follows:

4.08 The following contain the detailed procedures for the issuance of and accounting for visitor/vendor badges on a daily basis.

A. The Security Officer located at Security dispatch will ensure that the vendor or visitor has a valid function to perform on the gaming floor or in non-public areas.

B. The Security Officer issuing the badge will complete the Vendor/Visitor Badge Log (Form 30) with the date, time out, time in, vendor/visitor's name (clearly printed), company, purpose of visit, type of badge, badge number and their employee badge number. The Security Officer will make sure the vendor/visitor signs the log.

C. An inventory count of the badges (completed on the Security Dispatch Log (Form 41) in the computer at the change of each shift) issued and on hand will be done by the Security Officer at Security dispatch.

D. Any unaccounted badges discovered by the Security Officer, indicating a badge has been signed out and the vendor left the casino, will be reported immediately to the Security Shift Supervisor. The Surveillance department will be notified to conduct a visual check of the facility. If the vendor is not present, the Security Officer will complete a Security Incident Report (Form 17) regarding the facts of the incident.

E. In the case where the vendor has left the premises without returning the badge, the Security Shift Supervisor will contact the sponsoring department supervisor on duty and advise them to immediately contact the vendor requesting that the badge be returned as soon as possible.

F. No additional vendor/visitor badges will be issued to that vendor until all unaccounted badges are returned to the casino.

G. All MGC personnel and any law enforcement officers who are in uniform and on official business are not required to draw passes or sign in on the Vendor/Visitor Badge Log (Form 30). The Security Officer assigned to the casino entrance at turnstiles will notify Security dispatch regarding the number of personnel entering, and then the Security Officer at dispatch will contact the MGC boat agent on duty. The Security Officer at dispatch will also notify the MGC boat agent on duty if the employees of any governmental agency enter through the casino door located next to Security dispatch.

33. The Commission's MICS and the Casino's ICS, Chapter T states, in pertinent part, as follows:

1.02 Surveillance and Security employees are prohibited from accepting tips, gratuities, or gifts in any form.

VIOLATIONS

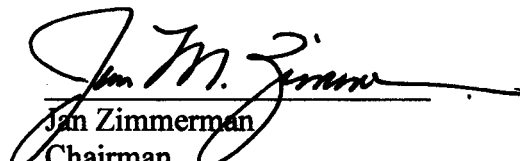
34. The acts or omissions of employees of the Casino, as described above, led to numerous violations by multiple Security personnel which resulted in a significant number of compliance directives, multiple conversations with Casino management, and a continued lack of proper training. The statutes and rules violated include 11 CSR 45-10.030, 11 CSR 45-5.053, and the Commission's MICS and Casino's ICS, Chapter A, § 1.06, Chapter B, §§ 4.02 and 6.03, Chapter E, § 13.12, Chapter G, §§ 5.05, 5.17, and

8.05, Chapter J, §§ 1.12, 1.13, and 2.05, Chapter N, §§ 3.01, 4.02, 4.03, 4.04, 4.07, and 4.08, and Chapter T, § 1.02.

35. HGI – Mark Twain, LLC, d/b/a Mark Twain Casino, is therefore subject to discipline for such violations pursuant to Sections 313.805 and 313.812.14(1) and (2), RSMo.

PENALTY PROPOSED

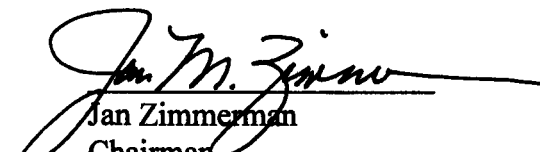
36. Under Section 313.805, RSMo, the Commission has the power to assess any appropriate administrative penalty against HGI – Mark Twain, LLC, as the holder of a Class B license.
37. THEREFORE, it is proposed that the Commission fine HGI – Mark Twain, LLC, d/b/a Mark Twain Casino, the amount of twenty-five thousand dollars (\$25,000.00) for the violations set forth herein.


Jan 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 4th day of December, 2025, to:

Mr. Ryan Lounsbury
General Manager
Mark Twain Casino
104 Pierce Street
LaGrange, MO 63448


Jan Zimmerman
Chairman
Missouri Gaming Commission