

Maryland Lottery and Gaming Control Agency

Martin O'Malley, Governor • Stephen Martino, Director



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TO: Maryland Lottery and Gaming Control Commission
Stephen Martino, Director

FROM: J. Philip Metz Jr.

DIVISION: Licensing Division Manager

DATE: June 18, 2014

SUBJECT: Enforcement Division Report for the June Commission Meeting

Commission Action Items

- Proposed Amendments to COMAR Title 36.03.03.04 (See Attached)

The proposed amendments to §F would make this regulation consistent with COMAR 36.03.02.12 – video lottery *employee* licenses, which the Commission amended at the April 21, 2014 meeting by establishing a 7-year “look-back” limit on an applicant’s non-convicted acts of moral turpitude, regardless of where the applicant committed the acts. At the April 21 meeting, the Commission also directed Staff to prepare amendments to COMAR 36.03.03.04F to establish the same look-back limitation for applicants for a video lottery *operation* license, which contains a 10-year look-back limit that currently applies only to the commission of out-of-state acts of moral turpitude or gambling.

Enforcement

- Nothing to report

Licensing Division

- Monthly statistics have been updated and included in your packet.
- There are twenty-seven (27) denials this month; they are on the Consent Agenda.
- Currently there are four (4) vacancies in the Licensing Division. Three (3) are investigative positions and one is an Administrative Aide position. The three investigative positions should be hired by the end of June 2014. The Administrative Aide position is in the recruitment process and should be hired in early July 2014. One (1) new investigator began employment with the Division on June 18, 2014.

Casino Compliance Division

- The Division has one (1) compliance officer vacancy at MD Live Casino.

Security / Investigations Division

- Currently there are four (4) vacancies in the Security Division. The recruitment process has been completed and interviews are scheduled for the week of June 30, 2014.

Major Incidents at the Casinos

- Nothing to report

Commission Consent Agenda Item

1. Gaming License Application Denials

There are twenty-seven (27) gaming license applications being recommended for denial based on the applicant's criminal history or failure to cooperate with, or provide requested information to, a background investigator.

Commission Action:

It is requested that the Commission adopt as final the recommendation of the Director, or the Director's designee, for denial of the specified gaming license applications for the respective applicant's failure to establish his/her qualifications by clear and convincing evidence.

Please see the description below, along with the attached spreadsheet.

Gaming License Denials

Commissioners:

The attached spreadsheet contains names of twenty-seven (27) gaming license applicants for whom Staff has recommended denial of their applications for gaming license for failure to prove by clear and convincing evidence that they meet the statutory requirements for licensure. *See* State Gov't, Section 9-1A-14 (below). The license applications were recommended for denial after Licensing Division Staff conducted an investigation, and the investigation results were reviewed by a three-member review panel comprised of Gina Smith, Robert Howells and James Butler. The panel also recommended denial of these applicants' license applications, and the Director or his designee concurred.

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COMAR sets forth the applicant's rights if his/her gaming license application is recommended for denial. An applicant has a right to timely request a reconsideration meeting, and, if he or she is dissatisfied with the recommendation following the reconsideration meeting, the applicant may timely request a full hearing before the Commission. If the applicant fails to exercise these rights, the Commission may adopt as final the Director's recommendation to deny the license. Only the Commission, not Staff, is authorized to deny a gaming license, which is why these recommended denials are being presented to the Commission.

All of the applicants identified on the attached spreadsheet were mailed notification of the recommended denial, and of their right to timely request a reconsideration meeting with the Director or the Director's designee. The majority of the recommended denials are applicants who did not exercise that right. A smaller group of the recommended denials are applicants who received a reconsideration meeting and were notified of their right to timely request a full hearing before the Commission, but did not exercise that right.

Staff is requesting that the Commission adopt as final the Director's recommendation to deny the gaming license applications of the twenty-seven (27) applicants identified on the attached spreadsheet.

Located on the Agency's Shared Drive under Commission files (June) there are PDF files for your review. The PDF files contain documentation for each of the recommended denials, including: notice of recommended denial (which includes the basis for the recommendation and notice of right to request reconsideration meeting); documentation that Staff mailed the required notices; and relevant documents from the background investigation conducted by Staff that supports the recommended denial of the applicant's license application.



Maryland State Lottery And Gaming Control Agency Casino Compliance Unit Monthly Report May, 2014

Hollywood Casino at Perryville

Underage on casino floor: 0

Intoxicated patrons evicted: 4

On 5/15/14, a male subject was identified as being intoxicated and disorderly. The subject was evicted and continued to be disorderly. He was subsequently arrested by PPD.

On 5/23/14, a male subject was identified as being too intoxicated to remain on the gaming floor was evicted.

On 5/24/14, a male subject was identified as being too intoxicated to remain on the gaming floor. He was evicted and left in a cab.

On 5/30/14, a male subject was identified as being too intoxicated to remain on the gaming floor was evicted.

Children unattended in vehicles: 0

Excluded persons in casino: 2

On 5/14/14, a male subject who is enrolled in VEP was located on the gaming floor after hitting a jackpot. The jackpot was not paid to the subject. He was charged with trespass by PPD.

On 5/30/14, a male subject who is enrolled in VEP was located on the gaming floor. He was evicted and charged with trespass by PPD.

Physical altercations: 0

Theft/Robbery: 0

Drugs: 0

Casino at Ocean Downs

Underage on casino floor: 0

Intoxicated patrons evicted: 5

On 5/2/14, a male subject was identified as being too intoxicated to remain on the gaming floor and was evicted.

On 5/16/14, a male subject was identified as being too intoxicated to remain on the gaming floor and was evicted.

On 5/16/14, a female subject was identified as being too intoxicated to remain on the gaming floor and was evicted.

On 5/17/14, a female subject was identified as being too intoxicated to remain on the gaming floor and was evicted.

On 5/24/14 a male subject was identified as being too intoxicated to remain on the gaming floor and was evicted. He departed the property in a cab.

Children unattended in vehicles: 0

Excluded persons in casino: 0

Physical altercations: 1

On 5/1/14, a patron reported to security that another female had approached her wanting to play on the machine she was at. When she denied her use of the machine, the female hit her on the arm.

Theft/Robbery: 2

On 5/2/14, a patron reported to security that she had dropped two (2) cash vouchers and someone had taken them.

On 5/9/14, a subject attempted to redeem a voucher that had been double printed at a VLT. The original voucher had already been redeemed and this attempt was denied by the cage.

Drugs: 1

On 5/10/14, two (2) females were observed sitting on a curb in the parking lot smoking what appeared to be marijuana.

Maryland Live Casino

Underage on casino floor: 2

On 5/3/14, an underage female subject was located on the gaming floor. While on the floor she was not observed gambling however she did order several beverages from the bar. It is not known if any of the beverages contained alcohol

On 5/4/14, an underage male subject was located in the buffet after having gone to the Live Rewards desk with his father. A review by surveillance revealed that the subject did gamble on VLTs. He did not consume any alcohol.

Intoxicated patrons evicted: 8

On 5/2/14, a male subject was identified as being too intoxicated to remain on the gaming floor and was evicted.

On 5/11/14, a male subject was identified as being intoxicated and disorderly and was evicted.

On 5/15/14, a male subject was identified as being intoxicated and disorderly. The subject was evicted and continued to be disorderly and was subsequently arrested by AACOPD.

On 5/21/14, , a male subject was identified as being intoxicated and disorderly. The subject was evicted and continued to be disorderly and was subsequently arrested by AACOPD on an outstanding warrant.

On 5/21/14, a male subject was identified as being too intoxicated to remain on the gaming floor and was evicted.

On 5/22/14, a male subject was identified as being too intoxicated to remain on the gaming floor and was evicted.

On 5/26/14, a male subject was identified as being too intoxicated to remain on the gaming floor and was evicted.

On 5/31/14, a male subject was identified as being intoxicated and disorderly. The subject was evicted and continued to be disorderly and was subsequently arrested by AACOPD.

Children unattended in vehicles: 0

Excluded persons in casino: 0

Physical altercations: 1

On 5/5/14, two (2) female subjects became involved in an altercation where one (1) of the females struck the other.

Theft/Robbery: 9

On 5/4/14, a male subject stole a phone charger from a patron in the poker room.

On 5/4/14, a patron reported to security that someone had removed a cash voucher from the VLT they were playing.

On 5/5/14, a patron reported to security that someone had taken items from his vehicle while it was parked in the garage. AACOPD investigated.

On 5/11/14, a patron reported to security that he had fallen asleep at a VLT and during that time someone had cashed out his voucher valued at \$50.00.

On 5/11/14, a patron reported to security that while in the casino on 5/9/14, someone had stolen \$500.00 worth of chips from his seat at a table.

On 5/16/14, a patron reported to security that someone had stolen two (2) \$25 chips from his position at a table.

On 5/17/14, a patron who was sleeping in his vehicle in the valet parking area was accosted by three (3) male suspects and became the victim of a strong arm robbery. AACOPD responded and all suspects were arrested.

On 5/22/14, a male subject stole a number of \$5 chips from a roulette table. He was subsequently arrested by AACOPD.

On 5/29/14, a male subject was evicted for stealing poker tournament chips.

Employee theft: 3

On 5/9/14, a male warehouse employee was arrested by AACOPD as a result of an investigation into the theft of eight (8) bottles of alcohol.

On 5/10/14, a male cash cage employee was arrested by AACOPD as a result of an ongoing investigation involving him stealing a large amount of cash over an extended period of time.

On 5/14/14, an employee reported to security that her purse had been stolen from an unsecured locker.

Drugs: 3

On 5/13/14, a vial containing suspected marijuana was located in the lost and found area in security.

On 5/20/14, security attempted to stop two (2) male subjects running across the gaming floor. They were located in a men's room where they had apparently disposed of a number of unknown pills in the trash can.

On 5/26/14, a member of casino management located a possible controlled dangerous substance in the women's BOH restroom.

Rocky Gap Casino

Underage on casino floor: 0

Intoxicated patrons evicted: 1

On 5/31/14, a male subject was identified as being too intoxicated to remain on the gaming floor and was evicted.

Children unattended in vehicles: 0

Excluded persons in casino: 0

Physical altercations: 0

Theft/Robbery: 4

On 5/4/14, a patron reported that she had left her voucher in a VLT and someone had taken it.

On 5/10/14, a female employee reported to security that while she was working, someone had removed \$100.00 in cash and an unknown amount of medication from her personal belongings.

On 5/30/14, a patron reported to security that her cell phone had been stolen. An investigation identified a suspect and the phone was returned to her.

On 5/30/14, a female suspect removed a voucher valued at \$300.13 that belonged to another patron and cashed it out. When approached, she declined to cooperate and left the building. MSP responded and is investigating.

Drugs: 0

John Dennison
Casino Compliance Manager



Maryland Lottery and Gaming Control Agency
 Directors eLicensing Monthly Report
 January 1, 2010 thru June 10, 2014



	Hollywood	Ocean Downs	MD Live!	Rocky Gap	CBAC	All Others	Total
Full Gaming	201	120	1413	169	10	398	2311
Sponsored Gaming/Pending Full Gaming	72	66	787	69	48	330	1372
Non Gaming	123	81	1155	114	14	112	1599
Total Active Licenses	396	267	3355	352	72	840	5282
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Sponsored Gaming, Pending	11	3	73	3	52	74	216
Non Gaming, Pending	13	1	44	0	12	17	87
Total Pending Licenses	24	4	117	3	64	91	303
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Denied Licenses	14	7	317	2	0	16	356
Denied %	0.8%	1.2%	4.7%	0.4%	0.0%	1.3%	3.5%
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Resign/Term/Withdrawn	597	330	2928	190	1	263	4309
% Resign/Term/Withdrawn	58%	54%	44%	35%	1%	22%	42%
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01/01/2010 To 06/10/14 # Applications Rcv'ed	1031	608	6717	547	137	1210	10250
	1031	608	6717	547	137	1210	10250