

IN THE MISSOURI GAMING COMMISSION

In Re:)
) DC 25-062
Ameristar Casino St. Charles, LLC)

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 Boyd Gaming Corporation to develop and operate Class B gaming licensees in the state of Missouri.
3. Boyd Gaming Corporation is the parent organization or controlling entity of Ameristar Casino St. Charles, LLC.
4. The Commission issued a Class B gaming license to Ameristar Casino St. Charles, LLC to conduct games on and operate the excursion gambling boat known as Ameristar Casino St. Charles (the “Casino”).
5. As the holder of a Class B license, Ameristar Casino St. Charles, LLC 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. An investigation conducted by a Commission agent revealed that the Casino’s surveillance department lost the required camera coverage and video retention in different areas involving multiple cameras and multiple time frames on December 21, 2024, in violation of 11 CSR 45-7.040(1) and 11 CSR 45-7.080(1). Specifically, on December 21, 2024, Casino Surveillance Shift Manager Dylan Roehl (“Roehl”) contacted Master Sergeant Scotty Sizer (“M.Sgt. Sizer”) of the Missouri State Highway Patrol (“MSHP”), assigned to the Gaming Division, and informed M.Sgt. Sizer that the Casino had lost surveillance coverage in some areas of the Queen side of the Casino. He stated he did not believe the Casino had lost any of the required coverage, but he was in the process of checking and assessing the incident.
7. A short time later, Roehl contacted M.Sgt. Sizer again and confirmed that they had lost coverage and retention of some of the required areas, including the Soft Count Room,

¹ GR 20250102002

Hard Count Room, and Card and Dice Storage Room. M.Sgt. Sizer confirmed that surveillance in parts of all three areas was not operational. A summary of the incident revealed that Roehl and Casino Director of Surveillance Tyler Patrick ("Patrick") restarted several encoders and servers to correct the problem.

8. On December 26, 2024, M.Sgt. Sizer interviewed Patrick about the incident. Patrick stated he did not know why surveillance coverage and retention had experienced an outage. He noted that a software update had occurred on December 18, 2024, which was supposed to correct some of the issues the Casino was having, but it had "obviously" not fixed the issue. Patrick stated he had been in touch with Avigilon and that Avigilon had not given any root cause for the problem.

LAW

9. 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.

10. 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[.]

11. Title 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.

12. Title 11 CSR 45-7.040 states, in pertinent part, as follows:

(1) Every licensee shall conduct and record surveillance which allows clear, unobstructed views in the following areas of the riverboat and the land-based facilities—

* * *

(E) Continuous views of all areas within cashier cages and booths, including, but not limited to, customer windows, employee windows, cash drawers, vaults, safes, counters, chip and token storage and fill windows. Every transaction occurring within or at the casino cashier cages must be recorded with sufficient clarity to permit identification of currency, chips, tokens, ticket-in/ticket-out tickets, promotional tickets/coupons, jackpot slips, fill slips, paperwork, employees and patrons;

* * *

(G) Continuous views of all areas within a hardcount room and any area where uncounted coin is stored during the drop and count process, including walls, doors, scales, wrapping machines, coin sorters, vaults, safes and general work surfaces;

(H) Continuous views of all areas within a softcount room, including walls, doors, drop boxes, vaults, safes and counting surfaces which shall be transparent; including all areas where currency is sorted, stacked, counted, verified or stored, with sufficient clarity to view the currency input, output, and reject areas of currency counters and currency sorters;

(I) All areas where cards, dice, cash gaming assets, chips and tokens are stored;

13. Title 11 CSR 45-7.080 states, in pertinent part, as follows:

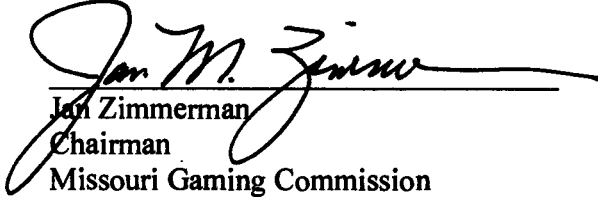
(1) All video recordings from cameras covering the turnstiles and areas within the cashier, cages, main banks, and count rooms shall be retained for at least thirty (30) days, and all other video recordings shall be retained for at least fourteen (14) days, unless a longer period is required by the commission or its agents. Storage media that must be copied or removed from the recording device to comply with these requirements shall be listed on a log by casino surveillance personnel with the date, times and identification of the person monitoring or changing the recording medium in the recorder. Original video recordings will be released to the commission upon demand. A receipt will be issued at that time.

VIOLATIONS

14. The acts or omissions of employees or agents of the Casino, as described above, involve the lack of required surveillance coverage of sensitive areas within the Casino. 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 Title 11 CSR 45-7.040(1)(E), (G), (H), and (I) and Title 11 CSR 45-7.080(1).
15. Ameristar Casino St. Charles, LLC 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

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


Jan Zimmerman
Chairman
Missouri Gaming Commission

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she caused a true and correct copy of the foregoing to be mailed, postage prepaid, this 28th day of August, 2025, to:

Mr. Douglas Lang
General Manager
Ameristar Casino St. Charles
1 Ameristar Blvd.
St. Charles, MO 63301


Jan Zimmerman
Chairman
Missouri Gaming Commission