

IN THE MISSOURI GAMING COMMISSION

In Re:)
) DC-14-063
Casino One Corporation)

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") is a state commission created under Chapter 313, RSMo 2000, with jurisdiction over gaming activities, including riverboat gambling activities, in the State of Missouri.
2. The Commission issued Pinnacle Entertainment, Inc., a Class A gaming license to develop and operate Class B gaming licenses in the State of Missouri.
3. Pinnacle Entertainment, Inc., is the parent organization or controlling entity of Casino One Corporation.
4. The Commission issued a Class B riverboat gambling license to Casino One Corporation ("Company"), to conduct games on and operate the excursion gambling boat known as Lumiere Place Casino ("Casino").
5. As the holder of a Class B license, the Company is subject to the provisions of Sections 313.800 to 313.850, RSMo 2000, and the regulations promulgated thereunder by the Commission.

STATEMENT OF FACTS¹

6. On May 17, 2013, Trooper A.K. Johnson ("Tpr. Johnson"), assigned to the Missouri State Highway Patrol Gaming Division, initiated a regulatory investigation at Casino, when it was discovered that the Surveillance Department did not maintain audio surveillance of the Security Shift Office.
7. Tpr. Johnson responded to the Surveillance Department to perform a monthly inspection of the surveillance in the Security Shift Office. Surveillance Agent Charles Cappello pulled up Camera 911, which is of the Security Supervisor's Office, on his monitor. He could not get the audio in the Security Supervisor's Office to work.

¹ 20130517007

8. Surveillance Agent Toya Shelton attempted to pull the audio surveillance of Camera 911 up on her monitor. She was also unable to get the audio to work in live mode. Shelton then pulled up previous footage of the Security Shift Office from earlier in the day.
9. A review of previous footage revealed the audio surveillance was not operable.

LAW

10. Under Section 313.805(6), RSMo, the Commission may assess any appropriate administrative penalty against a licensee, including but not limited to, suspension, revocation or penalties of an amount determined by the Commission.
11. Under Section 313.812.14, RSMo, a holder of any license is subject to imposition of penalties, suspension or revocation of such license for any act or failure to act by himself or his 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.
12. Under Section 313.812.14(1), RSMo, a licensee may be disciplined for failing to comply with or make provisions 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.
13. Under Section 313.812.14(2), RSMo, a licensee may be disciplined for failing to comply with any rule, order or ruling of the Commission or its agents pertaining to gaming.
14. Title 11 CSR 45-7.110(1) states, "The surveillance system must cover all areas of any security office where any persons may be detained, questioned, interviewed or interrogated by casino security officers. Security office coverage must include both audio and video, be recorded at all times that a person is detained, questioned, interviewed or interrogated in the area, and the signal must terminate in the security room."

VIOLATIONS

15. The actions or omissions of employees or agents of the Company as described above constitute a failure to record audio of the casino security office, a violation of section 11 CSR 45-45-7.110(1). Company is therefore subject to discipline for such violations under Sections 313.805(6) and 313.812.14(1) and (2), RSMo.

PENALTY PROPOSED

16. Under Section 313.805(6), RSMo, the Commission has the power to assess any appropriate administrative penalty against the Company, as the holder of a Class B license.
17. THEREFORE, it is proposed that the Commission fine Casino One Corporation the amount of \$2,500 for the violations set forth herein.

Dr. Barrett Hatches
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 ____ day of _____, 2014, to:

Jeff Babinski, General Manager
Lumiere Place Casino
999 North Second
St. Louis, MO 63102

Dr. Barrett Hatches
Chairman
Missouri Gaming Commission