

STATE OF WASHINGTON  
GAMBLING COMMISSION

In the Matter of the Revocation of the Class III )  
Certification to Conduct Gambling Activities of: ) No. CR 2008-01810  
)  
Titnun Singpracha, ) **NOTICE OF ADMINISTRATIVE**  
Spanaway, Washington ) **CHARGES AND OPPORTUNITY FOR**  
) **AN ADJUDICATIVE PROCEEDING**  
Class III Employee. )  
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I.

The Washington State Gambling Commission issued Titnun Singpracha the following Class III Certification:

Number 69-10793, Authorizing Class III Employee Activity, formerly for the Muckleshoot Indian Tribe.

This certification<sup>1</sup> expires on March 14, 2009, and was issued subject to the certified employee's compliance with state gambling laws and regulations.

Jurisdiction of this proceeding is based on 9.46 RCW, Gambling, Chapter 34.05 RCW, the Administrative Procedure Act, WAC Title 230, and the Muckleshoot Tribal-State Compact.

II.

Rick Day, Director of the Washington State Gambling Commission, charges the certified employee with the following violations of the Washington State Gambling Act, 9.46 RCW, WAC Title 230, and the Muckleshoot Tribal-State Compact:

- 1) On November 10, 2008, a Gambling Commission Special Agent (agent) received information from the Muckleshoot Tribal Gaming Agency (TGA) about the revocation of Titnun Singpracha's Tribal Gaming License.
- 2) The agent reviewed the information provided by the TGA and the Incident Report, surveillance videos, and supporting documents that illustrate the following:
  - On September 18, 2008, Titnun Singpracha, while working as a Video Gaming Department (VGD) Attendant, walked up to and then stepped on a \$100 bill on the floor. Ms. Singpracha then picked up the \$100 bill from under her foot.

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<sup>1</sup> Class III Certification is issued to employees working at tribal Casinos. The certification authorizes similar activities as the Card Room Employee (CRE) license issued to individuals working at commercial house-banked card rooms. By submitting a transfer form and fees, holders of a Class III Certification may convert their certification to a CRE license.

- The patron who dropped the money approached Ms. Singpracha and asked her if she found a \$100 bill. Ms. Singpracha told the patron no. The patron reported to security staff at the Muckleshoot Casino that she lost \$100 and thought that Ms. Singpracha had picked up the money.
  - A security officer asks Ms. Singpracha if she found the \$100 bill and she said “No.” The VGD Supervisor asked Ms. Singpracha if she found the \$100 bill. She denied finding any money and was upset that people were asking her about finding any money.
  - The VGD Acting Shift Manager asked Ms. Singpracha if she found any money and she denied finding any money. The Shift Manager then showed Ms. Singpracha surveillance video that showed her stepping on the money, picking up the \$100 bill, and then talking to the patron.
  - Ms. Singpracha then told the Shift Manager that she had found the \$100 bill and had thrown away the money. Ms. Singpracha then took the Shift Manager to the employee locker room and showed him the locker where she threw away the \$100 bill. The Shift Manager took the \$100 bill and gave it back to the patron.
  - That same day a TGA agent interviewed Ms. Singpracha, and she admitted the following:
    - a. She found a \$100 bill on the floor, put her foot on it, and then picked it up.
    - b. The patron told her she lost \$100 and she told the patron, “No, I don’t see it.”
    - c. She did not turn in the money to the security podium because the patron was at the podium and she didn’t want the patron to think she had lied to her.
    - d. She walked around for 10-15 minutes with the \$100 bill in her apron waiting for the patron to leave the security podium.
    - e. The VGD Shift Manger asked her if she found the money. She said yes and gave it to him. He told her to go home.
    - f. She did not think she was stealing.
  - On October 29, 2008, the Muckleshoot Gaming Commission revoked Ms. Singpracha’s Tribal Gaming license.
- 3) Ms. Singpracha denied to three different casino employees that she had found a \$100 bill. However, when she saw the surveillance video of her actions, she confessed to finding the \$100 bill. Ms. Singpracha made untrue statements and engaged in an act that operated as a fraud or deceit under RCW 9.46.190.
- 4) Ms. Singpracha violated RCW 9.46.190 and is not qualified for certification under RCW 9.46.153(1). Therefore, grounds exist to revoke Titnun Singpracha’s Class III certification under RCW 9.46.075(1), (8), and (10), and WAC 230-03-085(1) and (8), and Section V(C) of the Muckleshoot Tribal-State Compact.

## **Muckleshoot Tribal-State Compact**

Section V(C) provides that the State Gaming Agency<sup>2</sup> may revoke or suspend a State certification under the provisions of RCW 9.46.075, and rules promulgated thereunder, or for any reason or reasons it deems to be in the public interest. In addition, these reasons shall include, but shall not be limited to when a holder of certification:

- (1) Is determined to be a person whose prior activities, criminal record, if any, or reputation, habits and associations pose a threat to the effective regulation of gaming or create or enhance the chances of unfair or illegal practices, methods and activities in the conduct of the gaming activities or the person has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by any provision of a Tribal/State Compact.
- (2) Has had a Tribal or State Gaming license revoked during the 12 months prior to the date of receipt of application; is currently on probation; or had demonstrated a willful disregard for compliance with gaming regulatory authority in any jurisdiction, including offenses that could subject the individual to suspension, revocation or forfeiture of a gaming license.

### **RCW 9.46.075 Denial, suspension, or revocation of license, permit.**

The Commission may deny an application, or suspend or revoke any license or permit issued by it, for any reason or reasons, it deems to be in the public interest. These reasons shall include, but not be limited to, cases wherein the applicant or licensee, or any person with any interest therein:

- (1) Has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the Commission pursuant thereto, or when a violation of any provision of chapter 9.46 RCW, or any Commission rule, has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control.
- (8) Fails to prove, by clear and convincing evidence, that he, she or it is qualified in accordance with the provisions of this chapter.
- (10) Has pursued or is pursuing economic gain in an occupational manner or context which is in violation of the criminal or civil public policy of this state if such pursuit creates probable cause to believe that the participation of such person in gambling or related activities would be inimical to the proper operation of an authorized gambling or related activity in this state. For the purposes of this section, occupational manner or context shall be defined as the systematic planning, administration, management or execution of an activity for financial gain.

### **RCW 9.46.190 Violations relating to fraud or deceit.**

Any person, association, or organization operating any gambling activity who or which, directly or indirectly, shall in the course of such operation:

- (1) Employ any device, scheme, or artifice to defraud; or

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<sup>2</sup> Washington State Gambling Commission, as referred to in the Muckleshoot Tribal/State Compact, Section II(U).

(2) Make any untrue statement of a material fact, or omit to state a material fact necessary in order to make the statement made not misleading, in the light of the circumstances under which said statement is made; or

(3) Engage in any act, practice or course of operation as would operate as a fraud or deceit upon any person;

Shall be guilty of a gross misdemeanor subject to the penalty set forth in RCW 9A.02.021.

**RCW 9.46.153 Applicants and licensees- Responsibilities and duties-Waiver of liability - Investigation statement as privileged.**

(1) It shall be the affirmative responsibility of each applicant and licensee to establish by clear and convincing evidence the necessary qualifications for licensure of each person required to be qualified under this chapter, as well as the qualifications of the facility in which the licensed activity will be conducted.

**WAC 230-03-085 Denying, suspending, or revoking an application, license or permit.**

We may deny, suspend, or revoke any application, license or permit, when the applicant, licensee, or anyone holding a substantial interest in the applicant's or licensee's business or organization:

(1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075.

(8) Poses a threat to the effective regulation of gambling, or creates or increases the likelihood of unfair or illegal practices, methods, and activities in the conduct of gambling activities, as demonstrated by: (a) Prior activities; or (b) Criminal record; or (c) Reputation; or (d) Habits; or (e) Associations.

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III.

Jurisdiction of this proceeding is based on 9.46 RCW, Gambling, chapter 34.05 RCW, the Administrative Procedure Act, WAC Title 230, and the Muckleshoot Tribal-State Compact.

You have an opportunity to have a hearing on the alleged violations.

**In order to have a hearing or discuss settlement options**, the enclosed REQUEST FOR HEARING must be COMPLETED AND RETURNED to the Gambling Commission *within 23 days* from the date of the mailing of this notice.

Under RCW 34.05.440, failure to respond to this document will result in the entry of a default order REVOKING your certification.

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF THURSTON )

Rick Day, being duly sworn on oath, says: That he has read this Notice of Administrative Charges knows the contents of it, believes it to be true, that he is the Director of the Washington State Gambling Commission, and in that capacity has executed this Notice.

*Rick Day*  
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RICK DAY, DIRECTOR

SUBSCRIBED AND SWORN TO before me  
this 8 day of December, 2008.

*[Signature]*  
\_\_\_\_\_  
NOTARY PUBLIC in and for the State of  
Washington residing at Thurston County

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF THURSTON )

I hereby certify that I have this day served a copy of the document upon all parties of record in the proceeding by mailing a copy thereof, properly addressed with postage prepaid, by regular and certified mail to each party to the proceeding or his or her attorney or authorized agent.

Dated at Olympia, Washington this 8th day of December, 2008

Communications and Legal Department  
Washington State Gambling Commission

*Mawson Prebell*

