

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Revocation of the Certification to Conduct Gambling Activities of:) NO. CR 2010-01352
)
Sasha L. Longee) **FINDINGS, CONCLUSIONS,**
Wapato, Washington,) **DECISION, AND FINAL**
) **ORDER IN DEFAULT**
Class III Employee.)

THE MATTER of the revocation of the certification to conduct gambling activities of Sasha L. Longee having come before the Commission on February 10, 2011, the State being represented by Jerry Ackerman, Senior Counsel, Office of the Attorney General, the Commission makes the following Findings of Fact, Conclusions of Law, and issues the following Decision and Order:

FINDINGS OF FACT

I.

The Washington State Gambling Commission issued Sasha L. Longee certification¹ number 69-31305, authorizing Class III activity, formerly with the Confederated Tribes and Bands of the Yakama Nation (Yakama Nation). The Commission issued this certification, which expires on May 6, 2011, subject to the certified employee's compliance with the Yakama Nation Tribal/State Compact, state gambling laws, and Commission rules

II.

On December 13, 2010, Director Rick Day issued an Order of Summary Suspension to Sasha L. Longee, by personal service. The Order of Summary Suspension notified Ms. Longee that failure to respond would result in the entry of a default order revoking her certification. Sasha L. Longee did not respond to the charges.

By not responding, Sasha L. Longee waived her right to a hearing on such charges and pursuant to RCW 34.05.440, this final order may be entered in default.

III.

SUMMARY:

On October 2, 2010, Sasha L. Longee, while intoxicated, ran her vehicle over a man who had exited her car and was lying in the road. This resulted in substantial bodily harm to the man. As a result, she has a pending felony Vehicular Assault charge.

¹ 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.

FACTS:

- 1) On October 27, 2010, Commission staff received an Affidavit from Sasha L. Longee in which she disclosed that on October 2, 2010, she was arrested and then charged with Vehicular Assault.
- 2) A Commission Special Agent (agent) reviewed Ms. Longee's criminal history and obtained the following documents filed on October 6, 2010, in Yakima County Superior Court:
 - a) The Information charged Ms. Longee with Vehicular Assault. The Information states that Ms. Longee operated a motor vehicle while under the influence of intoxicating liquor and caused substantial bodily harm to a person.
 - b) The Declaration of Probable Cause alleged that on October 2, 2010, Ms. Longee and a male passenger were in a vehicle together, and when Ms. Longee stopped the vehicle, the man exited the vehicle. Ms. Longee continued to drive, trying to find the man. In doing so, she ran over the man, who was lying in the road. The man suffered a fractured pelvis, a fractured right femur, several broken ribs, and internal injuries. The responding Washington State Patrol Trooper observed that Ms. Longee had an odor of intoxicants on her breath, bloodshot eyes, and slurred speech. When the vehicle was examined, the Trooper found blood and tissue along the left rear wheel well and the undercarriage of the vehicle. The investigation determined that the vehicle that Ms. Longee had been operating drove over the man.

VIOLATIONS:

Section V(C) of the Yakama Nation Tribe/State Compact

The State Gaming Agency² may revoke, suspend or deny 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:

(The following subsection applies.)

(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.

RCW 9.46.075 Denial, suspension, or revocation of license, application, or 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: (The following subsections apply.)

² Section II (V) of the Yakama Nation Tribal/State Compact defines "State Gaming Agency" as the Washington State Gambling Commission.

- (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 she is qualified in accordance with the provisions of this chapter.
- (9) Is subject to current prosecution or pending charges, or a conviction which is under appeal, for any of the offenses included under subsection (4)³ of this section: PROVIDED, That at the request of an applicant for an original license, the Commission may defer decision upon the application during the pendency of such prosecution or appeal.

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:

(The following subsections apply.)

- (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.

RCW 9.46.153(1) Applicants and licensees-Responsibilities and Duties.

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.

Sasha L. Longee, while intoxicated, ran her vehicle over a man who had exited her car and was lying in the road. This resulted in substantial bodily harm to the man. As a result, she has a pending Vehicular Assault charge, a felony involving substantial bodily harm to a person.

The certified employee poses a threat to the effective regulation of gaming, or increases the likelihood of unfair or illegal practices as demonstrated by her pending Vehicular Assault charge, which involves substantial bodily harm to a person.

Sasha L. Longee has failed to establish clearly and convincingly, as required by RCW 9.46.153(1), that she is qualified to be certified. As a result, there are grounds to revoke Sasha L. Longee's certification based on Section V(C)(1) of the Yakama Nation Tribal/State Compact, RCW 9.46.075(1), (8), (9), and WAC 230-03-085(1) and (8).

³ RCW 9.46.075(4) Has been convicted of, or forfeited bond upon a charge of, or pleaded guilty to any crime, whether a felony or misdemeanor involving physical harm to individuals.

IV.

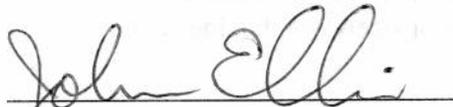
CONCLUSIONS OF LAW

The circumstances specified in the Findings of Facts in section III above constitute grounds for the revocation of Sasha L. Longee's certification to conduct gambling activities under the authority of Yakama Nation Tribal/State Compact, RCW 9.46.075 and WAC 230-03-085.

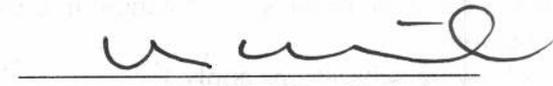
DECISION AND ORDER

The Washington State Gambling Commission HEREBY ORDERS: Sasha L. Longee's Class III certification to conduct gambling activities is REVOKED.

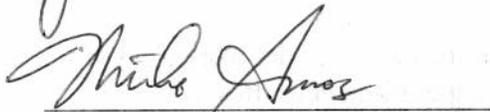
DATED this 10 day of February, 2011.



JOHN ELLIS, Chair



KEVEN ROJECKI, Vice Chair



MIKE AMOS

MICHAEL REICHERT

REBECCA ROE

NOTICE: RCW 34.05.440(3) provides that within seven (7) days after service of a default order the party against whom it was entered may file a written motion requesting that the order be vacated and stating the grounds relied upon.

WAC 230-17-040(3) requires that motions be served on the parties listed below:

Washington State Gambling Commission
Communications & Legal Division
PO Box 42400
Olympia, Washington 98504-2400

H. Bruce Marvin
Assistant Attorney General
P.O. Box 40100
Olympia, WA 98504-0100