STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Revocation of the Certification to Operate Gambling Activities of: Patricia K. White Spokane, Washington, Class III Employee.	)	NO. CR 2012-01360 **NOTICE OF ADMINISTRATIVE CHARGES, AND OPPORTUNITY FOR AN ADMINISTRATIVE HEARING**

I.

The Washington State Gambling Commission issued Patricia K. White certification[1] number 69-22448, authorizing Class III Employee activity.

The Commission issued this certification, which expires on February 14, 2013, subject to the certified employee's compliance with state gambling laws and Commission rules.

II.

Rick Day, Director of the Washington State Gambling Commission, charges the Class III employee with the following violations of the Kalispel Tribal/State Compact, Washington State Gambling Act, 9.46 RCW, and WAC Title 230.

SUMMARY:

On September 19, 2012, the Kalispel Tribal Gaming Board revoked Patricia K. White's license because she admitted taking abandoned player terminal tickets and gambling with them. Although Ms. White's tribal license was revoked, her state certification remains active.

FACTS:

1) A Washington State Gambling Commission Special Agent (agent) was assigned to Ms. White's file for a suitability investigation after being notified by the Kalispel Tribal Gaming Agency (KTGA) that her tribal license was revoked. The KTGA provided a copy of their Incident Report, EGM[2] Detail Report, a voluntary statement from Ms. White, Report for Licensing File Review, a copy of the surveillance footage, video of her oral interview, and a Board Action Form.

[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.
[2] EGM is used as shorthand for "Electronic Gaming Machine."

2) As part of the investigation, the agent reviewed Ms. White's licensing file. She was first granted certification to work at the Northern Quest Casino in 2006 and has maintained her certification since then.

3) According to the Incident Report, on September 3, 2012, a guest left a ticket in a Tribal Lottery System[3] player terminal. A supervisor took the ticket to the cage cashier to be turned into the abandoned credits box.

4) On September 9, 2012, the guest returned to the casino and was recognized by a casino employee. An employee talked with the guest and attempted to retrieve the abandoned ticket, but could not find it. During an investigation, it was discovered that the ticket had been redeemed in a player terminal on September 7, 2012. According to the EGM Detail Report, there were also seven additional voucher deposits made during the same time.

5) The Surveillance for September 7th and September 8th showed the following:

- While working as a cashier in the cage, Ms. White opened the abandoned credit box, separated out the current gaming day tickets, and put them back in the box. She then separated the remaining tickets into two piles, one with eight tickets and another with twelve tickets.

- Ms. White put the first pile of eight tickets into her cashier drawer. She put the second pile of twelve tickets into the "shred away bin" located in the cage.

- Ms. White took the first pile of eight tickets from the cashier drawer and placed them under a torn white envelope. She then proceeded with her closeout procedures for the window.

- Ms. White took the tickets and then exited the back cage area. She entered the employee restroom, changed her shirt, and returned to the gaming floor.

- Ms. White placed the eight tickets, totaling $310.27, into a player terminal and gambled.

- Ms. White moved to a different area and gambled again. She stayed in that area and played on eight different machines. She subsequently lost all of the money from the tickets she had taken.

6) On September 9, 2012, Ms. White was escorted to the KTGA Inspector Office and was interviewed by two agents. During the interview, Ms. White "confessed to taking and using tickets from the abandoned credits box and using them to gamble with." Ms. White said she had done this about four or five times in the past month and a half.

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[3] Tribal lottery system: The TLS machines are a cashless computerized gaming system that allows players to convert cash into game play credits, which are printed on tickets and then inserted into a bill receptor on player terminal machines. The credits are added to the machine and used to play the game.

7) Ms. White provided a written confession, which included the following statements:

- "I have admitted to on four or five occasions, having used tickets to gamble with."
- "I have no reason for doing what I did. I never profited from this, it was always used to play the machines."
- "I know I have had an issue with gambling for a while it's just gotten bad."
- "I apologize to the tribe and everyone I let down having done something so stupid."

8) On September 12, 2012, a Report for License File Review was completed. The document states the reason for the report was a summary suspension of Ms. White's license. It recommended the revocation of her license.

9) On September 19, 2012, the Kalispel Tribal Gaming Board met regarding the revocation of Ms. White's license. According to the Board Action Form, her license was revoked.

VIOLATIONS:

Kalispel Tribal/State Compact
V.C. Grounds for Revocation, Suspension, or Denial of State Certification.
The State Gaming Agency may revoke, suspend or deny a State certification under the provisions of RCW 9.46.075, and rules promulgated thereunder, 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 an applicant or holder of certification or principal of an entity:

V.C. (1) Is determined to be a person who because of prior activities, criminal record, if any, or reputation, habits and associations poses a threat to the effective, regulation of gaming or creates or enhances the chances of unfair or illegal practices, methods and activities being used in the conduct of the gaming activities permitted pursuant to this Compact;

V.C. (2) Has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by any provision of a Tribal-State Compact.

V.C. (4) Has had a Tribal or State gaming license revoked or denied during the twelve (12) months prior to the date the Tribe received the application; is currently on probation imposed by any jurisdiction; or has demonstrated a willful disregard or failed to comply with the requirements of any gaming regulatory authority in any jurisdiction, including offenses that could subject the individual or entity to suspension, revocation or forfeiture of any gaming license. For the purpose of reviewing any application for a state certification or for considering the denial, suspension or revocation of any state certification, the State Gaming Agency may consider any prior criminal conduct or current probationary status of the applicant or holder of certification and the provisions of RCW 9.95.240 and of chapter 9.96A RCW shall not apply to such cases.

RCW 9.46.075 Denial, suspension, or revocation of certification, 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.)

(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.

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, certified employee, or anyone holding a substantial interest in the applicant's or certified employee'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; and
(c) Reputation; or
(d) Habits.

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. The certified employee's pending criminal charges demonstrate that the Class III employee poses a threat to the effective regulation of gambling, creates, or increases the likelihood of unfair or illegal practices, methods, and activities in the conduct of gambling activities.

Ms. White has failed to establish clearly and convincingly that she is qualified for certification, as required by RCW 9.46.153(1). As a result, there are grounds to revoke Patricia K. White's certification based on the Kalispel Tribal/State Compact, RCW 9.46.075(1), (8), and WAC 230-03-085(1), and (8).

III.

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

The certified employee will have the opportunity to have a hearing on the alleged violations.

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 mailing of this notice.

Based on RCW 34.05.440, failure to return a request for hearing will cause 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 and Opportunity for An Adjudicative Proceeding, 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 said Notice.

Rick Day

RICK DAY, ~~DIRECTOR~~

SUBSCRIBED AND SWORN TO before me this 13 day of November, 2012.

Maureen Pretell

NOTARY PUBLIC in and for the State of Washington residing at Thurston County
My Commission expires on December 2, 2015

STATE OF WASHINGTON)
)
COUNTY OF THURSTON)

I certify I have this day served a copy of the document upon all parties of record in the proceeding by mailing a copy, property 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 14 day of November, 2012

Maureen Pretell