

ORDER 2019-50

IN RE SETTLEMENT AGREEMENT

**INDIANA GAMING COMPANY, LLC d/b/a HOLLYWOOD CASINO
LAWRENCEBURG
19-HW-01**

After having reviewed the attached Settlement Agreement, the Indiana Gaming Commission hereby:

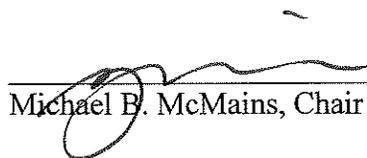
APPROVED

APPROVES OR DISAPPROVES

the proposed terms of the Settlement Agreement.

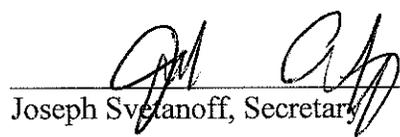
IT IS SO ORDERED THIS THE 8th DAY OF MARCH, 2019.

THE INDIANA GAMING COMMISSION:



Michael B. McMains, Chair

ATTEST:



Joseph Svetanoff, Secretary

**STATE OF INDIANA
INDIANA GAMING COMMISSION**

IN RE THE MATTER OF:)	
)	SETTLEMENT
INDIANA GAMING COMPANY, LLC)	19-HW-01
d/b/a HOLLYWOOD CASINO)	
LAWRENCEBURG)	

SETTLEMENT AGREEMENT

The Indiana Gaming Commission (“Commission”) by and through its Executive Director Sara Gonso Tait and Indiana Gaming Company, LLC d/b/a Hollywood Casino Lawrenceburg (“Hollywood”) (collectively, the “Parties”), desire to enter into this settlement agreement (“Agreement”) prior to the initiation of a disciplinary proceeding pursuant to 68 IAC 13-1-18(a). The Parties stipulate and agree that the following facts are true:

FINDINGS OF FACT

COUNT I

1. 68 IAC 15-13-2(d) dictates the procedure for whichs manually paid jackpots shall proceed.
2. On November 11, 2018, Security notified Gaming Agents that a Slot Floor Person and Security Officer failed to reset a manually paid jackpot for \$10,000.
3. On December 15, 2018, Security notified Gaming Agents that a Slot Floor Person and Security Officer failed to reset a manually paid jackpot for \$18,000.
4. On December 27, 2018, the Director of Casino Operations notified Gaming Agents of a jackpot that was incorrectly paid. Surveillance coverage confirmed a patron hit a jackpot for \$1,935. The Slot Floor Person completed the jackpot ticket correctly, however, when the jackpot was processed at the jackpot kiosk, the Slot Floor Person selected the wrong jackpot, which had been previously voided. The jackpot selected was for \$1,375 and the kiosk dispensed \$1,330.59 after taxes. Another Slot Floor Person assisted in escorting the funds to the patron and signed the jackpot ticket without properly verifying the funds paid were correct. A corrected W-2G was prepared for the patron. The patron would be required to be sign the corrected W-2G when the patron returned to the casino to retrieve the remaining \$541.91 that was owed to the patron.

COUNT II

5. 68 IAC 12-1-5(f) states electronic gaming device surveillance must be capable of providing the following:
 - (6) Progressive games, including dedicated coverage of the following:

- (A) An electronic gaming device or group of electronic gaming devices with a possible jackpot payout in excess of fifty thousand dollars (\$50,000).
- (B) The progressive display showing the incrementation of the progressive jackpot for an electronic gaming device or a bank of electronic gaming devices.

6. On October 31, 2018, a Lead Surveillance Tech notified Gaming Agents that an electronic gaming device (EGD) with a top award of over \$50,000 did not have dedicated surveillance coverage. Upon inspection of the EGD, the top award for this EGD was \$75,000.
7. 68 IAC 12-1-7(a) states all recordings must be kept in accordance with this section.
 - (b) Recordings depicting routine activity must:
 - (1) contain the date and time reading; and
 - (2) be retained a minimum of seven (7) days.
 - (c) Recordings depicting detention or questioning of a detained individual or employee, procedural errors, regulatory violations, or criminal activity must be copied and provided to enforcement agents upon request. The casino licensee shall retain recordings under this section for a period of time not less than sixty (60) days and store the recordings in the following manner:
 - (1) Analog video and audio tapes, and copies of digital video recordings stored on tape, digital video disk, or other storage medium for later reproduction must:
 - (A) contain the date and time reading; (B) be marked with the:
 - (i) date and time the recording was made;
 - (ii) identities of the employee or employees responsible for the monitoring; and
 - (iii) identity of the employee who removed the tape from the recorder and the time and date removed; and
 - (C) be secured in a cabinet that is in close proximity to the surveillance room that is security-locked and accessible by surveillance employees only.
 - (2) Digital video recordings not stored on tape, digital video disk, or other storage medium may be preserved by storing within the digital video system.
 - (d) Coverage that has been retained under this rule for a period of time exceeding seven (7) days may not be destroyed without the approval of the executive director or the executive director's designee.
8. On January 27, 2019, a Surveillance Shift Manager notified Gaming Agents that a camera covering the MPS count machine in the count room was not functioning. The camera was out for approximately thirteen (13) hours.

COUNT III

9. 68 IAC 11-9-2(a) states the casino licensee or trustee shall submit to the executive director internal control procedures concerning the withholding of cash winnings from delinquent obligors in accordance with 68 IAC 11-1.

10. 68 IAC 11-1-3(c)(4) states that no casino licensee or casino license applicant may use an internal control procedure unless the internal control procedure has been approved, in writing, by the executive director.
11. 68 IAC 13-1-1(b)(2) and (3) states the Commission may initiate an investigation or a disciplinary action, or both, against a licensee if the Commission has reason to believe the licensee is not complying with licensure conditions or is not complying with this Act or this title.
12. Hollywood's approved internal control procedures, Part I - Section K, describes the procedures for child support arrears and administration delinquency registry procedures.
13. Gaming Agents conducted an audit of the Child Support Arrears Delinquency Registry (CSADR) for July - December 2018. The results of this audit were that four (4) patrons were not searched in the CSADR after winning a taxable jackpot.

TERMS AND CONDITIONS

Commission staff alleges that the acts or omissions of Hollywood by and through its Agents as described herein constitute a breach of IC 4-33, 68 IAC and/or Hollywood's approved internal control procedures. The Commission and Hollywood hereby agree to a monetary settlement of the alleged violations described herein in lieu of the Commission pursuing formal disciplinary action against Hollywood.

Hollywood shall pay to the Commission a total of \$7,500 (\$2,000 for Count I, \$3,500 for Count II and \$2,000 for Count III) in consideration for the Commission foregoing disciplinary action based on the facts specifically described in each count of this Agreement. This Agreement extends only to those violations and findings of fact specifically alleged in the findings above. If the Commission subsequently discovers facts that give rise to additional or separate violations, the Commission may pursue disciplinary action for such violations even if the subsequent violations are similar or related to an incident described in the findings above.

Upon execution and approval of this Agreement, Commission staff shall submit this Agreement to the Commission for review and final action. Upon approval of the Agreement by the Commission, Hollywood agrees to promptly remit payment in the amount of \$7,500 and shall waive all rights to further administrative or judicial review.

This Agreement constitutes the entire agreement between the Parties. No prior or subsequent understandings, agreements, or representations, oral or written, not specified or referenced within this document will be valid provisions of this Agreement. This Agreement may not be modified, supplemented, or amended, in any manner, except by written agreement signed by all Parties.

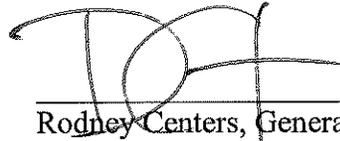
This Agreement shall be binding upon the Commission and Hollywood.

IN WITNESS WHEREOF, the Parties have signed this Agreement on the date and year as set forth below.



Sara Gonso Tait, Executive Director
Indiana Gaming Commission

3/5/19
Date



Rodney Centers, General Manager
Indiana Gaming Company, L.P.

February 27, 2019
Date