

OHIO CASINO CONTROL COMMISSION

RESOLUTION 2013-05

**CONSIDERATION OF ROCK OHIO CAESARS LLC'S (D/B/A HORSESHOE CASINO CINCINNATI) INTERNAL CONTROL PLANS**

**WHEREAS**, Article XV, Section 6(C)(4) of the Ohio Constitution created the Ohio Casino Control Commission ("Commission") to ensure the integrity of casino gaming by, among other things, licensing and regulating all gaming authorized by Article XV, Section 6(C) of the Ohio Constitution;

**WHEREAS**, R.C. 3772.03 authorizes the Commission to adopt regulations as are necessary for completing the functions of licensing, regulating, investigating, and penalizing, among others, casino operators, management companies, and holding companies;

**WHEREAS**, R.C. 3772.03(D)(1) and (28) mandate that the Commission prescribe rules to, among other things, prevent practices detrimental to the public and provide for any other thing necessary and proper for successful and efficient regulation of casino gaming under R.C. Chapter 3772, respectively;

**WHEREAS**, Ohio Adm. Code 3772-10-02(A) requires that each casino operator submit, in writing, its casino operations internal control plan, as detailed in Ohio Adm. Code Chapter 3772-10, to the Commission for review and approval at least sixty days before the operator's anticipated opening;

**WHEREAS**, Ohio Adm. Code 3772-10-02(A) prohibits a casino operator from opening a casino facility to the public absent Commission approval of the casino operations internal control plan;

**WHEREAS**, Ohio Adm. Code Chapter 3772-10 requires the following information be included as part of the casino operations internal control plan submission:

- (A) Casino operator's organizational structure, as detailed in Ohio Adm. Code 3772-10-03;
- (B) Controls for preparing accounting records, as detailed in Ohio Adm. Code 3772-10-04;
- (C) Procedures for using and retaining forms, records, and documents, as detailed in Ohio Adm. Code 3772-10-05;
- (D) Controls for standard financial reports, as detailed in Ohio Adm. Code 3772-10-06;
- (E) Controls for annual and other audit reports, as detailed in Ohio Adm. Code 3772-10-07;
- (F) Controls for meter readings and the preparation of related statistical reports, as detailed in Ohio Adm. Code 3772-10-08;

- (G) Controls for the authorization, issuance, recording, and auditing of complimentarys, including cash and non-cash gifts, as detailed in Ohio Adm. Code 3772-10-09;
- (H) Controls for the acceptance of personal checks, as detailed in Ohio Adm. Code 3772-10-10;
- (I) Controls for the acceptance, verification, accounting for, and sending of wire transfers, as detailed in Ohio Adm. Code 3772-10-11;
- (J) Controls for the acceptance and verification of cash equivalents, as detailed in Ohio Adm. Code 3772-10-12;
- (K) Controls for the receipt and withdrawal of patron deposits, as detailed in Ohio Adm. Code 3772-10-13;
- (L) Internal audit standards, as detailed in Ohio Adm. Code 3772-10-14;
- (M) Information technology standards, as detailed in Ohio Adm. Code 3772-10-15;
- (N) Controls for and security of the cashier's cage, main bank/vault, and count rooms, as detailed in Ohio Adm. Code 3772-10-16;
- (O) Accounting controls for the cage and main bank/vault, as detailed in Ohio Adm. Code 3772-10-17;
- (P) Physical requirements and controls for the transportation of table drop boxes and slot bill validator canisters, as detailed in Ohio Adm. Code 3772-10-18;
- (Q) Procedures for drop box counting, as detailed in Ohio Adm. Code 3772-10-19;
- (R) Procedures for processing unsecured currency, vouchers, tickets, or coupons found inside a bill changer but outside a bill validator canister, as detailed in Ohio Adm. Code 3772-10-20;
- (S) Procedures for paying jackpots that are not paid directly from a slot machine, as detailed in Ohio Adm. Code 3772-10-21;
- (T) Procedures for handling tips and gratuities, as detailed in Ohio Adm. Code 3772-10-22;
- (U) Procedures for extending credit to patrons, as detailed in Ohio Adm. Code 3772-10-23;
- (V) Procedures for preparing and maintaining license employee signature cards, as detailed in Ohio Adm. Code 3772-10-24;
- (W) Procedures for handling unclaimed winnings, as detailed in Ohio Adm. Code 3772-10-25; and

- (X) Procedures for securing and accurately tracking keys and locks, as detailed in Ohio Adm. Code 3772-10-26;

**WHEREAS**, R.C. 3772.03(D)(8) mandates, among other things, that the Commission identify the casino gaming that is permitted, identify the gaming supplies, devices, and equipment that are permitted, and define the area in which the permitted casino gaming may be conducted;

**WHEREAS**, R.C. 3772.03(D)(9) mandates that the Commission adopt regulations regarding tournament play in any casino facility;

**WHEREAS**, Ohio Adm. Code 3772-10-02(B) and 3772-11-02 require that each casino operator develop and implement an internal control plan for table games that includes, at a minimum, the following:

- (A) A detailed description of all procedures required by Ohio Adm. Code Chapter 3772-11 and any other regulations required to operate the games with integrity, as provided under Ohio Adm. Code 3772-11-02(A); and
- (B) A detailed description of the operations of a table games department, as provided under Ohio Adm. Code 3772-11-02(B);

**WHEREAS**, R.C. 3772.03(D)(21) mandates that the Commission prescribe requirements for a casino operator to provide unarmed security services at a casino facility by licensed casino employees and the training that must be completed by such employees;

**WHEREAS**, Ohio Adm. Code 3772-20-03 requires that each casino operator develop and implement a training plan that includes, at a minimum, the following:

- (A) The casino operator's duties with respect to providing unarmed security services, as provided under Ohio Adm. Code 3772-20-01(C);
- (B) The casino operator's security plan, as provided under Ohio Adm. Code 3772-20-04;
- (C) The casino operator's emergency operations plan, as provided under Ohio Adm. Code 3772-20-05;
- (D) The casino operator's duty to create and maintain incident reports, as provided under Ohio Adm. Code 3772-20-06;
- (E) The casino operator's duty to provide and use a security detention area, as provided under Ohio Adm. Code 3772-20-07;
- (F) Use of the casino operator's communication system, as provided under Ohio Adm. Code 3772-20-08;
- (G) Awareness and detection of suspected human trafficking occurring at the casino facility; and
- (H) Any other area that the Commission designates;

**WHEREAS**, Ohio Adm. Code 3772-20-04 requires that each casino operator develop and implement a security plan that includes, at a minimum, the following:

- (A) An organizational chart showing all positions in the security department;
- (B) A description of the duties and responsibilities of each position shown on the organizational chart;
- (C) The administrative and operational policies and procedures used in the security department;
- (D) A description of the training required for security personnel;
- (E) A description of the location of each permanent security station, if any;
- (F) The location of each security detention area;
- (G) Provisions for security staffing, as provided under Ohio Adm. Code 3772-20-02; and
- (H) An emergency operations plan, as provided under Ohio Adm. Code 3772-20-05;

**WHEREAS**, Ohio Adm. Code 3772-10-02(E), 3772-20-03(A), and 3772-20-04(A) require that each casino operator submit, in writing, its security and training plans, as detailed under Ohio Adm. Code Chapter 3772-20, to the Commission for review and approval at least 60 days before the operator's anticipated opening;

**WHEREAS**, Ohio Adm. Code 3772-10-02(E), 3772-20-03(B), and 3772-20-04(B) prohibit a casino operator from opening a casino facility to the public absent Commission approval of the security and training plans;

**WHEREAS**, R.C. 3772.03(D)(20) mandates that the Commission prescribe technical standards and requirements that are to be met by security and surveillance equipment that is used at and standards and requirements to be met by personnel who are employed at casino facilities, and standards and requirements for the provision of security at and surveillance of casino facilities;

**WHEREAS**, Ohio Adm. Code 3772-19-01(A) requires each casino operator to comply with the minimum surveillance standards, as approved by the Commission;

**WHEREAS**, Ohio Adm. Code 3772-19-01(I) and Standard Fifteen of the Minimum Surveillance Standards for Casino Operators, Management Companies or Holding Companies ("Standard Fifteen") require that each casino operator develop and implement a surveillance system plan that includes, at a minimum, the following:

- (A) A casino floor plan that shows the placement of all surveillance equipment;
- (B) A detailed description of the surveillance system and its equipment;

- (C) A detailed description of the procedures utilized for the operation of the casino surveillance system;
- (D) Staffing plans;
- (E) Plans for monitoring security detention areas; and
- (F) A list of personnel authorized to access the casino facility's surveillance room;

**WHEREAS**, Ohio Adm. Code 3772-10-02(E), 3772-19-01(I), and Standard Fifteen require that each casino operator submit, in writing, its surveillance system plan, as detailed under Ohio Adm. Code Chapter 3772-19, to the Commission for review and approval at least 60 days before the operator's anticipated opening;

**WHEREAS**, Ohio Adm. Code 3772-10-02(E), 3772-19-01(I), and Standard Fifteen prohibit the opening of a casino facility to the public absent Commission approval of the surveillance system plan;

**WHEREAS**, R.C. 3772.03(D)(26) mandates that the Commission establish procedures to ensure that casino operators, management companies, and holding companies are compliant with the compulsive and problem gambling plan submitted under R.C. 3772.18 and the rules adopted thereunder;

**WHEREAS**, Ohio Adm. Code 3772-12-04(B) requires that each casino operator develop and implement an internal control plan for compliance with the voluntary exclusion program that includes, at a minimum, the following:

- (A) Procedures to prevent employees from permitting an individual on the voluntary exclusion list from engaging in gambling activities at the casino facility;
- (B) Procedures to identify and remove voluntarily excluded individuals from the casino facility;
- (C) Procedures to prevent an individual on the voluntary exclusion list from receiving any advertisement, promotion, or other direct marketing mailing 15 days after receiving notice from the Commission that the individual has been placed on the voluntary exclusion list;
- (D) Procedures to prevent an individual on the voluntary exclusion list from having access to credit or from receiving complimentary services, check-cashing services, junket participation, and other benefits; and
- (E) Procedures to ensure the confidentiality of the identity and the information of the voluntarily excluded individual;

**WHEREAS**, the internal control plan required under Ohio Adm. Code 3772-12-04(B) must be submitted in writing to the Commission for approval at least 60 days before the operator's anticipated opening date;

**WHEREAS**, R.C. 3772.18 and Ohio Adm. Code 3772-12-06 require that each casino operator develop and implement a compulsive and problem gambling plan that includes, at a minimum, the following:

- (A) The goals of the plan and procedures and timetables to implement the plan;
- (B) The identification of the individual who will be responsible for the implementation and maintenance of the plan;
- (C) Policies and procedures including the following:
  - (1) The commitment of the casino operator to train appropriate employees;
  - (2) The duties and responsibilities of the employees designated to implement or participate in the plan;
  - (3) The responsibility of patrons with respect to responsible gaming;
  - (4) Procedures for compliance with the voluntary exclusion program;
  - (5) Procedures to identify patrons and employees with suspected or known compulsive and problem gambling behavior, including procedures specific to loyalty and other rewards and marketing programs;
  - (6) Procedures for providing information to individuals regarding the voluntary exclusion program and community, public, and private treatment services, gamblers anonymous programs, and similar treatment or addiction therapy programs designed to prevent, treat, or monitor compulsive and problem gamblers and to counsel family members;
  - (7) Procedures for responding to patron and employee requests for information regarding the voluntary exclusion program and community, public, and private treatment services, gamblers anonymous programs, and similar treatment or addiction therapy programs designed to prevent, treat, or monitor compulsive and problem gamblers and to counsel family members;
  - (8) The provision of printed material to educate patrons and employees about compulsive and problem gambling and to inform them about the voluntary exclusion program and treatment services available to compulsive and problem gamblers and their families, including examples of the material to be used as part of its plan;
  - (9) Advertising and other marketing and outreach to educate the general public about the voluntary exclusion program and compulsive and problem gambling;

- (10) An employee training program, including training materials to be utilized and a plan for periodic reinforcement training and a certification process established by the casino operator to verify that each employee has completed the training required by the plan;
  - (11) Procedures to prevent underage gambling;
  - (12) Procedures to prevent patrons impaired by drugs or alcohol, or both, from gambling; and
  - (13) The plan for posting signs within the casino facility, containing information on gambling treatment and on the voluntary exclusion program, including examples of the language and graphics to be used on the signs as part of its plan;
- (D) A list of community, public, and private treatment services, gamblers anonymous programs, and similar treatment or addiction therapy programs designed to prevent, treat, or monitor compulsive and problem gamblers and to counsel family members; and
- (E) Any other information, documents, and policies and procedures that the Commission requires;

**WHEREAS**, Ohio Adm. Code 3772-10-02(C) requires that each casino operator submit, in writing, its compulsive and problem gambling plan, as detailed under Ohio Adm. Code Chapter 3772-12, to the Commission for review and approval at least 60 days before the operator's anticipated opening;

**WHEREAS**, Ohio Adm. Code 3772-10-02(C) prohibits a casino operator from opening a casino facility to the public absent Commission approval of the compulsive and problem gambling plan;

**WHEREAS**, Rock Ohio Caesars, LLC, (d/b/a/ Horseshoe Casino Cincinnati) submitted its casino operations, table games, security, training, surveillance system, voluntary exclusion program, and compulsive and problem gambling internal control plans for the Commission's consideration;

**WHEREAS**, Horseshoe Casino Cincinnati submitted all other information required by the Commission regarding these internal control plans, if any; and

**WHEREAS**, the Commission reviewed all submitted information and materials and considered the matter at its public meeting on February 13, 2013.

**NOW, THEREFORE, BE IT RESOLVED** by the Commission that Horseshoe Casino Cincinnati's casino operations, table games, security, training, surveillance system, voluntary exclusion program, and compulsive and problem gambling internal control plans are **APPROVED**.

**BE IT FURTHER RESOLVED**, that Resolution 2013-05 does not in any way affect, negate, or otherwise absolve the requirement that Horseshoe Casino Cincinnati obtain the Commission's Executive Director's (or the designee thereof) final approval of each conditional licensing item in accordance with Ohio Adm. Code 3772-10-02.

**BE IT FURTHER RESOLVED**, that Resolution 2013-05 does not in any way affect, negate, or otherwise absolve Horseshoe Casino Cincinnati from its duty to seek approval to amend its casino operations and table games internal control plans in accordance with Ohio Adm. Code 3772-10-28.

**BE IT FURTHER RESOLVED**, that Resolution 2013-05 does not in any way affect, negate, or otherwise absolve Horseshoe Casino Cincinnati from its duty to seek approval to amend its security and training internal control plans in accordance with Ohio Adm. Code 3772-10-28, 3772-20-04(D) and (E), and 3772-20-05(D) and (E).

**BE IT FURTHER RESOLVED**, that Resolution 2013-05 does not in any way affect, negate, or otherwise absolve Horseshoe Casino Cincinnati from its duty to seek approval to amend its surveillance system internal control plan in accordance with Ohio Adm. Code 3772-10-28, 3772-19-01(I), and Standard Fifteen.

**BE IT FURTHER RESOLVED**, that Resolution 2013-05 does not in any way affect, negate, or otherwise absolve Horseshoe Casino Cincinnati from its duty to seek Commission approval to amend its internal control plan for compliance with the voluntary exclusion program or compulsive and problem gambling plan in accordance with Ohio Adm. Code 3772-10-28 and 3772-12-06(B), respectively.

**BE IT FURTHER RESOLVED**, that Resolution 2013-05 does not in any way affect, negate, or otherwise absolve Horseshoe Casino Cincinnati from its duty to submit an annual summary of its compulsive and problem gambling program to the Commission in accordance with 3772-12-06(C).

**BE IT FURTHER RESOLVED**, that Resolution 2013-05 does not in any way affect, negate, or otherwise absolve Horseshoe Casino Cincinnati from its duty to submit quarterly updates and an annual report of its adherence to the plans and goals submitted under R.C. 3772.18(A)(6) and Ohio Adm. Code 3772-12-06 to the Commission in accordance with Ohio Adm. Code 3772-12-06(D).

**BE IT FURTHER RESOLVED**, that Resolution 2013-05 does not restrict or limit the Commission's future exercise of authority and discretion with respect to imposing additional conditions or taking further action with respect to Horseshoe Casino Cincinnati under R.C. Chapter 3772. and the rules adopted thereunder.

Adopted:

February 13, 2013