

GAMING COMMISSION
REGULATIONS

ESTABLISHING PROCEDURES FOR
BARRING/EXCLUSION/EJECTION

OF PERSON(S) FROM THE GAMING
FACILITY

Coyote Valley Gaming Commission
Coyote Valley Band of Pomo Indians

Chapter 16

BARRING/EXCLUSION/EJECTION
PROCEDURES

Sections:

- 16.010 Purpose.
- 16.020 Policy.
- 16.030 Procedures for Exclusion.
- 16.040 Duration of Exclusion.
- 16.050 Right to Appeal.

Section 16.010. Purpose. The purpose of this Chapter is to set forth a standardized process and guidelines for the temporary and long-term exclusion of persons from the Coyote Valley Gaming Facility. (For the purpose of this policy the Gaming Facility is inclusive of the gaming facility, restaurant and bingo hall.)

Section 16.020. Policy. In accordance with Section 4. Powers and Duties (3), of the Coyote Valley Gaming Ordinance dealing with "exclusion or ejection of individual," the following procedure shall apply:

Section 16.030 Procedure for Exclusion.

1. Any person may be excluded from the Gaming Facility for conduct which is detrimental to the integrity or reputation of the Gaming Facility. Such conduct shall include but not be limited to the following:

a) Violation of applicable Tribal, State or Federal Laws and/or Regulations.

b) Violation of any Tribal-State Compact provisions.

c) Violation of the Coyote Valley Gaming Ordinance.

d) Conduct which is contrary to the public interest or Tribe's interest.

e) Conduct which adversely affects the health, security, and welfare of the Gaming Facility, or of patrons or employees, including but not limited to cheating, assault, theft, panhandling, misrepresentation, fraud, threatening or intimidating behavior, or intoxication and disorderly conduct.

2. Only Security personnel or employees of the Coyote Valley Gaming Commission in coordination with Casino Management are authorized to exclude a person from the Gaming Facility for reasons set forth above.

3. Any designated member of the Casino Management may request Security or Coyote Valley Gaming Commission personnel to exclude someone from the Gaming Facility. The following procedure shall be followed:

a) Call for the presence of Security Officer or Coyote Valley Gaming Commission Inspector on duty at the time.

b) Explain the circumstance to the Security Officer or Inspector.

c) Provide all applicable supporting documentation including such things as written statements, forms, copies of reports, video tapes, etc.

4. The Security Officer or Inspector, upon being advised by a Gaming Commissioner or Casino Management of the need to exclude a person, will:

a) Obtain valid identification and obtain current address of subject and fill out a "Notice of Exclusion." Read the content of the notice to the person being excluded. (See attachment A).

b) Give a copy of the notice to the person being excluded. (The form is printed in triplicate).

c) Write an incident

report describing the situation and attach a copy of the "Notice of Exclusion" and all other supporting documentation.

d) Forward a copy of the complete report, including the Notice of Exclusion, to the Coyote Valley Gaming Commission.

5. When an Inspector initiates the act of excluding a person from the Gaming Facility, he/she will:

a) Call for the presence of a Security Officer to help deter any potential hostile reaction.

b) Follow all steps as outlined under Paragraph 4 above.

Section 16.040 Duration of Exclusion.

1. An initial notice of exclusion shall be valid for a period of up to 30 days. Any desire to exclude a person beyond 30 days shall be expressed in writing to the Coyote Valley Gaming Commission, specifying the desired length of exclusion and justification. All extended exclusion decisions shall be made only by the Coyote Valley Gaming Commission.

2. Upon receipt of the incident report and "Notice of Exclusion," the Coyote Valley Gaming Commission shall update the status of the "List of Excluded Person." This list is maintained in an Excluded Person's Book maintained by the Coyote Valley Gaming Commission for

that purpose and shall be kept in the Coyote Valley Gaming Commission Office with copies in the Security and Surveillance offices.

3. The Coyote Valley Gaming Commission shall review the request for exclusion, the incident report, and any available surveillance tapes of the incident, and decide if the person should be excluded beyond 30 days, and if so, the duration of the exclusion.

4. If the exclusion exceeds 30 days, the Coyote Valley Gaming Commission (or a designee) shall notify the excluded person by certified return receipt mail of the decision of the Coyote Valley Gaming Commission.

Section 16.050. Right to Appeal.

All initial decisions of the Gaming Commissioner or the designated Casino Management of barring/excluding/ejecting a person from the Gaming Facility and all decisions of the Commission extending the initial decision of exclusion may be appealed to the Coyote Valley Gaming Commission.

1. The notification described in Paragraph 4 of Section 16.040, above, shall also include notice of the right to appeal. This notification shall specify that the person must notify the Coyote Valley Gaming Commission in writing, within 5 days of receipt of notification of being excluded, that they desire a hearing. The notice shall also state, that failure to request a hearing shall result in the loss of

any further right to appeal. Any hearing conducted under this Section, shall be conducted by the Coyote Valley Gaming Commission or someone designated by the Coyote Valley Gaming Commission for that purpose.

2. Steps 2 through 4 of Section 16.040 and step 1 of Section 16.050 shall be accomplished within 30 days of issuing the Notice of Exclusion.

3. The Coyote Valley Gaming Commission may decline to grant a hearing and make the exclusion decision based on evidence at hand. A hearing should only be granted when there is reason to believe that the appellant has valid evidence to dispute the facts based on evidence produced at the time of the exclusion and submitted with the appeal.

4. Within 30 days of receiving proper notification that the excluded person desires a hearing, a hearing date and time will be set and the person shall be notified of said date and time by certified mail. The person shall also be advised that failure to appear for said hearing is a forfeiture of any further right to appeal.

5. All hearings on appeal shall be conducted by the Gaming Commission in accordance with Chapter 13 of the Commission's regulations. Upon conclusion of the hearing, the person shall be notified within 30 days, by certified mail, of the Coyote Valley Gaming Commission's final decision.

6. The Coyote Valley Gaming Commission shall provide updated lists of excluded persons to the Gaming Facility.

7. Any person, after notice of exclusion, who enters the Gaming Facility shall be subject to arrest for criminal trespass. Pursuant to Section 4. Powers and Duties (3) of the Coyote Valley Gaming Ordinance it shall be a violation of the Ordinance, the Coyote Valley Tribal-State Compact, and these Regulations for any employee to knowingly fail to eject any excluded person from the Gaming Facility. A violation of this Section may result in revocation or suspension of a licensee's gaming license or the imposition of a fine on the licensee.

CERTIFICATION

The foregoing Regulations were adopted at a special meeting of the Coyote Valley Gaming Commission held on February 1, 2006, by the following vote:

AYES: 3

NOES: 0

ABSTAIN:0

ABSENT: 2

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ATTESTED:

Secretary of the Coyote Valley Gaming
Commission

(ATTACHMENT)

Officer of the Gaming Commission Exclusion
Letter

Incident Report# _____
Page: _____ of _____

Exclusion Start:
Exclusion Stop:

Exclusion Extended:
Extension Stop:

From: Casino Management/Gaming
Commission

To:

It has been determined that your presence at the Coyote Valley Casino, Redwood Valley, California is not in the best interest of the Coyote Valley Band of Pomo Indians. You are hereby excluded from the Coyote Valley Casino for the following reason(s):

You are not to re-enter, under any circumstances, any portion of the Coyote Valley Casino for 30 days. After review of the Incident by the Coyote Valley Gaming Commission, the length of your exclusion may be extended. If you are to be excluded beyond 30 days, you will be advised in writing along with notification of your rights to appeal. Your re-entry upon any portion of the Coyote

Valley Casino, during any period of exclusion will subject you to the possibility of arrest for criminal trespass.

Authority: Code of Federal Regulations, Title 25- Indian organization under Section 16 of the Indian Reorganization Act of June 18, 1934, and Part 11 - Law and Order on Indian Reservation under Section 11.

Copy of Driver License and/or
Photograph

Valid LD. information and current address

Here:

Here:

I, _____ hereby
acknowledge that I have received this
exclusion letter

(Signature of Excluded person)

and understand its content.

Officer/Inspector Serving letter

Date _____