

## **Exhibit X.A.4 (Self-Exclusion Policies):**

*Submit as Exhibit X. A.4. a description of the exclusion policies that will be available for Gaming Facility patrons and employees, including the process to notify individuals of the availability of self-exclusion, the steps that will be taken to assist those who request exclusion and steps that will be taken to assure that excluded patrons are identified before gaining access to the gaming floor.*

The below describes minimum procedures that would be implemented in our self-exclusion policy.

### **SELF-EXCLUSION PROGRAM**

- A. Any person who inquires about self-exclusion will be referred to a Security Supervisor who will inform him/her of the Voluntary Self-Exclusion Program. After being informed of the Voluntary Self-Exclusion Program by a Security Supervisor, that person who requests to participate in the program will be referred to a representative assigned to assisting patrons with enrollment.
- B. The Voluntary Self-Exclusion Program, lists all persons who have requested that they be excluded from all New York casinos. The regulator may also generate a State Required Exclusion List, which lists persons whom the gaming regulator prohibits from all New York casinos. At a minimum, the VP or Director of Marketing will ensure that the current list of Voluntary Self-Excluded Persons is downloaded once a week and the State Required Exclusion List is checked once a week. The downloaded information will contain identifying information regarding those persons who have been placed on the Voluntary Self-Exclusion List. The casino will ensure that the following procedures are performed within three business days of downloading the current Voluntary Self-Exclusion List and checking the Statewide Required Exclusion List for any additional persons placed on the list:
  1. The VP or Director of Marketing will ensure that the current downloaded information from the Statewide Voluntary Self-Exclusion List and any additional persons to the Statewide Required Exclusion List is updated in the Casino Management System and will notify a designated group of management personnel of the update.
  2. The VP or Director of Marketing will ensure that the self-excluded person or excluded person player tracking account is flagged in the Player Tracking System with a "Self Barred" status. Specifically, the following changes will be made to the patron account within the CMS:
    - a. The account status is changed to "Self-Barred".
    - b. The first line of the patron address is changed to read "Self-Barred"
    - c. For the Statewide Voluntary Self-Exclusion Program, a message is placed in the patron account that reads "Warning! This patron is self-barred! Refer to the patron notes for further information".
    - d. For the Statewide Required Exclusion List, a message is placed in the patron account that reads "State Exclusion - Do not allow entry. Contact Security and Gaming Enforcement".
    - e. The mail code is changed to reflect no mail.
    - f. If a credit line is available, the amount of the credit line is changed to zero.
    - g. If a check cashing line is available, the amount of the check cashing line is changed to zero.

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3. If a self-excluded person or excluded person does not have a player tracking account, the VP of Marketing, Director of Marketing, the Database Marketing Manager or the Database Administrator, or Regulatory Compliance Clerk or above will create one so that it can be flagged with the "Self-Barred" status. Once a person account has been flagged in the Player Tracking System with the "Self-Barred" status, it will be flagged in the entire Casino Management System and will appear each time that the person account is accessed before performing any gaming related transactions. The Marketing department will ensure that the self-excluded person or excluded person name and address is flagged on all mailing, marketing and promotional lists and databases so that he/she is removed from all services, including check cashing, credit, and promotional inducements offered by the casino.

If the CMS is unavailable, the employee would check either a back-up computerized listing (maintained by the IT department) or a paper list (maintained by security) of individuals on the Statewide Voluntary Self-Exclusion list. The paper list of the Statewide Voluntary Self-Exclusion list will be updated weekly and maintained in a secure location and accounted for by the security department. The back-up computerized list and the paper list will be updated on a weekly basis contemporaneously with the receipt of the updated Statewide Voluntary Self-Exclusion that is downloaded weekly. The old paper list will be immediately destroyed by the security department.

4. At any time that a self-excluded or excluded patron tracking account is accessed in the player tracking system, a system status (i.e. a stop code) will indicate that the person is barred - "Self-Barred".
  5. The Surveillance and Security Departments will be provided with any photographs and identifying information of the self-excluded person or excluded person that has been either downloaded with the Voluntary Self-Exclusion List or obtained from the Exclusion List.
- C. The casino will ensure that the following procedures are implemented to detect a Voluntary Self-Excluded Person or an Excluded Person:
1. The Security Department and the Surveillance Department will have available to them the identifying information on all self-excluded persons and excluded persons identified on the current Statewide Voluntary Self-Exclusion List and Statewide Required Exclusion List.
  2. The names of the Statewide Voluntary Self-Excluded Persons and the excluded persons will be maintained in the Casino Management System (i.e. player tracking database). If a self-excluded person or excluded person attempts to conduct any gaming related transactions, the Casino Management System will indicate that the person is "Self-Barred".
  3. Employees of the casino will not knowingly allow a person on the Statewide Voluntary Self-Exclusion List or the Exclusion List access to the casino. To detect an excluded person on the current Statewide Voluntary Self-Exclusion List or the Exclusion List, the following types of transactions will be verified against the current Statewide Voluntary Self-Exclusion List or an excluded person on the Exclusion List maintained within the Casino Management System

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or if the Casino Management System is not available, the computer version of the Statewide Voluntary Self-Exclusion List or the Exclusion List to determine whether the patron is included on the list:

- a. Any patron attempting to cash a negotiable instrument;
  - b. Any patron requesting to establish credit privileges and/or attempting to utilize existing credit privileges;
  - c. Any patron requesting to conduct front money deposits or withdrawals;
  - d. Any patron attempting to register for a player tracking card;
  - e. Any patron requesting a complimentary service; and/or,
  - f. Any patron claiming jackpots of \$1,200 or over or requiring a W2-G to be issued by the casino.
- D. Should a person found in the casino be suspected of being on the Statewide Voluntary Self-Exclusion List or the Exclusion List, the following actions will be taken:
1. The casino employee who discovers a suspected Statewide Voluntary Self-Excluded person or excluded person will immediately notify a Security Officer. The Security Officer, once notified, will immediately notify a Security Supervisor, surveillance and an onsite regulator.
  2. Upon confirmation by a Security Supervisor that the patron is enrolled in the Statewide Voluntary Self-Exclusion Program or has been placed on the Exclusion List, a Security Officer will request the surveillance department take a photograph of the patron from a surveillance camera and prevent the person from engaging in any further wagering activity.
  3. In the event a person on the Statewide Voluntary Self-Exclusion List is observed gambling or in the possession of chips, vouchers or electronic credits, the following procedures will be followed:
    - a. In the presence of an onsite regulator, all jackpots as well as all chips in play or in plain view, vouchers and electronic credits in the possession or control of the self-excluded person will be inventoried by a Security Supervisor using the one-part VOLUNTARY SELF-EXCLUSION FORFEITURE FORM.  
  
**Note:** Electronic credits in the possession or control of a self-excluded person will be converted to a voucher and subsequently inventoried by the Security Supervisor on the Statewide Voluntary Self-Exclusion Forfeiture Form.
    - b. A Statewide Voluntary Self-Exclusion Forfeiture Form will be used to document the amount inventoried from, and forfeited by the self-excluded person. The Statewide Voluntary Self-Exclusion Forfeiture Form will be signed by the Security Supervisor who

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performed the inventory and completed the Statewide Voluntary Self-Exclusion Forfeiture Form. The Statewide Voluntary Self-Exclusion Forfeiture Form will also be signed by the Agent who witnessed the transaction, and if cooperative, the self-excluded person. The amount forfeited will be paid into the cage using a two-part paid in. The original will accompany the funds to the cage and will be transferred to revenue audit via the daily main bank paperwork. The duplicate of the paid in will be dropped by the Security Supervisor in an accounting box. Revenue audit will match the original and duplicate copies of the paid out for retention.

- c. The distribution of the Statewide Voluntary Self-Exclusion Forfeiture Form will be as follows:

Original: Will be forwarded to the Statewide Voluntary Self-Exclusion Program Director by the General Manager within three days of forfeiture.

Photocopies: A photocopy of the original Statewide Voluntary Self-Exclusion Forfeiture Form along with the forfeited funds will be taken to the cage. A Cage Cashier will prepare a paid in which will be authorized and signed by a Cashier Supervisor. The Senior Cage Cashier/Cage Cashier will transfer the forfeited funds, along with a copy of the Statewide Voluntary Self-Exclusion Forfeiture Form and the paid in to the main bank. The cage then forwards the main bank settlement sheet and the photo copy of the Statewide Voluntary Self-Exclusion Forfeiture Form to the revenue audit department at the end of each day which denotes the main bank accountability of the forfeited funds.

A photocopy of the Statewide Voluntary Self-Exclusion Forfeiture Form will also be issued to the security department, the regulatory compliance department, the Agent who witnessed the transaction and the self-excluded person.

- d. The casino will issue a W2-G to the patron if required by federal law. The Security Supervisor will remind the patron of his/her barred status and will contact the local law enforcement agency and request that the self-excluded person be arrested for trespassing.
- e. A security incident report will be completed by the Security Supervisor detailing the incident. The surveillance photograph of the self-excluded person will be attached to the security incident report.
- g. The Security Supervisor will immediately contact the Statewide Voluntary Self-Exclusion Program Director with the name of the self-excluded person, self-excluded person number if known, the amount forfeited and date of forfeiture.

### E. Confidentiality

No employee or Key Person of the casino may disclose the name of any person on the Voluntary Self-Exclusion List to any third party or affiliate of the casino unless specifically authorized by the regulations or as required by a court order specifically requiring the release of mental health records and information.