

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Suspension or Revocation) NO. CR 2012-00402
of the License to Conduct Gambling Activities of:)
)
Scott Peterson) **NOTICE OF ADMINISTRATIVE**
Tacoma, Washington,) **CHARGES AND**
) **FOR AN ADJUDICATIVE**
) **PROCEEDING**
Licensee.)
_____)

I.

The Washington State Gambling Commission issued Scott Peterson license number 68-15568, authorizing Card Room Employee activity at Great American Casino in Everett. The license expires on March 30, 2013, and was issued subject to the licensee's compliance with state gambling laws and rules.

II.

Rick Day, Director of the Washington State Gambling Commission, charges the licensee with the following violations of the Washington State Gambling Act, 9.46 RCW, and WAC Title 230:

- 1) On March 22, 2011, a Gambling Commission Special Agent (agent) was assigned to Mr. Peterson's case to investigate whether he continued to qualify for a license while having a total of \$3,593.50 court-ordered fines and fees in collections due to nonpayment. Commission staff became aware of these fines and fees during a routine annual criminal history check.
- 2) In a post-licensing investigation, the agent determined that Scott Peterson first applied for and was granted a license in 2002 to work at the Silver Dollar Casino in Millcreek. He has been licensed on and off since. Mr. Peterson also worked at Crazy Moose Casino in Mountlake Terrace. He transferred his license to Great American Casino in 2005 and has been there ever since.
- 3) As part of the agent's investigation, she conducted a criminal history background check and determined that Mr. Peterson has six Failures to Appear on his record as a result of failing to pay his fines and fees.
- 4) The following is a breakdown of Mr. Peterson's criminal history listed from the date of violation, the charge, and the dollar amount owed in collections:
 - 10/14/2011 – DWLS 3rd Degree, \$373;
 - 06/29/2011 – Failure to Renew Expired Registration & Operating Motor Vehicle w/o Insurance, \$818;
 - 05/20/2011 – Failure to Renew Expired Registration & Operating Motor Vehicle w/o Insurance, \$818;
 - 03/08/2011 – Operating Motor Vehicle w/o Insurance, \$602;

- 04/03/2009 – Operating Motor Vehicle w/o Insurance & No Valid Operator’s License, \$639.36;
 - 07/26/2007 – Failure to Renew Expired Registration, \$268;
 - 06/04/2005 – Speeding 15 MPH Over Limit, \$205; and
 - 02/15/2003 – Possession of Marijuana, \$576.
- 5) On March 22, 2012, the agent sent a letter to Mr. Peterson and his employer notifying them of the court debt that he has accumulated. The letter notified them that based on his “pattern of criminal history, to include failure to comply with court ordered fines, fees, and obligations and the dollar amount of the fines and fees in collections, we feel that he may pose a threat to the effective regulation of gaming and enhances the chance of unfair or illegal practices, methods or activities of the gaming activity due to the financial pressure facing him.” The letter also stated that, “we are concerned that since he failed to comply with the judge’s rulings, he may not comply with internal control requirements or adhere to the direction of the Washington State Gambling Commission” and that the agent was going to recommend the revocation of his gambling license.
- 6) Mr. Peterson has failed to prove by clear and convincing evidence the necessary qualifications for licensure, in violation of RCW 9.46.153. Therefore, under RCW 9.46.075(1) and (8) and WAC 230-03-085(1), (3), (7), and (8), grounds exist to suspend or revoke Scott Peterson’s license.

RCW 9.46.075 Denying, suspending, or revoking an application, license 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 he 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, licensee, or anyone holding a substantial interest in the applicant's or licensee'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.

(3) Has demonstrated willful disregard for complying with ordinances, statutes, administrative rules, or court orders, whether at the local, state, or federal level.

(7) Fails to provide us with any information required under Commission rules within the time required, or, if the rule establishes no time limit, within thirty days after receiving a written request from us.

(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; or
- (b) Criminal record; or
- (c) Reputation; or
- (d) Habits; or

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.

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STATE OF WASHINGTON)
COUNTY OF THURSTON)

I hereby certify that I have this day served a true and correct copy of the document upon all parties as described herein, and a copy of the same has been filed for the record in the office of the County Clerk of Thurston County, Washington, and a copy of the same has been filed for the record in the office of the County Clerk of Thurston County, Washington, and a copy of the same has been filed for the record in the office of the County Clerk of Thurston County, Washington.

Dated at Olympia, Washington this _____ day of _____, 2012.

Washington State Gambling Commission
Commissioner and Legal Department

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 licensee will have the opportunity to have a hearing on the alleged violations.

In order 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 date of the mailing of this notice.

Based on RCW 34.05.440, failure to return a request for hearing will result in the entry of a default order REVOKING your license.

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 18 day of April, 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)
)ss
COUNTY OF THURSTON)

I hereby certify that I have this day served a copy of the document upon all parties of record in the proceeding by mailing a copy thereof, properly 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 19 day of April, 2012

Maureen Pretell

Communications and Legal Department
Washington State Gambling Commission

