

## Criminal Violations

### RCW 9.46.153(3) Licensees Responsibilities Regarding Illegal Activities

Licensees, managers, and employees must notify the Gambling Commission if they suspect illegal gambling activity may be occurring on or off the premises. If a licensee, manager, or employee knows an illegal activity is being conducted and fails to notify the Commission and/or the appropriate law enforcement agency, the person risks losing his or her gambling license.

### RCW 9.46.0269/9.46.220 Professional Gambling IS A FELONY

The solicitation of players for after-hours, illegal card games or allowing a bookmaking operation to be conducted on the premises is professional gambling. Licensees who allow any unauthorized or illegal activity to occur on their premises are aiding and abetting professional gambling. Operators, managers, and employees have an affirmative duty to ensure that their establishments are not used for the conduct of illegal activities or to solicit participants for illegal activities.

**NOTE: In addition to the responsibilities cited above concerning information and/or involvement in illegal gambling activities, operators and licensed gambling employees are reminded that involvement in or knowledge of other types of illegal activity can also be grounds for suspension or revocation of a gambling license.**

Bookmaking, after-hours card games, and cheating, are some of the more common illegal gambling activities that might be conducted on a card room premise. These activities are illegal because the people operating them are charging fees to participate or committing fraudulent acts.

**RCW 9.46.0213 Bookmaking** is defined as “accepting bets...as a business or in which the bettor is charged a fee or “vigorous” for the opportunity to place a bet.” Included in the back of this handout are some examples of the ways a bookmaker records bets and typical publications they use. If you see evidence of these types of documents within your business, it is an indication that a bookmaker may be conducting his business on your premises, and your license will be in jeopardy. In addition, as the owner, you and/or your employees may be subject to criminal prosecution for aiding in the illegal operation. Contact your local Gambling Commission Agent or our Criminal Enforcement Unit if you need assistance in determining whether you are at risk.

**RCW 9.46.196 Cheating** Individuals operating any scheme to defraud the public or the operator is guilty of cheating. This is most often done by dealers but is applicable to anyone. Card Room Employees who overpay player hand(s) or bartenders increase Pull Tab payouts to increase tipping would be committing an act of fraud by cheating the operator and risk criminal prosecution as well as jeopardizing their gambling licenses if applicable.

## Applicable RCW's

**9.46.0213 Bookmaking.** <http://app.leg.wa.gov/RCW/default.aspx?cite=9.46.0213>

**9.46.0265 Player.** <http://app.leg.wa.gov/RCW/default.aspx?cite=9.46.0265>

**9.46.153 Applicants and licensees — Responsibilities and duties — Waiver of liability — Investigation statement as privileged.** <http://app.leg.wa.gov/RCW/default.aspx?cite=9.46.153>

**9.46.196 Cheating — Defined.** <http://app.leg.wa.gov/RCW/default.aspx?cite=9.46.196>

**9.46.220 Professional gambling in the first degree.** <http://app.leg.wa.gov/RCW/default.aspx?cite=9.46.220>