



STATE OF WASHINGTON
GAMBLING COMMISSION

"Protect the Public by Ensuring that Gambling is Legal and Honest"

November 23, 2021

COLLEEN DAVIS
5769 LEGOE AVE APT 14
FERNDALE, WA 98248-9291

RE: ADMINISTRATIVE ACTION; CR 2021-00685

Dear Colleen Davis:

Enclosed is an Order of Default entered by the Commission on November 16, 2021, revoking your certification to conduct gambling activities. This action occurred because you did not timely respond by requesting a hearing to the administrative charges mailed on June 23, 2021.

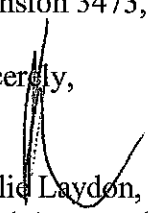
You have the right to move to vacate this Order. If you do so, we must receive your request by the 10th day after the Order was mailed. Your motion must include the specific grounds upon which relief is requested and must be submitted to:

Washington State Gambling Commission
Attention: Legal & Records Division
P.O. Box 42400
Olympia, WA 98504-2400

You also have the right to submit a Petition for Judicial Review. If you do this, you must submit it within 30 days of the date the Order was mailed. RCW 34.05.514 explains where you must file this petition and RCW 34.05.546 explains what information your Petition must include.

This is not meant to be a full explanation of all the statutes and regulations you would need to understand to move to vacate or Petition for Judicial Review. Please call me at (800) 345-2529, extension 3473, with any questions.

Sincerely,


Ashlie Laydon, Rules Coordinator
Legal & Records Division

Enclosure

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**STATE OF WASHINGTON
GAMBLING COMMISSION**

In the Matter of:

NO. CR 2021-00685

COLLEEN H DAVIS,
License No. 69-36427,

FINAL ORDER OF THE
GAMBLING COMMISSION

Class III Employee.

This matter having come before the Washington State Gambling Commission (Commission) on November 16, 2021, the Commission makes the following Findings of Fact, Conclusions of Law, and issues its Final Order:

I. FINDINGS OF FACT

1. The Washington State Gambling Commission issued Colleen Davis Certification No. 69-36427 authorizing Class III Employee activity for the Lummi Tribe of Indians.

2. This certification, which expires on November 24, 2021, was issued subject to Davis's compliance with state gambling laws and Commission rules in accordance with the Lummi Tribal-State Gaming Compact.

3. Davis has been licensed since 2014.

4. On May 7, 2021, a WSGC Special Agent was contacted by a member of the Lummi Tribal Gaming Agency (LTGA) explaining that they had suspended the license of Class III Certification holder Colleen Davis. The suspension was based on the fact that Davis had pending criminal charges.

1 5. Upon receiving the notice from LTGA, the Agent conducted a criminal history
2 check through the Judicial Access Browser System (JABS)¹. That check confirmed that Davis
3 was the subject of a pending criminal charge of Felony Harassment, Threat to Kill, in Whatcom
4 County Superior Court. The Agent order certified copies of all pleadings filed in the case.

5 6. When the Agent received the documents, they outlined that Davis had been
6 charged with Felony Harassment, Threat to Kill on May 3, 2021 from an incident that occurred
7 on April 30, 2021.

8 7. According to the Declaration of Probable Cause, Police responded to a call that
9 Davis had pulled a knife on her neighbor and threatened to kill her. Davis and the neighbor had
10 been arguing when Davis reached into her vehicle and pulled out a large curved blade fighting-
11 style knife. Davis is then alleged to have said to the neighbor, "I'm going to kill you."

12 8. When Davis spoke with the police, she admitted to the confrontation, and to
13 having the knife in her hand while the argument transpired. Davis, though, denied making any
14 threats to kill the neighbor.

15 9. According to Davis, she felt that she was the one that was threatened. She claims
16 she stood by her vehicle, and did not approach the victim.

17 10. The investigating officers were able to view a video taken by the neighbor's child.
18 That video contradicted Davis's claim that she remained by her vehicle. According to the
19 reporting officer, Davis had a "very confrontational look on her face and does not appear to be
20 frightened."

21 11. The neighbor told the officers that she was very scared for her safety and the
22 safety of her children, who were in her home at the time of the confrontation. The neighbor also
23 told the officers that she was scared for her safety at her job, at the Silver Reef Casino, because
24 Davis had seen her there before.

25 _____
26 ¹ JABS is a system run by the Washington State Court System which keeps a record of court actions filed
in the Municipal, District, and Superior Courts of Washington.

1 12. On May 26, 2021, the WSGC Special Agent forwarded copies of the court
2 documents to the LTGA for their records.

3 13. Acting Director Tina Griffin issued administrative charges on June 23, 2021
4 alleging that Davis’s actions constituted a violation of RCW 9.46.075(1), (8) and (9), WAC 230-
5 03-085(1) and (9)(a), and Section V.C.(1) of the Lummi Tribal-State Gaming Compact. Further,
6 that Davis could not show by clear and convincing evidence that she was qualified for
7 certification as required by RCW 9.46.153(1), and that her actions warranted revocation of her
8 license pursuant to RCW 9.46.075(1), (8) and (9), WAC 230-03-085(1) and (9)(a), and Section
9 V.C.(1) of the Lummi Tribal-State Gaming Compact.

10 14. Davis was sent the charges by regular and certified mail on June 23, 2021 to the
11 last address the Gambling Commission had on file.

12 15. Pursuant to WAC 230-17-010, a response was required to be received by the
13 Commission by July 16, 2021. To date, the Commission has received no communication from
14 Davis.

15 **II. CONCLUSIONS OF LAW**

16 1. Colleen Davis received proper notice of the charges within three days of June 23,
17 2021 via regular and certified mail, pursuant to RCW 34.05.413 RCW 34.05.434, WAC 230-17-
18 005, WAC 230-17-010, and WAC 10-08-130.

19 2. The Commission can take final action against Colleen Davis’s gambling
20 certification under Case Number CR 2021-00685 pursuant to RCW 9.46.075, RCW
21 34.05.440(1), RCW 34.05.461, and WAC 230-03-085.

22 3. Colleen Davis’s certification should be revoked under Case Number CR 2021-
23 00685 pursuant to RCW 9.46.075, RCW 9.46.153(1), RCW 34.05.440(1), RCW 34.05.461,
24 WAC 230-03-085, and Section V.C.(1) of the Lummi Tribal-State Gaming Compact.

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III. ORDER

This matter having come before the Commission at its November 16, 2021, Commission meeting, the Commissioners having heard arguments, been given the chance to review the administrative record, and being fully advised in this matter, now therefore:

It is hereby **ORDERED** that Colleen Davis's gambling certification, Number 69-36427, is **REVOKED**.

DATED this 19th day of November, 2021.

Bud Sizemore

BUD SIZEMORE, Chair

Julia Patterson

JULIA PATTERSON, Vice Chair

Alicia Levy

ALICIA LEVY

Kristine Reeves

KRISTINE REEVES

Sarah Lawson

SARAH LAWSON

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NOTICE

Reconsideration: RCW 34.05.470 and WAC 230-17-140 provide that a party may file a petition for reconsideration of a final order. A petition for reconsideration must be received no later than thirteen (13) days after the date this final order is mailed. Any motion for reconsideration must state the specific grounds supporting the party’s request for reconsideration.

Stay of Final Order: Filing for reconsideration does not stay the effectiveness of this Order. WAC 230-17-145 provides that a party may petition the Commission for a stay of a final order. Any petition for a stay should be received by the Commission within thirteen (13) days after the date this final order is mailed.

Judicial Review: RCW 34.05.542 provides that a party may appeal this final order by filing a petition for judicial review within thirty (30) days after service of this order. A petition for judicial review must be filed with the appropriate superior court and served upon both the Commission and the Office of the Attorney General.

Service: This Order was served on you three days after it was deposited in the United States Postal Service regular mail, excluding the date of mailing. WAC 230-17-035.

Any motions or petitions for judicial review should be served on or mailed to:

Washington State Gambling Commission
Legal and Records Division
4565 7th Avenue S.E., Lacey, WA
P.O. Box 42400
Olympia, WA 98504-2400

Doug Van de Brake
Attorney General’s Office
1135 Washington St. SE
P.O. Box 40100
Olympia, WA 98504-0100

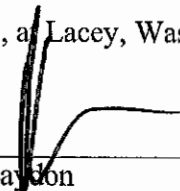
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CERTIFICATE OF SERVICE

I certify that on the date below I served a copy of the foregoing document on all parties and/or their counsel by United States Postal Service regular mail to the following:

COLLEEN H DAVIS
5769 LEGOE AVE APT 14
FERNDAL WA 98248-9291

EXECUTED this 23 day of November, 2021, at Lacey, Washington.



Ashlie Laydon
Rules Coordinator