

# **Santa Clara Pueblo Gaming Commission**



## **RESPONSIBLE GAMING**

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**CHAPTER IV – GENERAL PROVISIONS**

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## **CHAPTER V – GENERAL PROVISIONS**

### **SECTION 25: RESPONSIBLE GAMING**

**25.1 Purpose.** The purpose of these regulations is to require for the Commission to adopt and enforce procedures for responsible gaming for the conduct of Class III Gaming that are in compliance with the Tribal/State Compact approved on October 23, 2015.

**25.2 Authority.** The Commission has authority to regulate and to promulgate and enact regulations pursuant to delegated authority from the Santa Clara Pueblo Tribal Council and the Santa Clara Pueblo Gaming Code. The Commission has the responsibility under the Gaming Code to enforce all policies and procedures for responsible gaming on the gaming premises. The Commission also has the authority to issue regulations, not inconsistent with the Gaming Code, the Compact, and IGRA, to govern the operation and management of each gaming operation and gaming facility. The Commission shall work with each gaming enterprise or management contractor to establish policies and procedures for responsible gaming applicable to the gaming operation and/or occurring on the gaming premises.

#### **25.3 Self-Exclusion Requirements.**

(1) Subject to the requirements of this Section, the gaming operation shall establish and maintain a Self-Exclusion List to include the names of all persons that the Gaming Enterprise, the Commission, and the State Gaming Representative have determined will not under any circumstances be allowed to enter any gaming facility or participate in any gaming activity.

(2) The gaming operation may accept requests from a person to self-exclude themselves from the gaming facility. The persons will be placed on the Self-Exclusion List in accordance with the requirements of this Section.

- (a) Any person who requests to be placed on the Self-Exclusion List shall submit a request in person to the gaming operation.
  - (i) The person shall complete and sign the request form in the presence of a public safety officer.
  - (ii) The completed and signed request form shall be maintained by the gaming operation.
  - (iii) A copy of the request form shall be made available to the Commission upon request.
  - (iv) Once the requestor has completed the request form, the requestor shall be placed on the Self-Exclusion List.
- (b) A self-exclusion request shall be in a form approved by the Commission. The following information, to the extent known, shall be provided for each self-excluded person:
  - (i) Full name, including any aliases or nicknames;
  - (ii) Date of birth;
  - (iii) A physical description, including height, weight, gender, hair color, eye color and any other physical characteristic that may assist in the identification of the person.
  - (iv) Social security number, which information is voluntarily provided in accordance with Section 7 of the Privacy Act, 5 U.S.C. 552a;
  - (v) A photograph, if available;
  - (vi) Address of current residence, if available;
  - (vii) Telephone number of current residence, if available;

- (viii) Occupation and business address, if available;
  - (ix) The effective date the self-excluded person's name was placed on the list;
  - (x) The specific reason for self-exclusion;
  - (xi) The date, if any, the self-exclusion will expire; and
  - (xii) Such other information as may be deemed necessary by the Commission.
- (c) A person who requests to be placed on the Self-Exclusion List shall be advised that they are, thereafter, prohibited from engaging in any gaming activity and are not permitted to enter the gaming facility.
- (d) Any self-excluded person, located in the gaming operation, shall be asked to leave the premises and their status may be changed to permanent banishment if approved by the gaming manager of the gaming operation.
- (3) The gaming operation may, based upon information obtained by the Commission, and/or the State Gaming Representative or on its own initiative may place a person on the Self-Exclusion List if:
- (a) Any person who voluntarily excludes themselves from gaming facilities statewide;
  - (b) The person's name appears on any valid and current Self-Exclusion List from another jurisdiction and the request for such person's exclusion in the other jurisdiction indicates exclusion also from gaming facilities located within the Santa Clara Pueblo's jurisdiction.
- (4) Once a person has been placed on the Self-Exclusion List, the gaming operation shall establish procedures that are designed, to the greatest extent practicable, to:
- (a) Identify the self-excluded patron when present in the gaming facility and, upon such identification, notify Public Safety and/or Surveillance personnel;
  - (b) Refuse wagers from and prohibit any gaming activity by the self-excluded patron;
  - (c) Deny credit, check cashing, player club membership, complimentary services and goods, promotion participation and other similar privileges and benefits to the self-excluded patron;
  - (d) Ensure that any self-excluded patron does not receive, either from the gaming operation or any department thereof, any marketing solicitations, targeted mailings, telemarketing promotions, player club materials or other promotional materials relating to gaming activities from the gaming operation; and
  - (e) Notwithstanding the above, the gaming operation shall not be responsible for permitting a self-excluded patron to participate in gaming activity if that person presents a false identification or otherwise attempts in deceiving the gaming operation as to their identity.
  - (f) Any self-excluded patron who has engaged in gaming activity in the gaming facility prior to identifying, shall forfeit all winnings or things of value confiscated or withheld immediately upon detection by either the gaming operation or the Commission. A gaming operation shall not reimburse any losses incurred by any self-excluded patron.
- (5) Persons placed on the Self-Exclusion List may not return to the gaming facility until a written request for the exclusion to be rescinded is made to the gaming operation and the gaming manager has provided that person with written permission to return. The person's name will then be removed from the Exclusion List and their privileges shall be restored.
- (6) Length of exclusions shall be determined by the gaming operation but shall not be less than one (1) year. A person placed on the Self-Exclusion List must be prohibited from entering the gaming facility for a minimum of one (1) year.
- (7) The gaming operation shall maintain the official Exclusion List and shall establish procedures for:

- (a) The addition or removal of persons self-excluded.
- (b) Notification to appropriate departments regarding changes to a person's prohibition status,
- (c) Notification to the Commission of any addition or removal of persons self-excluded.
- (8) Discloser of any information about any person who has requested to be self-excluded to anyone other than employees whose duties and functions require access to such information is prohibited.
- (9) Information provided to or obtained by the Commission shall be deemed confidential and shall not be disclosed except in accordance with this Section. Notwithstanding the foregoing, the Commission may disclose the name of and information about a self-excluded patron to other tribal gaming regulatory agencies.
- (10) The gaming operation shall submit a copy of its procedures established pursuant to the requirements of this Section to the Commission. Any amendments to said procedures shall be submitted to the Commission prior to their implementation.
- (11) It shall be the duty of the gaming manager of the gaming operation to exclude or eject from the gaming operation any self-excluded person. Any Primary Management Official or Key Employee of a gaming operation who knows or has reason to know that a self-excluded person has entered or is attempting to enter a gaming facility shall be responsible for notifying appropriate Public Safety and/or Surveillance personnel and taking other action within the scope of the employee's authority and responsibility.
- (12) The Self-Exclusion List shall be regularly updated and shall be distributed to the gaming operation. The Self-Exclusion List shall be made available to law enforcement agencies by subpoena or upon official written request to the extent the law enforcement agency can establish a legitimate need for the list. The request must be approved in writing by the Executive Director of the Commission.

**25.4 Compulsive Gambling.** Compulsive gambling is a recognized mental disorder characterized by a pattern of continued gambling despite negative physical, psychological, and social consequences.

- (1) The gaming operation shall post at all public entrances and exits of each gaming facility, signs in both English and Spanish, stating that help is available if a person has a problem with gambling and, at a minimum, provide an appropriate toll-free crisis hotline telephone number and information on the availability of a statewide self-exclusion program with the State Gaming Representative.
- (2) As approved by the Commission, the gaming operation shall establish a compulsive gambling training program and identify a person to be responsible for training, or coordination of training to ensure that regulatory requirements of this section are implemented, administered, and monitored to maintain compliance.
- (3) The compulsive gambling training program established by the gaming operation shall include training manuals and other materials necessary to educate employees about compulsive gambling issues. The program shall include, but not be limited to, instruction in the psychology of the compulsive gambler, methods of recognizing compulsive gambling behavior, intervention techniques and other relevant subjects.

- (a) The program should include specific, detailed procedures to determine appropriate intervention techniques and policy concerning carrying out the intervention techniques in a given circumstance where a compulsive gambling problem is identified or suspected;
  - (i) Assistance and referral programs, including specific resources and training on how to discuss compulsive gambling with a patron and give advice concerning access to available services; and
  - (ii) Printed materials to educate patrons about compulsive gambling shall be conspicuously displayed and available to the public. The materials may include signs and posters located inside the gaming operation premises, brochures discussing compulsive gambling issues and sources of treatment and information.
- (b) The following persons shall be required to complete compulsive gambling training:
  - (i) All gaming employees whose primary responsibilities require that they be present on the gaming floor;
  - (ii) All gaming employees whose primary duties require that they perform their job functions on the gaming floor;
  - (iii) Gaming employees working in player services; and
  - (iv) Any other person(s) that the gaming operation may designate shall attend training sessions.
- (c) A record of all persons having successfully completed the required compulsive gambling training shall be maintained by the person designated by the gaming operation as the trainer or coordinator of training and a copy of that record shall be supplied to the Human Resources Department, and to the Commission, upon request.
- (d) Compulsive gambling training shall be completed:
  - (i) Within ninety (90) days of date of hire or promotion; and
  - (ii) Not less than annually thereafter for refresher training.

**25.5 Employee Training.** Each gaming enterprise shall see that all of its applicable employees are fully trained in the requirements of these regulations pertaining to responsible gaming applicable to the gaming operation and/or occurring on the gaming premises. Such training shall be updated regularly by the gaming enterprise.

**25.6 Role of the Commission.** The Commission shall ensure the gaming enterprise has procedures established to administer, monitor and ensure compliance with this regulation.