



1 NGC 23-01

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4 **STATE OF NEVADA**

5 **BEFORE THE NEVADA GAMING COMMISSION**

6 NEVADA GAMING CONTROL BOARD,

7 Complainant,

8 vs.

9 THE DONALD J. LAUGHLIN GAMING  
10 TRUST, dba RIVERSIDE RESORT &  
11 CASINO,

12 Respondent.

**COMPLAINT**

13 The State of Nevada, on relation of its NEVADA GAMING CONTROL BOARD  
14 (BOARD), Complainant herein, by and through its counsel, AARON D. FORD, Attorney  
15 General, and JOHN S. MICHELA, Senior Deputy Attorney General, hereby files this  
16 Complaint before the Nevada Gaming Commission (Commission) for disciplinary action  
17 against THE DONALD J. LAUGHLIN GAMING TRUST, dba RIVERSIDE RESORT &  
18 CASINO, herein, pursuant to Nevada Revised Statute (NRS) 463.310(2), and alleges as  
19 follows:

20 **JURISDICTION**

21 1. Complainant, BOARD, is an administrative agency of the State of Nevada  
22 duly organized and existing under and by virtue of Chapter 463 of NRS and is charged  
23 with the administration and enforcement of the gaming laws of this State as set forth in  
24 Title 41 of NRS (Nevada Gaming Control Act) and the Regulations of the Commission.

25 2. RESPONDENT, THE DONALD J. LAUGHLIN GAMING TRUST, dba  
26 RIVERSIDE RESORT & CASINO (RESPONDENT), located at 1650 South Casino Drive,  
27 Laughlin, Nevada, currently holds a nonrestricted gaming license as well as  
28 manufacturer and distributor licenses, and, as such, is charged with the responsibility of

1 complying with all provisions of the Nevada Gaming Control Act and the Regulations of  
2 the Commission.

3       3.     The Nevada Legislature set forth the importance of the gaming industry to  
4 the State of Nevada and its responsibility to the State's inhabitants in NRS 463.0129.  
5 The Legislature specifically set out that the continued growth and success of gaming is  
6 dependent on public confidence and trust and that such public confidence and trust "can  
7 only be maintained by strict regulation of all persons, locations, practices, associations  
8 and activities related to the operation of licensed gaming establishments..." NRS  
9 463.0129.

10       4.     To ensure proper oversight and control over the gaming industry, the  
11 Nevada Legislature has granted the Commission "full and absolute power and authority  
12 to . . . limit, condition, restrict, revoke or suspend any license . . . or fine any person  
13 licensed . . . for any cause deemed reasonable by the Commission." NRS 463.1405(4).

14       5.     The BOARD is statutorily charged with determining whether a violation of  
15 the Gaming Control Act has occurred. NRS 463.310(1). If the BOARD is satisfied that  
16 discipline is warranted, it shall initiate disciplinary action by filing a complaint with the  
17 Commission. NRS 463.310(2).

18       6.     The BOARD is authorized to observe the conduct of licensees in order to  
19 ensure that gaming operations are not being operated in an unsuitable manner or by an  
20 unqualified or unsuitable person. NRS 463.1405(1) and Nev. Gaming Comm'n Reg. 5.040.

21       7.     A person approved by the Nevada Gaming Commission has an ongoing  
22 obligation to meet the standards required to obtain such approval including, without  
23 limitation, to be a person of good character, honesty and integrity and to refrain from  
24 activities and associations which may impact the interests of Nevada, the regulation of  
25 gaming, or the reputation of gaming in Nevada. NRS 463.170.

26       8.     In addition to remedies the Nevada Gaming Commission has against a  
27 holding or intermediary company for its actions, the Nevada Gaming Commission may  
28 also take action against the licensee. NRS 463.615.

1           9.     The Nevada Gaming Commission may take action with regard to a  
2 registration or finding of suitability on the same grounds as it may take action with  
3 regard to a license. Nev. Gaming Comm'n Reg. 3.080.

4           10.    Nevada Gaming Commission Regulation 5.030 provides as follows:

5                       Violation of any provision of the Nevada Gaming Control  
6 Act or of these regulations by a licensee, the licensee's agent or  
7 employee shall be deemed contrary to the public health, safety,  
8 morals, good order and general welfare of the inhabitants of the  
9 State of Nevada and grounds for suspension or revocation of a  
10 license. Acceptance of a state gaming license or renewal thereof  
11 by a licensee constitutes an agreement on the part of the licensee  
12 to be bound by all of the regulations of the Commission as the  
13 same now are or may hereafter be amended or promulgated. It  
14 is the responsibility of the licensee to keep informed of the  
15 content of all such regulations, and ignorance thereof will not  
16 excuse violations.

17 Nev. Gaming Comm'n Reg. 5.030.

### 18                                       GENERAL ALLEGATIONS

#### 19                       August 2022 Security Incident

20           11.    On or about August 9, 2022, an employee of RESPONDENT (Employee) was  
21 escorted to RESPONDENT's security office by one of RESPONDENT's security officers.  
22 The reason claimed by the security officer for escorting Employee to the security office  
23 was that Employee was suspected of smoking marijuana during Employee's shift and  
24 while on the premises of RESPONDENT.

25           12.    Employee denied smoking marijuana on RESPONDENT's premises. No  
26 person witnessed Employee smoking marijuana while on RESPONDENT's premises.  
27 Video recordings from RESPONDENT's surveillance cameras in the area where  
28 Employee was alleged to have smoked marijuana do not show Employee smoking  
marijuana. No person detected the odor of marijuana on Employee while Employee was  
on RESPONDENT's premises.

          13.    RESPONDENT's human resources department instructed one of  
RESPONDENT's security officers to send Employee home pending investigation into  
Employee's alleged marijuana consumption. RESPONDENT's security officers did not

1 send Employee home. Rather, RESPONDENT's security officers instructed Employee  
2 that he could take a drug test or immediately resign. After a verbal exchange, one of  
3 RESPONDENT's security officers informed Employee his employment was terminated.

4 14. After RESPONDENT's security officer informed Employee his employment  
5 was terminated, Employee stated he would like to leave. Employee attempted to exit the  
6 security office.

7 15. Two of RESPONDENT's security officers blocked the door and refused to  
8 allow Employee to leave. Employee attempted to get past the security officers and open  
9 the door so he could exit the security office.

10 16. Four of RESPONDENT's security officers then threw Employee on the  
11 ground. One of RESPONDENT's security officers punched Employee five times while he  
12 was on the ground.

13 17. Employee attempted to get away from RESPONDENT's security officers.  
14 Employee repeatedly requested that the police be called. One of RESPONDENT's  
15 security officers placed a call to the Las Vegas Metropolitan Police Department (Metro).  
16 The security officer reported to Metro that Employee had assaulted RESPONDENT's  
17 security officers. RESPONDENT's security officers placed Employee in handcuffs and  
18 placed Employee in one of the holding cells in RESPONDENT's security office. Employee  
19 complained that the handcuffs were too tight.

20 18. RESPONDENT's security officers ignored Employee's complaints that the  
21 handcuffs were too tight. RESPONDENT's security officers removed Employee from the  
22 holding cell to search Employee. RESPONDENT's security officers searched Employee.  
23 RESPONDENT's security officers did not find any items of interest on Employee.

24 19. When RESPONDENT's security officers tried to place Employee back in the  
25 holding cell, Employee tried to prevent them from doing so. RESPONDENT's security  
26 officers prevailed in getting Employee back in the holding cell. In the process, Employee  
27 hit Employee's head on a metal cell wall. Employee laid motionless on the holding cell  
28 floor for approximately 18 minutes, presumably unconscious.

1           20.    One of RESPONDENT's security officers revived Employee by removing  
2 Employee from the holding cell, placing Employee in a recovery position, and applying a  
3 sternum rub.

4 Upon regaining consciousness, Employee was placed in a chair until the arrival of Metro  
5 officers.

6           21.    Upon investigating the matter, Metro officers determined that Employee did  
7 not commit a crime. Rather, Metro officers determined that Employee was the potential  
8 victim of crimes. Specifically, Employee was potentially the victim of the crimes of  
9 battery, coercion with force, and false imprisonment. Upon review of video surveillance,  
10 Metro officers determined that Employee did not use any force or physical violence with  
11 regard to any of RESPONDENT's security officers.

12           22.    When interviewed by Metro officers, one of RESPONDENT's security officers  
13 admitted that there was not any reasonable suspicion to test Employee for drug use. This  
14 security officer also admitted that Employee should have been allowed to leave. This  
15 security officer further admitted that the Employee did not assault RESPONDENT's  
16 security officers as reported to Metro.

17           23.    When interviewed by Metro officers, a second one of RESPONDENT's  
18 security officers indicated he was asked to meet with Employee's supervisor regarding  
19 allegations of Employee's marijuana use on RESPONDENT's premises. This security  
20 officer admitted that he did not investigate the truth of the allegations, admitted that  
21 nothing indicated Employee was under the influence of a controlled substance, admitted  
22 that there was no reason to believe Employee lied when Employee denied using  
23 marijuana on RESPONDENT's premises, admitted that no crime was committed by  
24 Employee, and admitted that Employee should not have been handcuffed and placed in  
25 the holding cell.

26           24.    When interviewed by Metro officers, a third one of RESPONDENT's security  
27 officers admitted that there was no odor of marijuana on Employee and admitted that  
28 Employee should have been allowed to leave as Employee did not commit a crime.

1           25.    When interviewed by Metro officers, a fourth one of RESPONDENT's  
2 security officers admitted that Employee did not commit a crime.

3           26.    Metro officers concluded that RESPONDENT's security officers did not have  
4 any legal reason to detain Employee and that four of RESPONDENT's security officers  
5 should be arrested for coercion with force and false imprisonment.

6           27.    The Justice Court of Laughlin Township issued arrest warrants for all four  
7 of RESPONDENT's security officers on March 27, 2023, with the listed charges of  
8 Coercion with Physical Force, a felony, and False Imprisonment, a gross misdemeanor.

9           28.    This incident was not reported to the BOARD.

10           July 2022 Security Incident

11           29.    Prior to the general allegations set out above concerning Employee, on or  
12 about July 5, 2022, a security incident occurred on the premises of RESPONDENT in  
13 which RESPONDENT's security officers allegedly injured a patron (Patron) while  
14 trespassing Patron from the premises for his perceived interference with a slot drop by  
15 failing to vacate an area so a slot drop could be performed.

16           30.    Patron was playing slot machines which needed to be dropped.  
17 RESPONDENT's security contacted Patron and requested Patron to step outside of the  
18 drop area. Patron initially questioned the need for him to leave the area, however,  
19 Patron then complied and started toward an exit with Patron's companions.

20           31.    As Patron was proceeding toward the exit, one of RESPONDENT's security  
21 officers mocked Patron's accent.

22           32.    Upon exiting through the first set of doors, Patron stopped to criticize  
23 RESPONDENT's security officers. One security officer slightly pushed Patron. Patron  
24 told the security officer not to touch him. Once outside of the exit doors, one of  
25 RESPONDENT's security officers requested Patron to place his hands behind his back.  
26 Patron verbally responded that he would not while physically complying.

27           33.    One of RESPONDENT's security officers then took Patron to the ground,  
28 Patron's face hit the ground, and the security officer successfully handcuffed Patron.



1 establishments are operated in a manner suitable to protect the health, safety, and  
2 welfare of the inhabitants of Nevada.

3 45. Detention of and causing injury to Employee when a crime was not  
4 committed and without cause reflects or tends to reflect poorly on the reputation of  
5 gaming in the State of Nevada and/or acts as a detriment to the development of the  
6 gaming industry and/or tends to reflect discredit upon the State of Nevada or the gaming  
7 industry.

8 46. RESPONDENT's actions as set out above are a violation of Nevada Revised  
9 Statute 463.170 and/or Nevada Gaming Commission Regulations 5.010 and/or 5.011.  
10 This constitutes an unsuitable method of operation, and, as such, is grounds for  
11 disciplinary action. See NRS 463.170(8); Nev. Gaming Comm'n Regs. 5.010(2), 5.011(1)  
12 and 5.030.

13 **COUNT TWO**  
14 **UNSUITABLE METHOD OF OPERATION**  
15 **REGARDING THE JULY 2022 SECURITY INCIDENT**

16 47. The BOARD realleges and incorporates the above paragraphs by reference  
17 as though set forth in full herein.

18 48. A licensee acts through its employees. Nev. Gam'g Comm'n Reg. 5.030.

19 49. As set out above, four of RESPONDENT's security officers acted to detain  
20 Patron.

21 50. Upon investigation, RESPONDENT's security investigator was of the  
22 opinion that RESPONDENT's security officer clearly used excessive force in detaining  
23 patron.

24 51. Detention of and causing potential injury to Patron through the use of  
25 excessive force does not comport with the continued responsibility of a licensee to be of  
26 good character, honesty, and integrity.

27 52. Detention of and causing potential injury to Patron through the use of  
28 excessive force does not comport with the requirement that gaming establishments are  
operated in a manner suitable to protect the health, safety, and welfare of the inhabitants



1 of Nevada.

2 53. Detention of and causing potential injury to Patron through the use of  
3 excessive force reflects or tends to reflect poorly on the reputation of gaming in the State  
4 of Nevada and/or acts as a detriment to the development of the gaming industry and/or  
5 reflects or tends to reflect discredit upon the State of Nevada or the gaming industry.

6 54. RESPONDENT's actions as set out above are a violation of Nevada Revised  
7 Statute 463.170 and/or Nevada Gaming Commission Regulations 5.010 and/or 5.011.  
8 This constitutes an unsuitable method of operation, and, as such, is grounds for  
9 disciplinary action. See NRS 463.170(8); Nev. Gaming Comm'n Regs. 5.010(2), 5.011(1)  
10 and 5.030.

11 **PRAYER FOR RELIEF**

12 WHEREFORE, based upon the allegations contained herein, which constitute  
13 reasonable cause for disciplinary action against RESPONDENT, pursuant to  
14 NRS 463.310 and/or NGC Regulations 5.010, 5.011, and/or 5.030, the Board prays for  
15 relief as follows:

16 1. That the Commission serve a copy of this Complaint on RESPONDENT  
17 pursuant to NRS 463.312(2);

18 2. That the Commission fine RESPONDENT a monetary sum pursuant to the  
19 parameters defined at NRS 463.310(4) for each separate violation of the provisions of the  
20 Nevada Gaming Control Act or the Regulations of the Commission;

21 3. That the Commission take action against RESPONDENT's licenses  
22 pursuant to the parameters defined in NRS 463.310(4); and

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1 4. For such other and further relief as the Commission may deem just and  
2 proper.

3 DATED this 9 day of February, 2024.

4  
5 NEVADA GAMING CONTROL BOARD

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7   
8 KIRK D. HENDRICK, Chairman

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10   
11 BRITTNIE WATKINS, PhD, Member

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13   
14 HON. GEORGE ASSAD (RET.), Member

15 Submitted by:

16 AARON D. FORD  
17 Attorney General

18 By:

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