



**MASSACHUSETTS GAMING COMMISSION
PUBLIC MEETING #186**

April 14, 2016
10:00 a.m.

Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA



Massachusetts Gaming Commission



NOTICE OF MEETING and AGENDA

April 14, 2016

Pursuant to the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25, notice is hereby given of a meeting of the Massachusetts Gaming Commission. The meeting will take place:

Thursday, April 14, 2016

10:00 a.m.

**Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA**

PUBLIC MEETING - #186

1. Call to order
2. Approval of Minutes
 - a. March 22, 2016
 - b. March 24, 2016
 - c. March 29, 2016
3. Research and Responsible Gaming – Mark Vander Linden, Director
 - a. Gaming Related Crime Report – 1st Follow Up – Christopher Bruce, Consultant
4. Administrative Update – Ed Bedrosian, Executive Director
 - a. Region C Comment Period Closure
5. Investigations and Enforcement Bureau – Karen Wells, Director
 - a. Key Gaming Executive License – **VOTE**
6. Licensing Division – Paul Connolly, Director
 - a. Gaming Beverage Licenses Amendment – **VOTE**
7. Racing Division – Alex Lightbown, Director/Chief Veterinarian
 - a. Opening Day Update
 - b. 2014 Reimbursement of Unclaimed Tickets – D. O'Donnell, Senior Financial Analyst - **VOTE**
 - c. Quarterly Local Aid Payments - D. O'Donnell, Senior Financial Analyst – **VOTE**



Massachusetts Gaming Commission

- d. Plainridge Racecourse Capital Improvement Trust Fund Requests - D. O'Donnell, Senior Financial Analyst – **VOTE**
- e. Plainridge Racecourse Request for Special Events - **VOTE**
- f. Approval to send Regulations to the Legislature
 - i. 205 CMR 3.00 – Harness Horse Racing – **VOTE**
 - ii. 205 CMR 4.00 – Rules of Horse Racing – **VOTE**

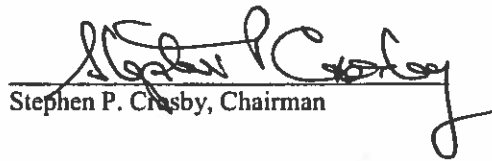
8. Legal Division – Catherine Blue, General Counsel

- a. Amended Small Business Impact Statement and Final Draft Approval/Promulgation – 205 CMR 133 – Voluntary Self Exclusion – **VOTE**
- b. Amended Small Business Impact Statement and Final Draft Approval/Promulgation – 205 CMR 152 – Individuals Excluded from a Gaming Establishment – **VOTE**
- c. Amended Small Business Impact Statement and Final Draft Approval/Promulgation – 205 CMR 143 Gaming Devices and Electronic Gaming Equipment – **VOTE**

9. Other business – reserved for matters the Chair did not reasonably anticipate at the time of posting.

I certify that on this date, this Notice was posted as “Massachusetts Gaming Commission Meeting” at www.massgaming.com and emailed to: regs@sec.state.ma.us, melissa.andrade@state.ma.us.

4/11/16
DATE


Stephen P. Crosby, Chairman

Date Posted to Website: April 12, 2016 at 10:00 a.m.



Massachusetts Gaming Commission



Meeting Minutes

Date/Time: March 22, 2016 – 1:00 p.m.

Place: Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, Massachusetts

Present: Chairman Stephen P. Crosby
Commissioner Gayle Cameron
Commissioner Lloyd Macdonald
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga

**Time entries are linked to
corresponding section in
Commission meeting video**

Call to Order

See transcript page 2

[1:05 p.m.](#) Chairman Crosby called to order the 183rd Commission meeting. Chairman Crosby noted that he has recused himself from Region A deliberations in the past and he will recuse himself from participating in the discussions today. He also noted that Commissioner Macdonald is going to recuse himself because he was not present for the Region A deliberations. Chairman Crosby stated that Commissioner Zuniga will chair the meeting.

Legal Division

See transcript pages 3-94

[1:06 p.m.](#) General Counsel Catherine Blue provided an overview of the Wynn draft Section 61 Findings process which included the following: formal approval process, permitting agencies, consultant's review and recommendations, and Wynn's mitigation plan. She stated that the Commission will post the draft Findings for public comments, the Commission will hold a public hearing on March 29th, the comment period will close on April 11th, and the Commission will review comments and determine if any revisions should be made. Once complete, the Commission will vote to incorporate the Findings into the Wynn license, publish it in the Environmental Monitor, and vote to take final action on the Region A License. She noted that Wynn will provide quarterly reports on its compliance with

the Section 61 Findings. She also noted that the Commission reserves the right to reopen the Section 61 Findings in the future if it finds additional mitigation is required and the Commission will entertain applications to the Community Mitigation Fund to address unanticipated impacts from the project.

- [1:11 p.m.](#) Robert DeSalvio, President of Wynn MA, introduced Chris Gordon and Jacqui Krum. He stated that Steve Wynn was in Boston last week and unveiled two new project models and renderings along with the announcement of a new name for the project – Wynn Boston Harbor. He stated that the location and address is still in Everett and will remain in Everett. He stated that they received the support of the Everett Mayor for the project name change. He stated that they changed the name because they felt their connection to the water and harbor was a critical part of the ongoing success of the project, they are part of the Boston Harbor watershed, they want to celebrate that connection and the opportunity to support other development projects.
- [1:16 p.m.](#) Chris Gordon, President of Wynn Design Development MA, provided an overview of the Wynn Boston Harbor project. He stated that the project is located in Everett and in an ideal location on the river/harbor with roadway access. He stated that the site has been vacant for 30 years and has historically been used by chemical companies causing contamination in the ground. He described their remediation plan. In 2012 Steve Wynn toured the property, in 2013 they filed a gaming application, in 2014 they were awarded a Region A license, and in 2015 they continued with their design and permitting. He noted that the facility, a mixed-use building, will include a casino, hotel, restaurants, retail shops, convention space, ballroom, spa and gym. The project will also include outdoor amenities such as an event lawn, waterfront access, and connection to a park and trails for bikes and pedestrians. He provided an overview of the project facts which included: a development range of \$2 billion, 4,000 permanent employees, 4000 construction jobs, emphasis on local buying, and \$100 million in vendor spending.
- [1:25 p.m.](#) Mr. DeSalvio presented on the gaming tax allocation, he noted that there will be benefits throughout the Commonwealth, and they estimate \$830-\$840 million in gross revenue. He presented on the old and new exterior renderings. He stated that the interior arrival space will have a great wow factor which will include a Popeye statue installed at the base of the escalators, floral designs, and quality finishes.
- [1:28 p.m.](#) Mr. Gordon stated that they are actively pursuing LEED Gold certification status because it's good business and the right thing to do. He reported that they are deep into site remediation and making good progress. He stated that they will also do the following: set up indoor and outdoor gardens to minimize heat islands, install solar panels on the roof to generate onsite power, use sustainable wood products and onsite cogeneration systems to reduce power costs, reduce construction waste, build green roofs and use rainwater storage for irrigation, allot 210 spots for electric car charging, and compost food.
- [1:33 p.m.](#) Jacqui Krum, Senior Vice President and General Counsel of Wynn Resorts Development, presented on the Wynn MEPA process. She reported that in three years they have worked with a number of consultants, filed over ten thousand pages of analysis, and responded to all comment letters received. The project will provide \$840 million in community and mitigation payments over 15 years and they will

implement a transportation demand management program. She also highlighted the host and surrounding community agreement benefits, continuing obligation to monitor traffic and implement additional mitigation measures if necessary, hiring preference for residents in construction and operation jobs, commitment to local vendor spending, and support for local businesses.

[1:39 p.m.](#) Mr. Gordon presented on transportation mitigation and highlighted the following: roadway and station improvements, public transportation access, premium park and ride services, pedestrian and bike access, connection to trails, full-time transportation manager, ride share, employee shuttle, water shuttle, and on-site Zipcar services. Commissioner Zuniga inquired about transportation monitoring and Mr. Gordon responded that transportation monitoring will be a structured program conducted initially every six months and then annually. Mr. Gordon reported that there will be a roadway improvement plan for Everett, Medford, Revere, Chelsea, and Sullivan Square. He noted that they are not getting any public money for this project.

Mr. Gordon reported on site remediation which includes three phases: removal of the worse material, excavation, and harbor sediment removal. He provided an overview of the excavation process. He also noted that the property is a PIP (Public Involvement Plan) site and they have held a number of public hearings and provided weekly reports.

[1:59 p.m.](#) Mr. DeSalvio reported on the water transportation program which includes connecting the casino site to the inner Boston Harbor, proposed boat design for a 49 passenger vessel, ADA access, and proposed schedule with Boston Harbor Cruises. He stated that this program is a unique way to get folks to the site and take cars off the road. Mr. DeSalvio stated that this is the largest private development project in Massachusetts. It is a \$2 billion project with \$840 million in community and mitigation payments, \$266 million in road infrastructure and traffic demand management program, \$58 million in roadway improvements, and \$30 million in site remediation – all of which is 100% privately funded.

2:05 p.m. The Commission took a short recess.

2:13 p.m. The meeting resumed.

[2:13 p.m.](#) Rick Moore, with City Point Partners and MGC Consultant, introduced Jason Sobel from Green International and Jason Lawson from PMA. He stated that a Section 61 process is routine for projects and it includes a project description, mitigation package, and opportunity for public agencies to comment. He noted that a more elaborate process was required for this project by the Secretary of Environmental Affairs. He stated that all the mitigation packages were brought together in one place and provided for another round of evaluation and public comments. He stated that it is their judgement that the on-site mitigation (clean up remediation, LEED Gold process, energy and water efficiency, and recycling) meets or exceeds the requirements of the regulations. He also stated that it is their judgement that off-site mitigation (transportation, roadway, rail, water, pedestrian, and bike) rises above the minimum requirements and adds benefit. He noted that the monitoring plan includes traffic data collection and the ability to reopen the mitigation package if actual traffic does not track what had been estimated to occur. He also recommended the following additions to the Section 61 Findings: (1) that the

intersection on Broadway in Somerville be added to the monitoring plan so that if it is impacted, they will have data to inform future mitigation; and (2) that Wynn provide a lighting plan so that Charlestown residents can get an understanding of how the lighting may impact their environment.

[2:27 p.m.](#)

Commissioner Cameron inquired if all the right stakeholders are involved in the Sullivan Square group to help identify federal, state, and local monies. Mr. Moore responded that the right agencies, communities, and parties are at the table.

[2:29 p.m.](#)

Commissioner Zuniga inquired if the Somerville intersection matter is referred to in the draft. General Counsel Blue stated that both the intersection and lighting plan are in the draft on pages 30 and 43.

[2:32 p.m.](#)

Commissioner Stebbins inquired about federal transportation money and federal agency participation in the Sullivan Square working group. Mr. Moore responded that the federal folks will delegate to the state Department of Transportation and that Congressman Capuano is very involved in the process.

[2:33 p.m.](#)

Commissioner Macdonald stated that he was abstaining from any vote, but inquired about the lighting plan. Mr. Moore stated that it's a photometric plan to show that lighting on the site does not spill over into adjacent properties and cause disruption. He stated that the lighting is not directed outside the property. The light is directed to illuminate the tower and lower rise buildings.

[2:37 p.m.](#)

Commissioner Zuniga inquired about the traffic impact of an alternative project on-site such as condos. Mr. Moore responded that a residential development would generate an a.m. traffic peak that you wouldn't get from a casino.

[2:38 p.m.](#)

General Counsel Blue stated that if the Commission has no suggested changes to the draft, staff will post for public comments until April 11th. She also noted a public hearing will be held at the Boston Convention Center on March 29th.

Other Business Not Reasonably Anticipated

See transcript pages 94-95

[2:42 p.m.](#)

Having no further business, a motion to adjourn was made by Commissioner Cameron. Motion seconded by Chairman Crosby. Motion passed unanimously.

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting and Agenda dated March 22, 2016
2. Wynn Boston Harbor Section 61 Presentation, dated March 22, 2016
3. Massachusetts Gaming Commission Section 61 Findings to be Issued Pursuant to M.G.L. c. 23K and M.L.G. c. 30, § 61, 3/17/16 Preview Draft for Public Comment
4. Memorandum from City Point Partners to the Massachusetts Gaming Commission, dated March 22, 2016 regarding MGC Draft Section 61 Findings, Wynn Everett
5. MassDOT Public Meeting Draft Section 61 Findings, Wynn Everett Casino Resort, PowerPoint Presentation dated March 11, 2016

/s/ Catherine Blue

Catherine Blue, Assistant Secretary



Meeting Minutes

Date/Time: March 24, 2016 – 10:00 a.m.

Place: Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, Massachusetts

Present: Chairman Stephen P. Crosby
Commissioner Gayle Cameron
Commissioner Lloyd Macdonald
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga

**Time entries are linked to
corresponding section in
Commission meeting video**

Call to Order

See transcript page 2

[10:01 a.m.](#) Chairman Crosby called to order the 184th Commission meeting.

Ombudsman

See transcript pages 2-108

[10:00 a.m.](#) Ombudsman John Ziemba stated that Mass Gaming & Entertainment, LLC (“MG&E”) will present on their response to the presentation the Commission received from the Mashpee Wampanoag Tribe on their planned casino in Taunton. He stated that the Commission’s plan and policy is to make a determination on issuing a license only after review of the application and if review shows that issuance of the license would be beneficial to the Commonwealth. The Commission’s review process will also include the potential for competition in the region. He noted that there will be a Host Community hearing in Brockton on March 28th for comments related to any events after the March 1st hearing.

[10:03 a.m.](#) Attorney John Donnelly, from Donnelly and Clark and representing MG&E, introduced Attorney David Tennant from Nixon Peabody and Michael Soll from The Innovation Group. He stated that The Innovation Group was the first to use the gravity model and apply it to gaming and they have represented over 100 tribes. He also introduced Chairman Neil Bluhm from Rush Street Gaming and Attorney Adam Bond representing the Taunton citizen’s group that filed litigation regarding land in trust and other issues.

- [10:06 a.m.](#) Attorney David Tennant stated that the Commission has the authority to act and there can't be a prolonged set-aside. He also stated that the Compact is not valid. He noted the two paths that the Secretary of the Interior could take on a Compact – (1) issue a Notice of Approval with publication in the Federal Register or (2) do nothing and it's deemed approved by operation of law. In the second path, he stated that the Compact is kicked back to the parties and the courts to figure out if it's legal or not. He stated that the parties did not get a Notice of Approval and therefore the Compact is not valid. He stated that the Government and the Tribe have to renegotiate the Compact. He noted that there is a new Governor and legislature and questions if there is the political will to do that. He stated that the Tribe cannot operate a casino without a Compact.
- [10:23 a.m.](#) Commissioner Macdonald stated that he thinks Attorney Tennant is right on the power of the Commission to proceed with Region C and he believes Commissioner McHugh's analysis pertaining to this matter was on point. He also commented that everyone has proceeded on the assumption that the Compact was valid until we received the recent filing by MG&E. Attorney Tennant stated that the Secretary didn't approve the Compact because of deficiencies and he would advise his clients to always get Secretarial approval.
- [10:33 a.m.](#) Commissioner Zuniga inquired as to who would have standing to sue on the validity of the Compact. Attorney Tennant stated that he didn't know the standing rules in Massachusetts but responded that people who are impacted by this and citizens of the Commonwealth could have standing.
- [10:35 a.m.](#) Commissioner Stebbins inquired as to how often does this inaction occur by the Secretary and Attorney Tennant responded about a quarter of the time.
- [10:36 a.m.](#) Commissioner Macdonald inquired about the origin of the requirement of a Compact and Attorney Tennant responded that the requirement is in the Indian Gaming Regulatory Act for Class 3 Gaming.
- [10:36 a.m.](#) Attorney Tennant presented on the Carciari decision and stated that attorney Locklear, representing the Mashpee Tribe, never provided a substantive response on if there were any differences between the historical circumstances of the Narragansett and Mashpee tribes. He stated he believes the plaintiffs will prevail on the record of decision, the challenge could take an estimated four to five years, and it could possibly go to the Supreme Court. He also stated that there are serious legal questions about the Land in Trust decision and the Compact. If the Compact needs to be renegotiated it will cause delay and uncertainty. He stated that the Tribe has uncertain prospects in Taunton. Commissioner Zuniga inquired if the Tribe could continue to build and operate a casino until a court imposes an injunction. Attorney Tennant stated they can if they have the financial resources and if people are willing to take that risk.
- [10:53 a.m.](#) Neil Blum stated that Genting significantly reduced the amount of money that would be invested in Phase 1 which indicates to him they are nervous that the case will go against them. He also noted that the gaming positions were reduced by 45 percent, the later phases are not yet financed, and they have a very loose agreement with the City of Taunton. He stated that they must be conceding risk and that is why the project has been downsized.

11:00 a.m. The Commission took a short recess.

11:05 a.m. The meeting resumed.

[11:05 a.m.](#) Michael Soll, representing the Innovation Group, presented on key aspects of the Spectrum Gaming Report, scenarios of Taunton and Brockton operating in the same market, and highlighted the financial forecast, tribal scenarios, and economic implications. He stated that the gaming revenue forecast offered by Spectrum is not credible. Mr. Bluhm stated that all their numbers assume the original proposal, a larger casino, by the Tribe. Mr. Soll also presented on access to population, gaming tax, marketing, promotions, and other expenses. He stated that Spectrum's own numbers show their client doing better with a Brockton casino.

Mr. Soll presented on the comparison between the tribal and non-tribal properties and stated that Spectrum used irrelevant comparisons and failed to acknowledge the smoking bans. With regard to economic impact, Mr. Soll reported that while cannibalization would reduce the economic impacts at an individual casino, the region would see increased employment and purchases of goods and services.

[11:32 a.m.](#) Mr. Bluhm stated that the Innovation Group's numbers are accurate and the Spectrum numbers don't make sense. He stated that he is investing his own money, for his grandchildren, and he doesn't want to lose money. He stated that he obtained different expert opinions as to projected revenues and all the numbers came in the same ballpark as the Innovation Group. He stated that the Commission has the right to issue a casino license, the land in trust decision is questionable, and a new issue has been raised about the compact. He noted that if the Commission awards a license to Brockton they will get a casino up and running and it will be an enormous benefit to Brockton. If you have two casinos you will have twice as many jobs and economic improvements. The Compact makes clear that there can be two casinos in Region C. Mr. Bluhm further stated that if the Commission doesn't award Brockton a license, they will put a stake in the heart of Brockton that is in desperate need of economic development. He stated that there is not much risk in giving Brockton a casino but there is a huge risk with the Tribe and lawsuits.

[11:55 a.m.](#) Chairman Crosby stated that Mr. Bluhm pointed out that if the Tribe elected not to go forward with a casino it would be a \$30 million benefit to him. Chairman Crosby asked Mr. Bluhm if he would consider using some of that money to mitigate the loss to the Tribe. Mr. Bluhm stated that he could consider it but couldn't commit to it.

[11:57 a.m.](#) Commissioner Macdonald inquired about Mr. Bluhm's representation of the reduction in gaming positions at the Taunton casino. Mr. Bluhm responded that the Taunton casino dropped the number of gaming positions by 45 percent from their original proposal in 2012. He believes that the reduction is due to fear of a lawsuit.

[12:01 p.m.](#) Mr. Bluhm noted that Attorney Adam Bond represents the citizens group and he does not represent MG&E. He also noted that he has contributed to the citizens group. Attorney Adam Bond stated that he represents the plaintiffs in the suit that was filed against the Department of the Interior concerning the record of decision taking land into trust for the Mashpee Wampanoag Tribe. He stated that he participated in the intergovernmental agreement ("IGA") between the Mashpee Tribe and the Town of Middleborough in 2007. He stated that Tribal Chairmen

Marshall, Hendricks, and Cromwell claimed a casino would be built in less than two years. He reported that after the Carcieri decision the Mashpee Tribe split with their backers and pulled out to find a new location in Taunton. He stated the current plaintiffs came to him for help with analysis of the Taunton IGA. He stated that under the Taunton IGA, the Mashpee Tribe has no obligation to complete the project; they can build a small piece and never build the rest. He stated that this litigation is likely to go to the United States Supreme Court. He stated he has twenty plus plaintiffs with families and homes in East Taunton where the casino is going to be built, and they want to protect it from federal overreach. Commissioner Macdonald asked Mr. Bond for the citation of the case he referred to. Mr. Bond stated that he will provide it to our staff.

12:16 p.m. The Commission took a short recess.

12:21 p.m. The meeting resumed.

Administration

See transcript pages 109-123

[12:21 p.m.](#) Commissioner Zuniga provided an update on the reconciliation of money collected at Plainridge Park Casino and noted the three sources used: the central monitoring system, the house system that performs slot accounting, and the cash count. He reported that in an ideal world all these systems would have the same information; however, there are discrepancies that happen from time to time. He is encouraged that the discrepancies are small and can be explained fully. He stated that discrepancies have been decreasing due to the implementation of the central monitoring system and refining procedures.

Workforce, Supplier and Diversity Development

See transcript pages 123-129

[12:41 p.m.](#) Director Jill Griffin updated the Commission on the technical assistance grants program – a new opportunity to optimize the outcomes for the casino contracting diversity goals. She stated that they are entertaining proposals that focus on planning or expansion of technical assistance programs that focus on one of the targeted areas of diversity. She reported that grants will be awarded statewide totaling \$100,000, with \$20,000 of that dedicated to smaller programs. There will be a bidder's conference on March 29th at 2:00 p.m. They had a bidders conference on March 21st but the snow kept folks away. She noted that responses are due April 18th. Director Griffin stated an area of focus would be veteran-owned businesses and grants could be used to assist small businesses with the licensing process. She also noted that potential groups that could apply for the grant include a chamber and nonprofits that focus on supporting small businesses with joint ventures, financing, and expanding their capacity to work with large organizations. She also reported that \$100,000 isn't enough to start a new program but it's enough to hire specialists to supplement an existing program.

Other Business Not Reasonably Anticipated

See transcript page 129-130

[12:50 p.m.](#) *Having no further business, a motion to adjourn was made by Commissioner Cameron and passed unanimously.*

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting and Agenda dated March 24, 2016
2. Letter from Attorney David H. Tennant, Nixon Peabody, to the Massachusetts Gaming Commission, dated March 23, 2016 regarding Region C – Mass Gaming & Entertainment
3. The Innovation Group, Gaming Revenue and Tax Impact Analysis: Region C, Massachusetts, Prepared for Mass Gaming & Entertainment, LLC, dated March 22, 2016
4. The Innovation Group, GGR and Tax Impact Analysis: Region C, MA, PowerPoint presentation to the Massachusetts Gaming Commission, dated March 24, 2016
5. Mass Gaming & Entertainment, LLC, PowerPoint presentation dated March 24, 2016
6. Leisure Dynamics Research, LLC, Comparative Gaming Revenue Potential for Region C Casino License: Brockton and Bridgewater, dated December 2014
7. Massachusetts Gaming Commission Diversity Goal/Business Technical Assistance Grants

/s/ Catherine Blue
Catherine Blue, Assistant Secretary

DRAFT



Meeting Minutes

Date/Time: March 29, 2016 – 3:00 p.m.

Place: Boston Convention and Exhibition Center
415 Summer Street, Room 104 A/B
Boston, Massachusetts

Present: Chairman Stephen P. Crosby
Commissioner Gayle Cameron
Commissioner Lloyd Macdonald
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga

**Time entries are linked to
corresponding section in
Commission meeting video**

Call to Order

See transcript page 2

[3:02 p.m.](#) Chairman Crosby called to order the 185th Commission meeting. He noted that the approval of the minutes will be put off until Commissioner Macdonald arrives.

Research and Responsible Gaming

See transcript pages 2-32

[3:03 p.m.](#) Director Mark Vander Linden stated that March is National Problem Gambling Awareness month. He provided a summary of the Public Health Trust Fund (“PHTF”) and stated that the purpose of the fund is to assist social services and public health programs dedicated to addressing problems associated with compulsive gambling. He stated that an ISA was developed with the Department of Public Health to create a strategic plan. He stated the strategic plan was developed over 18 months and included a review of best practices, stakeholder interviews, and consideration of SEIGMA (Social and Economic Impacts of Gambling in Massachusetts) research data.

3:11 p.m. Commissioner Macdonald arrived.

[3:13 p.m.](#) Victor Ortiz, Director of Problem Gambling Services with the Massachusetts Department of Public Health, provided an historical overview of the field of problem gambling which included appearance of the term compulsive gambling in the DSM-3 in 1980, to a landmark study analyzing gambling from a public health

perspective in 2002. He thanked the Commission for their partnership and stated the strategic plan will also help inform his annual work plan.

- [3:16 p.m.](#) Director Vander Linden noted the following members of the PHTF Executive Committee: Chairman Stephen Crosby from the Massachusetts Gaming Commission, Associate Commissioner Lindsey Tucker from the Massachusetts Department of Public Health, Executive Director Michael Sweeney from the Massachusetts State Lottery, Executive Director Rebekah Gewirtz from the Massachusetts Public Health Association, and Undersecretary Jennifer Queally from the Executive Office of Public Safety and Security.
- [3:17 p.m.](#) Emily Bhargava, with the Education Development Center, stated the purpose of the strategic plan is to articulate strategies and activities that will best utilize the funds from the PHTF. She provided an overview of the strategic plan which included the plan structure (Substance Abuse and Mental Health Services Administrations' Strategic Prevention Framework), assessment, continuum of care, priority areas (prevention, services, recovery and evaluation) and phasing of activities (infrastructure, capacity building and expansion of services).
- [3:24 p.m.](#) Mr. Ortiz presented on the strategic plan timeline which included the following: review of the plan by the Secretary of the Executive Office of Health and Human Services until April 6th, redistribution of the plan to the PHTF Executive Committee members to review any changes on April 6th, and final vote to approve the plan at the PHTF Executive Committee meeting on April 11th.
- [3:30 p.m.](#) Commissioner Zuniga noted that the strategic plan went through a number of versions to incorporate new data and input. He stated that he attended some meetings and there has been a lot of thought and good deliberation in this plan.
- [3:34 p.m.](#) Commissioner Stebbins congratulated the team for their work on the plan. He noted that veterans may be a population at risk for problem gambling and asked the team to look at that group. He also noted the need to align the strategic plan with a local plan. Mr. Ortiz stated that veterans are a priority and he noted his recent meeting with the coordinator of veteran's services at the Bureau of Substance Abuse Services. Ms. Bhargava stated that there will be efforts to coordinate screening and referrals for veterans.

Approval of Minutes

See transcript pages 32-34

- [3:39 p.m.](#) *Commissioner Macdonald moved for the approval of the March 15, 2016 Commission Meeting minutes subject to any corrections, typographical errors, or other nonmaterial matters. Motion seconded by Commissioner Cameron. Motion passed unanimously.*

Commissioner Macdonald moved for the approval of the March 17, 2016 Commission Meeting minutes subject to any corrections, typographical errors, or other nonmaterial matters. Motion seconded by Commissioner Cameron. Motion abstained by Commissioner Zuniga as he was not present for the meeting. Motion passed 3 to 0 with 1 abstention.

Racing Division

See transcript pages 34-36

[3:41 p.m.](#) Dr. Alexandra Lightbown, Director of Racing, reported on a request from Steve O'Toole, the Director of Racing for Plainridge Park Casino, for approval of key operating officials and racing officials. She noted that the individuals have been licensed with the Commission in the past and they are currently undergoing a background check. She recommended the Commission approve the individuals on the list with the condition that there is a satisfactory completion of their licensing and background checks by the State Police.

[3:42 p.m.](#) *Commissioner Cameron moved that the Commission accept the recommendation and approve the racing officials for Plainridge Park pending completion of their background check. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

Administration

See transcript pages 36-50

[3:43 p.m.](#) Executive Director Edward Bedrosian, Jr., provided an update on the licensing management system. He stated that the licensing management system is a software program that will help us accept, process and approve online license applications for employees working at casinos. He stated that they are in the middle of contract negotiations and they hope to have a contract signed by the end of the week. He stated that once a contract is signed he will come back before the Commission, with a few directors, to provide a more substantive update. Commissioner Zuniga stated that he was involved in the proof of concept and he was encouraged by the process he observed.

[3:47 p.m.](#) Executive Director Bedrosian reported that Penn National contacted the Commission about their potential use of social gaming and the press raised the issue about propriety of social gaming. He stated that based upon these two events it seems appropriate that the Commission receive information about social gaming, including regulator jurisdiction and problem gaming. He proposed the following for the Commission's consideration: invite our licensees to present on their views, identify industry experts to present, identify consumer protection issues, and ask Director Vander Linden to look into implications of social gaming on problem gambling. He noted that this matter may be appropriate to pursue in May as the Commission has a robust April schedule.

Commissioners Cameron and Stebbins both agreed to hear from our licensees and industry experts. Commissioner Zuniga stated that it may be easier to start with our licensees. Chairman Crosby stated that everyone would benefit from getting a broad education on what is social gaming - what it means, what are its economic models, and long-term strategies; and then have our licensees come in and talk about their plan for social gaming. Executive Director Bedrosian stated that he will have staff draft a presentation and will talk to the Chair about scheduling. Commissioner Macdonald stated that one aspect of social gaming that falls within our area of concern is its overlay with problem gambling issues. He noted that Penn National objected to the Globe article that suggested social gaming games were set up to deceptively lure people into active gaming. He stated that if people

are being misled we should be concerned as it ties into the problem gambling mandate.

Other Business Not Reasonably Anticipated

See transcript page 50

4:00 p.m. *Having no further business, a motion to adjourn was made by Commissioner Cameron and passed unanimously.*

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting and Agenda dated March 29, 2016
2. Massachusetts Gaming Commission, Draft Meeting Minutes dated March 15, 2016
3. Massachusetts Gaming Commission, Draft Meeting Minutes dated March 17, 2016
4. Strategic Plan, Services to Mitigate the Harms Associated with Gambling in Massachusetts, Draft dated March 25, 2016, presented by the Massachusetts Technical Assistance Partnership for Prevention (MassTAPP) of Education Development Center, Inc. (EDC)
5. Massachusetts Gaming Commission, Memorandum dated March 28, 2016 regarding Plainridge Key Operating and Racing Officials
6. Letter from Steve O’Toole, Director of Racing at Plainridge Park Casino, to the Massachusetts Gaming Commission dated March 25, 2016 regarding key operating personnel and racing officials for the 2016 racing season.

/s/ Catherine Blue
Catherine Blue, Assistant Secretary



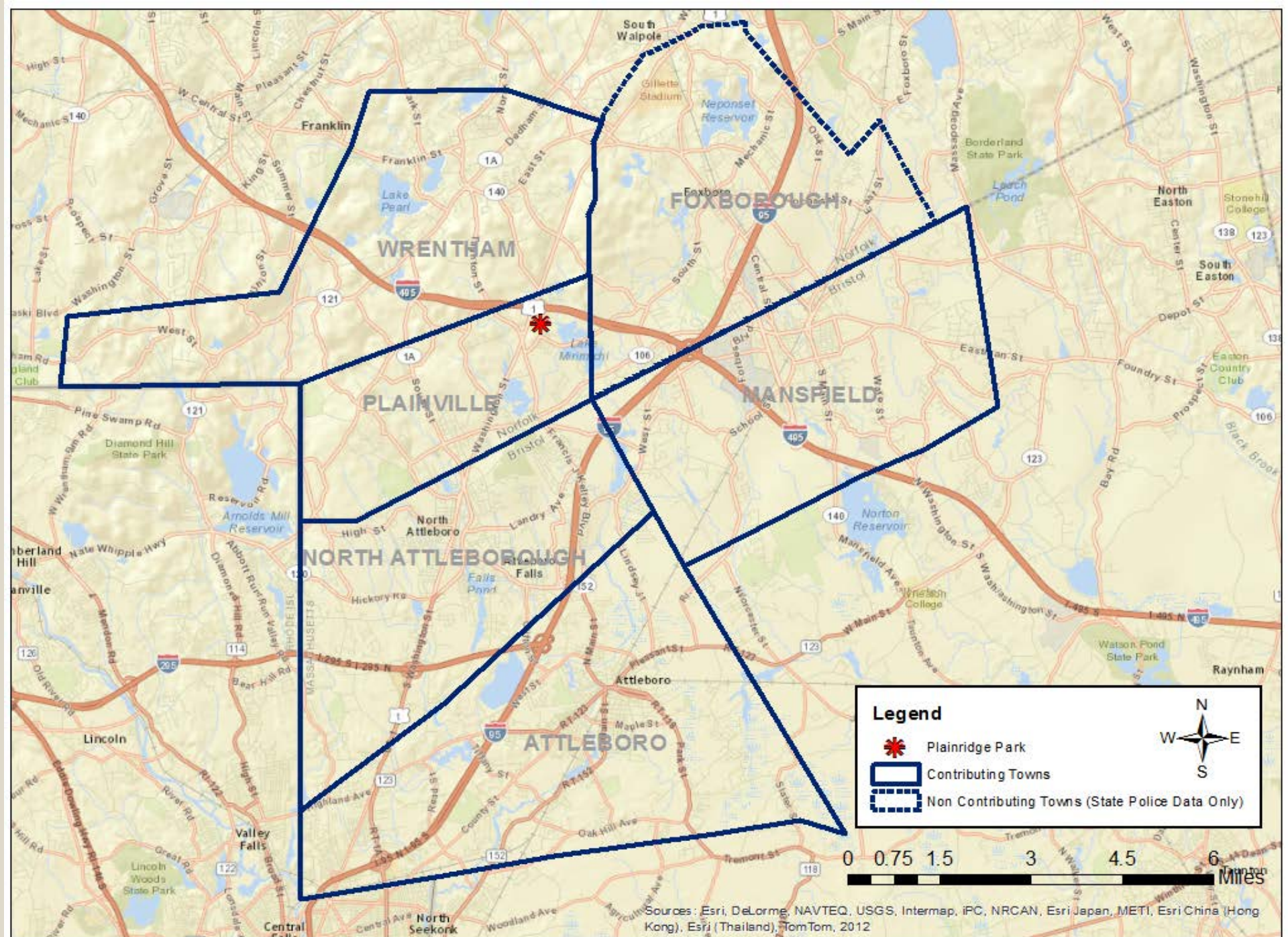
Assessing the Impact of Gambling on Public Safety in Massachusetts

Analysis of first quarter changes

Christopher W. Bruce

Trainer and consultant in crime analysis
and data-driven policing





Legend

-  Plainridge Park
-  Contributing Towns
-  Non Contributing Towns (State Police Data Only)



Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, IPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2012

Purpose of the six-month study

- Initial scan of changes in crime and calls for service
- Highlight notable increases to help inform police analysis and response
- Raise research questions for one-year study
- Plant the seed for associated programs and services

Methodology

- Data collected from records systems of Plainville, Attleboro, Mansfield, North Attleborough, Wrentham, and State Police RAMS system.
- Merged and translated into common database.
- Period of July-December 2015 compared against past July-December periods since 2010. Unusual changes noted.
- Any category significantly higher than normal fully analyzed with collected data; plus:
- Memo sent back to each agency with list of increased crimes for review of individual crime reports, in an attempt to identify patterns and/or determine casino relationship.

incnum	agency	dtreceived	IncidentType	OrigIncidentType	Street
15-15178	Mansfield	07/12/2015 18:38:00	Crime Enforcement		SCHOOL ST
2015000005935	Wrentham	07/12/2015 18:37:43	Traffic Collision		Washington Street
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2015000018986	North Attleboro	07/12/2015 18:11:41	Traffic Collision	Accident NO/PI	CUMBERLAND AV

Notes from previous research

- Previous research has generally depended on summary statistics and only for Part 1 crimes as reported to the FBI.
- Previous studies are mixed when it comes to the impact of casinos on crime in the surrounding communities.
- Changes in crime may fluctuate across temporal “bands” after the casino’s introduction.
- Studies that show an increase do not establish a causal relationship between gambling *specifically* and crime.
- “Crime does not inevitably increase with the introduction of a casino...The effects of casinos on crime appear to be related to a variety of variables which are only poorly understood.” (Stitt, Nichols, & Giacomassi, 2003, p. 253)

Findings: Plainridge Park

Category	Plainville Police	State Police RAMS	Gaming Enforcement
Assault (simple)		1	
Burglary	2		4
Theft/fraud/forgery/ID theft/checks	13	13	55
Drug offenses	2		
Drug offenses/investigations	7	8	31
Drunkenness/liquor/disorderly	3	3	60
Possession stolen property	2	2	
Trespassing	2	2	
Vandalism	2	4	
Motor vehicle offenses		5	
Suspicious activity	74	87	113

Incidents at Plainridge Park

- Because incidents might be reported to/discovered by different police agencies/units, and duplicated, statistics can neither be combined nor regarded as separate.
- We will continue to work on a mechanism for comprehensive statistics.
- Incidents at Plainridge Park are commensurate with expected totals at similar facilities that draw lots of people, have a large parking area, offer retail, entertainment, and dining options, and serve alcohol.

Notes on findings from area

- As with all agencies in all time periods, area agencies reported some significant increases and decreases in various crimes and calls for service.
- There were many increases that clearly had nothing to do with Plainridge Park; examples:
 - Increase in kidnapping statistics in region (custodial)
 - “Increase” in prostitution—2 incidents at hotel in Wrentham
 - Serial burglars responsible for increase in North Attleborough
- Statistics complicated by:
 - Increase in heroin/opioid use within the region
 - Lower gas prices likely increasing miles driven
 - Improvements in data quality and reporting by 2 agencies

Signs of a casino relationship

Sign	Hypothetical example	Hypothetical opposite
Type of crime logically tied to activity at casino	Increase in robberies in surrounding area	Increase of thefts of property at schools
More offenders and victims from outside the local area	Increase in domestic dispute and violence calls at area hotels	Increase in domestic dispute and violence calls at area homes
Same category increasing in multiple agencies	3 of 5 communities see increase in thefts from cars	1 community reports increase in burglary while 4 report decreases
Complementary increases in related offenses	Theft, robbery, and fraud all increase in area	Only identity theft increases in area
Casino specifically mentioned by offenders/victims	Drunk drivers mention they were last drinking at casino	Serial burglar admits to stealing for heroin
Increase is spatially related to location of casino	Traffic collisions increase on Route 1 in Plainville, N. Attleborough	Traffic collisions increase on residential streets in Attleboro

Findings from area

- **Likely related to presence of casino (more coming up)**
 - Increases in traffic-related calls for service, primarily in Plainville, somewhat in North Attleborough. Improper or erratic driving, parking, disabled vehicles, suspicious vehicles.
 - General increase in traffic collisions in the area, significant in State Police data, modest in area community data.
- **Possibly related (will be researched further)**
 - Increases in credit card fraud in 4 of 5 agencies
 - Increases in fraud and identity theft in Mansfield and North Attleborough
 - Increase in drunk driving in 3 communities

Findings from area (cont.)

- **Likely not related** (sample)
 - Increases in kidnapping (all custodial)
 - “Increase” in prostitution (2 at Wrentham hotel)
 - Serial burglaries in North Attleborough (local heroin addicts)
 - Many drug/alcohol crimes in North Attleborough (improved coding)
 - Increase in “psychological” calls, particularly in Attleboro
- **Did not happen at all**
 - No increase in robbery
 - No increase in burglary area-wide
 - No increases in thefts from buildings, persons, or vehicles
 - Significant decrease in auto thefts
 - Significant increase in reported drug offenses and liquor law violations

Comparison to baseline: Selected Crimes

Plainville, Attleboro, Mansfield, North Attleboro, and Wrentham

Crime	July-Sep Avg.	St. Dev.	2015	Z
Sexual Assault	22.8	4.87	30	1.48
Robbery	18.4	7.96	8	-1.31
Aggravated Assault	71.2	10.19	77	+0.57
Burglary	248.6	32.61	234	-0.45
Theft from buildings	110.4	11.64	81	-2.53
Thefts from vehicles	179.4	34.77	125	-1.56
Auto theft	57.2	8.49	33	-2.85
Credit card fraud	49.0	5.76	92	+7.46
Forgery	38.2	10.46	33	-0.50
Vandalism	266.6	30.32	274	+0.24
Total Violent Crime	379.4	20.37	415	+1.75
Total Property Crime	1897.8	91.63	1866	-0.35

Comparison to baseline: Selected Calls

Plainville, Attleboro, Mansfield, North Attleboro, and Wrentham

Crime	July-Sep Avg.	St. Dev.	2015	Z
Alarms	2522.8	173.62	2384	-0.80
Disabled vehicles	855.4	63.60	927	+1.13
Disorderly	1786.6	153.80	1587	-1.30
General service	2647.4	169.99	2700	0.31
Lost property	71.4	12.86	108	2.85
Medical aid	940.4	99.82	900	-0.40
Psychological	176.0	20.95	219	2.05
Suspicious activity	3044.2	186.51	3322	1.49
Traffic collisions	2040.4	67.90	2149	1.60
Traffic complaints	808.8	93.43	930	1.30

Increase in traffic-related calls

- Traffic complaints up to 2,149 from average of 2040 ($z=1.6$) in region
 - Up to 164 from average of 117 in Plainville ($z=3.41$)
 - Up to 272 from average of 237 in N. Attleborough ($z=2.12$)
 - Disabled vehicles also up to 85 from average of 58 in Plainville ($z=2.65$)
 - And suspicious activity (mostly vehicles) up to 411 from average of 319 in Plainville ($z=4.08$)

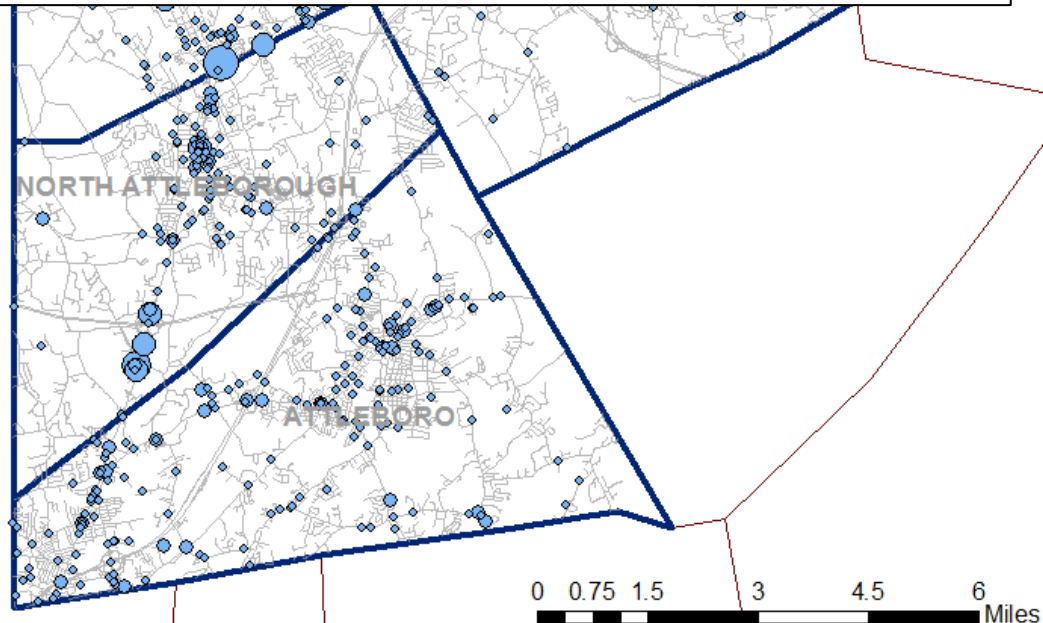
Increase in traffic-related calls

- ✓ Logical ties to activity (increased traffic flow)
- ✓ Increased in multiple agencies (though not always significantly)
- ✓ Complementary increases in other offenses
- ✓ Spatially related to casino

Legend

July-December 2015

- ◆ 1-2
- 3-6
- 7-14
- 17-26
- 42-45
- ✳ Plainridge Park



Increase in traffic collisions

- Traffic complaints up modestly but consistently across region.

Agency	Avg.	2015	Z
Plainville	157	164	0.83
Attleboro	912	941	0.56
Mansfield	341	361	1.16
North Attleborough	524	540	0.69
Wrentham	106	129	1.53
State	547	592	N/A

Increase in traffic collisions

(Maps to come once I get ArcGIS working again)

- ✓ **Logical ties to activity (increased traffic flow)**
- ✓ **Increased in multiple agencies (though not significantly)**
- ✓ **Complementary increases in other offenses**
- ✓ **Spatially related to casino**

Increase in credit card fraud

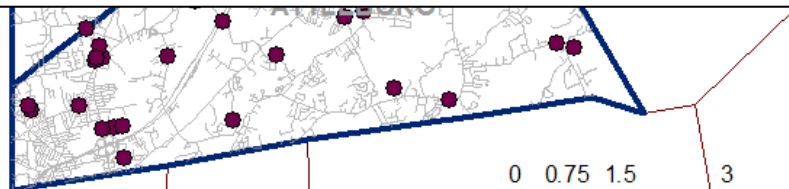
- Major increases in category in most agencies
- Review of individual reports shows no patterns and no casino mention but slight increase in out-of-town victims

Agency	Avg.	2015	Z
Plainville	5	12	3.37
Attleboro	16	36	8.77
Mansfield	12	8	-1.17
North Attleborough	14	23	1.53
Wrentham	1	13	8.55

Increase in credit card fraud

- ✓ Logical ties to activity
- ✓ Increased in multiple agencies (and very significantly)
- ✓ Some increase in out-of-area victims and offenders

- No spatial relationship to casino
- No evidence of casino relationship (or any patterns at all) in review of narrative data
- Few complementary increases in related crimes



Drunk driving

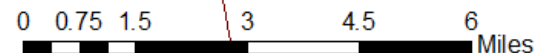
- Big increase seen in region and particularly North Attleborough
- Concentration on Route 1
- But drunk driving statistics are driven by police activity, so difficult to trust increases or decreases.
- North Attleborough, with largest increase, may have under-coded in previous years

Agency	Avg.	2015	Z
Plainville	9	11	0.59
Attleboro	60	51	-1.83
Mansfield	25	30	1.77
North Attleborough	7	40	11.35
Wrentham	4	1	-1.91

Drunk driving

- ✓ Logical ties to activity
- ✓ Spatial relationship to casino

- No evidence of casino relationship in review of narrative data (but not fully reviewed)
- No complementary increases in related crimes
- Agencies mixed in reporting (2 decreases)
- Several reasons not to trust statistics



Summary

- In the first 6 months of activity, Plainridge Park produced crime and call figures commensurate with similarly-sized facilities in the region.
- Few significant increases in crimes in the surrounding area.
- Most significant increases were tied to traffic activity: complaints, collisions, disabled vehicles, suspicious vehicles.
- Major increase in credit card fraud disturbing/puzzling, but no specific evidence of Plainridge Park involvement.
- Some agencies seeing drunk driving increases, but data is inconsistent and phenomenon needs further study.

One-year report (fall 2016) plan

- Analysis of one year of statistics post-casino
- Full analysis of major incident types
- Full analysis of all “likely” or “possible” increases in the data
- Full analysis of traffic collisions
- (Hopefully) data from Foxborough and other towns with hotel population
- Survey of officers’ perceptions
- Various tests of statistical significance

Thank You!

Christopher W. Bruce

Trainer and consultant in crime analysis and
data-driven policing

978-853-3502

cwbruce@gmail.com

Assessing the Impact of Gambling on Public Safety in Massachusetts Cities and Towns

Analysis of changes in police data after the first six months of operation at Plainridge Park Casino

Christopher W. Bruce

Consultant to the Massachusetts Gaming Commission

April 12, 2016

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Important note

In any given time period, communities will experience fluctuations, many of them significant, in public safety issues, including calls for service, traffic collisions, and crime. The opening of a facility like Plainridge Park can occasion such changes, but so can dozens of other instigating factors, including serial offenders, other changes in the residential and business communities, weather, economy, and simple random fluctuations in the data.

A number of statistics are offered in this report that show increases and decreases in certain categories in Plainville and surrounding communities. In all cases, when aberrations have appeared, I have done my best to analyze them and determine their cause. Until analyzed, statistics that indicate notable increases or decreases in activity are simply *indicators* worthy of further analysis, and not proof of any particular “cause” of the changes. **No statistic offered in this report should be taken, by itself, as proof of a casino relationship.** Anyone who cites or reports the statistics without a thorough consideration of additional factors is using this report irresponsibly.

DRAFT

Executive summary

- The primary purpose of this report is to conduct an initial scan of the increases and decreases in activity in the communities surrounding Plainridge Park since the casino opened and to highlight issues in need of further analysis in subsequent reports.
- Data was collected from the records management systems of Plainville, Attleboro, Mansfield, North Attleborough, and Wrentham since 2010. July–December of 2015 (6 months after the opening of Plainridge Park on June 24) was compared to the same periods of previous years. Both crimes and non-crime calls for service were included.
- Overall crime was down in the communities, but there were significant variances across communities and across crime categories within individual communities.
- Any significant increases were reported to the police agencies in the affected communities, where personnel studied those crime reports in detail and provided their assessments of whether the crimes were likely to be related to Plainridge Park. Rarely were we able to establish a casino relationship, and the general sense from the participating agencies was that they did not feel that Plainridge Park had contributed significantly to crime or calls for service. Two agencies cited a heroin epidemic as more likely causing their crime increases.
- Some of the variances can be explained by changes in reporting practices.

The following observed changes are *likely* to be related to Plainridge Park and will be studied in detail in the one-year report:

- Increases in **traffic-related calls for service** specifically in Plainville, concentrated on Route 1. These include disabled vehicles, complaints of improper or erratic driving, and suspicious activity. Although little data is available for these calls for service (they do not result in written reports), their geographic concentration suggests that they could be caused by the increased traffic up and down Route 1 since the opening of Plainridge Park. North Attleborough also had an increase in traffic complaints along Route 1. Similarly, an increase in “lost property” calls is likely to be related to the extra people in town.
- A general increase in **traffic collisions** in the area, again likely occasioned by increased traffic (although as covered below, we are in an era of record-low gas prices, which tends to increase driving in general). None of the contributing agencies had major increases, but all had small or modest increases. The State Police, meanwhile, saw more significant increases on areas of Route 495 and 1 that provide service to and from the casino. The issue needs to be researched more thoroughly in the one-year report, with comparisons to non-casino areas.

The following observed changes are *possibly* related to Plainridge Park and will be studied in detail in the one-year report:

- Significant increases in **credit card fraud**, particularly in Plainville, Attleboro, and Wrentham. We and the contributing agencies studied the incidents carefully and found them to be a mishmash of situations and locations with few commonalities and no explicit tie to the casino. But since so many agencies reported major increases, the category remains a cause for concern, and a more comprehensive study, with comparisons to other agencies in Massachusetts, is warranted.
- Increases in **fraud** and **identity theft** in Mansfield and North Attleborough. Preliminary indications are that these increases are due to changes in reporting practices, but as they complement increases in credit card fraud, we will study them in more detail.

- A significant increase in **drunk driving**, particularly in North Attleborough. By the agency's own admission, the increase is likely to be related to changes in enforcement and coding practices. (Drunk driving "incidents" are usually reported when the police proactively make an arrest; increases are thus not necessarily an indicator of more drunk driving in the region.) However, this is one of the crimes of particular concern, and the one-year report will study it thoroughly using crash data in conjunction with police report data.

The following observed changes were reported by the participating agencies but are *unlikely* to be related to Plainridge Park for reasons stated.

- An overall increase in kidnapping in the region, from an average of 2.8 to a 2015 total of 7. The incidents were studied and were mostly custodial kidnappings with no relationship between them or to the casino.
- An area increase in stolen property offenses appears to be a statistical fluke with no commonalities.
- Two prostitution and drug incidents (from an area average of 0.2), both in Wrentham, were reviewed and the participants were not customers of Plainridge Park.
- Increases in vandalism and weapons offenses in Plainville could not be tied, through data or logic, to any casino relationship.
- A large increase in burglary in North Attleborough was attributed to two local serial offenders (both heroin addicts) with no casino-related motives.
- Increases in disorderly conduct, drunkenness, liquor law violations, and trespassing reported by North Attleborough were attributed by the agency to changes in reporting practices and not "real" increases. Since the increases were not experienced by other agencies and they began early in 2015, their explanation seems sensible.
- An increase in shoplifting and thefts from buildings at the Wrentham Premium Outlets suggests changes in security practices. No casino relationship could be determined.
- An increase in psychological calls for service in Attleboro was studied for a casino relationship but none could be determined.

Other notes:

- Both simple and aggravated assault were up slightly (but not significantly) in the region. Since we did not collect data on relationships between victims and offenders, it is difficult to analyze these increases. We will collect more data for the one-year report to confirm or refute concerns about increases in domestic violence, but we should note that if domestic violence does increase because of gambling issues, we would expect it to be diffused across the entire region, and not concentrated in the communities surrounding Plainridge Park. Police incident data from the contributing communities is probably not the best way to study this problem.
- There was no increase in hotel and motel crime, but then again there are hardly any hotels and motels in the contributing communities. To study any potential increase, we must collect data from the nearest hotel clusters in Foxborough and Franklin.
- Going into this study, many police officers and analysts hypothesized that if anything increased, it would be petty thefts of either cash or items quickly salable for cash, like mobile phones and jewelry. Such incidents would manifest themselves in thefts from vehicles, buildings, and persons. These crimes, however, were down across the region and in almost all individual communities.

Background and methodology

In 2014, the Massachusetts Gaming Commission, in an effort to better assess the impacts of new gaming facilities across the state, commissioned a series of efforts to study, assess, and prepare for the social and economic impacts of gambling. Primary work in this area is being done by the Social and Economic Impacts of Gambling in Massachusetts (SEIGMA) study at the University of Massachusetts Amherst School of Public Health & Health Sciences, drawing upon research and experiences in many other states. For public safety issues specifically, however, the MGC felt it best to contract with someone with direct experience analyzing the crime, call-for-service, and collision records collected daily by Commonwealth police agencies.

While many studies had attempted to study the effects of gambling on overall rates for serious crimes, aggregated annually, hardly any studies have attempted to analyze more specific and minute changes in public safety activity following the opening of casinos, including variations by hour, month, and season, changes in patterns and hot spots, and changes in non-crime activity such as traffic collisions and calls for service. The MGC was interested in the answers to these questions—in analyzing public safety at a level of detail that would actually help police agencies anticipate and respond to emerging and changing problems.

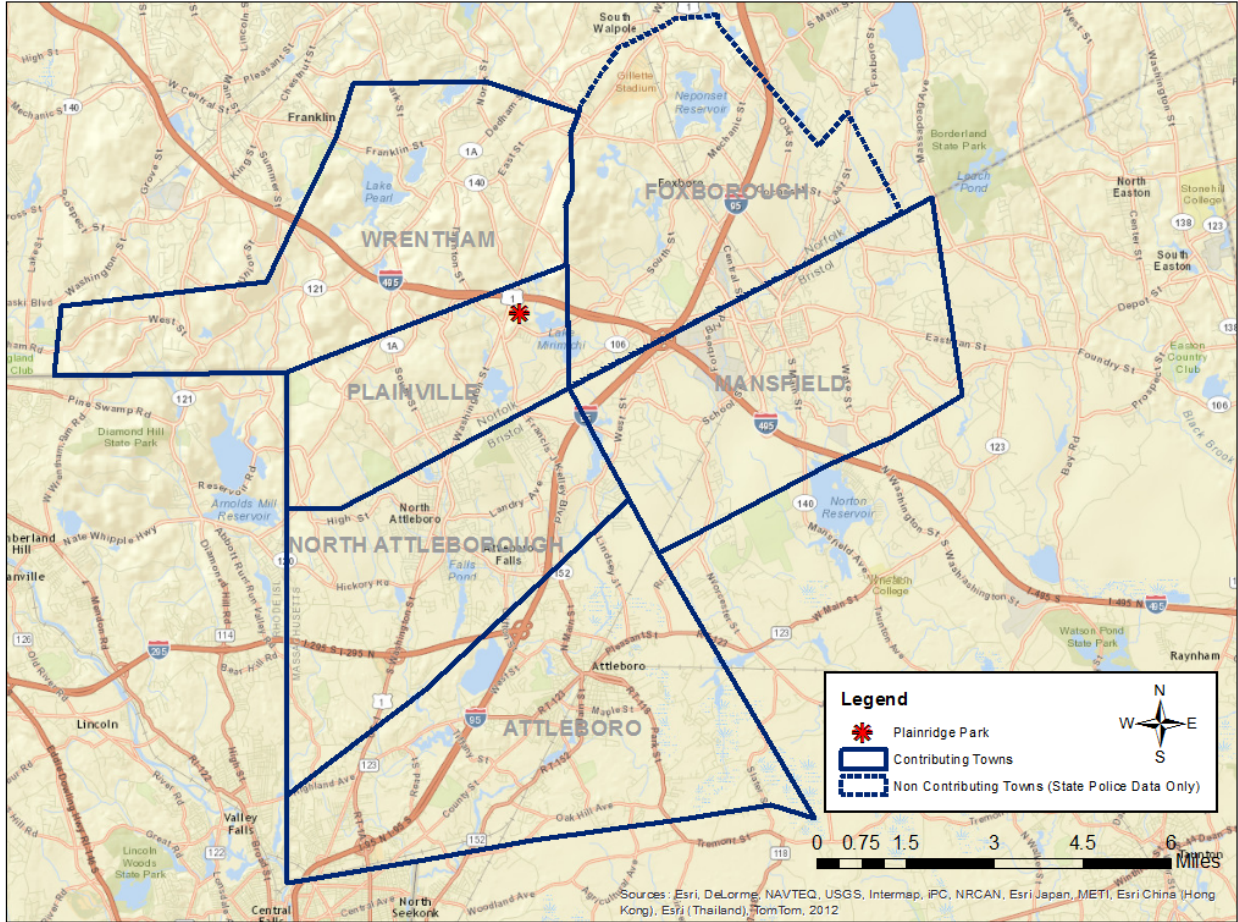


Figure 1: The area covered by this report.

In 2014, the MGC contracted with a career crime analyst, the author of this report, to extract data from the agencies likely to be affected by the opening of Plainridge Park in Plainville; to prepare a baseline analysis of public safety activity in the Plainville area for the past 5 years; and to design a process for assessing changes on a

quarterly basis after the opening of Plainridge Park. In August 2015, MGC released a report of “baseline” statistics for the Plainville area agencies, with annual totals of the types of crimes, calls for service, and collision data against which post-casino periods would be compared.

This is the first public report summarizing changes in crime, calls for service, and collisions between July 1 and December 31 of 2015 compared to the same period of previous years. The report offers both general statistics and detailed analysis of observed changes. The purpose of this report is no to “prove” whether Plainridge Park had an impact on crime in the surrounding community---as the literature review shows, it is too soon to make such a determination. For that reason, and for the purposes of this report, we do not even attempt a quasi-experimental design or any other quantitative research design that would allow us to draw conclusions to a specific level of statistical significance. This report, rather, provides an initial scan of the data for the purposes of:

- Providing an initial scan of post-casino activity in the surrounding communities.
- Highlighting notable increases and decreases that police agencies and their communities should be aware of, allowing them to employ effective prevention tactics.
- Raising research questions to tackle in more detail in further studies.
- Identifying issues that the Massachusetts Gaming Commission and partners may want to prioritize in their various programs and services.

This is only the first of a sequence of reports that will be issued in regular intervals after the introduction of each of the new casinos in Massachusetts.

Methodology

The data used in this report was extracted from the individual records management systems of the Plainville, Attleboro, Mansfield, North Attleborough, and Wrentham Police Departments. I first established an ODBC connection to each of these agencies’ records management and computer-aided dispatch databases (Plainville, Wrentham, and North Attleborough use the Pamet records management system; Mansfield uses IMC; and Attleboro uses QED). I then connected to the databases via Microsoft Access, and used a series of “make table” queries to copy the data into Access data tables. I then copied the Access databases to my own computer, password-protecting them in the process, but leaving the originals on the agencies’ networks so they could be updated by designated agency members when necessary. Appendix B lists the data fields collect from each system.

After extracting the data from each individual system, I combined each table into a series of “master” tables. This required translating each dataset into a common set of codes. The uniformities imposed by the NIBRS reporting system and the Massachusetts crash reporting system made the translations fairly easy for crime and crash tables; it was a bit more difficult for CAD tables, which have no uniform data structure from system to system or even among agencies using the same system.

incnum	agency	dtreceived	IncidentType	OrigIncidentType	Street
15-15178	Mansfield	07/12/2015 18:38:00	Crime Enforcement		SCHOOL ST
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2015000005932	Wrentham	07/12/2015 18:25:54	General Service		Premium Outlet Boulev
2015000018987	North Attleboro	07/12/2015 18:25:29	Investigation	Investigation	SOUTH WASHINGTON S
15-15176	Mansfield	07/12/2015 18:17:00	Traffic Enforcement		MAPLE ST
2015-0H3-003705	MSP	07/12/2015 18:16:00	Road Conditions	Debris in Road	RT 295 South, South of E
15072061	Attleboro	07/12/2015 18:14:43	Suspicious Activity	SUSP PERS	PLEASANT ST
2015000018986	North Attleboro	07/12/2015 18:11:41	Traffic Collision	Accident NO/PI	CUMBERLAND AV

Figure 2: Data combined into a master call-for-service table.

The Massachusetts State Police directly supplied me with datasets out of the agency’s various reporting systems, including the statewide RAMS system that stores crashes, crimes, and other incidents for all barracks plus supplemental data kept by the Gaming Enforcement Unit assigned to Plainridge Park.

The Foxborough Police Department was invited several times to participate in this analysis but declined to submit the detailed data necessary for this analysis.

In August 2015, I issued a “baseline” report that aggregated annual crash, crime, and call-for-service data for each agency, offering a series of examples of what was possible with the baseline dataset. For the purposes of this report, activity observed in the region during the first six months of Plainridge Park’s operations is compared against the baseline dataset. I highlighted a number of statistical anomalies worthy of investigation and analyzed them in more detail in the later section of this report. In many cases, this involved asking the participating agencies for more data or perspectives on the root causes of some observed increases.

Interpreting the statistics in this report

In most sections, this report compares July–December totals in 2015 to the same period in years prior, measuring change against an **average** (mean) number of incidents compared to 2015 in terms of the number of **standard deviations** from the average. Change is measured not in percentages, which is somewhat meaningless, but in **z-scores**.

The z-score represents the number of standard deviations from the average above or below which the 2015 figure falls. (It is calculated by subtracting the average from the 2015 figure and dividing by the standard deviation.) Consider the average and standard deviation together as creating a series of “windows” in which we might expect a certain percentage of the cases to fall. In a normal distribution, 68% of observations will fall within a one standard deviation “window” and 95% will fall within a 1.96 standard deviation window. Since we have only 5 years of past data, these specific percentages don’t hold, but they come close. In the table below, for instance, we would expect at least 3 of the past 5 years of disabled vehicle calls to fall between 47.56 (57.8-10.24) and 68.04 (57.8+10.24), and they do. We would expect all of them (or, occasionally, all but one) to fall within two standard deviations: 37.32 to 78.28. Again, they do¹.

¹ Statisticians may object that we do not have enough past observations to establish a normal distribution, or for the significance levels associated with various z-scores to hold. These are valid criticisms. Unfortunately, there is no way out of the conundrum. It would be absurd to reach back dozens of years to collect enough annual totals to establish the true shape of the

Crime Type	2010	2011	2012	2013	2014	Avg.	St. Dev.	2015	Z
Alarm	194	224	173	197	241	205.8	23.93	226	0.84
Disabled Vehicle	48	46	67	72	56	57.8	10.24	85	2.65
Disorderly	91	82	87	89	105	90.8	7.70	97	0.80
General Service	240	187	152	169	205	190.6	30.39	196	0.18

When a score for 2015 is well above 2 standard deviations, as in the case of disabled vehicles here, two things are possible:

1. It is simply a random fluctuation. This is unlikely, but possible. In this case, we would only expect a z-score this high by random chance about 1% of the time, but given that we have hundreds of statistics in this report, such statistical flukes are bound to happen occasionally.
2. Some new factor has influenced the statistic to be unusually high in 2015. In such cases, the factor *could* be the presence of Plainridge Park. But it could also be dozens of other factors, including other new businesses, significant economic and demographic changes, changes in weather, or changes in police policies and practices. **High z-scores indicate categories worthy of further study, but only a more detailed analysis can establish the likelihood of a casino relationship.** We have conducted that more detailed analysis with each of the significantly-increased crimes and calls for service in this report, and have reported on the results.

Non-casino factors that may affect the statistics

Before reviewing the statistics and analysis in this report, it is important to cover several factors at work in the Plainville area that might skew the data. Controlling for these factors is somewhat difficult, but I will attempt to quantify their effects in the one-year report to be released in the fall of 2016 through the use of control areas.

1. *Greater attention to accuracy in crime coding.* Two of the participating agencies—North Attleborough and Mansfield—replaced or hired new personnel in charge of coding offenses. North Attleborough appointed a new person to maintain the accuracy of their crime reports (and related data) in September 2014; Mansfield hired a new crime analyst in September 2015. Both individuals found problems with the way many offense reports had been coded and classified before their employment and took steps to improve the data. Unfortunately, these improvements mean that more recent data is difficult to compare to past data. Specific issues are discussed in the relevant sections below.

2. *A surge in the opiate epidemic.* This trend is difficult to quantify, but many police agencies and communities in the northeast United States are reporting significant increases in crime and safety issues related to heroin and other opiates. Widely reported in the media,² this resurgence seems to have begun in late 2014 and has manifested itself in an increase in overdoses and heroin-motivated crime. In speaking about several of the increases in his community, a Wrentham Police lieutenant told me that he “would assume they are more related to the opiate epidemic than to the casino.”

distribution, even if the agencies had such historical data, because we would be comparing 2015 with periods with radically different demographic and economic profiles for the jurisdiction. Our goal here in using the z-scores is not to establish statistical significance but to identify combinations of incident types and geographic areas worthy of further study to identify potential casino relationships. For such purposes, the z-core is a useful triaging tool.

² See, for instance: Seelye, K. Q. (2016, March 6). Heroin epidemic increasingly seeps into public view. *The New York Times*. Retrieved March 20, 2016, from <http://www.nytimes.com/2016/03/07/us/heroin-epidemic-increasingly-seeps-into-public-view.html>; Leonard, K. (2015, July 7). Heroin use skyrockets in U.S. Retrieved March 20, 2016 from U.S. News and World Report: <http://www.usnews.com/news/blogs/data-mine/2015/07/07/heroin-use-skyrockets-in-us-cdc-says>

3. *Low fuel prices.* With thousands of new visitors to an area, we might expect increases in traffic-related incidents, including collisions and complaints. These factors, however, are also influenced by the number of road miles driven by the population, which in turn is influenced by fuel prices. Such prices began a precipitous decline in June 2015, just as Plainridge Park opened, and continued to decline through the year, not hitting bottom until February 2016. This decrease likely contributed to an overall increase in driving in Massachusetts, which in turn may have contributed to an increase in traffic-related police issues.

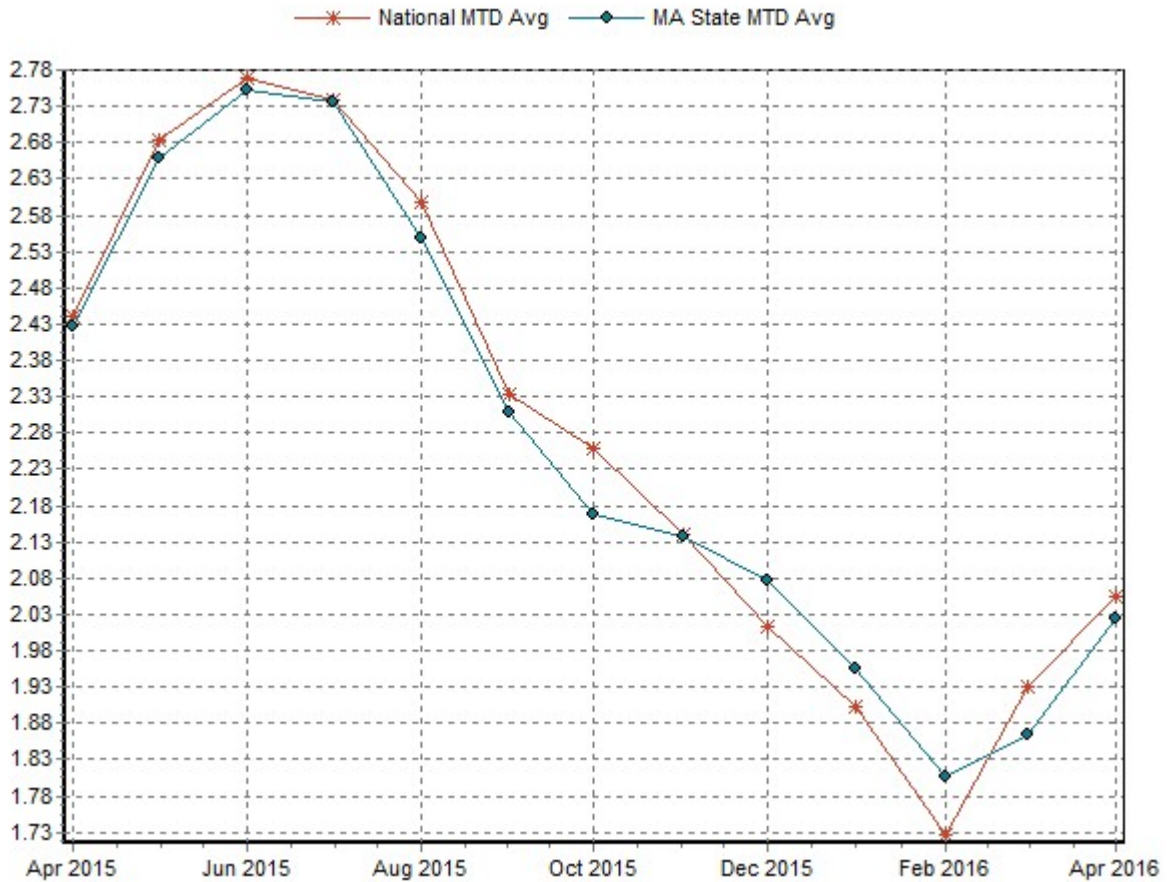


Figure 3: Average fuel prices in Massachusetts and the nation from April 2015 to April 2016. Source: American Automobile Association. (2016). Daily fuel gauge report: Massachusetts fuel prices. Retrieved April 3, 2016, from <http://fuelgauge.aaa.com/states/>

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About the author

Christopher W. Bruce is a career crime analyst with previous service at the Cambridge Police Department (1994–2001) and the Danvers Police Department (2001–2010). He was president of the Massachusetts Association of Crime Analysts from 2000 to 2004 and has served in three roles in the International Association of Crime Analysts: vice president of administration (2000–2006), president (2007–2012), and vice president of membership (2016–present). He has served as an instructor in criminal justice and crime analysis topics at Suffolk University (2001–2010), Westfield State University (2009–2010), the University of Massachusetts Lowell (2009–2010), Middlesex Community College (2007–2011), Tiffin University (2006–present), and Western Oregon University (2010–present).

Christopher is an internationally-recognized expert in police data systems and police data analysis. He currently consults with the U.S. Department of Justice, Bureau of Justice Assistance; the U.S. Department of Justice, Office of Justice Programs; the U.S. Department of Transportation, National Highway Traffic Safety Administration; and the International Association of Directors of Law Enforcement Standards and Training. He is the contracted analytical director for NHTSA's Data-Driven Approaches to Crime and Traffic Safety (DDACTS) program, a subject matter expert for BJA's Smart Policing Initiative and its National Training and Technical Assistance Program, and a senior diagnostic specialist with the OJP's diagnostic center.

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Historical review

Until 1979, when the Seminole Tribe opened a high-stakes bingo hall on reservation land near Fort Lauderdale, Florida, the question of whether casinos impact crime and disorder in surrounding communities was largely moot. The only large-scale casino gambling in the United States was concentrated in Las Vegas, Reno, and Atlantic City—cities that had grown up (or, in the case of Atlantic City, re-organized) around the presence of casinos, and in which it would have been impossible to separate crime and disorder caused by gambling from that caused by general tourist activities.

In 1976, *Bryan v. Itasca County* (426 U.S. 373) established that the state does not have the right to regulate activities on Native American land in absence of a specific United States law allowing them to do so. The ruling thus established a legal foundation for organized gambling on reservations and tribal lands. Early attempts by Native Americans were met with police raids and prosecution, but a series of court rulings found in favor of the tribes and ended the debate. By the mid-1990s, more than three dozen Indian casinos dotted the United States, many of them quite close to urban areas and thus likely to impact surrounding communities.

Casinos proved so profitable for Native American communities that states and communities began to look to gaming for sources of tax revenue and general economic growth. In 1989, South Dakota became the first state outside Nevada and New Jersey to legalize gambling when they allowed a commercial slot casino in Deadwood. Iowa legalized riverboat gambling the same year. Colorado and Illinois followed in 1990; Missouri and Louisiana in 1991; Mississippi in 1992; and Indiana in 1993.³ As of the time of this writing, 18 U.S. states allow some form of commercial casino gambling.

With this growth has, of course, come concerns about the impact of casinos, both at the individual level (alcoholism, compulsive gambling, and mental health) and the societal level (community crime, traffic issues, and the non-gaming economy). These fears, though not unfounded, were exacerbated by historical ties between gambling and organized crime as well as general mores in the United States that historically regarded gambling as a “vice.” During the height of the Native American gaming debate, the president of the American Sheriffs Association said that gambling on Indian reservations would “open up new havens for organized crime in Indiana lands all over the country”; and an assistant U.S. Interior Secretary remarked that gambling is “known to be fraught with evil.”⁴ Concerns over crime increases have been raised in every state considering the establishment or expansion of casino gaming, all the way through the Massachusetts legislation of 2011 and the subsequent repeal referendums.

Not until the 1980s could these fears be confirmed or refuted with quasi-experimental studies and hard data. Among the first to study the relationship between casinos and urban crime was Niagara University researcher Jay Albanese. Using crime totals reported by the Atlantic City Police Department to the U.S. Federal Bureau of Investigation between 1978 and 1982, he found that although “index” crimes (murder, rape, robbery, aggravated assault, burglary, theft, and auto theft) increased significantly over the period, these increases disappeared when he controlled for population increases during the same period. While the growth of casinos had undoubtedly led to the population increases as well, on a *per capita* basis, crime did not significantly increase. “Based on this analysis of the Atlantic City experience,” he concluded, “the advent of casino gambling has no direct effect on serious crime.”⁵

³ For most of this summary, I am indebted to Fenich, G. G. (1996). A chronology of (legal) gaming in the U.S. *Gaming Research & Review Journal* 3(2): 65–78.

⁴ Indian gambling may attract organized crime, foes say. (1987, June 19). *The Spokane Chronicle*, p. 12.

⁵ Albanese, J. S. (1985). The effect of casino gambling on crime. *Federal Probation* 49(2): 39–44.

Studies since Albanese's have been mixed however, often even in the same study. For instance, a 2001 study by Ohio State University PhD candidate Jeremy M. Wilson found that after the passage of Indiana's riverboat gambling legislation, the considered crimes—including FBI index offenses, public intoxication, drunk driving, disorderly conduct, and prostitution—did not increase at all in Hammond, but aggravated assaults and thefts in the area around Rising Sun.⁶ For every study indicating that casinos have caused an increase in crime in one area, an opposite study shows no increase in another.

Only as the body of literature has grown is it possible to discern key differences in the study areas. A "casino" is not the same thing across all geographies and demographics. There are variances in the types of casinos, size of casinos, types of gaming offered at casinos, other types of amenities and recreation offered at casinos, and the nature of the geography in which they are built, from dense, impoverished urban areas to the (literal) middle of the woods. Differences between the means of accessing the casinos, the surrounding road network, and the existing crime rate all have potential parts to play in any increases or decreases in crime and other social harms. As part of its efforts to investigate the impact of casinos on crime, disorder, and traffic issues, Massachusetts will offer several very different testing grounds, including a slots-only parlor directly off a highway in a moderate-to-low populated area of the state (the subject of the present study), a full-service casino in an urban area easily accessible by public transportation, and a full-service casino in a high-poverty, high-crime city. It is possible that each location will generate vastly different results. Acknowledgement of these complex variables came in a 2003 study by B. Grant Stitt, Mark Nichols, and David Giacopassi. Studying both Part 1 ("index") and Part 2 crimes across six casino communities and six non-casino communities, the researchers found widely varying results, from significant increases in casino communities to significant decreases. They ultimately conclude that "crime does not inevitably increase with the introduction of a casino" and "the effects of casinos on crime appear to be related to a variety of variables which are only poorly understood."⁷

Studies have also highlighted the danger of drawing conclusions too quickly. A landmark 2006 study by Earl L. Grinols and David B. Mustard, again using FBI part one crime statistics, this time comparing more than 3,000 casino and non-casino counties, found that the opening of casinos initially correlated with a decrease in crime, followed by a year of stability, followed by several years of increases. The findings suggest that the community—including the criminal community—takes time to adapt to the presence of the casino. This has implications for the Massachusetts project and suggests that repeated evaluations in subsequent years are necessary to truly assess the impact of casinos. No long-term conclusions should be drawn from a single-year study and particularly not a six-month study.

Throughout the history of casino-crime impact research, one major weakness has been the inability to analyze data beyond summary figures reported by police agencies annually to the FBI. Knowing that a community had 150 robberies in a given year tells us far less than having individual records of all 150 robberies, including time, location, victim, offender, and *modus operandi* factors. The former allows us to determine the presence of general increases and decreases; the latter allows us to identify *patterns* within the data. Researchers have generally failed to collect such incident-level data for what I suspect are three reasons: 1) the inability of many police agencies to extract the necessary data from their data systems; 2) the need to obtain cooperation from the agencies even if they had the ability; and 3) the difficulty involved in combining the data from multiple police agencies into a common format.

Perhaps the only study to have collected such specific data, allowing the researchers to look at individual crime locations instead of city- or county-level statistics, was conducted in 2014 by Lallen T. Johnson and Jerry H. Ratcliffe. Looking at crime incident data in the Fishtown neighborhood of Philadelphia 96 months after the opening of SugarHouse Casino, they found no effect on violent street crime, vehicle crime, drug crime, or residential burglary in the surrounding community—in fact, most of these crimes actually decreased, suggesting a possible

⁶ Wilson, J. M. (2001). Riverboat gambling and crime in Indiana: An empirical investigation. *Crime and delinquency* 47(4): 610–640.

⁷ Stitt, B. G., Nichols, M., & Giacopassi, D. (2003). Does the presence of casinos increase crime? An examination of casino and control communities. *Crime & Delinquency* 49(2): 253–284.

diffusion of benefits from the extra police and security presence at the new facility. Vehicle crime in the neighborhoods surrounding Fishtown increased, however, suggesting a possible displacement effect.⁸ The researchers were able to collect such detailed information because they had a longstanding personal relationship and research partnership with the Philadelphia Police Department and a familiarity with its data systems. It is on this type of study that we have modeled the present project—at least in terms of data collection—pulling incident-level data on crimes and calls for service from the data systems of the contributing police departments, thus giving us the ability to answer far more questions than simply “how many.”

Another major deficiency in previous casino research is any establishment of the relationship between crime and casinos *as casinos* and not simply as large entertainment venues that draw thousands of visitors. In other words, even studies that show an increase in crime after the introduction of a casino do not necessarily establish that gambling itself is a factor in those increases. Routine activities theory suggests that any facility that draws people to an area—shopping centers, movie theaters, hotels, restaurants and bars, sports complexes—creates more potential interactions between offenders and victims, both at the facility and in the surrounding area. A study showing that crime in a city or county increased after the introduction of a casino answers only one question; the other question is whether crime would have also increased if the city had built a minor-league sports stadium instead.

Finally, partly because of the inability of previous researchers to collect incident-level data from police agencies, previous studies have tended to focus solely on crime and not on any other police-related issues that affect communities, including traffic collisions and non-criminal disorder, suspicious activity, disputes, and other demands for police service. We were determined to study all such factors in the present project.

Thus, despite a fair amount of previous research into casinos' effects on crime, we begin this project with something of a blank slate, owing to the fact that:

- Previous research has found wildly varying results, from significant decreases to no change to significant increases.
- By the admission of researchers who have studied the impact of casinos, whether crime increases or decreases is related to a large number of poorly-understood variables.
- Previous research has generally considered only serious crime, generally ignoring less-serious crime and non-crime issues.
- Previous research has generally been based on annual summary statistics rather than incident-level data that considers a multitude of factors, including day, month, time, specific location, victim and offender factors, and property factors.
- Previous research has generally failed to establish a causal relationship between increases caused specifically by gambling versus those caused by any complex that draws large numbers of people.

This series of studies will not necessarily solve all of these problems, but it does have the advantage of being an ongoing series, considering multiple installations over multiple time periods, rather than a one-time study. Most important, it has the advantage of collecting incident-level data on both crime and non-crime issues, thus allowing for a far greater depth of analysis.

⁸ Johnson, L. T., & Ratcliffe, J. H. (2014). A partial test of the impact of a casino on neighborhood crime. *Security Journal* advance online publication, 30 June 2014; doi:10.1057/sj.2014.28.

Incidents at Plainridge Park

Both the Massachusetts State Police and the Plainville Police Department respond to incidents occurring at Plainridge Park specifically, including the casino interior, exterior, parking lot, and street directly in front. Statistics below, covering the first three months of Plainridge Park's opening, are offered for both agencies, with the understanding that there is overlap between the two sets of data (i.e., for a certain percentage of incidents, both agencies responded). There is currently no way to deconflict the overlaps and provide an overall total for all incidents occurring at the site.

These statistics are an initial scan from the perspective of the reporting agencies and should not replace a more thorough analysis, with a more complete dataset, from the Investigations and Enforcement Bureau.

Incidents at Plainridge Park reported to the Plainville Police Department

Crimes, July–December 2015

Crime Type	Jul	Aug	Sep	Oct	Nov	Dec	Total
Bad checks		1					1
Burglary		1			1		2
Drug offenses		2	3		1	1	7
Drunkenness	1		2				3
Other theft	1		1	1			3
Stolen property offenses			1	1			2
Theft from building	1	3	2	2	1		9
Trespassing	1			1			2
Vandalism		1		1			2
Total	4	8	9	6	3	1	31

Calls for service, July–December 2015

Crime Type	Jul	Aug	Sep	Oct	Nov	Dec	Total
Administrative	34	29	30	32	31	30	186
Animal complaint		2		1			3
Assist other agency		1	2	1		1	5
Crime enforcement			1		1		2
Disabled vehicle	2	3	4		1	1	11
Disorderly conduct	1	4		2	1	1	9
Domestic dispute			1	1	1		3
General service	3	2	6	1	6	1	19
Liquor laws	2						2
Lost property	1	1					2
Medical		1					1
Missing person	1						1
Prisoner transport	1	1			2	2	6
Suspicious activity	17	11	13	12	14	7	74
Traffic collision	3	4	2		1	4	14

Crime Type	Jul	Aug	Sep	Oct	Nov	Dec	Total
Theft	3	5	2	3	2		15
Traffic complaint	11	6	9	5	3	3	37
Traffic offenses		1	2	1	2	1	7
Trespassing	2					1	3
Vehicle stop	7	4	3	5	4	10	33
Warrant service			1				1
Youth disorder		1					1
Total	88	76	76	64	69	62	435

Incidents at Plainridge Park reported to the State Police RAMS database

Crimes, July–December 2015

Crime Type	Jul	Aug	Sep	Oct	Nov	Dec	Total
Disorderly conduct	1				1		2
Drug offenses	1	1	4	2			8
Drunkenness					1		1
Motor vehicle offenses	1		2	1	1		5
Other theft		1	3	1			5
Shoplifting			1				1
Simple assault			1				1
Stolen property offenses	1			1			2
Theft from persons	1	1		1			3
Trespassing	1					1	2
Vandalism	1		1		1	1	4
All other	5	5	8	6	4	3	18
Total	12	8	20	12	8	5	65

Calls for service, July–December 2015

Crime Type	Jul	Aug	Sep	Oct	Nov	Dec	Total
911 hangup or error		2	1		1	1	5
Abandoned vehicle			1				1
Administrative			1				1
Alarm	1	1	1				3
All other	9	5	8	10	7	6	45
Animal complaint		2	1				3
Assist other agency	3	8	13	9	15	3	51
Building check	28	38	40	29	25	39	199
Burglary	1	1					2
Disabled vehicle			3	1	3	1	8
Disorderly conduct	17	11	9	7	10	5	59
Domestic dispute		1		1	1	1	4
Drugs		4	4	3	1		12
Field interview		1		1			2

Crime Type	Jul	Aug	Sep	Oct	Nov	Dec	Total
Fire			2	1			3
General service	1	3	2	1	1		8
Investigation	3	3	7	5	11	9	38
Liquor		1			1		2
Lost property	3	6		1		1	11
Medical	11	20	20	11	7	4	73
Missing person		1	1				2
Other theft	7	3	6	7		3	26
Prisoner transport	1	1	1		3		6
Sexual assault			1				1
Suspicious activity	9	24	12	15	13	14	87
Threats or harassment	1					1	2
Traffic complaint						1	1
Traffic enforcement	1			2			3
Trespassing	2						2
Vandalism	2			1	1	1	5
Vehicle stop			1		2		3
Well-being check	1	1	4	2		1	9
Total	101	137	139	107	102	91	677

Incidents at Plainridge Park reported by the Gaming Enforcement Unit

The following statistics were compiled by the Gaming Enforcement Unit from July through November of 2015. These numbers should be considered the most authoritative of the sources for total figures at Plainridge Park; however, they might exclude some activity in the exterior reported to the Plainville Police. These numbers were supplied in summary form (statistics only) and are thus not subject to further analysis.

No distinction is made in this data between crimes and other incident types.

Crimes and other incidents, July–December 2015

Crime Type	Jul	Aug	Sep	Oct	Nov	Dec	Total
Assistance to security	67	55	47	33	32		234
Assistance to other agency	28	35	34	27	28		152
Burglary	2	1			1		4
Forgery	2						2
Fugitive from justice			1				1
Identity theft	3						3
Theft, fraud, embezzlement	11	7	10	11	11		50
Missing persons	4	3	3	2	1		13
Drug investigations	2	5	10	7	7		31
Intoxicated persons	16	13	13	9	9		60
Suspicious persons	16	32	19	27	19		113
Medical	13	15	16	10	7		61
Total	176	174	173	138	123		784

Comparison of Plainridge Park to similar-sized facilities, July-December 2015

Crimes and key non-crime calls for service

Crime Type	Plainridge Park ⁹	Mansfield Xfinity Center	Taunton Street shopping center, Plainville	Bristol Place shopping center, Attleboro
Sexual assault		1		
Aggravated assault		6	1	1
Simple assault		19	3	2
Bad checks	1	1		
Burglary	2	2		
Credit card fraud			3	1
Fraud/Forgery				2
Auto theft				1
Disorderly conduct		21		5
Drug offenses	7	8	1	3
Drunkenness	3	173		
Other theft/shoplifting	3	5	2	11
Stolen property offenses	2	1	1	1
Thefts from buildings	9	1	1	2
Thefts from vehicles			3	4
Trespassing	2	9		2
Vandalism	2	5	3	1
Weapon violations			1	1
Total crime reports	31	252	19	37
Disabled vehicle	11	2	22	5
Disorder	9		19	12
Domestic dispute	3		6	3
General service	19	4	20	9
Suspicious activity	74	1	76	27
Traffic collision	14	8	33	66
Traffic complaint	37		35	8

It is relatively difficult to come up with facilities exactly comparable to each other given variances in traffic, operating hours, regularity of operation, and the types of goods and services offered. The table above doesn't serve as a direct comparison, since we do not have figures on the number of visitors to each location. Rather, it serves as a reminder that the types of crimes and calls for service experienced at Plainridge Park are akin to those experienced by any large facility that draws thousands of visitors per year.

⁹ Plainridge Park figures are as reported to the Plainville Police Department. Although not indicative of all activity at the location, this provides the best "apples to apples" comparison since the comparison venues, like the Plainville Police figures for Plainridge Park, are based on police reporting practices and do not include incident reports taken by State Police or private security agencies at the same venues.

General crime statistics

The following figures note changes in the region and for individual agencies in the months of July–December of 2015 compared to past years. These figures do not count activity specifically at Plainridge Park, as they are meant to help assess notable changes in the surrounding community.

The “Z” score is a figure that indicates where the figure stands in 2015 compared to its normal deviation or variance. Scores higher than 2 or lower than -2 generally indicate some outside factor at work. Notable increases, as well as some moderate increases, are analyzed after the statistics.

The figures below do not apply a “hierarchy rule”—all offenses reported in an incident are counted.

“All other” are typically motor vehicle offenses.

Crimes reported to Plainville, Attleboro, North Attleborough, Mansfield and Wrentham, July-December

Crime Type	2010	2011	2012	2013	2014	Avg.	St. Dev.	2015	Z
Murder	1	2	2	0	0	0.8	0.98	0	-0.82
Sexual assault	21	30	27	18	18	22.8	4.87	30	1.48
Robbery	29	20	24	12	7	18.4	7.96	8	-1.31
Aggravated assault	77	88	68	63	60	71.2	10.19	77	0.57
Simple assault	270	238	267	248	294	263.4	19.37	293	1.53
Kidnapping	5	4	4	1	0	2.8	1.94	7	2.17
Violent crime	402	382	392	342	379	379.4	20.37	415	1.75
Burglary	251	302	251	239	200	248.6	32.61	234	-0.45
Purse snatching	4	3	1	1	1	2	1.26	1	-0.79
Shoplifting	295	222	283	289	284	274.6	26.64	285	0.39
Theft from building	106	132	107	110	97	110.4	11.64	81	-2.53
Theft from machine	3	0	0	1	0	0.8	1.17	1	0.17
Theft from person	1	8	1	7	4	4.2	2.93	3	-0.41
Theft from vehicles	156	230	143	156	212	179.4	34.77	125	-1.56
Theft of veh. parts	25	24	19	49	23	28.0	10.7	25	-0.28
Other theft	387	498	465	575	561	497.2	68.27	513	0.23
Auto theft	61	69	58	55	43	57.2	8.49	33	-2.85
Arson	8	5	2	5	5	5.0	1.90	3	-1.05
Bad checks	14	12	25	11	10	14.4	5.46	11	-0.62
Credit card fraud	49	54	51	53	38	49.0	5.76	92	7.46
Employee theft	17	24	12	10	11	14.8	5.19	15	0.04
Forgery	23	40	55	40	33	38.2	10.46	33	-0.50
Fraud	48	48	58	72	46	54.4	9.75	73	1.91
Identity theft	18	22	41	27	28	27.2	7.78	41	1.77
Stolen property off.	26	13	46	22	22	25.8	10.96	23	-0.26
Vandalism	276	306	275	263	213	266.6	30.32	274	0.24
Property crime	1768	2012	1893	1985	1831	1897.8	91.63	1866	-0.35
Drugs	110	104	93	121	112	108.0	9.27	80	-3.02

Crime Type	2010	2011	2012	2013	2014	Avg.	St. Dev.	2015	Z
Drunk driving	102	111	108	92	114	105.4	7.79	133	3.54
Disorderly	176	151	161	174	139	160.2	13.96	159	-0.09
Drunkenness	280	251	293	291	399	302.8	50.38	225	-1.54
Family offenses	245	227	227	180	229	221.6	21.87	228	0.29
Liquor laws	247	173	224	152	104	180.0	51.06	70	-2.15
Pornography	1	3	7	5	6	4.4	2.15	6	0.74
Prostitution	1	0	0	0	0	0.2	0.40	2	4.50
Threats	108	104	100	78	68	91.6	15.72	61	-1.95
Trespassing	29	33	42	38	41	36.6	4.92	32	-0.93
Weapon offenses	18	21	14	22	18	18.6	2.80	19	0.14
All other	1159	1160	1180	1217	1207	1184.6	23.80	843	-14.35
Total offenses*	3489	3579	3556	3483	3444	3510.0	49.81	3304	-4.14

*Does not include "all other."

Overall crime in the area decreased significantly from previous years, driven by significant decreases in reported alcohol-related crimes like **drunkenness** and **liquor law violations** (although these are based heavily on police enforcement activity and should not be necessarily taken as a sign that actual activity decreased) and modest decreases in property crime. Overall violent crime increased slightly but with no specific identified casino relationships. Overall property crime decreased slightly with a few notable categorical exceptions.

The increase in **kidnapping** is an odd fluke for the area, made up mostly of unusual figures in Plainville and Mansfield (which normally have none). A review of the incidents suggests no relationship among them—they are primarily custodial kidnappings involving different families—and there is no casino relationship.

The "increase" in **prostitution** is a case of small numbers (an average of 0.2 per year versus 2 incidents in 2015) leading to big changes, but we looked closely at the incidents because an increase in prostitution is one of the "fears" often attributed to casinos. Both incidents occurred in Wrentham, both in October, and both at a motel fairly close to Plainridge Park. Wrentham reported that the participants did not seem to be in the area to use the casino.

A fairly large increase in **drunk driving** incidents is largely attributable to North Attleborough alone, although several other communities had slight increases. Spatial analysis of the incidents does show a heavy degree of clustering along Route 1 between Plainridge Park and the Rhode Island border. It is important to understand, however, that the number of drunk driving "incidents" reported by a police department is heavily influenced by that police department's own activities. Extra enforcement produces more arrests irrespective of the actual number of drunk drivers. The issue is also complicated by what seems to be a change in reporting practices at the North Attleborough Police Department, discussed below.

A troubling and significant increase in **credit card fraud** occurred. Every agency but Mansfield saw an uptick, and in the case of Plainville, Attleboro, and Wrentham, the increase was far higher than random fluctuations would allow. We could not find a specific casino relationship to the increase, yet its universality and significance makes it a crime worth continuing to watch. We will analyze the crime fully in the one-year report.

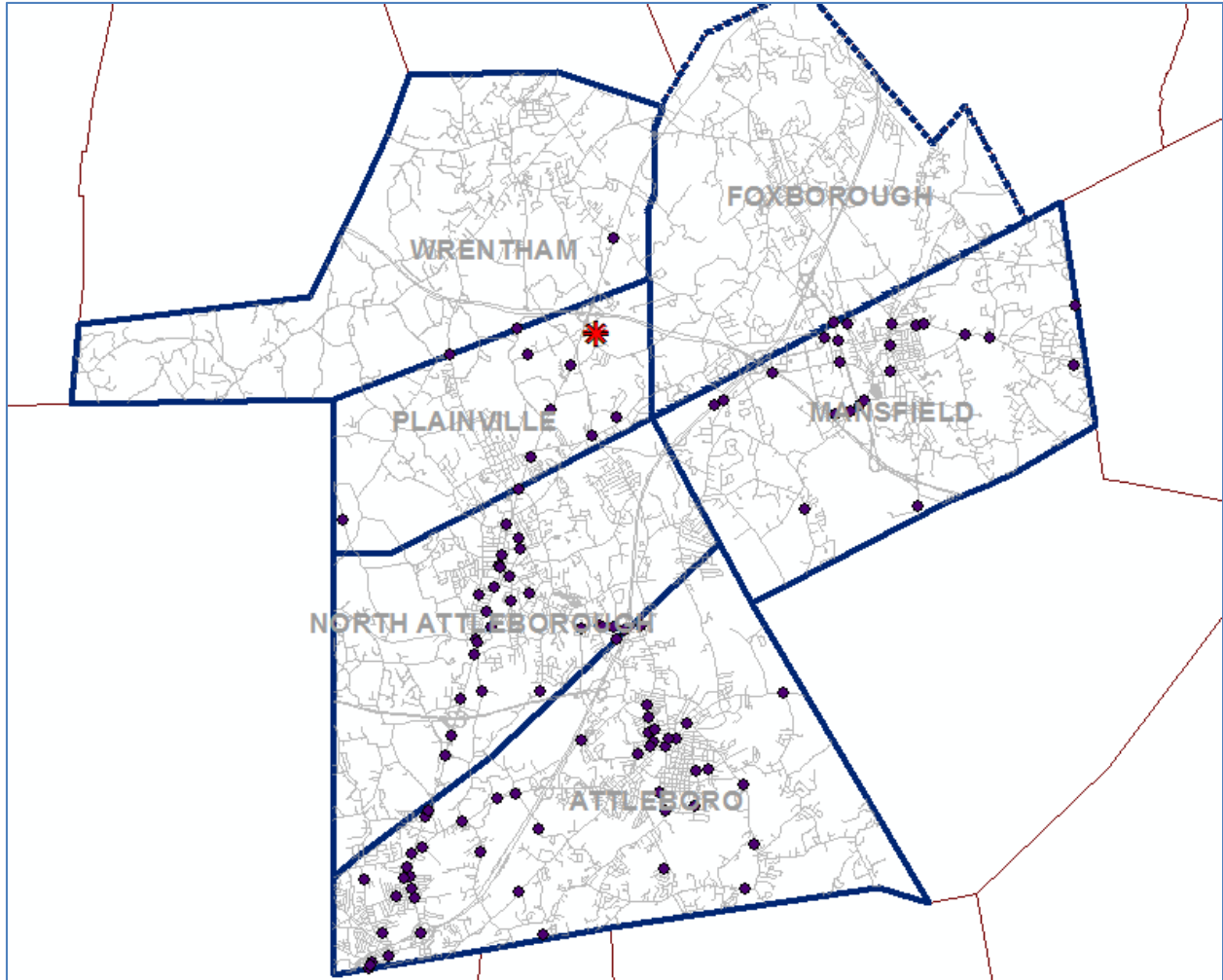


Figure 4: Reported drunk driving incidents from July to December of 2015.

Crimes reported to Plainville, July-December

Crime Type	2010	2011	2012	2013	2014	Avg.	St. Dev.	2015	Z
Sexual assault	1	2	2	1	2	1.6	0.49	1	-1.22
Robbery	0	1	2	1	1	1.0	0.63	0	-1.58
Aggravated assault	4	4	4	0	2	2.8	1.60	5	1.38
Simple assault	15	11	12	3	9	10.0	4.00	8	-0.50
Kidnapping	0	0	0	0	0	0.0	0.00	3	NC
Violent crime	20	18	20	5	14	15.4	5.64	17	0.28
Burglary	17	13	19	16	22	17.4	3.01	17	-0.13
Shoplifting	9	13	20	12	12	13.2	3.66	10	-0.88
Theft from building	4	11	9	13	13	10.0	3.35	8	-0.60
Theft from vehicles	13	50	8	21	29	24.2	14.74	4	-1.37
Theft of veh. parts	2	4	2	1	2	2.2	0.98	3	0.82
Other theft	7	15	22	10	7	12.2	5.71	9	-0.56
Auto theft	2	3	3	3	3	2.8	0.40	2	-2.00
Arson	1	0	0	0	0	0.2	0.40	0	-0.50

Crime Type	2010	2011	2012	2013	2014	Avg.	St. Dev.	2015	Z
Bad checks	1	0	3	1	1	1.2	0.98	0	-1.22
Credit card fraud	7	3	3	7	7	5.4	1.96	12	3.37
Employee theft	0	2	0	0	0	0.4	0.80	0	-0.50
Forgery	2	2	4	6	1	3.0	1.79	1	-1.12
Fraud	1	1	1	1	2	1.2	0.40	1	-0.50
Stolen property off	1	0	1	0	0	0.4	0.49	3	5.31
Vandalism	14	24	16	26	17	19.4	4.72	33	2.88
Property crime	82	141	111	118	116	113.6	18.87	106	-0.40
Drugs	3	6	5	5	6	5.0	1.10	4	-0.91
Drunk driving	8	11	7	7	14	9.4	2.73	11	0.59
Disorderly	2	1	0	2	1	1.2	0.75	0	-1.60
Drunkness	11	11	8	6	6	8.4	2.24	6	-1.07
Family offenses	0	0	2	2	2	1.2	0.98	3	1.84
Liquor laws	2	1	4	1	2	2.0	1.10	1	-0.91
Threats	1	1	4	0	2	1.6	1.36	1	-0.44
Trespassing	4	5	4	5	1	3.8	1.47	1	-1.91
Weapon offenses	0	2	0	2	1	1.0	0.89	4	3.35
All other	4	4	5	4	2	3.8	0.98	10	6.33
Total offenses*	133	197	165	153	165	162.6	20.80	154	-0.41

*Does not count "All other" offenses.

An increase in **kidnapping**, while odd, all involves custodial abductions at residences and shows no casino relationship. Similarly, the increase in **stolen property** and **weapons** offenses seems to be flukes with no relationship among incidents, all involving Plainville residents. (The numbers were small to begin with.)

Plainville was one of the agencies to show a major increase in **credit card fraud**, discussed above.

Crimes reported to Attleboro, July–December

Crime Type	2010	2011	2012	2013	2014	Avg.	St. Dev.	2015	Z
Murder	0	1	1	0	0	0.4	0.49	0	-0.82
Sexual assault	17	23	17	10	9	15.2	5.15	19	0.74
Robbery	22	14	17	7	3	12.6	6.83	7	-0.82
Aggravated assault	50	67	43	37	31	45.6	12.42	38	-0.61
Simple assault	137	157	146	137	160	147.4	9.69	155	0.78
Kidnapping	4	3	3	1	0	2.2	1.47	2	-0.14
Violent crime	230	265	227	192	203	223.4	25.26	221	-0.10
Burglary	110	142	107	91	80	106.0	21.04	116	0.48
Purse snatching	1	0	0	0	0	0.2	0.40	0	-0.50
Shoplifting	122	82	115	126	110	111.0	15.52	99	-0.77
Theft from building	61	71	56	61	56	61.0	5.48	43	-3.29
Theft from machine	3	0	0	0	0	0.6	1.20	1	0.33
Theft from persons	0	5	0	0	1	1.2	1.94	1	-0.10
Theft from vehicles	85	91	100	84	54	82.8	15.48	74	-0.57
Theft of veh. Parts	17	16	16	47	18	22.8	12.12	22	-0.07

Crime Type	2010	2011	2012	2013	2014	Avg.	St. Dev.	2015	Z
Other theft	157	246	262	370	374	281.8	81.89	354	0.88
Auto theft	31	42	33	36	23	33.0	6.23	16	-2.73
Arson	4	4	2	2	3	3.0	0.89	0	-3.35
Bad checks	6	5	15	3	5	6.8	4.21	3	-0.90
Credit card fraud	14	15	17	20	14	16.0	2.28	36	8.77
Employee theft	5	5	2	2	5	3.8	1.47	3	-0.54
Forgery	11	23	30	14	17	19.0	6.78	15	-0.59
Fraud	29	29	36	42	22	31.6	6.83	33	0.20
Identity theft	12	11	29	16	20	17.6	6.53	21	0.52
Stolen property off	7	7	24	14	11	12.6	6.28	10	-0.41
Vandalism	162	185	165	163	123	159.6	20.16	151	-0.43
Property crime	837	979	1009	1091	936	970.4	83.77	998	0.33
Drugs	49	33	59	68	51	52.0	11.63	43	-0.77
Drunk driving	58	67	61	52	63	60.2	5.04	51	-1.83
Disorderly	138	115	118	110	85	113.2	17.01	109	-0.25
Drunkenness	1	1	0	0	0	0.4	0.49	0	-0.82
Family offenses	238	214	215	174	213	210.8	20.62	218	0.35
Liquor laws	16	31	25	25	13	22.0	6.57	19	-0.46
Pornography	0	3	3	4	4	2.8	1.47	3	0.14
Prostitution	1	0	0	0	0	0.2	0.40	0	-0.50
Threats	66	72	64	40	39	56.2	13.89	36	-1.45
Trespassing	12	15	19	16	19	16.2	2.64	19	1.06
Weapon offenses	14	16	10	18	11	13.8	2.99	11	-0.94
All other	519	527	561	517	608	546.4	34.64	495	-1.48
Total offenses*	1660	1811	1810	1790	1637	1741.6	76.73	1728	-0.18

*Does not include "All other."

Attleboro showed no significance increases in crimes during this period, with the exception of **credit card fraud**. It was one of several agencies to see this increase. It did not have any other offense types that even approached a significant increase. While it had a few that decreased, almost all offenses were well within normal tolerances.

Crimes reported to Mansfield, July–December

Crime Type	2010	2011	2012	2013	2014	Avg.	St. Dev.	2015	Z
Murder	0	1	1	0	0	0.4	0.49	0	-0.82
Sexual assault	3	2	5	7	5	4.4	1.74	7	1.49
Robbery	5	3	4	0	2	2.8	1.72	0	-1.63
Aggravated assault	20	17	17	23	13	18.0	3.35	22	1.20
Simple assault	65	49	77	82	83	71.2	12.81	74	0.22
Kidnapping	1	1	1	0	0	0.6	0.49	2	2.86
Violent crime	94	73	105	112	103	97.4	13.48	105	0.56
Burglary	89	119	109	93	49	91.8	23.99	32	-2.49
Purse snatching	1	1	1	0	1	0.8	0.40	1	0.50
Shoplifting	46	19	29	29	22	29.0	9.36	16	-1.39
Theft from building	33	46	41	35	22	35.4	8.11	21	-1.77

Crime Type	2010	2011	2012	2013	2014	Avg.	St. Dev.	2015	Z
Theft from persons	0	3	1	3	2	1.8	1.17	1	-0.69
Theft from vehicles	1	1	0	0	0	0.4	0.49	1	1.22
Theft of veh. Parts	0	0	1	0	0	0.2	0.40	0	-0.50
Other theft	102	97	81	87	68	87.0	12.02	54	-2.75
Auto theft	16	17	17	9	5	12.8	4.92	7	-1.18
Arson	3	1	0	3	1	1.6	1.20	2	0.33
Bad checks	3	5	3	3	4	3.6	0.80	2	-2.00
Credit card fraud	7	18	15	11	11	12.4	3.77	8	-1.17
Employee theft	4	2	3	0	2	2.2	1.33	0	-1.66
Forgery	6	13	16	15	7	11.4	4.13	12	0.15
Fraud	17	18	20	25	17	19.4	3.01	29	3.19
Identity theft	5	11	12	3	8	7.8	3.43	17	2.68
Stolen property off	15	6	20	8	10	11.8	5.08	9	-0.55
Vandalism	65	87	84	67	50	70.6	13.54	43	-2.04
Property crime	413	464	453	391	279	400.0	66.02	255	-2.20
Drugs	43	56	25	43	41	41.6	9.87	20	-2.19
Drunk driving	21	25	27	29	24	25.2	2.71	30	1.77
Disorderly	30	35	42	60	45	42.4	10.25	34	-0.82
Drunkenness	264	231	280	277	374	285.2	47.68	196	-1.87
Family offenses	7	13	10	2	14	9.2	4.35	0	-2.11
Liquor laws	228	138	193	126	89	154.8	49.52	45	-2.22
Pornography	1	0	4	1	1	1.4	1.36	2	0.44
Threats	25	28	30	37	22	28.4	5.08	19	-1.85
Trespassing	13	13	19	16	20	16.2	2.93	10	-2.12
Weapon offenses	4	3	4	2	5	3.6	1.02	4	0.39
All other	604	601	575	684	587	610.2	38.33	312	-7.78
Total offenses*	1143	1080	1193	1096	1017	1105.8	59.39	720	-6.50

*Does not include "all other."

Mansfield reported the largest decreases in crime during the period, with massive declines in total property crime and most drug and alcohol-related crime. The agency hired a full-time analyst in the fall of 2015 and is undertaking a systematic review of the data and past reporting practices to ensure the accuracy of these figures, so it is not impossible that they may change slightly in future reports.

The analyst in question reviewed all incidents of **kidnapping**, **fraud**, and **identity theft** and reported that she could find no patterns that would indicate a relationship to Plainridge Park. It is likely that the increase in the latter two categories are related to improved reporting practices, though we will study them in greater detail for the one-year report.

Crimes reported to North Attleborough, July–December

Crime Type	2010	2011	2012	2013	2014	Avg.	St. Dev.	2015	Z
Sexual assault	0	3	1	0	1	1.0	1.10	2	0.91
Robbery	2	1	1	4	1	1.8	1.17	0	-1.54
Aggravated assault	1	0	0	0	11	2.4	4.32	9	1.53
Simple assault	52	21	32	18	33	31.2	11.96	47	1.32

Crime Type	2010	2011	2012	2013	2014	Avg.	St. Dev.	2015	Z
Violent crime	55	25	34	22	46	36.4	12.50	58	1.73
Burglary	19	22	12	17	38	21.6	8.82	52	3.45
Purse snatching	2	2	0	1	0	1.0	0.89	0	-1.12
Shoplifting	101	100	109	101	113	104.8	5.23	106	0.23
Theft from building	8	4	1	0	1	2.8	2.93	2	-0.27
Theft from machine	0	0	0	1	0	0.2	0.40	0	-0.50
Theft from persons	1	0	0	0	0	0.2	0.40	0	-0.50
Theft from vehicles	57	88	35	38	93	62.2	24.36	38	-0.99
Theft of veh. Parts	6	4	0	0	1	2.2	2.40	0	-0.92
Other theft	44	62	63	51	81	60.2	12.58	62	0.14
Auto theft	11	7	3	4	8	6.6	2.87	6	-0.21
Arson	0	0	0	0	0	0.0	0.00	1	NC
Bad checks	4	2	4	4	0	2.8	1.60	5	1.38
Credit card fraud	20	18	16	12	3	13.8	6.01	23	1.53
Employee theft	8	15	7	4	1	7.0	4.69	8	0.21
Forgery	3	2	5	2	2	2.8	1.17	4	1.03
Fraud	1	0	0	0	0	0.2	0.40	5	12.00
Vandalism	17	3	3	0	20	8.6	8.21	37	3.46
Property crime	302	329	258	235	361	297.0	45.85	349	1.13
Drugs	9	7	2	1	9	5.6	3.44	6	0.12
Drunk driving	11	4	8	3	8	6.8	2.93	40	11.35
Disorderly	5	0	0	0	7	2.4	3.01	16	4.52
Drunkenness	0	0	0	0	12	2.4	4.80	20	3.67
Family offenses	0	0	0	0	0	0.0	0.00	6	NC
Liquor laws	1	2	0	0	0	0.6	0.80	5	5.50
Threats	13	1	1	0	5	4.0	4.82	5	0.21
Trespassing	0	0	0	0	1	0.2	0.40	2	4.50
Weapon offenses	0	0	0	0	1	0.2	0.40	0	-0.50
All other	1	0	0	0	3	0.8	1.17	20	16.46
Total offenses*	397	368	303	261	450	355.8	67.07	509	2.28

*Does not include "all other" offenses.

North Attleborough was the one agency to report large and consistent increases in crime during this period, though there reasons to regard many of these increases with skepticism. In September 2014, a new individual took over the position responsible for coding crimes for reporting to the state and, after some research and training, found that the agency's crime coding practices had not been following state or national standards. She instituted improved coding measures starting in January 2015, which of course affects the period of this report. Most of the crimes that show increases in the second half of the year also showed increases during the first half, which would not be expected if the inciting factor behind the increase was Plainridge Park.

Because of the large number of increased crimes, we spent the most time with North Attleborough, studying individual incidents and reading report narratives to rule in or out a casino relationship.

Burglary was not affected by previous reporting practices and seems to reflect a real increase. The agency experienced two major burglary *series* in the second half of 2015 (a series involves multiple crimes connected to the same offender). Both serial offenders were heroin addicts from the local area, and there was no indication that

they were committing the crimes for casino purposes. Nor was there any overt casino relationship in the other reports we reviewed.

North Attleborough attributed the increases in **fraud, vandalism, trespassing, liquor laws, drunk driving and disorderly conduct** to a failure to correctly report these figures in previous years. Where other agencies did not report similar increases, the agency’s explanation seems sensible and suggests no casino relationship despite the increase. However, we will revisit the issue—particularly in respect to drunk driving—for the one-year report.

In at least one way, we have *good* data from North Attleborough: it was the only agency to implement and use a “casino-related” crime code in the records management system. This code flagged three incidents in the fall of 2015: one drunk driving arrest, one theft of personal property between a married couple, and one “erratic operator” complaint.

Crimes reported to Wrentham, July–December

Crime Type	2010	2011	2012	2013	2014	Avg.	St. Dev.	2015	Z
Sexual assault	0	0	2	0	1	0.6	0.80	1	0.50
Robbery	0	1	0	1	0	0.2	0.49	1	1.22
Aggravated assault	2	0	4	3	3	2.4	1.36	3	0.44
Simple assault	1	0	0	8	9	3.6	4.03	9	1.34
Violent crime	3	1	6	11	13	6.8	4.58	14	1.57
Burglary	16	6	4	22	11	11.8	6.58	17	0.79
Shoplifting	17	8	10	21	27	16.6	7.00	54	5.34
Theft from building	0	0	0	1	5	1.2	1.94	7	2.99
Theft from persons	0	0	0	4	1	1.0	1.55	1	0.00
Theft from vehicles	0	0	0	13	36	9.8	14.03	8	-0.13
Theft of veh. parts	0	0	0	1	2	0.6	0.80	0	-0.75
Other theft	77	78	37	57	31	56.0	19.56	34	-1.13
Auto theft	1	0	2	3	4	2.0	1.41	2	0.00
Arson	0	0	0	0	1	0.2	0.40	0	-0.50
Bad checks	0	0	0	0	0	0.0	0.00	1	NC
Credit card fraud	1	0	0	3	3	1.4	1.36	13	8.55
Employee theft	0	0	0	4	3	1.4	1.74	4	1.49
Forgery	1	0	0	3	6	2.0	2.28	1	-0.44
Fraud	0	0	1	4	5	2.0	2.10	5	1.43
Identity theft	0	0	0	7	0	1.4	2.80	0	-0.50
Stolen property off	3	0	1	0	1	1.0	1.10	1	0.00
Vandalism	18	7	7	7	3	8.4	5.04	10	0.32
Property crime	134	99	62	150	139	116.8	32.28	158	1.28
Drugs	6	2	2	4	5	3.8	1.60	7	2.00
Drunk driving	4	4	5	1	5	3.8	1.47	1	-1.91
Disorderly	1	0	1	2	1	1.0	0.63	0	-1.58
Drunkenness	4	8	5	8	7	6.4	1.62	3	-2.09
Prostitution	0	0	0	0	0	0.0	0.00	2	NC
Family offenses	0	0	0	2	0	0.4	0.80	0	-0.50
Liquor laws	0	1	2	0	0	0.6	0.80	0	-0.75
Threats	3	2	1	1	0	1.4	1.02	0	-1.37

Crime Type	2010	2011	2012	2013	2014	Avg.	St. Dev.	2015	Z
Trespassing	0	0	0	1	0	0.2	0.40	0	-0.50
All other	31	28	39	12	7	23.4	12.01	6	-1.45
Total offenses	155	117	84	180	170	141.2	35.73	183	1.17

Wrentham saw a large increase in **shoplifting** during this period, with every incident at the Wrentham Village Premium Outlets, most involving clothing. This location is also responsible for the higher-than-average **theft from building** incidents (6 of the 7 incidents in the latter half of 2015 occurred here), which appears to be theft of employees' mobile phones and cash at the various stores. The shoplifting increase, at least, started during the first six months of 2015 and seems to be related to improved security or different security practices at the outlets; a Wrentham police lieutenant reviewed the associated reports and could find no evidence linking the increase to the casino.

Wrentham was one of the agencies to report a significant increase in **credit card fraud**, as discussed above.

The "increase" in both **drug offenses** and **prostitution** (the numbers are quite small; Wrentham hardly ever has incidents of either) are related to a pair of arrests that occurred at a local motel in October. A Wrentham police lieutenant reviewed the reports and reported no evidence that the participants (who came from the south shore) were in the area for casino purposes. Nonetheless, it will be worth continuing to monitor activity at the motel since it could potentially service Plainridge Park clientele and might see a long-term increase in activity.

Calls-for-service statistics

Selected calls for service in Plainville, Attleboro, Mansfield, North Attleborough, and Wrentham

Crime Type	2010	2011	2012	2013	2014	Avg.	St. Dev.	2015	Z
Alarm	2525	2856	2376	2442	2415	2522.8	173.62	2384	-0.80
Disabled Vehicle	928	750	898	819	882	855.4	63.60	927	1.13
Disorderly	1967	1957	1757	1580	1672	1786.6	153.80	1587	-1.30
General Service	2408	2579	2581	2271	2898	2647.4	169.99	2700	0.31
Lost Property	72	58	62	70	95	71.4	12.86	108	2.85
Medical	847	971	1122	873	889	940.4	99.82	900	-0.40
Psychological	150	154	183	205	188	176.0	20.95	219	2.05
Suspicious Activity	2740	3088	3063	3323	3007	3044.2	186.51	3322	1.49
Traffic Collision	2158	2028	2028	2042	1946	2040.4	67.90	2149	1.60
Traffic Complaint	796	938	874	663	773	808.8	93.43	930	1.30

The only call types to increase significantly in the area involved lost property and calls for psychological issues. **Lost property** reports can involve a variety of items, including wallets, vehicle license plates, drivers' licenses, passports, and mobile phones. Incidents are usually reported as such when there is no indication of theft. Quite often, the victim does not know where the item was lost, so many of the reports bear the address of a police department or the victim's residence.

Lost property reports would be expected at a large facility with a lot of activity, such as a casino. However, since these statistics do not include activity at Plainridge Park itself, it's hard to know what to make of the increase. Incidents do not often result in a written report, leaving very little data to analyze. Lost property incidents also increased during the first six months of the year (87 from an average of 59), suggesting a non-casino cause behind the trend.

Most of the increase in **psychological** calls for service is accounted for by the Attleboro Police Department and is discussed there.

Selected calls for service in Plainville

Crime Type	2010	2011	2012	2013	2014	Avg.	St. Dev.	2015	Z
Alarm	194	224	173	197	241	205.8	23.93	226	0.84
Disabled Vehicle	48	46	67	72	56	57.8	10.24	85	2.65
Disorderly	91	82	87	89	105	90.8	7.70	97	0.80
General Service	240	187	152	169	205	190.6	30.39	196	0.18
Lost Property	18	20	24	24	24	22.0	2.53	36	5.53
Medical	5	4	6	2	4	4.2	1.33	1	-2.41
Psychological	17	11	8	14	14	12.8	3.06	14	0.39
Suspicious Activity	316	326	279	326	348	319.0	22.57	411	4.08
Traffic Collision	151	155	145	161	171	156.6	8.89	164	0.83
Traffic Complaint	129	125	91	115	125	117.0	13.80	164	3.41

Plainville had the most increases in calls for service among the five agencies, which makes sense as the host community. Moreover, the types of calls for service that increased are precisely the types that one would expect

given an increased number of people and vehicles in town, including disabled vehicles, complaints of erratic drivers and improper parking, reports of suspicious vehicles and people, and reports of lost property. 34% of suspicious activity reports, 50% of traffic complaints, and 48% of disabled vehicle calls occurred on Washington Street, which hosts the casino, in all cases more than double the volume and percentages of the previous year.

Since these incident types do not result in full written reports, it is difficult to determine specifically what they involve, but we will undertake a thorough review of dispatcher's notes for the one-year report. Preliminary analysis, however, suggests that Plainridge Park has led to increased traffic on Washington Street and thus increased traffic-related calls for service.

Selected calls for service in Attleboro

Crime Type	2010	2011	2012	2013	2014	Avg.	St. Dev.	2015	Z
Alarm	759	1008	803	818	667	811.0	111.68	699	-1.00
Disabled Vehicle	290	258	275	288	300	282.2	14.48	277	-0.36
Disorderly	1088	1080	911	832	855	953.2	109.88	808	-1.32
General Service	1043	1133	1283	1350	1028	1167.4	128.68	813	-2.75
Lost Property	33	22	21	24	46	29.2	9.41	44	1.57
Medical	255	313	726	490	478	452.4	164.51	521	0.42
Psychological	126	130	161	173	162	150.4	18.81	190	2.11
Suspicious Activity	1323	1537	1556	1721	1153	1458	198.12	1435	-0.12
Traffic Collision	1010	921	883	874	870	911.6	52.41	941	0.56
Traffic Complaint	324	444	423	181	204	315.2	108.32	278	-0.34

Attleboro was the one agency to report a significant increase in **psychological** calls for service, a category that includes a variety of incident types, including individuals undergoing breakdowns, having suicidal thoughts, or experiencing hallucinations or delusions. Attleboro's crime analyst reviewed the incidents and "found that the majority of [them] are crisis calls for individuals expressing suicidal [thoughts]" and that a review of the available documentation "reveals no mention of keywords of interest such as 'casino' or 'gambling' or 'Plainridge.'" Although mental health issues are important to study in areas influenced by a casino, we would not expect issues to manifest themselves so rapidly or necessarily in the form of police calls for service. Coupled with the analyst's review, a casino relationship seems unlikely.

Selected calls for service in Mansfield

Crime Type	2010	2011	2012	2013	2014	Avg.	St. Dev.	2015	Z
Alarm	507	509	490	470	488	492.8	14.25	504	0.79
Disabled Vehicle	193	173	177	184	148	175.0	15.11	176	0.07
Disorderly	244	259	264	254	268	257.8	8.35	263	0.62
General Service	743	828	733	777	661	748.4	54.88	580	-3.07
Medical	5	7	4	8	8	6.4	1.62	7	0.37
Psychological	4	11	14	18	12	11.8	4.58	15	0.70
Suspicious Activity	405	459	531	454	477	465.2	40.64	461	-0.10
Traffic Collision	375	337	330	333	331	341.2	17.07	361	1.16
Traffic Complaint	74	84	76	67	119	84.0	18.32	116	1.75

Mansfield did not have any statistically significant increases in calls for service during the second half of 2015, but it was one of many agencies to see a general increase in **traffic complaints**, reported mostly as "improper operation" by the agency's CAD system. (These reflect calls from citizens of improper operation, not traffic stops by the police.) A study of the incidents and locations shows hot spots in residential areas and around Mansfield

Crossing. Mansfield’s crime analyst looked at the listed incidents and could find nothing tying them to the casino. However, the incidents did not start to increase until July (they were average from January to June), and several other agencies in the area reported a general increase, so the category is worth continued study.

The decrease in “**general service**” calls is tied to a major reduction in assistance with child safety seats. Whether this is because of program cuts at the police department or changes in the way such activity is recorded, there does not seem to be any casino relationship.

Selected calls for service in North Attleborough

Crime Type	2010	2011	2012	2013	2014	Avg.	St. Dev.	2015	Z
Alarm	599	700	589	644	654	637.2	40.14	590	-1.18
Disabled Vehicle	282	201	186	158	167	198.8	44.20	182	-0.38
Disorderly	431	434	394	337	370	393.2	36.85	307	-2.34
General Service	336	367	308	352	901	452.8	224.95	1012	2.49
Medical	166	197	186	152	174	175.0	15.59	110	-4.17
Suspicious Activity	477	574	507	578	776	582.4	104.27	694	1.07
Traffic Collision	516	521	543	553	486	523.8	23.32	540	0.69
Traffic Complaint	222	217	237	252	259	237.4	16.33	272	2.12

Almost all of the increase in **general service** calls involves participation in community car washes at 348 East Washington Street and thus shows no casino relationship.

North Attleborough was one of many departments to see an increase in **traffic complaints**, a mixture of erratic operator calls and complaints of parking violations. Although the available data shows no specific casino relationship, the limited nature of CAD data collected for such incidents leaves several possibilities open, including the possibility that an overall increase in traffic through town has led to more complaints of dangerous, erratic, or other troublesome drivers. A map of incidents supports this possibility, indicating most incidents concentrate on Route 1, which would serve as the city’s major travel route to and from Plainridge Park. As with other traffic complaints in the region, this issue is worthy of more detailed analysis in the one year report.

Selected calls for service in Wrentham

Crime Type	2010	2011	2012	2013	2014	Avg.	St. Dev.	2015	Z
Alarm	466	415	321	313	365	376.0	57.85	365	-0.19
Disabled Vehicle	112	71	191	117	211	140.4	52.37	196	1.06
Disorderly	111	102	101	68	72	90.8	17.38	103	0.70
General Service	45	63	103	123	103	87.4	28.80	80	-0.26
Lost Property	21	16	17	22	25	20.2	3.31	26	1.75
Medical	416	449	200	221	225	302.2	107.24	260	-0.39
Psychological	3	2	0	0	0	1.0	1.26	0	-0.79
Suspicious Activity	217	190	186	241	252	217.2	26.42	247	1.13
Traffic Collision	104	94	126	120	87	106.2	14.86	129	1.53
Traffic Complaint	47	67	46	48	65	54.6	9.35	63	0.90

Wrentham was the only department to show no significant changes one way or the other in the measured call for service categories. A slight increase in **traffic collisions** is almost entirely made up of incidents at the Wrentham Village Premium Outlets.

State police statistics

The State Police provided crime and incident data for Plainville, Foxborough, Mansfield, Attleboro, North Attleborough, and Wrentham, but only for 2013–2015. The amount of historical data is not enough to establish statistical significance, but it's still worth looking at the comparative figures. They generally show decreases in offenses between previous years in 2015.

As with Plainville, the numbers below exclude activity at 301 Washington Street (Plainridge Park) specifically, as they are covered in an earlier section. The purpose of this analysis is to help determine if activity has increase in areas *around* Plainridge Park.

Crimes, July–December

Crime Type	2013	2014	2015
Aggravated assault	2	1	3
Disorderly conduct	10	6	7
Drug offenses	10	13	2
Drunk driving	16	25	20
Drunkenness	45	26	30
Liquor laws	11	13	7
Motor vehicle offenses	216	185	109
Other thefts	4	0	1
Simple assault	10	5	7
Stolen property	2	2	1
Threats	3	0	0
Trespassing	2	0	1
Vandalism	3	1	0
Weapon offenses	1	1	1
All other	111	81	76
Total	447	359	265

The overall number of crimes reported to the State Police decreased significantly in the latter half of 2015 compared to the previous years, and no crime was higher in 2015 than in both of the previous two years.

Non-crime incidents, July–December

Crime Type	2013	2014	2015
Abandoned vehicle	6	3	3
Administrative	10	0	3
Alarm	1	3	3
Animal complaint	28	21	19
Assist other agency	76	47	58
Building check	65	59	391
Crime enforcement	75	71	123
Death	23	17	18
Disabled vehicle	580	467	352

Crime Type	2013	2014	2015
Disorderly	66	34	51
Domestic dispute	10	8	4
Fire	71	44	45
General service	17	9	11
Investigation	51	27	34
Lost property	9	1	1
Medical	43	40	38
Missing person	4	0	6
Recovered stolen vehicle	4	5	4
Road conditions	149	121	108
Suspicious activity	34	22	19
Traffic complaint	117	96	60
Traffic enforcement	38	23	8
Vehicle stop	266	233	130
Warrant service	1	5	5
Well-being check	4	4	2
All other	56	27	24
Total calls for service ¹⁰	1911	1466	1614
Total reactive calls for service ¹¹	1416	1053	927

During this period, the only call for service types to show three-year highs in 2015 are crime enforcement and building checks, both of which are proactive and police-generated. Both call types almost all (>80%) involve rest areas and weigh stations off the region's highways.

Call types that we would have expected to increase due to increased traffic—traffic complaints, and disabled vehicles, suspicious activity—were all lower than previous years, although traffic collisions (as below) were slightly above normal.

Traffic collisions, July–December, by town

Town	2013	2014	2015
Plainville	24	36	21
Attleboro	124	105	154
Foxborough	155	167	166
Mansfield	104	93	106
North Attleborough	71	72	73
Wrentham	64	69	72
Total	542	552	592

The State Police reported a slight increase in traffic collisions in the region during the second half of 2015 when compared to previous years, although without more data it is difficult to determine the significance of the increase. The increase affected both injury and property-damage collisions.

¹⁰ Total calls for service includes some activities previously covered in the “crimes” section and thus is higher than the sum of the selected call-for-service categories listed here.

¹¹ This total makes up the call types that are almost all citizen-generated, excluding traffic enforcement, crime enforcement, building checks, investigations, and vehicle stops.

Traffic collisions, July–December, by injury level

Level	2013	2014	2015
Fatal	13	18	17
Personal injury	102	91	120
Property damage only	417	435	448
Other/uncategorized	10	8	7
Total	542	552	592

Traffic collisions, July–December, by highway segment*

Index	Road	2013	2014	2015
1	495 east of 95 (Mansfield)	34	36	46
2	495 bet. 1 and 95 (Foxborough, Plainville)	5	7	10
3	1 bet. 95 and 295 (Plainville, N. Attleborough)	1	0	0
4	295 (Attleboro, N. Attleborough)	15	13	16
5	1 south of 295 (Attleboro, N. Attleborough)	10	14	23
6	95 south of 295 (Attleboro)	93	79	94
7	95 bet. 495 and 295 (Mansfield, N. Attleborough)	41	49	38
8	95 north of 495 (Foxborough)	56	65	49
9	1 north of 495 (Wrentham, Foxborough)	12	24	23
10	495 west of 1 (Wrentham)	79	79	77
11	1A (Wrentham)	4	1	5

*Not all crash locations could be geo-coded, so the total of these segments is smaller than the total number of collisions.

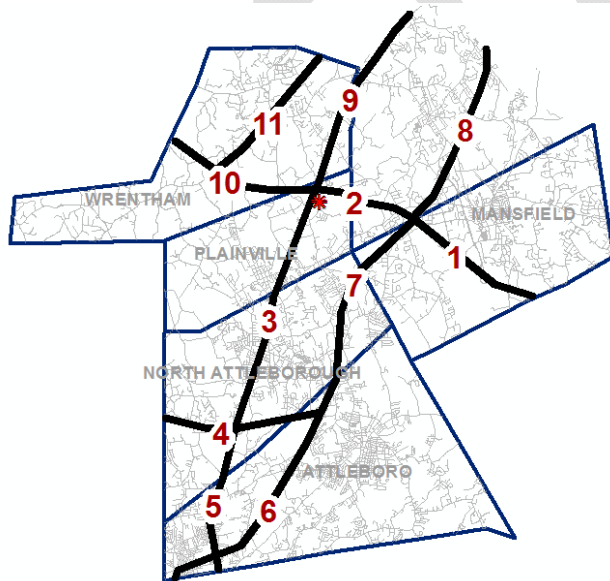


Figure 5: Road segments in the table above, with index numbers.

An analysis of the specific locations of the collisions could only be partly completed given a limited ability to plot the incidents (only 2/3 had coordinates assigned) and an inability to establish directionality. The most increased segments were on 495 east of Route 1 and Route 1 north of the Rhode Island border going through Attleboro. All three of these increases could be consistent with increased traffic heading to or from Plainridge Park—and consistent in general with an increase in traffic caused by any new facility. This hypothesis is particularly bolstered by the fact that none of these street segments showed increases during the first half of 2015.

While perhaps significant, the increase is nonetheless not very large, amounting to about 4 collisions per month on the identified segments and less than 8 per month for the region as a whole. Given the total amount of extra traffic on state roads that Plainridge Park likely brought to the area, the *per capita* figure (if we had traffic counts) would likely show that the risk of crashes had held steady or even decreased during the period.

Appendix A: Abbreviations and definitions

Acronyms and abbreviations

CAD	Computer-aided Dispatch (system)	A police database that holds information about police dispatches to calls for service, including incidents discovered by police officers. Some but not all of the incidents reported in CAD are crimes and have longer records in the RMS.
IBR	Incident-based reporting	See NIBRS.
MGC	Massachusetts Gaming Commission	The commonwealth agency charged with overseeing and regulating gaming in Massachusetts
FBI	Federal Bureau of Investigation	National investigative agency, part of the U.S. Department of Justice, in charge of collecting national crime statistics.
IACA	International Association of Crime Analysts	A global nonprofit professional association that provides training, literature, and networking to individuals who analyze crime data.
MACA	Massachusetts Association of Crime Analysts	A nonprofit professional association that provides training, literature, and networking to individuals who analyze crime data in New England.
NIBRS	National Incident-based Reporting System	FBI program for data collection that supersedes UCR. Collects more specific data about a wider variety of crimes. With only a few exceptions, all Massachusetts agencies report to NIBRS and all Massachusetts RMS vendors have implemented NIBRS coding standards.
ODBC	Open Database Connectivity	A technology developed by Microsoft that allows any application that uses a database to connect to any database source. The primary mechanism by which we can extract data from police CAD and RMS databases.
RMS	Records Management System	A police data system that stores information about crimes and offenders. See also CAD.
SEIGMA	Social and Economic Impacts of Gaming in Massachusetts	A multi-year research project hosted by the University of Massachusetts Amherst School of Public and Health Sciences. The SEIGMA project has a much broader mandate for its study than just crime.
UCR	Uniform Crime Reporting (program)	National program for the reporting of crime statistics to the FBI. Captures only summary data about a limited number of crime types. Contrast with NIBRS.

Crime definitions

The following are definitions of the crime categories used in this report. These are mostly drawn without modification from the FBI's definitions for NIBRS crime categories. In almost all cases, *attempts* to commit these crimes are counted equally with completed offenses. These crimes must, of course, be reported to the police to be included in this report.

Aggravated Assault: An attack by one person upon another for the purpose of inflicting severe bodily injury. Aggravated assault is either accompanied by the use of a deadly weapon (e.g., gun, knife, club) or some mechanism that would result in serious harm (e.g., pushing someone down a staircase), or by serious injury even with a weapon that isn't normally "deadly" (e.g., punching someone and breaking his jaw). If the incident involved neither a deadly weapon nor serious injury, it's coded as a simple assault instead.

Arson: Intentional burning of a structure, vehicle, or personal property.

Auto theft: Thefts of vehicles capable of operating under their own power, including automobiles, trucks, buses, motorcycles, and snowmobiles.

Bad checks: The issuance of checks on accounts with insufficient funds. This type of crime is typically only reported by police when an arrest is made or an individual is charged.

Burglary: Unlawful entry of a structure, including residences, commercial buildings, and government buildings. The entry does not have to occur by force (e.g., a "break-in"). The usual motive for burglary is to steal something inside, but this isn't a necessary part of the definition.

Counterfeiting/forgery: Use or possession of an altered, copied, or imitated negotiable or non-negotiable instrument, including U.S. currency, checks, and money orders.

Credit card fraud: Use of a stolen credit card or credit card data to obtain goods or services.

Disorderly: Disorderly conduct that rises to the level of a criminal charge.

Drug offenses: Manufacturing, sale, trafficking, transporting, or possession of controlled substances. Typically, "incidents" of such crime are arrests, as the only way such incidents are reported is when they are discovered by the police.

Drunk driving: Operation of a motor vehicle while intoxicated; usually while above a state-designated legal blood alcohol level. As with many of the drug and alcohol categories, such incidents are only reported when discovered by the police, usually resulting in an arrest.

Drunkenness: Naturally, not all incidents of intoxication are a police matter. Police incidents that fall into this category are usually incidents of either public intoxication or individuals so dangerously intoxicated that they are placed into protective custody until sober.

Employee theft: Also, "embezzlement." Theft of an employer's property by an employee.

Family offenses: Unlawful, nonviolent acts by a family member that threaten the physical, mental, or economic well-being of another family member and are not classified under any other category. This category is only reported when someone is charged, and it almost always involves violations of restraining orders.

Forgery: Forgery of personal checks, business checks, U.S. currency, or similar negotiable and nonnegotiable documents.

Fraud. Theft of property by lying in such a way that convinces a victim to surrender money or goods. It is theft through some kind of scheme, “con game,” or ruse.

Identity theft: Representation of oneself as another (actual) person, or use of another person’s identifying information to obtain goods or services, housing, medical care, or status.

Kidnapping: The abduction of one person by another, whether through force or guile. Most incidents coded as such as “custodial” kidnappings involving a parent taking a child in violation of a custodial agreement.

Liquor law violations: Illegal manufacturing, sale, possession, or consumption of intoxicating drinks, often because the offender is below the legal age.

Murder: the killing of one person by another, including non-negligent homicides.

Other thefts: A general category that includes thefts of services (e.g., gas drive-offs), thefts from persons (e.g., pocket-picking), thefts from outdoor public areas. Essentially, any non-burglary, non-robbery theft that is not covered in one of the “theft” or “shoplifting” categories (below) is categorized here.

Pornography: Possession, sale, or manufacturing of illegal pornography. Since pornography is legal in Massachusetts, such incidents generally involve minors, either as the subjects or recipients of the pornography.

Prostitution: Promotion or participation of sexual activities for profit. As with drug offenses, most “incidents” of prostitution are arrests, as the crime is rarely reported except when discovered by the police.

Purse snatching: A theft in which an offender grabs a purse off the arm of the victim. If any significant force, violence, or threats are employed, this crime becomes a robbery.

Robbery: Taking or attempting to take anything of value from another person by force or violence or threat of force or violence. “Muggings” and “hold-ups” are examples of robberies. A robbery requires a direct confrontation between the offender and victim; houses and buildings cannot be “robbed.”

Sexual assault: Any sexual act directed against another person (of either sex), either by force or otherwise against the person’s will, or non-forcibly but when the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity. This category combines rapes, indecent assaults, molestation, and sexual penetration with an object.

Shoplifting: Thefts of items offered for sale at retail establishments.

Simple assault: An assault that does not involve a dangerous weapon and does not result in significant injury.

Stolen property offenses: Possession or sale of property previously stolen including motor vehicles and personal property. Often, the person possessing the property is the one who stole it in the first place, but this category is used when the actual thief cannot be determined.

Thefts from buildings: Thefts of items from commercial or government buildings open to the public, where such entry does not constitute burglary. This often takes the form of thefts of employees’ property at businesses open to the public.

Thefts from machines: Thefts from coin-operated machines, either for the coins or for the products inside.

Thefts from persons: Thefts of personal property from the direct control of the owner. These often take the form of pocket-pickings or thefts of or from diners' purses at restaurants. If any force, violence, or threats are employed, this crime becomes a robbery.

Thefts from vehicles: Thefts of items from motor vehicles. The category includes breaking into vehicles (e.g., smashing a window), unlocked entry, and thefts of items from a vehicle's exterior, such as pickup truck beds. Note that thefts of vehicle parts are in a separate category.

Thefts of vehicle parts: Theft of parts or accessories from motor vehicles, including wheels, license plates, and engine parts.

Threats: Threats to commit physical violence by one person against another. If any weapon is actually displayed or employed, or if an assault is actually attempted, the crime is categorized as a simple or aggravated assault instead.

Trespassing: Illegal entry to a non-public part of a residence or business. Such entry is rarely to the *interior* of the property, or it would be coded as burglary instead. Most reportable incidents of trespassing are either after notice (e.g., a repeat shoplifter who is ordered not to return to a store) or at posted locations (e.g., construction sites, abandoned buildings).

Vandalism: Destruction or defacement of public property, buildings, vehicles, or personal property.

Weapon offenses: Possession, sale, or manufacturing of illegal weapons. This is often an additional offense discovered by police during arrests for other crimes.

Offense types by associated crime category

Offense	Category
Aggravated Assault	Violent Crime
All Other	Other Crime
Arson	Property Crime
Auto Theft	Property Crime
Bad Checks	Property Crime
Burglary	Property Crime
Credit Card Fraud	Property Crime
Disorderly	Societal Crime
Drug Equipment Offense	Drug/Alcohol Crime
Drug Offense	Drug/Alcohol Crime
Drunk Driving	Drug/Alcohol Crime
Drunkenness	Drug/Alcohol Crime
Employee Theft	Property Crime
Extortion	Property Crime
Family Offenses	Other Crime
Forgery	Property Crime
Fraud/Con Games	Property Crime
Gambling	Societal Crime
Identity Theft	Property Crime
Kidnapping	Violent Crime

Offense	Category
Liquor Law Violations	Drug/Alcohol Crime
Murder	Violent Crime
Other Thefts	Property Crime
Peeping Tom	Other Crime
Pornography	Societal Crime
Prostitution	Societal Crime
Robbery	Violent Crime
Runaway	Other Crime
Sexual Assault	Violent Crime
Shoplifting	Property Crime
Simple Assault	Violent Crime
Statutory Rape	Other Crime
Stolen Property Offense	Property Crime
Thefts from Buildings	Property Crime
Thefts from Vehicles	Property Crime
Thefts of Vehicle Parts	Property Crime
Threats	Other Crime
Trespassing	Other Crime
Vandalism	Property Crime
Weapon Offenses	Societal Crime

Call for service definitions

Calls for service include both criminal and noncriminal police incidents and activities. In the case of criminal activities, such incidents receive a longer, more detailed report in the police records management system, and it so it makes more sense to analyze them using the crime categories above than in their original call-for-service form. Thus, the only incident types we have selected for analysis in this report are noncriminal. Definitions of those types appear below. Because the police officer does not usually write a full report for calls for service, the dataset available for analysis is more limited.

Administrative: A wide variety of call types that have to do with the administration of a police department, such as delivery of documents to businesses or other government facilities, attendance at meetings, vehicle maintenance, or even meal breaks. Agencies use their call-for-service systems to document such activities so that, later, they can determine what a particular officer or unit was doing at a particular time, although the incidents are not truly “calls for service.” Practices differ significantly between police agencies as to what is reported under this category, and it is generally not useful for analysis.

Alarm: A burglar, panic, or medical alarm that required a response but (probably) turned out to be false or would have a different final code.

Animal complaint: Calls involving sick, dangerous, or wild animals, animals in danger (e.g., left in a hot or cold car), or loose or noisy pets.

Assist other agency: A call type that involves rendering aid to a neighboring police or other government agency for any number of purposes, including serious crimes, fire and medical issues, and traffic issues.

Crime enforcement: Any number of pro-active police activities meant to deter crime, generally taking the form of a “directed patrol” to a particular location during a peak time for criminal activity (based either on citizen complaints or internal analysis). Though not a technical “call for service,” such incidents are recorded in the CAD database to document the officer’s activity.

Disabled vehicle: A call for service for a vehicle suffering physical or mechanical trouble, usually broken down in an active roadway.

Disorderly conduct: Any of a variety of types of disorderly conduct and excessive noise.

Domestic dispute: A dispute between family members, spouses, or intimate partners that has not risen to the level of physical violence.

General service: Minor calls for service that involve rendering aid to residents and visitors for a variety of issues such as giving directions, installing car seats, dealing with lockouts, and providing physical aid.

Lost property: Calls for service involving lost personal property such as wallets and mobile phones. If there is any indication of theft, these incidents are typically reported under the appropriate crime category.

Medical aid: All calls for medical aids except unattended deaths and overdoses. Police responses only are included in the figures in this report.

Missing person: a runaway or other missing person.

Prisoner transport: documentation of a police agency transporting an arrested person from one facility to another.

Psychological issue: Calls for service involving individuals with mental health issues.

Suspicious activity: Any suspicious person, vehicle, or other activity, whether identified by an officer or citizen.

Traffic collision: A collision involving at least one motor vehicle.

Traffic complaint: Complaint about reckless driving, illegal or unsafe parking, or other traffic issues.

Trespassing: Trespassing on private or public property.

Vehicle stop: An officer pulls over a vehicle for a moving or equipment violation.

Warrant service: a call type that documents the service, or attempted service, of an arrest warrant or search warrant. The category is entirely police-directed.

Youth disorder: Disorderly incidents involving youths congregating, skateboarding, making noise, and so forth.

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Appendix B: Data schematic and fields

To synthesize data from the region’s police agencies, I created a master database architecture into which to funnel cleaned and converted data from each individual agency’s computer-aided dispatch (CAD) and records management systems (RMS).

Understanding the data schema means understanding how police record data. All “incidents” to which police respond—including crimes, traffic collisions, noise, disorder, and self-initiated activities like building checks and traffic enforcement—are stored in the computer-aided dispatch (CAD) file as “calls for service” (even though many of the incidents do not technically result from calls). Such data is generally entered by the dispatcher as the call is received and progresses. This database is primarily concerned with recording basic information about the incident, including the date, time, location, incident type, and who responded. It does not contain detailed information about what happened in the incident, although some basic contextual information can often be found in the dispatcher’s notes (which we, as per agreement with the local agencies, did not collect).

A subset of these calls-for-service, generally all crimes and any other incident in which something significant happens that the officer wants to fully document, becomes a records in the records management system (RMS). This is the police officer’s full report of the incident, to include the dates and times of occurrence, locations, involved individuals and businesses, involved vehicles, property stolen and damaged, and a full narrative. We collected as much non-personally-identifiable data as possible from this system. We did not collect the narrative, as it by nature contains much confidential and personally-identifiable data.

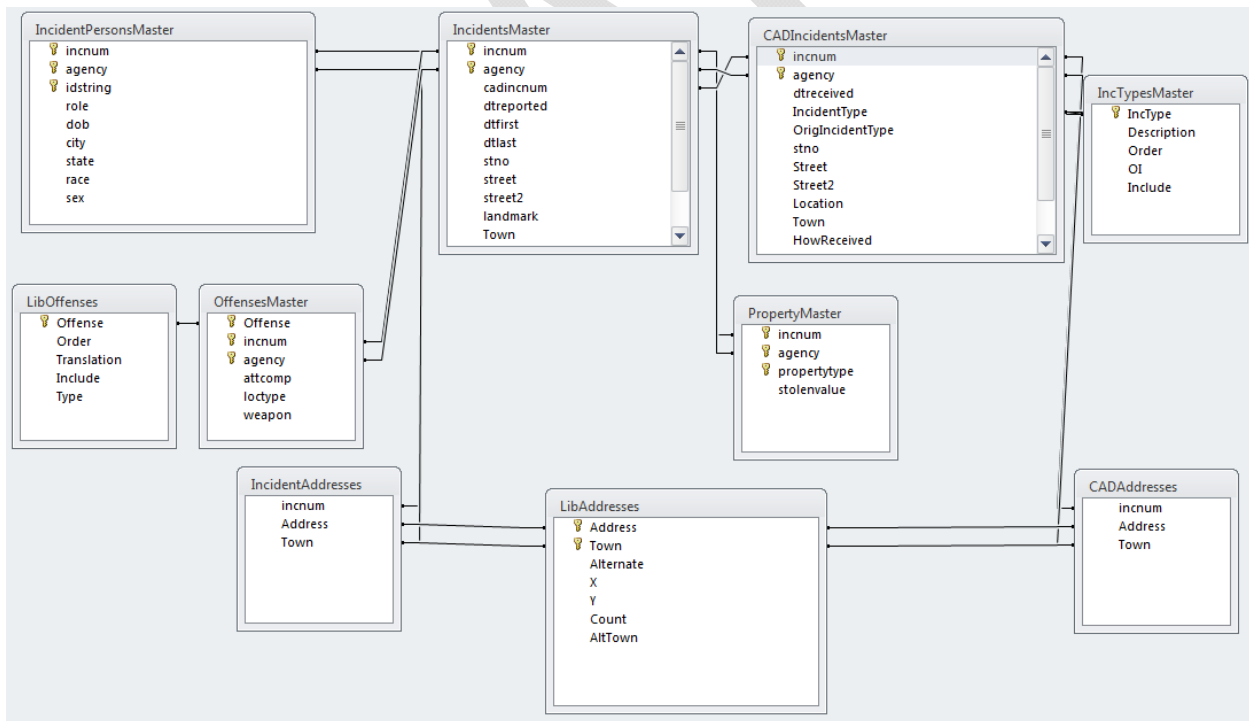


Table relationships in the combined database.

There are differences among different CAD and RMS vendors about how this data is stored. Fortunately, all five agencies involved in this project adhere to National Incident-Based Reporting System (NIBRS) standards for the collection of crime data, making it relatively easy to fuse the five datasets. There is no such national standard for CAD data, although most systems track the same fields. They do not track the same incident type codes, so the different code libraries used by the five agencies had to be translated into a common “master” code table.

The resulting database consists of 5 vital data tables, 3 vital code tables, and 2 vital queries (views). These are:

- **IncidentsMaster:** a table that combines core crime incident data from each of the agencies, to include time, date, and location of the crime.
- **IncidentPersonsMaster:** a table that combines data about individuals involved in police incidents, including the involvement type (role), date of birth, race, sex, and town of residence.
- **OffensesMaster:** a table that records each offense committed in each incident.
- **LibOffenses:** a library table that stores key data for each offense type, including the overall category (violent, property, drug/alcohol) and whether to include it in the analysis.
- **IncidentProperty:** a table combining data about stolen and damaged property in each incident.
- **CADIncidentsMaster:** a table storing the core call-for-service data from each of the agencies, to include time, date, and address of the call for service.
- **LibIncTypesMaster:** a library table storing all the call-for-service incident type codes considered by the database. Other tables convert the incident type libraries used by each agency to one of the “master” codes.
- **IncidentAddresses:** a view that concatenates address data (street number, street, intersecting street) for data stored in the “IncidentsMaster” table.
- **CADAddresses:** a view that concatenates address data (street number, street, intersecting street) for data stored in the “CADIncidentsMaster” table.
- **LibAddresses:** a library table that converts each address to X and Y coordinates. This was generated by a long process of both automatically and manually geocoding the data from the contributing agencies.

To populate these tables, the following data elements were collected from each agency’s CAD and records management system (RMS). The period of extraction was from January 1, 2010:

From the main CAD table

- Incident/CAD number
- Report date and time
- Call type
- Call location (all related fields)
- Type of service (police/fire/ems)
- How call received (e.g., 911, officer-initiated)
- Once developed, any fields that indicate a “casino-related” flag.

From the main crime/incident table

- Case/incident ID
- Related CAD number
- Reported date and time
- Earliest date and time occurred
- Latest date and time occurred
- Incident location (all related fields)

From the crime/incident offense and weapons tables:

- Case/incident ID
- Offense type and related IBR code
- Attempted/completed code
- Location type
- Weapon codes
- Drug type and activity codes

From the crime/incident associated persons/suspects tables:

- Case/incident ID
- Person role
- Person race
- Person sex
- Person DOB
- Person town of residence
- Person state of residence
- Relationship

From the crime/incident associated property table:

- Case/incident ID
- Property involvement (stolen, damaged, etc.)
- Property type
- Property make
- Property model
- Property value
- Property description

From the crime/incident associated vehicles table:

- Case/incident ID
- Vehicle role
- Vehicle make
- Vehicle model
- Vehicle model year
- Vehicle registration state

From the master crash table:

- Crash ID
- Related CAD number
- Reported date and time
- Crash location (all related fields)
- Crash type
- First harmful event
- Signal device codes
- Roadway type and condition codes
- Weather condition codes

Evaluation Schedule - Category 1 License/Region C

TIMING ¹	EVENT
Day 1 April 26	<p>Opening Items</p> <ul style="list-style-type: none"> • Evaluation meeting called to order and chair outlines the evaluation and deliberation process. • Each commissioner distributes to the other commissioners the evaluation report they prepared in their respective category • IEB provides suitability update. • Legal provides outline of the governing law. <p>Finance Presentation</p> <p>Lunch Break</p> <p>Economic Development Presentation</p> <p>Building and Site Design Presentation</p>
Day 2 April 27	<p>Day 1 Material Errors - due from applicant to Commission staff by 9:30 am</p> <p>Mitigation Presentation</p> <p>Wow Factor/Overview Presentation</p> <p>Day 2 Material Errors - due to the Commission after the lunch break</p> <p>Lunch</p>

¹ Number of days needed to complete the process is dependent upon length of individual presentations and extent of deliberations. Presentations and deliberations are not time restricted.



DRAFT FOR COMMISSION REVIEW

Day 2 April 27 (Continued)	Considerations Unique to Region C Presentation Day 1 and Day 2 Material Errors <ul style="list-style-type: none">• Commission reviews the information and determines if any changes need to be made in any of the reports.
Day 3 April 28	Commission begins deliberations <ul style="list-style-type: none">• Commission deliberates to a decision if appropriate.• If the Commission votes to award a license subject to conditions, staff will bring the list of conditions to the Commission for its review and approval.• Commission will authorize staff to present the conditions to the Applicant. The Commission will recess while the applicant considers the conditions.• Applicant appears before Commission to indicate whether it agrees to the conditions and accepts the award the license.
Day 4	Day 4 available if necessary to complete the evaluation process. <ul style="list-style-type: none">• Public meeting, if necessary, will be held in Boston.



No Documents



TO: Chairman Crosby, Commissioner Cameron, Commissioner Macdonald, Commissioner Stebbins and Commissioner Zuniga

FROM: Paul Connelly, Director of Licensing

DATE: April 11, 2016

RE: Gaming Beverage License Amendment: Plainridge Park Casino

Pursuant to 205 CMR 136.03(3), the Division of Licensing is forwarding to the Commission four applications to amend a Gaming Beverage License, with the recommendation that they be approved. The requested amendments change the hours of operation for the following four licensed areas:

Licensed Area	Current Hours of Operation	Requested Hours of Operation
Flutie's Sports Pub	11:00AM – 1:00AM	8:00AM – 1:00AM
Slacks Oyster House & Grill	4:00PM – 1:00AM	8:00AM – 1:00AM
Mountain Skipper Express	12:00PM – 9:00PM	8:00AM – 1:00AM
Dark Horse Bar	12:00PM – 1:00AM	8:00AM – 1:00AM

Please note that Plainridge Park Casino has indicated that they do not expect to operate during these hours every day. The amendment requests are being submitted to allow for maximum flexibility to accommodate future special events.



Massachusetts Gaming Commission

LICENSED AREA APPLICATION

Please use a separate LICENSED AREA APPLICATION form for each licensed area and attach each sheet, along with the floor plan and license area diagrams to this application

Mountain Skipper Express (Racing Building 2nd floor West Side)

GENERAL NAME OF LICENSED AREA

NUMBER/COLOR OF LICENSED AREA ON THE ATTACHED FLOOR PLAN REFERENCED ON PAGE 2 ABOVE
(CORRESPONDING NUMBER/COLOR SHALL APPEAR ON THE ATTACHED FLOOR PLAN DEPICTING ALL LICENSED AREAS
WITHIN THE ESTABLISHMENT)

Number of area on floor plan		Color on floor plan (if any)	Red Box
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DESCRIPTION OF LICENSED AREA

Mountain Skipper Express is a Concession Stand area on the Second floor West of the Racing Building. This is a grab and go, outlet, serving snacks, hot dogs, beverages, where the customer comes to the counter, orders and sits at the racing carols. There are 4 Beer taps located in this venue. Bottle Service is not offered in this area. There are 3 exits routes from this room. There is another exhibit below of the entire racing second floor.

DESCRIPTION OF THE LICENSED AREA INCLUDING BUSINESS CONCEPT, NUMBER AND LOCATION OF ALCOHOLIC BEVERAGE DISPENSING AREAS, PLACEMENT OF EXITS INCLUDING WHETHER THE AREA IS CLOSED OR OPEN SPACE, AND WHETHER BOTTLE SERVICE WILL BE OFFERED IN THE AREA
(A DIAGRAM OF THE LICENSED AREA DEPICTING THESE INDIVIDUAL ELEMENTS SHALL BE ATTACHED).

8 AM to 1 AM – 7 days

198 Occupants / 5559 sq. ft.

HOURS OF OPERATION

CAPACITY OF LICENSED AREA

Beer Taps will be locked when not in service

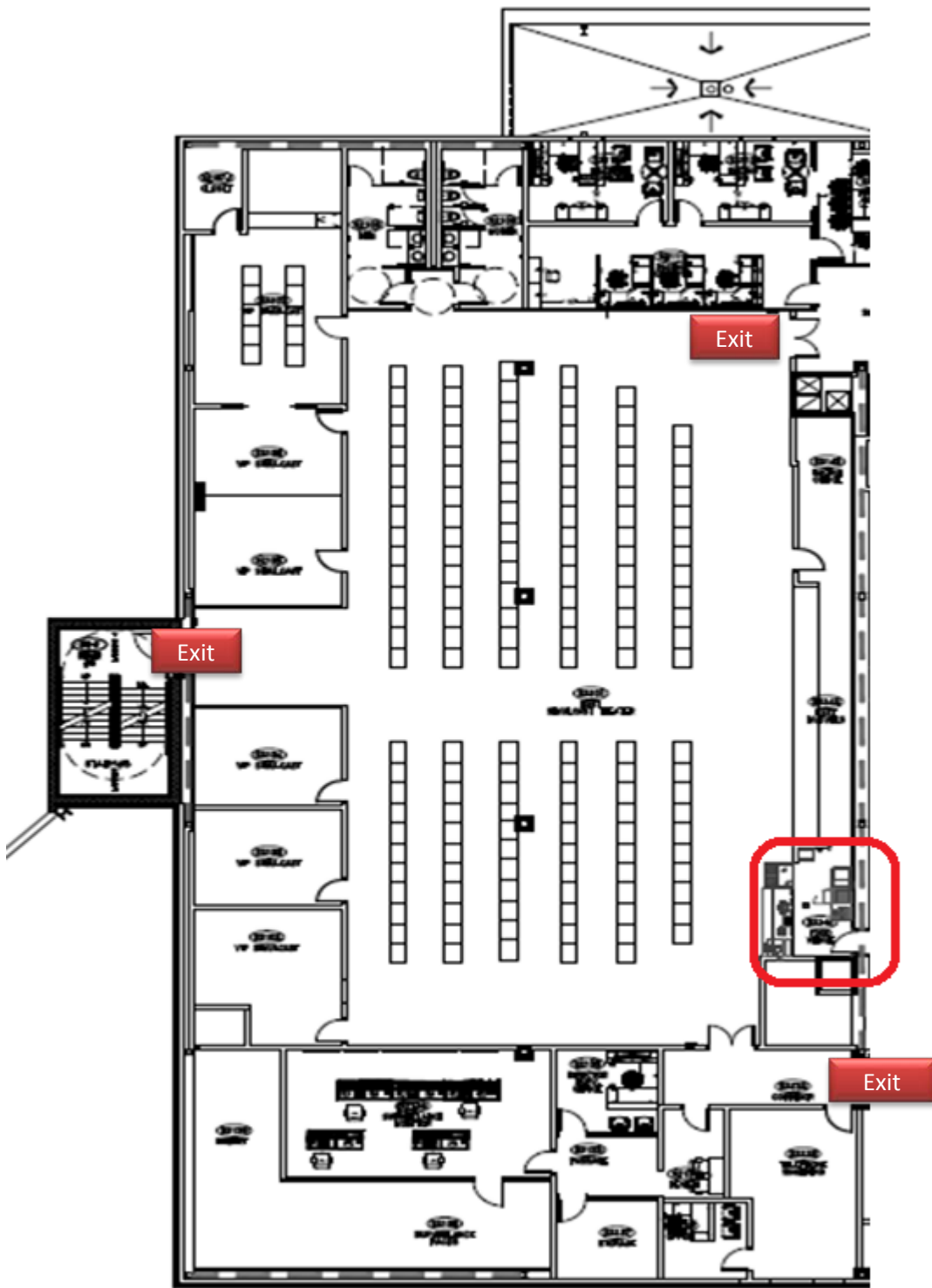
DESCRIPTION OF MANNER IN WHICH ALCOHOLIC BEVERAGES WILL BE STORED AND SECURED WHEN LICENSED AREA IS NOT IN USE. (IF STORAGE IS OUTSIDE OF THE LICENSED AREA THE STORAGE AREA SHALL BE DEPICTED ON THE FLOOR PLAN).

NAME AND EMPLOYEE LICENSE/REGISTRATION NUMBER OF ALL MANAGERS OR OTHER PRINCIPAL REPRESENTATIVES FOR THE LICENSED AREA

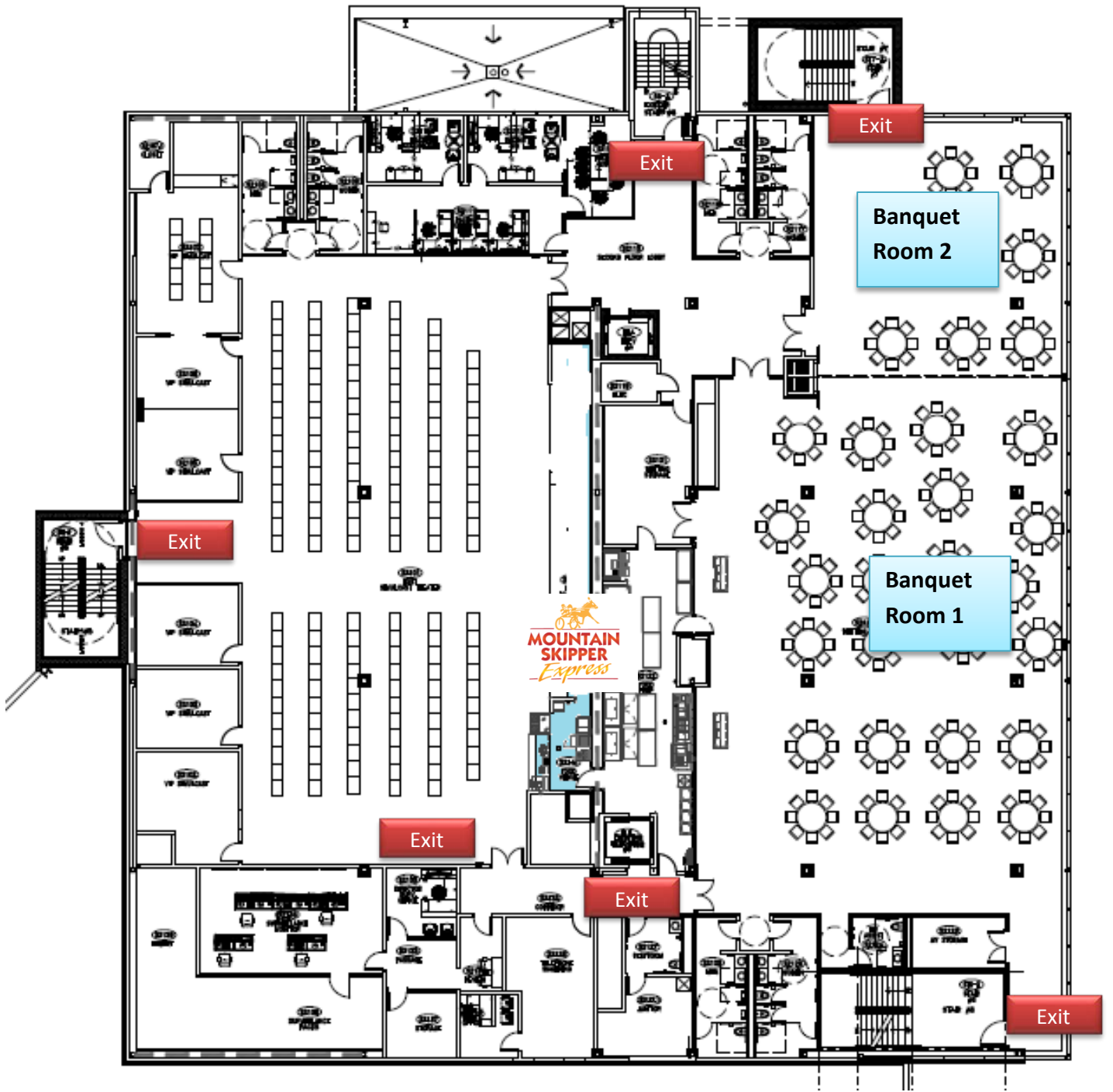
Food and Beverage Director – Barry Rhodes – GKS000004
 Food and Beverage Manager – Gene Shoemaker – SER000030
 Assistant Food and Beverage Manager – Mike Fishman – SER000059
 Food and Beverage Supervisor – Lori Dean – SER000082
 Food and Beverage Supervisor – Peter Pimetal – SER000065

IDENTIFY THE JOINTLY RESPONSIBLE PERSON (IF ANY) FOR THE LICENSED AREA BY NAME, CONTACT INFORMATION, VENDOR ID#, AND ATTACH EVIDENCE THAT THE LICENSEE MAINTAINS AUTHORITY OVER THE JOINTLY RESPONSIBLE PERSON

N/A



Racing Building 2nd Floor



LICENSED AREA APPLICATION

Please use a separate LICENSED AREA APPLICATION form for each licensed area and attach each sheet, along with the floor plan and license area diagrams to this application

Flutie's Sports Pub

GENERAL NAME OF LICENSED AREA (e.g. – function hall XYZ Restaurant gaming area etc.)

NUMBER/COLOR OF LICENSED AREA ON THE ATTACHED FLOOR PLAN REFERENCED ON PAGE 2 ABOVE
(CORRESPONDING NUMBER/COLOR SHALL APPEAR ON THE ATTACHED FLOOR PLAN DEPICTING ALL LICENSED AREAS
WITHIN THE ESTABLISHMENT)

Number of area on floor plan

Color on floor plan (if any)

DESCRIPTION OF LICENSED AREA

Flutie's is an open space sports themed restaurant with a full service bar. There are 146 seats in the Venue. There will be Bartenders and Food Servers serving both food and beverages in the venue. Servers will send their drink orders through the point of sale system. This will be printed out at the bar and prepared for the server to pick up. There are 48 tables 146 seats and 1 bar. The bar area is highlighted blue on the drawing. Liquor is primarily dispensed through a measured gun system connected to the point of sale system. Free pour liquor will be measured with a Jigger device. There are 20 draft beer taps in the venue. Bottle service will not be offered in this venue. There are 3 points of exit in the restaurant marked in red below.

DESCRIPTION OF THE LICENSED AREA INCLUDING BUSINESS CONCEPT, NUMBER AND LOCATION OF ALCOHOLIC BEVERAGE DISPENSING AREAS, PLACEMENT OF EXITS INCLUDING WHETHER THE AREA IS CLOSED OR OPEN SPACE, AND WHETHER BOTTLE SERVICE WILL BE OFFERED IN THE AREA
(A DIAGRAM OF THE LICENSED AREA DEPICTING THESE INDIVIDUAL ELEMENTS SHALL BE ATTACHED).

8 AM – 1 AM – 7 days

177 Occupants / 6,088 sq. ft

HOURS OF OPERATION

CAPACITY OF LICENSED AREA

Liquor will be removed from the bar on a nightly basis and be secured in the liquor storage that is located in the hallway at the rear of the restaurant highlighted light blue after hours liquor storage exhibit. Beer tap will be locked with a tap lock device.

DESCRIPTION OF MANNER IN WHICH ALCOHOLIC BEVERAGES WILL BE STORED AND SECURED WHEN LICENSED AREA IS NOT IN USE. (IF STORAGE IS OUTSIDE OF THE LICENSED AREA THE STORAGE AREA SHALL BE DEPICTED ON THE FLOOR PLAN).

NAME AND EMPLOYEE LICENSE/REGISTRATION NUMBER OF ALL MANAGERS OR OTHER PRINCIPAL REPRESENTATIVES FOR THE LICENSED AREA

Food and Beverage Director – Barry Rhodes – GKS000004

Food and Beverage Manager – Yogesh Sharma – SER0000562

Assistant Food and Beverage Manager – Peter Mercier– SER000083

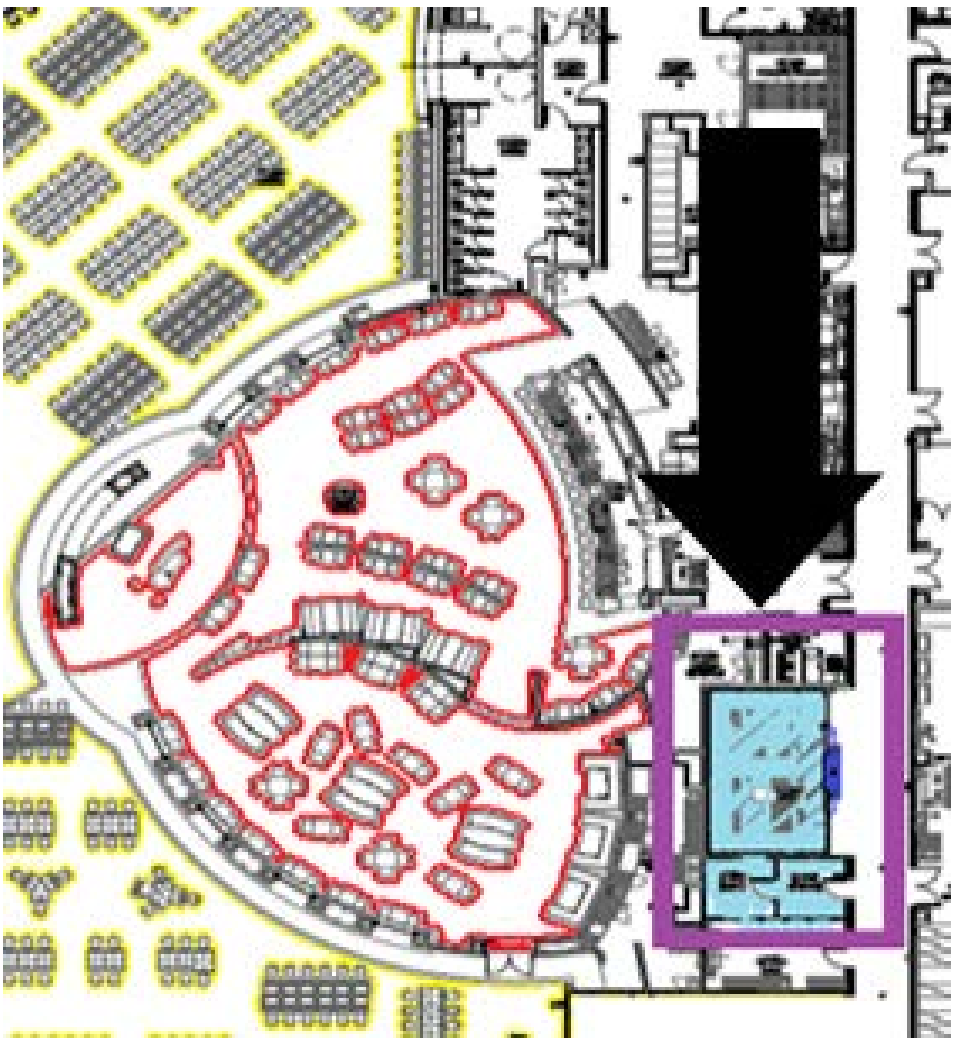
Food and Beverage Supervisor – Michael McBride – SER000013

IDENTIFY THE JOINTLY RESPONSIBLE PERSON (IF ANY) FOR THE LICENSED AREA BY NAME, CONTACT INFORMATION, VENDOR ID#, AND ATTACH EVIDENCE THAT THE LICENSEE MAINTAINS AUTHORITY OVER THE JOINTLY RESPONSIBLE PERSON

N/A



After Hours Liquor Storage



LICENSED AREA APPLICATION

Please use a separate LICENSED AREA APPLICATION form for each licensed area and attach each sheet, along with the floor plan and license area diagrams to this application

Slacks Oyster House & Grill

GENERAL NAME OF LICENSED AREA
(e.g. – function hall XYZ Restaurant gaming area etc.)

NUMBER/COLOR OF LICENSED AREA ON THE ATTACHED FLOOR PLAN REFERENCED ON PAGE 2 ABOVE
(CORRESPONDING NUMBER/COLOR SHALL APPEAR ON THE ATTACHED FLOOR PLAN DEPICTING ALL LICENSED AREAS WITHIN THE ESTABLISHMENT)

Number of area on floor plan

Color on floor plan (if any)

DESCRIPTION OF LICENSED AREA

Slacks Oyster House and Grill is a closed space, fine dining seafood restaurant that contains a seafood action station. It has 125 seats, 25 at the bar, the bar area is highlighted in blue. Patrons are able to sit at the bar and dine. There is wine storage as you enter the restaurant, marked with red squares, which are only accessible from within the restaurant. Liquor is primarily dispensed through a measured gun system connected to the point of sale system. Free pour liquor will be measured with a Jigger device. There are 12 draft beer taps in the venue. Bottle service will not be offered in this area. There are three (3) exits from the restaurant, red filled boxes on the exhibit.

DESCRIPTION OF THE LICENSED AREA INCLUDING BUSINESS CONCEPT, NUMBER AND LOCATION OF ALCOHOLIC BEVERAGE DISPENSING AREAS, PLACEMENT OF EXITS INCLUDING WHETHER THE AREA IS CLOSED OR OPEN SPACE, AND WHETHER BOTTLE SERVICE WILL BE OFFERED IN THE AREA
(A DIAGRAM OF THE LICENSED AREA DEPICTING THESE INDIVIDUAL ELEMENTS SHALL BE ATTACHED).

8 AM to 1 AM – 7 days

HOURS OF OPERATION

230 occupants / 3,407 sq. ft.

CAPACITY OF LICENSED AREA

This venue has lockable doors for when the venue is closed.
All liquor will remain out on the bar.

DESCRIPTION OF MANNER IN WHICH ALCOHOLIC BEVERAGES WILL BE STORED AND SECURED WHEN LICENSED AREA IS NOT IN USE. (IF STORAGE IS OUTSIDE OF THE LICENSED AREA THE STORAGE AREA SHALL BE DEPICTED ON THE FLOOR PLAN).

NAME AND EMPLOYEE LICENSE/REGISTRATION NUMBER OF ALL MANAGERS OR OTHER PRINCIPAL REPRESENTATIVES FOR THE LICENSED AREA

Food and Beverage Director – Barry Rhodes – GKS000004

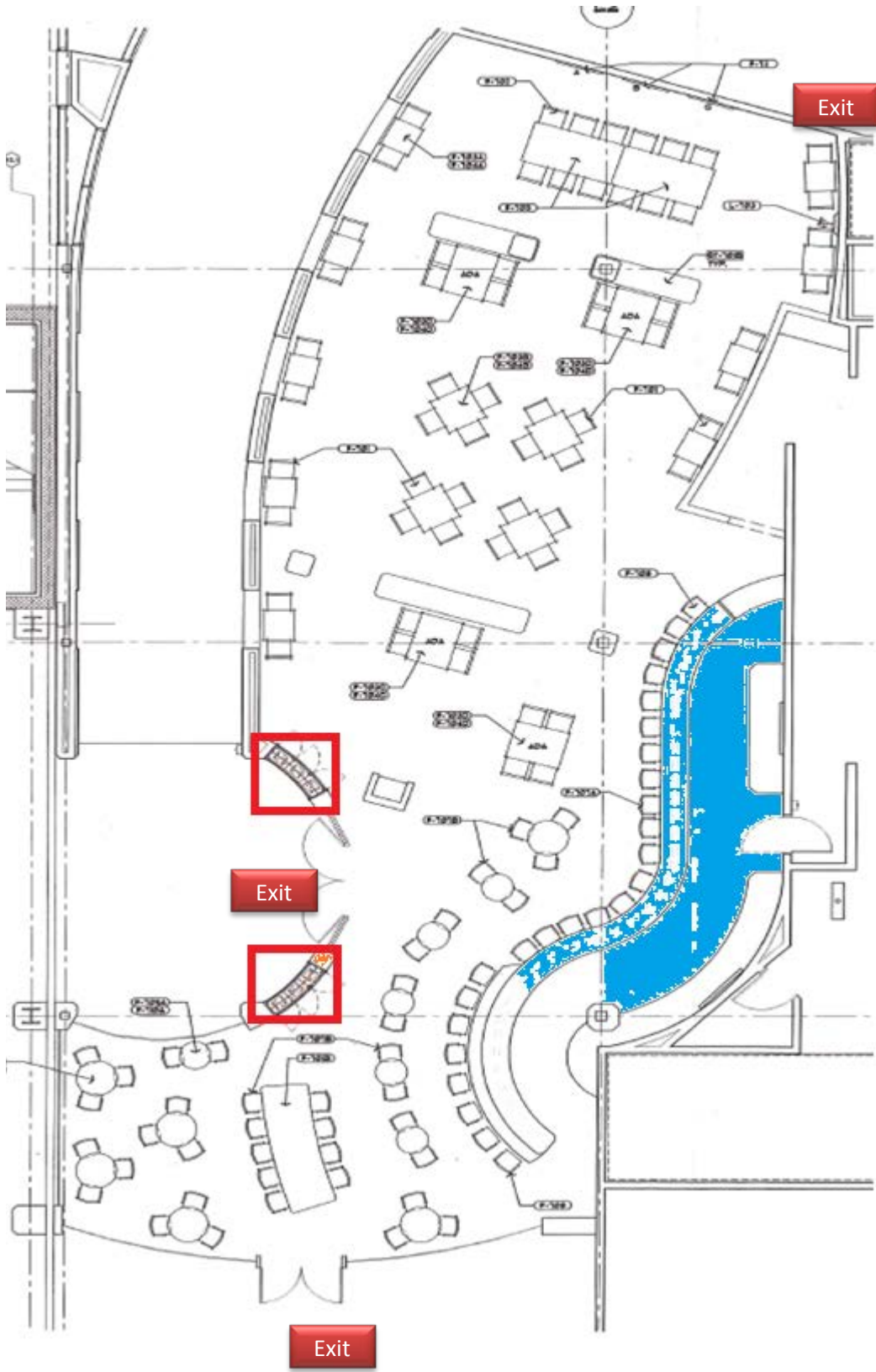
Food and Beverage Manager – Robb Paul – SER000445

IDENTIFY THE JOINTLY RESPONSIBLE PERSON (IF ANY) FOR THE LICENSED AREA BY NAME, CONTACT INFORMATION, VENDOR ID#, AND ATTACH EVIDENCE THAT THE LICENSEE MAINTAINS AUTHORITY OVER THE JOINTLY RESPONSIBLE PERSON

N/A

SLACK'S

OYSTER HOUSE & GRILL



LICENSED AREA APPLICATION

Please use a separate LICENSED AREA APPLICATION form for each licensed area and attach each sheet, along with the floor plan and license area diagrams to this application

Dark Horse Bar – 1st Floor Racing Building

GENERAL NAME OF LICENSED AREA (e.g. – function hall XYZ Restaurant gaming area etc.)

NUMBER/COLOR OF LICENSED AREA ON THE ATTACHED FLOOR PLAN REFERENCED ON PAGE 2 ABOVE
(CORRESPONDING NUMBER/COLOR SHALL APPEAR ON THE ATTACHED FLOOR PLAN DEPICTING ALL LICENSED AREAS
WITHIN THE ESTABLISHMENT)

Number of area on floor plan		Color on floor plan (if any)	Red Box
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DESCRIPTION OF LICENSED AREA

Dark Horse Bar is located on the First Floor of the Racing Building highlighted red in the exhibit below. It is a full service open-air bar in the middle of the live racing building. There are 12 beer taps, liquor is measured using jiggers. There is a second location in this area called Trackside and it currently does not serve any alcoholic beverages highlighted with the blue square below. There is no bottle service in this venue. There are 5 exits highlighted in red boxes below.

DESCRIPTION OF THE LICENSED AREA INCLUDING BUSINESS CONCEPT, NUMBER AND LOCATION OF ALCOHOLIC BEVERAGE DISPENSING AREAS, PLACEMENT OF EXITS INCLUDING WHETHER THE AREA IS CLOSED OR OPEN SPACE, AND WHETHER BOTTLE SERVICE WILL BE OFFERED IN THE AREA
(A DIAGRAM OF THE LICENSED AREA DEPICTING THESE INDIVIDUAL ELEMENTS SHALL BE ATTACHED).

8 AM to 1 AM – 7 days

593 Occupants / 7,400 sq. ft.

HOURS OF OPERATION

CAPACITY OF LICENSED AREA

Beer bottles are secured in the bar in locked refrigerators.
The Liquor is removed from the bar and secured in the area marked in yellow in the exhibit below.

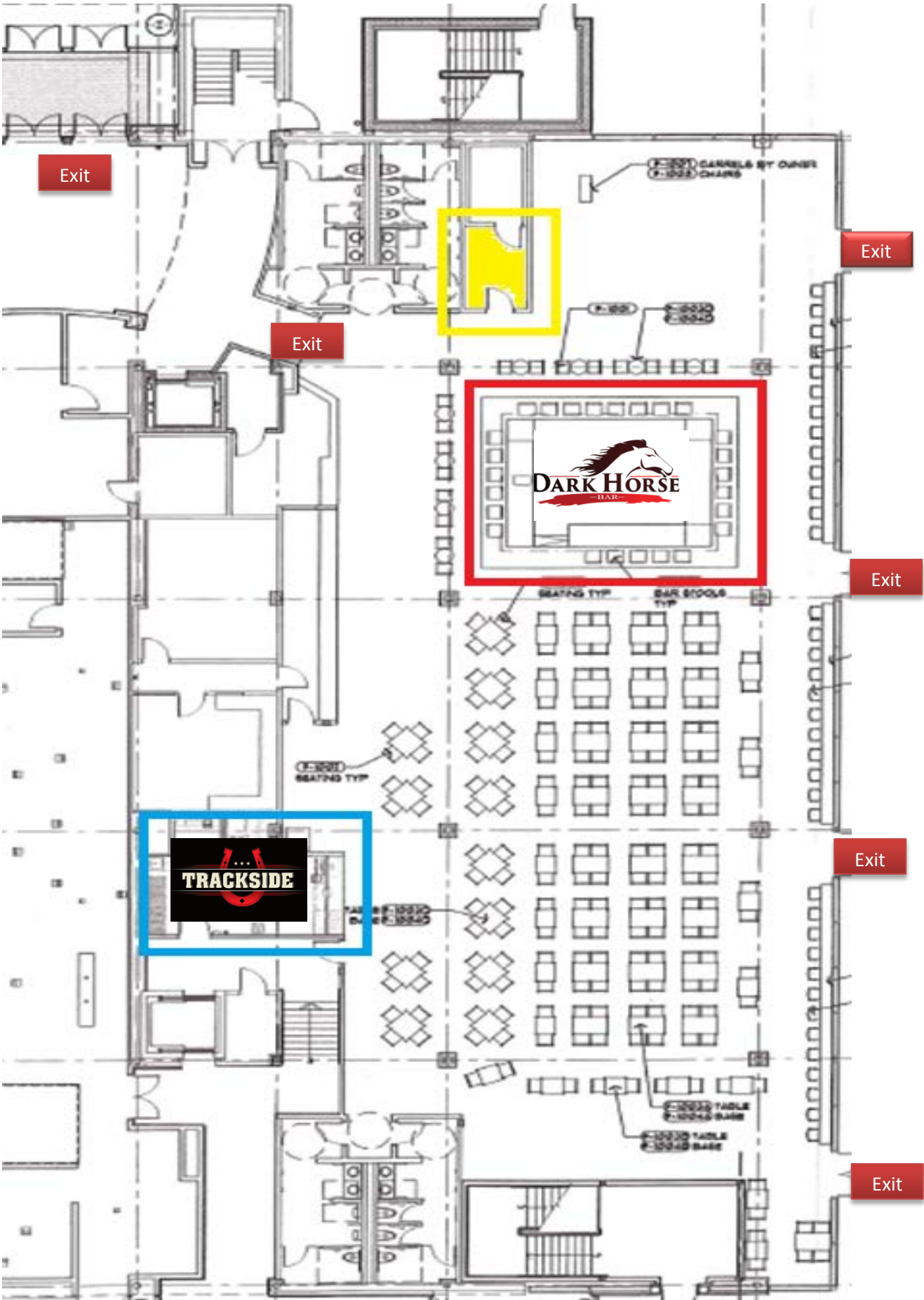
DESCRIPTION OF MANNER IN WHICH ALCOHOLIC BEVERAGES WILL BE STORED AND SECURED
WHEN LICENSED AREA IS NOT IN USE. (IF STORAGE IS OUTSIDE OF THE LICENSED AREA THE
STORAGE AREA SHALL BE DEPICTED ON THE FLOOR PLAN).

NAME AND EMPLOYEE LICENSE/REGISTRATION NUMBER OF ALL MANAGERS OR OTHER PRINCIPAL REPRESENTATIVES
FOR THE LICENSED AREA

Food and Beverage Director – Barry Rhodes – GKS000004
 Food and Beverage Manager – Joseph Vita – SER000022
 Food and Beverage Supervisor – Tracy Lombardi – SER000073
 Food and Beverage Supervisor – Abraham Reay - SER000226
 Food and Beverage Supervisor – Teri Reis – SER000454

IDENTIFY THE JOINTLY RESPONSIBLE PERSON (IF ANY) FOR THE LICENSED AREA BY NAME, CONTACT
INFORMATION, VENDOR ID#, AND ATTACH EVIDENCE THAT THE LICENSEE MAINTAINS
AUTHORITY OVER THE JOINTLY RESPONSIBLE PERSON

N/A



No Documents



Division of Racing

MEMORANDUM

TO:	Massachusetts Gaming Commission / State Racing Division
FROM:	Douglas A. O'Donnell, Senior Financial Analyst
SUBJECT:	2014 Reimbursement of Unclaimed Tickets to Stabilization Fund – Dog Tracks
DATE:	April 14, 2016

Pursuant to Chapter 86 of the Acts of 2010 Section 14, subsection 18, amounts from unclaimed tickets ...by greyhound meeting licensee/s shall be dedicated to the Racing Stabilization Fund.

Wonderland Greyhound Park	\$21,651.19
Raynham/Taunton Greyhound	\$156,505.69

These funds have been submitted to the Commission and cleared, with your authorization and per your instruction, distribution will occur.



Massachusetts Gaming Commission

101 Federal Street, 12th Floor, Boston, Massachusetts 02110 | TEL. 617.979.8400 | FAX 617.725.0258 | www.massgaming.com



Division of Racing

MEMORANDUM

TO:	Massachusetts Gaming Commission / State Racing Division
FROM:	Douglas A. O'Donnell, Senior Financial Analyst
SUBJECT:	2014 Reimbursement of Unclaimed Tickets to Purse Accounts – Horse Tracks
DATE:	April 14, 2016

Under Chapter 139, Section 10 (live) and Section 20 (simulcasts), “subject to rules and regulations established by the Commission, the Commission shall deposit unclaimed wagers into the purse accounts of the racing meeting licensee that generated those unclaimed tickets”.

Sterling Suffolk Downs	\$267,353.48
Plainridge Racecourse	\$136,716.99

These funds have been submitted to the Commission and cleared, with your authorization and per your instruction, distribution will occur.



Massachusetts Gaming Commission

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Division of Racing

MEMORANDUM

TO:	Massachusetts Gaming Commission / State Racing Division
FROM:	Doug O'Donnell, Senior Financial Analyst
SUBJECT:	Local Aid Distribution
DATE:	April 14, 2016

In accordance with Section 18D of Chapter 58, local aid is payable to each city and town within which racing activities are conducted. Amounts are computed at .35 percent times amounts wagered during the quarter ended six months prior to the payment.

- Local Aid Quarterly Payment \$210,749.39

With the Commission's authorization payments will be made to the appropriate cities and towns.



Massachusetts Gaming Commission

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Massachusetts Gaming Commission / State Racing Division

Computation of Local Aid Distributions

Qtr ending 03/31/2016

	Total handles		Local Aid @ .0035	Pay to
	July	Aug Sept 15'		
Suffolk Downs -				
Suffolk on track		11,728,125		
Exports		442,776		
TVG		13,051,403		
Xpress Bets		3,799,001		
Twin Spires		7,128,362		
		-		
Total		<u>36,149,667</u>	<u>126,523.83</u>	Boston (2/3) & Revere (1/3)
Plainridge -				
Planridge on track		9,413,117		
Exports		5,714,194		
Total		<u>15,127,311</u>	<u>52,945.59</u>	Plainville
Raynham-Taunton				
On track		8,101,641		
Exports		-		
Total		<u>8,101,641</u>	<u>28,355.74</u>	Raynham
Wonderland - @ Suffolk Location				
On track		835,493		
Exports		-		
Total		<u>835,493</u>	<u>2,924.23</u>	Boston (2/3) & Revere (1/3)
Grand total		<u>60,214,112</u>	<u>210,749.39</u>	

<u>Distributions -</u>		
City of Boston (line 1)	84,349.64	On Suffolk
City of Revere (line 1)	42,174.19	On Suffolk
City of Boston (line 2)	1,949.49	On Wonderland @ Suffolk Location
City of Revere (line 2)	974.73	On Wonderland @ Suffolk Location
Town of Plainville	52,945.59	On Plainridge
Town of Raynham	28,355.74	On Raynham-Taunton
Total	<u>210,749.39</u>	

Payments should be made to the above communities for the amounts indicated.

Appropriation =
 Object =
 Reference Racing local aid q/e 03/16
 Description

dao

In accordance with Section 18D of Chapter 58, local aid is payable to each city and town within which racing activities are conducted. Amounts are computed at .35 percent times amounts wagered during the quarter ended six months prior to the payment.



Division of Racing

MEMORANDUM

TO:	Massachusetts Gaming Commission / State Racing Division
FROM:	Doug O'Donnell, Senior Financial Analyst
SUBJECT:	Request for Consideration, Plainridge Racecourse Capital Improvement Trust Fund
DATE:	April 14, 2016

In accordance with General Laws of Massachusetts, Chapter 128A, Section 5g. The trustees may expand without appropriation all or any part of the capital trust fund to the appropriate track licensee in proportion to the amount deposited in each fund for use of a capital expenditure for alterations, additions, replacements, changes, improvements or major repairs to or upon the property owned or leased by the licensee and used by it for the conduct of racing, but not for the cost of maintenance or of other ordinary operations. The trustees shall hire architectural and engineering consultants as they deem appropriate to advise them and to evaluate proposed capital improvements. The following capital fund requests have been reviewed.

- Project # HHCITF2016 -1
- Total Request for Consideration \$123,326.00

All financial statements required under section 6 shall be accompanied by a statement signed under the pains and penalties of perjury by the manager of the licensee setting forth the capital improvements completed with funds obtained under this section.

After review and confirmation of request, with your authorization, we will approve scope of work to be completed.



Massachusetts Gaming Commission



**DIXON SALO
ARCHITECTS
INCORPORATED**

**Neil R. Dixon, Principal
Wayne O. Salo, Principal
Jesse G. Hilgenberg, Principal**

March 24, 2016

Mr. Douglas A. O'Donnell, Senior Financial Analyst
Massachusetts gaming Commission/Racing Division
101 Federal Street
Boston, MA 02110

RE: Plainridge Racecourse
Project HHCITF 2016-1
Renovations to Paddock Building and Ship-In Barn

Dear Mr. O'Donnell:

Attached please find one copy of a Request for Consideration from Plainridge Racecourse to the Massachusetts Gaming Commission/Racing Division in the amount of \$123,326.00 for the Renovations to the Paddock Building and Ship-In Barn at the Plainridge Racecourse racetrack facility.

The scope of the work includes renovations to the Paddock Building including finishing of open stud walls, leveling of the grade in the building and installing rubber floor matting, replacing defective wood posts at stalls and miscellaneous upgrades of finishes in the stall area and adjacent Offices, Breakroom, Locker Room and Men's and Women's Restrooms.

Similar work is to be done in the adjacent existing Ship-In Barn which is used for race day stabling by ship-in trainers.

The work was performed by Plainridge in-house staff which enable the track to keep the workers employed during the winter period.

As this work was performed by in-house staff, this Request for Consideration is just for materials and does not include any labor costs.

Mr. Douglas A. O'Donnell
March 24, 2016
Page 2.

This office did, on our most recent visit to Plainridge Racecourse review the areas to be renovated and found that the proposed work was appropriate and needed.

Based upon the above, it is our opinion that this project is an appropriate Capital Improvement Project and we recommend that this Request for Consideration be approved by the Massachusetts Gaming Commission/Racing Division in the amount of \$1,233,326.00.

Very truly yours,
DIXON SALO ARCHITECTS, INC.


Neil R. Dixon,
Principal/Architect
NRD:hs

cc: Steve O'Toole, Plainville Gaming & Redevelopment, LLC

Encl : Request for Consideration, HHCITF 2016-1, Renovations to Paddock Building & Ship-In Barn



PLAINRIDGE PARK
CASINO

**Massachusetts Gaming Commission
Harness Horse Capital Improvement Trust Fund
Harness Horse Promotional Trust Fund**

1. Date: 3/9/2016
2. Association: Plainville Gaming & Redevelopment, LLC
3. Project #: Plainridge HHCITF 2016-1
4. Project Description: Paddock Building Renovations & Ship – In Barn
5. Type of Request: RFC - HHCITF
 - Request for Consideration / RFC
 - Request for Reimbursement / RFR
 - Harness Horse Capital Improvement Fund / HHCIF
 - Harness Horse Promotional Trust Fund / HHPTF
6. Total Project Amount: \$123,326 RFC
 - Estimate / RFC
 - Actual / RFR
7. RFC – Provide a detailed description of the promotional or capital improvement project including the project objectives, how it will enhance the operations of the association and / or improve attendance and handles at your racetrack:
The 15 year old Paddock Building will be renovated and updated by finishing the open stud walls, leveling to grade replacing worn stall columns, installing horse friendly rubber floor matting with miscellaneous cosmetic upgrades. Renovation of existing barn structure for race day only stabling to be used by ship-in trainers.

RFR – Requests for reimbursement must contain a listing of all project expenditures by date, paid to and check number. A copy of the invoice and cancelled check must support each expenditure:

8. For Capital Improvement Projects only, RFC's and RFR's must be submitted to the Commission's architect engineer consultant for review. The consultant makes recommendations to the Trustees relative to the cost and nature of the capital improvement project.
9. By Track Official:  Title: Director of Racing Date: 3/9/16
Steve O'Toole
10. Trustee Approval and Date:

Paddock Renovations and Ship - In Barn

ITEM	PRICE EACH	QUANTITY	TOTAL	NOTES	
4x6x16 PT	\$ 25.00	75	\$ 1,875.00		\$ 116,071.25
2x10x10 PT	\$ 15.00	189	\$ 2,835.00		\$ 7,254.45
2x10x10	\$ 15.00	435	\$ 6,525.00		\$ 121,325.70
2x4x8	\$ 3.00	100	\$ 300.00		
RUBBER MATS	\$ 28.15	1275	\$ 34,891.25		
FRASH BARRELS FOR DRY WELLS	\$ 30.00	8	\$ 240.00		
EXTERIOR DOOR 36" X 80" LH	\$ 170.00	1	\$ 170.00		
EXTERIOR DOOR 36" X 80" RH	\$ 170.00	1	\$ 170.00		
ROLL OF HOSE FOR WASH STALLS	\$ 250.00	1	\$ 250.00		
RACE/STALL NUMBERS	\$ 9,000.00	1	\$ 9,000.00		
Stonedust	\$ 25.00	200	\$ 5,000.00		
SNK FOR LADYS ROOM	\$ 200.00	1	\$ 200.00		
Stall Gates	\$ 189.00	75	\$ 14,175.00		
TOILET FOR LADYS ROOM	\$ 200.00	1	\$ 200.00		
FRP ADHESIVE	\$ 60.00	1	\$ 60.00		
RUBBER BASE FOR LADYS ROOM	\$ 70.00	1	\$ 70.00	36 FT	
CEILING TILES FOR LADYS ROOM	\$ 45.00	1	\$ 45.00	72 SQ/FT	
ENTRANCE DOOR 36" X 80" LH	\$ 170.00	1	\$ 170.00		
PVC Piping Schedule 80	\$ 1,250.00	1	\$ 1,250.00		
RUBBER BASE FOR MENS ROOM	\$ 70.00	1	\$ 70.00	96 FT	
CEILING TILES FOR MENS ROOM	\$ 45.00	2	\$ 90.00	168 SQ/FT	
ENTRANCE DOOR 36" X 80" RH	\$ 170.00	1	\$ 170.00		
Windows	\$ 500.00	2	\$ 1,000.00		
50" TELEVISION FOR BREAK ROOM	\$ 1,500.00	4	\$ 6,000.00		
INSULATION FOR CLOSET IN BREAK ROOM	\$ 55.00	2	\$ 110.00	176 SQ/FT	
CEILING TILES FOR BREAK ROOM	\$ 45.00	3	\$ 135.00	528 SQ/FT	
EXTERIOR DOOR 36" X 80" RH w/GLASS	\$ 240.00	1	\$ 240.00		
EXTERIOR DOOR 36" X 80" LH w/GLASS	\$ 240.00	1	\$ 240.00		
Load Speakers & LV Wiring	\$ 1,800.00	1	\$ 1,800.00		
Outside Stall Lumber	\$ 25.00	100	\$ 2,500.00		
CEILING TILES FOR WASH ROOM	\$ 45.00	2	\$ 90.00	88 SQ/FT	
WATERPROOFING FOR FLOOR IN WASH ROOM	\$ 142.00	1	\$ 142.00	88 SQ/FT	
Permits	\$ 1,500.00	1	\$ 1,500.00		
CEILING TILES FOR OFFICES	\$ 45.00	4	\$ 180.00	300 SQ/FT	
Plans	\$ 3,500.00	1	\$ 3,500.00		
Minutes to Post clock	\$ 4,500.00	1	\$ 4,500.00		
Sprinkler heads extended	\$ 10,000.00	1	\$ 10,000.00		
MISC PAINT	\$ 1,500.00	1	\$ 1,500.00		
MISC NAILS/SCREWS/TOOLS	\$ 2,000.00	1	\$ 2,000.00		
MISC Materials	\$ 2,000.00	1	\$ 2,000.00		

Neil Dixon

From: O'Donnell, Douglas (MGC) <douglas.o'donnell@state.ma.us>
Sent: Thursday, March 10, 2016 2:17 PM
To: Neil Dixon
Subject: FW: Plainridge HHCITF 2016-1
Attachments: RFC - HHCITF 2016-1.pdf

#1

From: Steve O'Toole [mailto:Steve.O'Toole@pngaming.com]
Sent: Wednesday, March 09, 2016 7:01 PM
To: O'Donnell, Douglas (MGC)
Subject: Plainridge HHCITF 2016-1

Doug,

This request is for the renovation of the paddock building and a barn that will be used for trainers shipping in on race day. Neil Dixon walked these projects with me when he was here to look at the tractors. I explained to him at that time that the work would be done in house, keeping my track crew employed for the winter and that their hours would not be charged to the project. This estimate is for materials only. Neil indicated at that time that this project was appropriate and also thought it was gracious to keep the guys working.

Any questions please give me a call.

Thank you

Steve O'Toole
Director of Racing



PLAINRIDGE PARK
CASINO

301 Washington Street
Plainville, MA 02762
Office 508-576-4480



Division of Racing

MEMORANDUM

TO:	Massachusetts Gaming Commission / State Racing Division
FROM:	Doug O'Donnell, Senior Financial Analyst
SUBJECT:	Request for Consideration, Plainridge Racecourse Capital Improvement Trust Fund
DATE:	April 14, 2016

In accordance with General Laws of Massachusetts, Chapter 128A, Section 5g. The trustees may expand without appropriation all or any part of the capital trust fund to the appropriate track licensee in proportion to the amount deposited in each fund for use of a capital expenditure for alterations, additions, replacements, changes, improvements or major repairs to or upon the property owned or leased by the licensee and used by it for the conduct of racing, but not for the cost of maintenance or of other ordinary operations. The trustees shall hire architectural and engineering consultants as they deem appropriate to advise them and to evaluate proposed capital improvements. The following capital fund requests have been reviewed.

- Project # HHCITF2016 - 2
- Total Request for Consideration \$188,980.00

All financial statements required under section 6 shall be accompanied by a statement signed under the pains and penalties of perjury by the manager of the licensee setting forth the capital improvements completed with funds obtained under this section.

After review and confirmation of request, with your authorization, we will approve scope of work to be completed.



Massachusetts Gaming Commission



**DIXON SALO
ARCHITECTS
INCORPORATED**

**Nell R. Dixon, Principal
Wayne O. Salo, Principal
Jessa G. Hilgenberg, Principal**

March 24, 2016
Revised April 8, 2016

Mr. Douglas A. O'Donnell, Senior Financial Analyst
Massachusetts Gaming Commission/Racing Division
101 Federal Street
Boston, MA 02110

RE: Plainridge Racecourse
Request for Consideration
Project HHCITF 2016-2
High Definition Video Display Board

Dear Mr. O'Donnell:

Attached please find one copy of a Request for Consideration from Plainridge Racecourse to the Massachusetts Gaming Commission/Racing Division in the amount of \$188,980.00 for the purchase and installation of a High Definition Video Display Board to be installed in the infield adjacent to existing tote board at the Plainridge Racecourse racetrack facility.

The scope of the work includes purchasing and installation of the new high definition video display board.

The new display board will be capable of displaying messages, odds, will pays, live video feed, replays, race results, etc. The display board will also carry all property messages including Game Sense and property advertisements such as Flutie's and Slacks. It also will be capable of being programmed to view feeds from other tracks such as the Kentucky Derby, Belmont Stacks and Preakness.

Plainridge Racecourse has indicated that it believes this new display board will enhance the customer experience for watching and wagering on live racing at Plainridge.

Mr. Douglas A. O'Donnell
March 24, 2016
Revised April 8, 2016
Page 2.

There is considerable work required beyond just the installation of the visual display board. The following is a summary of the work required for this project:

• Visual Display Board	76,980.00
• Civil Engineering for Revision to Special Permit	500.00
• Structural design of board support	1,500.00
• Building Permit	650.00
• Excavation, backfill, compaction, grading	7,500.00
• Concrete, forms, reinforcing	16,400.00
• Steel columns, beams, anchor bolts	15,700.00
• Power supply from electric shed to display	20,050.00
• Fiber optics supply from clubhouse to display	25,650.00
• Modify existing electric panels, transformers & Raceway in electrical shed	<u>24,050.00</u>
Total	\$188,980.00

Based upon the above, it is our opinion that this project is an appropriate Capital Improvement Project and we recommend that this Request for Consideration be approved by the Massachusetts Gaming Commission/Racing Division in the amount of \$188,980.00.

Very truly yours,
DIXON SALO ARCHITECTS, INC.



Neil R. Dixon,
Principal/Architect
NRD:hs

cc: Steve O'Toole, Plainville Gaming & Redevelopment, LLC
Encl : Request for Consideration, HHCITF 2016-2, High Definition Tote Board
Display with backup data


**Massachusetts Gaming Commission
Harness Horse Capital Improvement Trust Fund
Harness Horse Promotional Trust Fund**

1. **Date:** 4/8/2016
2. **Association:** Plainville Gaming & Redevelopment, LLC
3. **Project #:** Plainridge HHCITF 2016-2
4. **Project Description:** Tote Board Video Display
5. **Type of Request:** RFC - HHCITF
 - Request for Consideration / RFC
 - Request for Reimbursement / RFR
 - Harness Horse Capital Improvement Fund / HHCIF
 - Harness Horse Promotional Trust Fund / HHPTF
6. **Total Project Amount:** \$188,980.00 RFC
 - Estimate / RFC
 - Actual / RFR
7. **RFC – Provide a detailed description of the promotional or capital improvement project including the project objectives, how it will enhance the operations of the association and / or improve attendance and handles at your racetrack:**
Install a High Definition Video Display Board on infield to carry messages, odds, will pays, live video feed, replays, race results, etc. This feature will enhance the customer experience for watching and wagering on live racing at Plainridge.

Racing Systems International, Inc. – Supplying and installing Video Display - \$ 76,980.00

Currie Building Systems, Inc. – Site, Electrical, Data and Permitting – \$112,000.00

Racing Systems International & Currie Building Systems are Vendor licensed by the Mass Gaming Commission.

RFR – Requests for reimbursement must contain a listing of all project expenditures by date, paid to and check number. A copy of the invoice and cancelled check must support each expenditure:
8. **For Capital Improvement Projects only, RFC's and RFR's must be submitted to the Commission's architect engineer consultant for review. The consultant makes recommendations to the Trustees relative to the cost and nature of the capital improvement project.**
9. **By Track Official:**  Title: Director of Racing Date: 4/8/16
Steve O'Toole
10. **Trustee Approval and Date:**



Racing Systems International, Inc.
 21113 Johnson Street #119
 Pembroke Pines, FL 33029
 954-243-8337

INVOICE

QUOTE # **2816-01**
 DATE: March 9, 2016

TO:
 Penn National Gaming
 825 Berkshire Blvd.
 Wyomissing, PA 19610

SHIP TO:
 Plainridge Racecourse
 301 Washington Street
 Plainville, MA 02762

PROJECT:
 Tote Board Video Display

DELIVERY:
 March 12-14 weeks
 Installation appx. May 15th

CONTACT: Steve O'Toole

TERMS:
 75% with PO
 Balance at delivery

SHIPPING:
 Truck

ITEM	QTY	DESCRIPTION	UNIT	TOTAL
1	1	Full Color Outdoor P10mm Video Display (12.6' x 22')	\$57,900.00	\$57,900.00
2	1	Display Frame	\$4,500.00	\$4,500.00
3	1	Computer with LED Studio	\$600.00	\$600.00
4	1	Installation, Setup, Training	\$11,580.00	\$11,580.00
5	1	Shipping by truck - Miami, FL to Plainville, MA	\$2,400.00	\$2,400.00
Wire Transfer Information:				
Bank: Bank of America, N.A. Pembroke Pines, Florida 33029-3414				
Bank Center Name: Silver Lakes Contact: Roberto Cortina 954-443-6050				
Account Name: Racing Systems International, Inc.				
Routing Number: 063000047				
Account Number: 8980 5406 1061				
			TOTAL	\$76,980.00
			DEPOSIT TOTAL (75%)	\$57,735.00

CONTRACTOR:
CURRIE BUILDING SYSTEMS, INC
317 BROOKS STREET
WORCESTER, MA 01606

PROJECT:
PLAINRIDGE PARK CASINO
VIDEO DISPLAY PANEL

Item #	Description of Work	Schedule of Values	Notes
1	Structural Design	1,500.00	Footings and structural steel for display panel mounting
2	Building Permit	650.00	
3	Sitework	7,500.00	Excavation, backfill, compaction, fine grade
4	Concrete Piers	16,400.00	Form, reinforce, place concrete
5	Structural Steel	15,700.00	Steel columns, horizontal supports, anchor bolts and plates
6	Electrical Power	20,050.00	Power supply from electrical shed to display panel
7	Fiber Optics	25,650.00	Fiber optics supply from club house to display panel
8	Electrical Shed Modifications	24,050.00	Modify existing panels, transformers, raceways in electrical shed
9	General Conditions	0.00	CBS supervision and general conditions included in line items above
	Totals	111,500.00	



TO: Steve Crosby, Chairman
Gayle Cameron, Commissioner
Lloyd Macdonald, Commissioner
Bruce Stebbins, Commissioner
Enrique Zuniga, Commissioner

FROM: Alexandra Lightbown, Director of Racing

CC: Edward Bedrosian, Executive Director
Catherine Blue, General Counsel

DATE: April 11, 2016

RE: Plainridge Special Events Request

Dear Commissioners:

Plainridge Park Casino Director of Racing Steve O'Toole has submitted a request dated March 28, 2016 for approval of 15 races to be simulcast as Special Events, per Massachusetts General Law 128C.

Recommendation: That the Commission approve the request of Plainridge Park Casino to simulcast the 15 races listed on their letter dated March 28, 2016 as Special Events.



Massachusetts Gaming Commission



PLAINRIDGE PARK
CASINO

March 28, 2016

Alexandra Lightbown
Director of Racing
Massachusetts Gaming Commission
101 Federal St.
Boston, MA 02110

Dear Alex,

Plainridge Park Casino respectfully requests approval of the following races to be simulcast as so-called "Special Events" in 2016;

Kentucky Derby, Churchill Downs – Saturday, May 7, 2016
Belmont Stakes, Belmont Park – Saturday, June 11, 2016
Preakness Stakes, Pimlico – Saturday, May 21, 2016
Breeders Cup Classic, Santa Anita – Saturday, November 5, 2016
Breeders Cup Turf Sprint, Santa Anita – Saturday, November 5, 2016
Kentucky Oaks, Churchill Downs – Saturday, May 6, 2016
Breeders Cup Filly & Mare Turf, Santa Anita – Saturday, November 5, 2016
Breeders Cup Filly & Mare Sprint, Santa Anita – Saturday, November 5, 2016
Breeders Cup Juvenile Fillies, Santa Anita – Saturday, November 5, 2016
Woody Stephens, Belmont Park – Saturday, June 11, 2016
Breeders Cup Turf, Santa Anita – Saturday, November 5, 2016
Breeders Cup Juvenile, Santa Anita – Saturday, November 5, 2016
Metropolitan Handicap, Belmont Park – Saturday, June 11, 2016
Churchill Downs Handicap, Churchill Downs – Saturday, May 7, 2016
Breeders Cup Sprint, Santa Anita – Saturday, November 5, 2016

Sincerely,

Steve O'Toolé
Director of Racing

cc: Douglas O'Donnell – MGC
Christopher McErlean – PNG
David Koepp - PNG

205 CMR: MASSACHUSETTS GAMING COMMISSION

3.08: continued

- (3) If a dead heat is for first place, each horse shall be considered a winner of the amount received according to the preceding rule.
- (4) When a dead heat is run for first, second, third, or fourth place and an objection is made to one of the horses in the dead heat and sustained the remaining horse in the dead heat shall be deemed the winner of the position in question.
- (5) When a dead heat is run for second place and an objection is made to the winner of the race, and sustained, the horses that run the dead heat shall be deemed to have run a dead heat for first place.
- (6) Owners shall divide equally all monies and other prizes and if no agreement can be reached as to which of them shall receive the cup, plate or other indivisible prize, they shall draw lots for it in the presence of one or more of the Judges.

3.09: Drivers

- (1) Every driver shall, at the request of the Judges, undergo a physical examination to determine his or her fitness to drive. The report of such examination duly signed by the examining physician shall be filed with the Judges.
- (2) All drivers shall, at the request of the Judges, be required to take an eye test. The report of such examination duly signed by the examining physician or optometrist shall be filed with the Judges.

3.10: Forfeitures and Suspensions

- (1) No racing official other than the Judges and the Starter shall have the right to impose a forfeiture or suspension.
- (2) The Judges may not rescind a forfeiture, except with the approval of the Commission.
- (3) A racing official imposing a forfeiture or suspension shall report it promptly to the Clerk of Course in writing.
- (4) No entry in any race shall be accepted for a horse owned wholly or in part by, or trained by, a person whose husband or wife is under license suspension at time of such entry; except that, if the license of a driver has been suspended for a routine driving offense, the judges may waive 205 CMR 3.10(4).
- (5) All forfeitures shall be paid to the Gaming Commission within 48 hours after imposition.
- (6) Suspensions shall be for consecutive calendar days.
- (7) Any Official, Owner, Trainer or any person licensed by the Massachusetts State Gaming Commission who shall obtain food, feed, shelter, drugs, transportation, services for horses, veterinary services or supplies for himself or others whether they be licensed or not, and fails to pay the fair market value to the person or persons from whom said services or supplies are obtained shall be guilty of conduct detrimental to the best interest of racing and may be suspended at the discretion of the Judges or the Commission, however, neither the Association nor the Massachusetts Gaming Commission shall be obligated to collect debts from horsemen or other personnel licensed by the Commission.

3.11: General Rules

- (1) The definitions and interpretations of racing terms, heretofore set forth as well as 205 CMR 3.01, are to be considered in connection with 205 CMR 3.00 and as part of 205 CMR 3.00.

205 CMR: MASSACHUSETTS GAMING COMMISSION

3.11: continued

(2) All owners and trainers of horses and their stable employees are subject to M.G.L. c. 128A and 205 CMR 3.00 immediately upon acceptance and occupancy of stabling accommodations from or approved by an Association or upon making entry to run on its track.

(3) Owners, trainers and stable employees shall abide by M.G.L. c. 128A and 205 CMR 3.00 and accept the decision of the Judges on any and all questions to which their authority extends, subject to their right of appeal to the Commission.

(4) Every person participating in and every patron of a licensed Race Meeting shall abide by M.G.L. c. 128A and 205 CMR 3.00, and accept the Judges' decisions on any and all questions to which their authority extends, subject to the right of appeal to the Commission.

(5) Every person who drives a horse on a track licensed by the Commission, whether exercising, warming up or driving in a race shall wear a protective helmet of a type approved by the Judges.

(6) For the period of two hours before post time of the first race of the day and until the racing program of the day has been completed, every person who drives a horse on a track licensed by the Commission, whether warming up for a race or driving in a race shall wear his or her registered colors, which must be distinguishable at all times.

(7) No person shall use improper, profane or indecent language to a racing official.

(8) No person shall in any manner, or at any time, disturb the peace or make himself or herself obnoxious on the grounds of the Association.

(9) Any person, who participates in an unrecognized meeting anywhere, either as a racing official or as an owner, trainer or driver, may be adjudged guilty of conduct detrimental to racing.

(10) No person or horse ruled off, or under full suspension by the United States Trotting Association shall be admitted to the grounds of any Association.

(11) No person, other than an official of the Commission, shall be allowed in the Judges' Stand; the space occupied by the Clerk of Course; the Timers Stand; and the space occupied by the Program Director and his or her assistants for the period from ½ hour before post time of the first race of the day until the last race has been declared "official" unless permission is obtained from the Judges for each entry. Associations shall take such steps as are necessary to assist the Judges in carrying out the provisions of 205 CMR 3.11(11).

(12) Any person who has been convicted by any court anywhere for illegal possession, sale or giving away of narcotics may be ruled off.

(13) If any owner, trainer, driver, stable employee, or other person solicit bets from the public by correspondence or other methods, to be made on any horse which is to run on a track in Massachusetts, such person or persons shall be ruled off.

(14) When a person is ruled off a course or suspended, every horse owned in whole or part by him or her shall be ineligible to be entered or to start in any race until said horse has been reinstated either by the rescinding of his or her owner's penalty or his or her transfer through *bona fide* sale to an ownership acceptable to the Judges.

(15) When a person is suspended by the Judges of the meeting "from driving only" the ruling of the Judges shall state whether or not the person suspended shall have the privilege of the paddock during the period of his or her suspension.

(16) When a person is ruled off a course or suspended, any horse which is under his or her care, management, training or superintendence shall not be qualified to be entered or to start in any race until said horse has been reinstated by the rescinding of said person's penalty or by the placement of the horse in the hand of a licensed trainer and the approval of the transfer by the Judges.

*that meets the
current safety
standards of the
Association of
Racing
Commissioners
International
Model Rules
of Racing.*

205 CMR: MASSACHUSETTS GAMING COMMISSION

3.11: continued

(17) When a person is ruled off a course or suspended, he or she shall not be qualified, whether acting as agent or otherwise to subscribe for or to enter or run any horse in any race either in his or her own name or in that of any other person until the rescinding of that person's penalty.

(18) Any horse that has been the subject of fraudulent practice may be disqualified.

(19) When a person is ruled off for any fraudulent practice in relation to a particular horse, wholly or partly belonging to him or her, he or she shall return all money or prizes that such horse has fraudulently won.

(20) Violators of any rule will be subject to ejection from the grounds, and/or to forfeiture, suspension or ruling off.

(21) Complaints against a racing official other than a judge or his or her assistant shall be made to the judges in writing and be signed by the complainant. Complaints against a judge shall be made in writing to the Commission and be signed by the complainant.

(22) Printed for each racing day shall be a program compiled by the Program Director which shall contain the names of the horses that are to run in the races for that day, these names to appear in the order of their post positions, the said position to be designated by numerals placed at the left and in line with the name of the horses in each race, which shall also be prominently displayed on each horse. The program shall also contain, in addition to the horse's name, its sex, color, age, sire and dam; the owner's name and address; the name of the trainer; the driver's name, date of birth, and colors; class and/or sub-group of race; as many performance lines of the current or preceding year as the USTA deems appropriate; an indication if the driver is racing with a provisional license, and any other useful information approved by the judges.

(23) Before a horse may go an official time workout before the Judges, he or she must first be posted in the entry room of the Association as being classified in the preferred or invitational category at the current meeting in progress.

(24) Every Racing Association, the Commission or Judges investigating for violations of 205 CMR 3.00 shall have the right to permit persons authorized by any of them to search the person, or enter and search the building, stables, room, vehicles or other places within the grounds of the Association or at other places where horses which are eligible to race are kept together with the personal property and effects contained therein. Every licensed person or person permitted to pursue his or her occupation or employment within the grounds or any Association by accepting his or her license or such permission does thereby irrevocably consent to such search as aforesaid and waive and release all claims or possible actions for damages that he or she may have by virtue of any action taken under 205 CMR 3.00.

(25) No licensee or other person under the jurisdiction of the Commission shall subject or permit any animal under his or her control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse or abandon, injure, maim or kill or administer any noxious substance to or deprive any animal of necessary care or sustenance, shelter or veterinary care.

3.12: Judges

(1) The Judges shall have the power to interpret 205 CMR 3.00 and to decide all questions not specifically covered by them, such decisions to be reported to the Commission within 24 hours.

(2) In matters pertaining to racing, the orders of the Judges supersede the orders of the officers and directors of the Association.

(3) The Judges shall have general supervision over owners, trainers, drivers, grooms and other persons attendant on horses, and also over all the other officials of the meeting.

205 CMR: MASSACHUSETTS GAMING COMMISSION

3.28: continued

- (2) The possession or use of a drug, substance, or medication on the premises of a facility under the jurisdiction of the Commission that has not been approved by the United States Food and Drug Administration (FDA) for any use in (human or animal) is forbidden without prior permission of the official veterinarian or his or her designee.
- (3) The possession and/or use of the following substances or of blood doping agents, including but not limited to those listed in 205 CMR 3.28(3)(a) through (j), on the premises of a facility under the jurisdiction of the Commission is forbidden:
 - (a) Aminoimidazole carboxamide ribonucleotide (AICAR)
 - (b) Cobra venom or derivatives thereof
 - (c) Darbepoetin
 - (d) Equine Growth Hormone
 - (e) Erythropoietin (EPO)
 - (f) Hemopure
 - (g) myo-Inositol Tripyrophosphate (ITPP)
 - (h) Oxyglobin
 - (i) Snail venoms or derivatives thereof
 - (j) Thymosin beta
- (4) The use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy shall not be permitted unless the following conditions are met:
 - (a) Any treated horse shall not be permitted to race or qualify for a minimum of ten days following treatment;
 - (b) The use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy machines shall be limited to veterinarians licensed to practice by the Commission using registered and approved machines;
 - (c) Any Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy machines on the association grounds must be registered with and approved by the official veterinarian or his or her designee before use.
 - (d) All Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy treatments must be reported within one day to the official veterinarian or his or her designee on the prescribed form. The horse shall be added to a list of ineligible horses.
 - (e) Any person participating in the use of ESWT and/or the possession of ESWT machines in violation of 205 CMR 3.28(4) shall be considered to have committed a Prohibited Practice and is subject to a Class A Penalty.
- (5) The use of a nasogastric tube (a tube longer than six inches) for the administration of any substance within 24 hours prior to the post time of the race in which the horse is entered is prohibited without the prior permission of the official veterinarian or his or her designee.

3.29: Medications and Prohibited Substances

- (1) **Aggravating and Mitigating Factors.** Upon a finding of a violation of 205 CMR 3.29, the judges shall consider the classification level of the violation as listed at the time of the violation in the *Uniform Classification Guidelines for Foreign Substances* as promulgated by the Association of Racing Commissioners International (ARCI) and impose penalties and disciplinary measures consistent with the recommendations contained therein. The judges shall also consult with the official veterinarian, laboratory director or other individuals to determine the seriousness of the laboratory finding or the medication violation. All medication and drug violations shall be investigated and reviewed on a case by case basis. Extenuating factors include, but are not limited to:
 - (a) The past record of the trainer, veterinarian and owner in drug cases;
 - (b) The potential of the drug(s) to influence a horse's racing performance;
 - (c) The legal availability of the drug;
 - (d) Whether there is reason to believe the responsible party knew of the administration of the drug or intentionally administered the drug;
 - (e) The steps taken by the trainer to safeguard the horse;
 - (f) The probability of environmental contamination or inadvertent exposure due to human drug use;
 - (g) The purse of the race;

205 CMR: MASSACHUSETTS GAMING COMMISSION

3.29: continued

- (h) Whether the drug found was one for which the horse was receiving a treatment as determined by the Medication Report Form;
- (i) Whether there was any suspicious betting pattern in the race, and;
- (j) Whether the licensed trainer was acting under the advice of a licensed veterinarian.

As a result of the investigation, there may be mitigating circumstances for which a lesser or no penalty is appropriate for the licensee and aggravating factors, which may increase the penalty beyond the minimum.

(2) **Penalties.**

- (a) In issuing penalties against individuals found guilty of medication and drug violations a regulatory distinction shall be made between the detection of therapeutic medications used routinely to treat racehorses and those drugs that have no reason to be found at any concentration in the test sample on race day.
- (b) If a licensed veterinarian is administering or prescribing a drug not listed in the ARCI *Uniform Classification Guidelines for Foreign Substances*, the identity of the drug shall be forwarded to the official veterinarian to be forwarded to the Racing Medication and Testing Consortium for classification.
- (c) Any drug or metabolite thereof found to be presenting a pre- or post-race sample which is not classified in the version of the ARCI *Uniform Classification Guidelines for Foreign Substances* in effect at the time of the violation shall be assumed to be a ARCI Class 1 Drug and the trainer and owner shall be subject to those penalties as set forth in schedule "A" therein unless satisfactorily demonstrated otherwise by the Racing Medication and Testing Consortium, with a penalty category assigned.
- (d) Any licensee of the Commission, including veterinarians, found to be responsible for the improper or intentional administration of any drug resulting in a positive test may, after proper notice and hearing, be subject to the same penalties set forth for the licensed trainer.
- (e) Procedures shall be established to ensure that a licensed trainer is not able to benefit financially during the period for which the individual has been suspended. This includes, but is not limited to, ensuring that horses are not transferred to licensed family members.
- (f) **Multiple Medication Violations (MMV).**

1. A trainer who receives a penalty for a medication violation based upon a horse testing positive for a Class 1-5 medication with Penalty Class A-D, as provided in the version of the ARCI *Uniform Classification Guidelines for Foreign Substances* in effect at the time of the violation, shall be assigned points based upon the medication's ARCI Penalty Guideline as follows:

Class	Points If Controlled Therapeutic Substance	Points If Non-controlled Substance
Class A ¹	N/A	6
Class B	2	4
Class C	1	2
Class D	½	1

2. The points assigned to a medication violation shall be included in the Judges' ruling. Such ruling shall determine, in the case of multiple positive tests as described in 205 CMR 3.29(2)(f)4., whether they shall thereafter constitute a single violation. The Judges' ruling shall be posted on the official website of the Association of Racing Commissioners International. If an appeal is pending, that fact shall be noted in such ruling. No points shall be applied until a final adjudication of the enforcement of any such violation.

¹ Except for Class 1 and 2 environmental contaminants, e.g., cocaine which shall be determined by the Judges based upon the facts of the case.

205 CMR: MASSACHUSETTS GAMING COMMISSION

3.29: continued

3. A trainer's cumulative points for violations in all racing jurisdictions shall be maintained and certified by the Association of Racing Commissioners International. Once all appeals are waived or exhausted, the points shall immediately become part of the trainer's official ARCI record and shall then subject the trainer to the mandatory enhanced penalties by the Judges or Commission as provided in 205 CMR 3.29(2)(f).
4. Multiple positive tests for the same medication incurred by a licensed trainer prior to delivery of official notice by the Commission may be treated as a single violation.
5. The official ARCI record shall constitute *prima facie* evidence of a licensed trainer's past record of violations and cumulative points. Nothing in 205 CMR 3.29(2)(f) shall be construed to confer upon a licensed trainer the right to appeal a violation for which all remedies have been exhausted or for which the appeal time has expired as provided by applicable law.
6. The Judges or Commission shall include all points for violations in all racing jurisdictions as contained in the trainer's official ARCI record when determining whether the mandatory enhancements provided in 205 CMR 3.29(2)(f) shall be imposed.
7. In addition to the penalty for the underlying offense, the following enhancements shall be imposed upon a licensed trainer based upon the cumulative points contained in his or her official ARCI record:

Points	Suspension in Days
3-5.5	30
6-8.5	60
9-10.5	180
11 or more	360

MMV's are not a substitute for the current penalty system outlined in 205 CMR 3.29(2)(a) through (d) and are intended to be an additional uniform penalty when the licensed trainer:

- a. Has more than one violation for the relevant time period, and
 - b. Exceeds the permissible number of points.
8. The suspension periods as provided above, shall run consecutive to any suspension imposed for the underlying offense.
 9. The Judges' ruling shall distinguish between the penalty for the underlying offense and the enhancement based upon the licensed trainer's cumulative points.
 10. Any trainer who has received a medication violation may petition the ARCI to expunge the points received for the violation for the purpose of the MMV system only. The points shall be expunged as follows:

Penalty Classification	Time to Expungement
A	Permanent
B	3 years
C	2 years
D	1 year

(3) Medication Restrictions:

(a) A finding by the commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is *prima facie* evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race. Prohibited substances include:

1. Drugs or medications for which no acceptable threshold concentration has been established;

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2. Controlled therapeutic medications in excess of established threshold concentrations or administration within the restricted time period as set forth in the version of the ARCI Controlled Therapeutic Medication Schedule in effect at the time of the violation;
 3. Substances present in the horse in excess of concentrations at which such substances could occur naturally; and
 4. Substances foreign to a horse at concentrations that cause interference with testing procedures.
- (b) Except as otherwise provided by 205 CMR 3.00, a person may not administer or cause to be administered by any means to a horse a prohibited drug, medication, chemical or other substance, including any restricted medication pursuant to 205 CMR 3.00 during the 24-hour period before post time for the race in which the horse is entered.
- (4) **Medical Labeling.**
- (a) No person on association grounds where horses are lodged or kept, excluding licensed veterinarians, shall have in or upon association grounds which that person occupies or has the right to occupy, or in that person's personal property or effects or vehicle in that person's care, custody or control, a drug, medication, chemical, foreign substance or other substance that is prohibited in a horse on a race day unless the product is labeled in accordance with 205 CMR 3.29(4).
 - (b) Any drug or medication which is used or kept on association grounds and which, by federal or state law, requires a prescription must have been validly prescribed by a duly licensed veterinarian, and in compliance with the applicable state statutes. All such allowable medications must have a prescription label which is securely attached and clearly ascribed to show the following:
 1. The name of the product;
 2. The name, address and telephone number of the veterinarian prescribing or dispensing the product;
 3. The name of each patient (horse) for whom the product is intended/prescribed;
 4. The dose, dosage, duration of treatment and expiration date of the prescribed/dispensed product; and
 5. The name of the person (trainer) to whom the product was dispensed.
- (5) **Non-steroidal Anti-inflammatory Drugs (NSAIDs).** The use of one of three approved NSAIDs shall be permitted under the following conditions:
- (a) Not to exceed the following permitted serum or plasma threshold concentrations which are consistent with administration by a single intravenous injection at least 24 hours before the post time for the race in which the horse is entered:
 1. Phenylbutazone. two micrograms per milliliter;
 2. Flunixin. 20 nanograms per milliliter;
 3. Ketoprofen. ~~ten~~ two nanograms per milliliter.
 - (b) These or any other NSAID are prohibited to be administered within the 24 hours before post time for the race in which the horse is entered.
 - (c) The presence of more than one of the three approved NSAIDs, in the post-race serum or plasma sample is not permitted.
 1. A finding of phenylbutazone below a concentration of .5 microgram per milliliter of blood serum or plasma shall not constitute a violation of 205 CMR 3.29(5).
 2. A finding of flunixin below a concentration of three nanograms per milliliter of blood serum or plasma shall not constitute a violation of 205 CMR 3.29(5).
 - (d) The use of all but one of the approved NSAIDs shall be discontinued at least 48 hours before the post time for the race in which the horse is entered.
 - (e) The presence of any unapproved NSAID in the post-race serum or plasma sample is not permitted.
- (6) **Furosemide.**
- (a) In order for a horse to be placed on the Furosemide List the following process must be followed.
 1. After the horse's licensed trainer and licensed veterinarian determine that it would be in the horse's best interests to race with furosemide the official veterinarian or his or her designee shall be notified using the prescribed form, that the horse is to be put on the Furosemide List.

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3.29: continued

2. The form must be received by the official veterinarian or his or her designee by the time of entry.
 3. A horse placed on the official Furosemide List must remain on that list unless the licensed trainer and licensed veterinarian submit a written request to remove the horse from the list. The request must be made to the official veterinarian or his or her designee, on the proper form, no later than the time of entry.
 4. After a horse has been removed from the Furosemide List, the horse may not be placed back on the list for a period of 60 calendar days unless it is determined to be detrimental to the welfare of the horse, in consultation with the official veterinarian. If a horse is removed from the official Furosemide List a second time in a 365-day period, the horse may not be placed back on the list for a period of 90 calendar days.
 5. Furosemide shall only be administered on association grounds.
 6. Furosemide shall be the only authorized bleeder medication.
 7. The use of furosemide shall not be permitted in two year olds.
- (b) The use of furosemide shall be permitted under the following circumstances on association grounds where a detention barn is not utilized:
1. Furosemide shall be administered by single intravenous injection no less than four hours prior to post time for the race for which the horse is entered.
 2. The furosemide dosage administered shall not exceed 250 mg. nor be less than 150 mg.
 3. After treatment, the horse shall be required by the Commission to remain in the proximity of its stall in the care, custody and control of its trainer or the trainer's designated representative under general association and/or Commission security surveillance until called to the saddling paddock.
- (c) Test results must show a detectable concentration of the drug in the post-race serum, plasma or urine sample.
1. The specific gravity of post-race urine samples may be measured to ensure that samples are sufficiently concentrated for proper chemical analysis. The specific gravity shall not be below 1.010. If the specific gravity of the urine is found to be below 1.010 or if a urine sample is unavailable for testing, quantitation of furosemide in serum or plasma shall be performed;
 2. Quantitation of furosemide in serum or plasma shall be performed when the specific gravity of the corresponding urine sample is not measured or if measured below 1.010. Concentrations may not exceed 100 nanograms of furosemide per milliliter of serum or plasma.
- (d) A horse which has been placed on the Furosemide List in another jurisdiction pursuant to 205 CMR 3.00 shall be placed on the Furosemide List in this jurisdiction. A notation on the horse's electronic eligibility certificate of such shall suffice as evidence of being on a Furosemide List in another jurisdiction.

(7) Bleeder List.

- (a) The official veterinarian shall maintain a Bleeder List of all horses, which have demonstrated external evidence of exercise induced pulmonary hemorrhage from one or both nostrils during or after a race or workout as observed by the official veterinarian.
- (b) Every confirmed bleeder, regardless of age, shall be placed on the Bleeder List and be ineligible to race for the minimum following time periods:
 1. First incident - 14 days;
 2. Second incident - 30 days;
 3. Third incident - 180 days;
 4. Fourth incident - barred for racing lifetime.
- (c) For the purposes of counting the number of days a horse is ineligible to run, the day the horse bled externally is the first day of the recovery period.
- (d) The voluntary administration of furosemide without an external bleeding incident shall not subject the horse to the initial period of ineligibility as defined by 205 CMR 3.29(7).
- (e) A horse which has been placed on a Bleeder List in another jurisdiction pursuant to rules similar to 205 CMR 3.29(7) shall be placed on a Bleeder List in this jurisdiction.

3.29: continued

(8) Androgenic-anabolic Steroids (AAS):

(a) No AAS shall be permitted in test samples collected from racing horses except for residues of the major metabolite of ~~stanozolol~~, nandrolone, and the naturally occurring substances boldenone and testosterone at concentrations less than the indicated thresholds.

(b) Concentrations of these AAS shall not exceed the following plasma or serum thresholds for unchanged (*i.e.* not conjugated) substance or urine threshold concentrations for total (*i.e.*, free drug or metabolite and drug or metabolite liberated from its conjugates):

~~1. Stanozolol: 1 ng/ml of total 16 β -hydroxystanozolol (metabolite of stanozolol) in urine of all horses regardless of sex, or 25 pg/ml of stanozolol in plasma or serum of all horses regardless of sex;~~

1. 2. Boldenone: 15 ng/ml of total boldenone in urine of male horses other than geldings, or 25 pg/ml of boldenone in plasma or serum of all horses regardless of sex;

2. 3. Nandrolone: 1 ng/ml of total nandrolone in urine, or 25 pg/ml of nandrolone in plasma or serum for geldings, fillies, and mares.

3. 4. Testosterone:

a. In Geldings. 20 ng/ml total testosterone in urine, or 25 pg/ml of testosterone in plasma or serum;

b. In Fillies and Mares. 55 ng/ml total testosterone in urine, or 25 pg/ml of testosterone in plasma or serum.

(c) Any other anabolic steroids are prohibited in racing horses.

(d) Post-race urine samples must have the sex of the horse identified to the laboratory.

(9) Alkalinizing Substances. The use of agents that elevate the horse's TCO₂ or Base excess level above those existing naturally in the untreated horse at normal physiological concentrations is prohibited. The following levels also apply to blood gas analysis:

(a) The regulatory threshold for TCO₂ is 37.0 millimoles per liter of plasma/serum or a base excess level of 10.0 millimoles, and;

(b) The decision level to be used for the regulation of TCO₂ is 37.0 millimoles per liter of plasma/serum plus the measurement uncertainty of the laboratory analyzing the sample or a base excess level of 10.4 millimoles per liter of plasma/serum.

↓ for fillies, mares, and geldings, or 45 ng/ml
(as 5 α -estrane-3 β , 17 α -diol) in urine, in
male horses other than geldings,

4.09: continued

(6) All the stockholders or members of a corporation which leases horses for racing purposes in the Commonwealth of Massachusetts and also all such corporations shall make and file with the Commission as and when requested by it, a report or reports containing such information as the Commission may specify; and upon refusal or failure to file such report or reports the Commission may refuse a license to any lessee or lessees of such corporation or may revoke any such license which it may have granted.

4.10: Corrupt Practices

(1) No person shall influence, induce or conspire or connive with or attempt so to do, any owner, trainer, jockey, agent, driver, groom or other person associated with or interested in or having charge of or access to any horse entered or to be entered in a race for the purpose of fraudulently affecting the ultimate result of such race.

(2) No person shall willfully enter, or cause to be entered, or start a horse that he or she knows or believes to be ineligible or disqualified.

(3) No person shall offer or receive money or any other benefit for declaring or scratching an entry from a race.

(4) No person shall conspire with any other person for the commission of, or connive with any other person in any corrupt or fraudulent practice in relation to racing nor shall he or she commit such act on his or her own account.

(5) No person without proper notice to the Stewards, shall be part owner or trainer of any horse in which a jockey has an interest.

(6) No person shall make a bet for the account of any jockey except the owner or trainer of the horse the jockey is riding, and then only on said horse.

(7) No person shall offer or give a jockey any money or other benefit in relation to a race, unless said person is the owner or trainer of the horse ridden in said race by said jockey.

(8) No person shall solicit bets on the grounds of an Association.

(9) No electrical or mechanical device or other expedient designed to increase or decrease the speed of a horse, (or that would tend so to do) other than the ordinary riding crop or spurs, shall be possessed by any one or applied by any one to a horse at any time on the grounds of an Association, during a Meeting whether in a race or otherwise.

(10) No person shall tamper or attempt to tamper with any horse in such a way as to affect its speed in a race, nor shall be counsel or in any way aid or abet any such tampering.

(11) No person shall assume or pay, directly or indirectly, a forfeiture imposed upon a jockey.

(12) No jockey's attendant shall make a bet on any race nor shall he or she place a bet for anyone else.

4.11: Rules of the Race

(1) Entries and Nominations.

(a) Entering. No horse shall be qualified to start unless it has been and continues to be entered.

4.11: continued

- (b) Procedure.
1. Entries and nominations shall be made with the racing secretary and shall not be considered until received by the racing secretary, who shall maintain a record of time of receipt of them for a period of one year.
 2. An entry shall be in the name of the horse's licensed owner and made by the owner, trainer or a licensed designee of the owner or trainer.
 3. Races printed in the condition book shall have preference over substitute and extra races.
 4. An entry must be in writing, by telephone or facsimile machine to the racing secretary. The entry must be confirmed in writing should the stewards or the racing secretary so request.
 5. The person making an entry shall clearly designate the horse so entered.
 6. No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards.
 7. No conditional entries will be accepted.
 8. No horse may be entered in more than one race (with the exception of stakes races) to be run on the same day on which pari-mutuel wagering is conducted.
 9. Any permitted medication or approved change of equipment must be declared at time of entry.
- (c) Coupled Entries.
1. Two or more horses that are entered in a race shall be joined as a mutuel entry and single betting interest if they are owned or leased in whole or in part by the same owner.
 2. No more than two horses having common ties through ownership or training may be entered in an overnight race. Under no circumstances may both horses of a coupled entry start to the exclusion of a single entry. When making a coupled entry, a preference for one of the horses must be made.
- (d) Nominations.
1. Any nominator to a stakes race may transfer or declare such nomination prior to closing.
 2. Any one of joint owners of a horse may make joint nominations and entries, and each such owner shall be jointly and severally liable for all payments due.
 3. Death of a horse, or a mistake in its entry when such horse is eligible, does not release the nominator or transferee from liability for all stakes fees due. No fees paid in connection with a nomination to a stakes race that is run shall be refunded, except as otherwise stated in the conditions of a stakes race.
 4. Death of a nominator to a stakes race shall not render void any subscription, entry or right of entry. All rights, privileges and obligations shall be attached to the legal heirs of the decedent or the successor owner of the horse.
 5. When a horse is sold privately or at public auction or claimed, stakes engagements shall be transferred automatically to its new owner; except when the horse is transferred to a person whose license is suspended or who is otherwise unqualified to race or enter the horse, then such nomination shall be void as of the date of such transfer.
 6. All stakes fees paid toward a stakes race shall be allocated to the winner unless otherwise provided by the conditions for the race. If a stakes race is not run for any reason, all such nomination fees paid shall be refunded.
- (e) Closings.
1. Entries for purse races and nominations to stakes races shall close at the time designated by the association in previously published conditions for such races. No entry, nomination or declaration shall be accepted after such closing time; except in the event of an emergency or if an overnight race fails to fill, the racing secretary may, with the approval of a steward, extend such closing time.
 2. Except as otherwise provided in the conditions for a stakes race, the deadline for accepting nominations and declarations is midnight of the day of closing, provided they are received in time for compliance with every other condition of the race.
- (f) Number of Starters in a Race. The maximum number of starters in any race shall be limited to the number of starting positions afforded by the association starting gate and its extensions. The number of horses that, in the opinion of the stewards, can be afforded a safe, fair and equal start may further limit the number of starters.

4.11: continued

- (g) Split or Divided Races.
 1. In the event a race is canceled or declared off, the association may split any overnight race for which postpositions have not been drawn.
 2. Where a overnight race is split, forming two or more separate races, the racing secretary shall give notice of not less than 15 minutes before such races are closed to grant time for making additional entries to such split races.
 - (h) Post Positions. Post positions for all races shall be determined by lot and shall be publicly drawn in the presence of a steward or steward designee.
 - (i) Also-eligible List.
 1. If the number of entries for a race exceeds the number of horses permitted to start, the racing secretary may create and post an also-eligible list.
 2. If any horse is scratched from a race for which an also-eligible list was created, a replacement horse shall be drawn from the also-eligible list into the race in order of preference. If none is preferred, a horse shall be drawn into the race from the also-eligible list by public lot.
 3. Any owner or trainer of a horse on the also-eligible list who does not wish to start the horse in such race shall so notify the racing secretary prior to scratch time for the race.
 - (j) Preferred List.
 1. The racing secretary shall maintain a list of entered horses eliminated from starting by a surplus of entries, and these horses shall constitute a preferred list and have preference. The manner in which the preferred list shall be maintained and all rules governing such list shall be the responsibility of the racing secretary. Such rules must be submitted to the Commission 30 days prior to the commencement of the race meeting and are subject to the approval of the Commission.
 2. A copy of the preferred list will be posted each afternoon and any claim of error must be made by 10:00 A.M. of the following race day, and the Stewards will recognize no claim of error not made within the prescribed time.
 3. In entering horses on the preferred list a claim of preference must be made at the time of entry and noted on the entry or preference shall be lost, and no claim of error will be considered by the Stewards if the person making the claim has signed an entry not marked in keeping with 205 CMR 4.00.
- (2) Declarations and Scratches. Declarations and scratches are irrevocable.
- (a) Declarations.
 1. A declaration is the act of withdrawing an entered horse from a race prior to the closing of entries.
 2. The declaration of a horse before closing shall be made by the owner, trainer or their licensed designee in the form and manner prescribed in 205 CMR 4.00.
 - (b) Scratches.
 1. A scratch is the act of withdrawing an entered horse from a contest after the closing of entries.
 2. The owner, trainer or their licensed designee shall make the scratch of a horse after closing, with permission from the stewards.
 3. A horse may be scratched from a stakes race for any reason at any time up until 45 minutes prior to post time for that race.
 4. No horse may be scratched from an overnight race without approval of the stewards.
 5. In overnight races, horses that are physically disabled or sick shall be permitted to be scratched first. Should horses representing more than ten betting interests in the daily double or exotic wagering races, or horses representing more than eight betting interests in any other overnight race, remain in after horses with physical excuses have been scratched, then owners or trainers may be permitted at scratch time to scratch horses without physical excuses down to such respective minimum numbers for such races. Lot shall determine this privilege if an excessive number of owners or trainers wish to scratch their horses.
 6. Any horse which has been scratched, or excused from starting by the stewards, because of a physical disability or sickness shall not race until the expiration of a minimum of four calendar days (inclusive of the day the horse was originally scratched) after such horse was scratched or excused and the horse has been removed from the veterinarian's list by the official veterinarian.

4.11: continued

(3) Weights.

(a) Allowances.

1. Weight allowance must be claimed at time of entry and shall not be waived after the posting of entries, except by consent of the stewards.
2. A horse shall start with only the allowance of weight to which it is entitled at time of starting, regardless of its allowance at time of entry.
3. Horses not entitled to the first weight allowance in a race shall not be entitled to any subsequent allowance specified in the conditions.
4. Claim of weight allowance to which a horse is not entitled shall not disqualify it unless protest is made in writing and lodged with the stewards at least one hour before post time for that race.
5. A horse shall not be given a weight allowance for failure to finish second or lower in any race.
6. No horse shall receive allowance of weight nor be relieved extra weight for having been beaten in one or more races, but 205 CMR 4.11(3)(a) shall not prohibit maiden allowances or allowances to horses that have not won a race within a specified period or a race of a specified value.
7. Except in handicap and races which expressly provide otherwise, two-year-old fillies shall be allowed three pounds, and fillies and mares, three-years-old and upward, shall be allowed five pounds before September 1st and three pounds thereafter in races where competing against male horses.

(b) Penalties.

1. Weight penalties are obligatory.
2. Horses incurring weight penalties for a race shall not be entitled to any weight allowance for that race.
3. No horse shall incur a weight penalty or be barred from any race for having been placed second or lower in any race.
4. A penalty incurred and allowances due in steeplechase or hurdle races shall not apply to races on the flat, and vice versa.
5. The reports, records and statistics as published by Daily Racing Form, Equibase or other recognized publications shall be considered official in determining eligibility, allowances and penalties, but may be corrected.
6. When the decision of a race is in dispute, all horses involved in the dispute with respect to the winner's credit shall be liable to all weight penalties and eligibility attached to the winning of that race until a winner has been adjudged.
7. No horse shall incur a weight penalty for a placement from which he or she is disqualified, but a horse placed through the disqualification of another horse shall incur the weight penalties of that placement. No such placement, however, shall make a horse ineligible to a race that already has been run.
8. A horse shall start with only the allowance of weight to which it is entitled at the time of starting, regardless of its allowance at the time of entry.

(c) Weight Conversions.

1. For the purpose of determining weight assignments and/or allowances for imported horses, the following weight conversions shall be used:
 - one kilogram = 2 ¼ pounds
 - one Stone = 14 pounds

(d) Scale of Weights.

1. With the exception of apprentice allowances, handicap races, three year old horses entered to run in races against horses four years old and upwards, and the allowance provided in 205 CMR 4.11(3)(d)2., no jockey shall be assigned a weight of less than 118 pounds. For three year old horses entered to run in races against horses four years old and upwards from January 1st through August 31st, no jockey shall be assigned a weight of less than 116 pounds.
2. Except in handicaps, fillies two years old shall be allowed three pounds, and fillies and mares three years old and upward shall be allowed five pounds before September 1st, and three pounds thereafter, in races where competing against horses of the opposite sex.

4.11: continued

3. A notice shall be included in the daily program that all jockeys will carry approximately three pounds more than the published weight to account for safety equipment (vest and helmet) that is not included in required weighing out procedures. Additionally, upon stewards' approval, jockeys may weigh in with up to an additional three pounds for inclement weather gear.
- (e) Distance Conversions.
1. For the purpose of determining eligibility, weight assignments and/or allowances for imported horses, the racing secretary shall convert metric distances to English measures by reference to the following scale:
 2. Comparative Table of Distances.
 - 200 Meters = one Furlong
 - 1,000 Meters = five Furlongs
 - 1,200 Meters = six Furlongs
 - 1,400 Meters = seven Furlongs
 - 1,600 Meters = one Mile
 - 1,700 Meters = one-1/16 Miles
 - 1,800 Meters = 1 1/8 Miles
 - 2,000 Meters = 1 1/4 Miles
 - 2,200 Meters = 1 3/8 Miles
 - 2,400 Meters = 1 1/2 Miles
 - 2,600 Meters = 1 5/8 Miles
 - 3,000 Meters = 1 7/8 Miles
 - 3,200 Meters = two Miles
 - 3,600 Meters = 2 1/4 Miles
 - 4,800 Meters = three Miles
- (4) Workouts.
- (a) Requirements. A horse shall not start unless it has participated in an official race or has an approved timed workout satisfactory to the stewards. The workout must have occurred at a pari-mutuel or Commission recognized facility within the previous 30 days. A horse which has not started for a period of 60 days or more shall be ineligible to race until it has completed a timed workout approved by the stewards prior to the day of the race in which the horse is entered. The association may impose more stringent workout requirements.
 - (b) Identification. The owner, trainer or rider shall be required to identify the horse and the distance the horse is to be worked and the point on the track where the workout will start.
 - (c) Information Dissemination. Information regarding a horse's approved timed workout(s) shall be furnished to the public prior to the start of the race for which the horse has been entered.
 - (d) Restrictions. A horse shall not be taken onto the track for training or a workout except during hours designated by the association.
- (5) Horses Ineligible.
- (a) A horse is ineligible to start in a race when:
 1. It is not stabled on the grounds of the association or present by the time established by the Commission;
 2. Its breed registration certificate is not on file with the racing secretary or horse identifier; unless the racing secretary has submitted the certificate to the appropriate breed registry for correction;
 3. It is not fully identified and tattooed on the inside of the upper lip, microchipped with a unique microchip (ISO 11784), freeze brand, or identified by any other method approved by the appropriate breed registry and the Commission;
 4. It has been fraudulently entered or raced in any jurisdiction under a different name, with an altered registration certificate or altered lip tattoo, microchip (ISO 11784), freeze brand, or other identification method approved by the appropriate breed registry and the Commission;
 5. It is wholly or partially owned by a disqualified person or a horse is under the direct or indirect training or management of a disqualified person;

4.11: continued

6. It is wholly or partially owned by the spouse of a disqualified person or a horse is under the direct or indirect management of the spouse of a disqualified person, in such cases, it being presumed that the disqualified person and spouse constitute a single financial entity with respect to the horse, which presumption may be rebutted;
7. The stakes or entrance money for the horse has not been paid, in accordance with the conditions of the race; except with the approval of the racing secretary;
8. The losing jockey mount fee is not on deposit with the horsemen's bookkeeper; except with the approval of the racing secretary;
9. Its name appears on the starter's list, paddock judge's list, stewards' list or veterinarian's list;
10. It is a first time starter and has not been approved to start by the starter;
11. It is owned in whole or in part by an undisclosed person or interest;
12. It lacks sufficient official published workouts or race past performance(s);
13. It has been entered in a stakes race and has subsequently been transferred with its engagements, unless the racing secretary has been notified of such prior to the start;
14. It is subject to a lien that has not been approved by the stewards and filed with the horsemen's bookkeeper;
15. It is subject to a lease not filed with the stewards;
16. It is not in sound racing condition;
17. It has had a surgical neurectomy performed on a heel nerve, which has not been approved by the official veterinarian;
18. It has been trachea tubed to artificially assist breathing;
19. It has been blocked with alcohol or otherwise drugged or surgically denerved to desensitize the nerves above the ankle;
20. It has impaired eyesight in both eyes;
21. It is barred or suspended in any recognized jurisdiction;
22. It does not meet the eligibility conditions of the race;
23. Its owner or lessor is in arrears for any stakes fees, except with approval of the racing secretary;
24. Its owner(s), lessor(s) and/or trainer have not completed the licensing procedures required by the Commission;
25. It is by an unknown sire or out of an unknown mare; or
26. There is no current negative Coggins test certificate for Equine Infectious Anemia on file.
27. If a thoroughbred, it has shoes (racing plates) which have toe grabs with a height greater than two millimeters, bends, jar caulks, stickers, or any other traction device on the front hooves while racing or training on all surfaces.
28. A filly or mare may not be entered in a claiming race when it is pregnant, unless before the time of entry the owner deposits with the racing secretary a signed agreement whereby the owner at the time of entry provides the successful claimant without cost, protest or fee of any kind, a valid stallion service certificate covering the breeding of the mare.
29. Notwithstanding 205 CMR 4.11(5)(a)28. a pregnant mare may not be entered in a race if she is beyond 120 days of gestation.

(6) Running of the Race.(a) Equipment.

1. All riding crops are subject to inspection and approval by the stewards and the clerk of scales.
 - a. Riding crops shall have a shaft and a flap and will be allowed in flat racing including training, only as follows;
 - i. Maximum weight of eight ounces.
 - ii. Maximum length, including flap of 30 inches.
 - iii. Minimum diameter of the shaft of $\frac{3}{8}$ inch
 - iv. Shaft contact area must be smooth, with no protrusions or raised surface, and covered by shock absorbing material that gives a compression factor of at least one-millimeter throughout its circumference.
 - b. The flap is the only allowable attachment to the shaft and must meet these specifications:
 - i. Length beyond the end of the shaft a maximum of one inch.

4.11: continued

- ii. Width a minimum of 0.8 inch and a maximum of 1.6 inches.
 - iii. No reinforcements or additions beyond the end of the shaft.
 - iv. No binding within seven inches of the end of the shaft.
 - v. Shock absorbing characteristics similar to those the contact area of the shaft.
2. No bridle shall exceed two pounds.
 3. A horse's tongue may be tied down with clean bandages, gauze or tongue strap.
 4. Permission for any change of reported equipment from that which a horse carried in its last previous race, can be obtained only from the Stewards and must be obtained before the closing of entries for the race in which the horse is to run with changed equipment.
 5. Permission for a horse to add blinkers to its equipment or to discontinue the use of them must be approved by the Starter before being granted by the Stewards.
- (b) Racing Numbers.
1. Each horse shall carry a conspicuous saddle cloth number corresponding to the official number given that horse on the official program.
 2. In the case of a coupled entry that includes more than one horse, each horse in the entry shall carry the same number, with a different distinguishing letter following the number. As an example, two horses in the same entry shall appear in the official program as 1 and 1A.
 3. Each horse in the mutuel field shall carry a separate number or may carry the same number with a distinguishing letter following the number.
- (c) Jockey Requirements.
1. Jockeys shall report to the jockeys' quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the jockeys' quarters, except to ride in scheduled races, until all of their riding engagements of the day have been fulfilled except as approved by the stewards.
 2. A jockey who has not fulfilled all riding engagements, who desires to leave the jockeys' quarters, must first receive the permission of the stewards and must be accompanied by an association security guard.
 3. While in the jockeys' quarters, jockeys shall have no contact or communication with any person outside the jockeys' quarters other than Commission personnel and officials, an owner or trainer for whom the jockey is riding or a representative of the regular news media, except with the permission of the stewards. Any communication permitted by the stewards may be conducted only in the presence of the clerk of scales or other person designated by the stewards.
 4. The clerk of scales shall weigh out jockeys for their respective mounts not more than 30 minutes before post time for each race.
 5. Only valets employed by the association shall assist jockeys in weighing out.
 6. A jockey must wear a safety vest at all times when mounted. The safety vest must comply with one of the following minimum standards: British Equestrian Trade Association (BETA):2000 Level 1; Euro Norm (EN) 13158:2000 Level 1; American Society for Testing and Materials (ASTM) F2681-08 or F1937; Shoe and Allied Trade Research Association (SATRA) Jockey Vest DocM6 Issue 3; or Australian Racing Board (ARB) Standard 1.1998.
 7. A jockey must wear a properly secured safety helmet at all times while mounted. The helmet must comply with one of the following minimum safety standards: ~~American Society for Testing and Materials (ASTM 1163); UK Standards (EN-1384 and PAS-015); Australian/New Zealand Standard (AS/NZ 3838).~~
 8. A safety helmet or a safety vest shall not be altered in any manner nor shall the product marking be removed or defaced.
 9. Weighing Out.
 - a. A jockey's weight shall include his or her clothing, boots, saddle and its attachments and any other equipment except the bridle, bit, blinkers, goggles, number cloth, and safety equipment including helmet, vest, over-girth, reins and breast collar.
 - b. Upon Stewards approval, jockeys may be allowed up to three pounds more than published weights to account for inclement weather clothing and equipment.
 10. Seven pounds is the limit of overweight any horse is permitted to carry.

→ the current safety standards
of the Association of Racing Commissioners
International Model Rules of Racing

4.11: continued

11. Once jockeys have fulfilled their riding engagements for the day and have left the jockeys' quarters, they shall not be re-admitted to the jockeys' quarters until after the entire racing program for that day has been completed, except with permission of the stewards.

(d) Paddock to Post.

1. Each horse shall carry the full weight assigned for that race from the paddock to the starting post, and shall parade past the stewards' stand, unless excused by the stewards. The post parade shall not exceed 12 minutes, unless otherwise ordered by the stewards. It shall be the duty of the stewards to ensure that the horses arrive at the starting gate as near to post time as possible.

2. After the horses enter the track, no jockey may dismount nor entrust his or her horse to the care of an attendant unless, because of accident occurring to the jockey, the horse or the equipment, and with the prior consent of the starter. During any delay during which a jockey is permitted to dismount, all other jockeys may dismount and others may attend their horses. After the horses enter the track, only the jockey, an assistant starter, the official veterinarian, the racing veterinarian or an outrider or pony rider may touch the horse before the start of the race.

3. If a jockey is injured on the way to the post, the horse may be returned to the paddock or any other area designated by the stewards, re-saddled with the appropriate weight and remounted with a replacement jockey.

4. After passing the stewards' stand in parade, the horses may break formation and proceed to the post in any manner unless otherwise directed by the stewards. Once at the post, the horses shall be started without unnecessary delay.

5. Horses shall arrive at the starting post in post position order.

6. In case of accident to a jockey or his or her mount or equipment, the stewards or the starter may permit the jockey to dismount and the horse to be cared for during the delay, and may permit all jockeys to dismount and all horses to be attended to during the delay.

7. If a jockey is thrown on the way from the paddock to the post, the horse must be remounted, return to the point where the jockey was thrown and then proceed over the route of the parade to the post. The horse must carry its assigned weight from paddock to post and from post to finish.

8. If a horse leaves the course while moving from paddock to post, the horse shall be returned to the course at the nearest practical point to that at which it left the course, and shall complete its parade to the post from the point at which it left the course unless ordered scratched by the stewards.

9. No person shall willfully delay the arrival of a horse at the post.

10. The starter shall load horses into the starting gate in any order deemed necessary to ensure a safe and fair start. Only the jockey, the racing veterinarian, the starter or an assistant starter shall handle a horse.

11. Every horse must be saddled in the paddock.

(e) Post to Finish.1. The Start.

a. The starter is responsible for assuring that each participant receives a fair start.

b. If, when the starter dispatches the field, any door at the front of the starting gate stalls should not open properly due to a mechanical failure or malfunction or should any action by any starting personnel directly cause a horse to receive an unfair start, the stewards may declare such a horse a non-starter.

c. Should a horse, not scratched prior to the start, not be in the starting gate stall thereby causing it to be left when the starter dispatches the field, the stewards shall declare the horse a non-starter.

d. Should an accident or malfunction of the starting gate, or other unforeseeable event compromise the fairness of the race or the safety of race participants, the stewards may declare individual horses to be non-starters, exclude individual horses from one or more pari-mutuel pools or declare a no contest and refund all wagers except as otherwise provided in the rules involving multi-race wagers.

2. Interference, Jostling or Striking.

a. A jockey shall not ride carelessly or willfully so as to permit his or her mount to interfere with, impede or intimidate any other horse in the race.

4.11: continued

- b. No jockey shall carelessly or willfully jostle, strike or touch another jockey or another jockey's horse or equipment
 - c. No jockey shall unnecessarily cause his or her horse to shorten its stride so as to give the appearance of having suffered a foul.
3. Maintaining a Straight Course.
- a. When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul.
 - b. The offending horse may be disqualified, if in the opinion of the stewards, the foul altered the finish of the race, regardless of whether the foul was accidental, willful or the result of careless riding.
 - c. If the stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey.
 - d. In a straightaway race, every horse must maintain position as nearly as possible in the lane in which it starts. If a horse is ridden, drifts or swerves out of its lane in such a manner that it interferes with, impedes or intimidates another horse, it is a foul and may result in the disqualification of the offending horse.
4. Disqualification.
- a. When the stewards determine that a horse shall be disqualified for interference, they may place the offending horse behind such horses as in their judgement it interfered with, or they may place it last.
 - b. If a horse is disqualified for a foul, any horse or horses owned or trained by the same interests, in the same race whether coupled or uncoupled, may also be disqualified.
 - c. Possession of any electrical or mechanical stimulating or shocking device by a jockey, horse owner, trainer or other person authorized to handle or attend to a horse shall be *prima facie* evidence of a violation of 205 CMR 4.00 and is sufficient grounds for the stewards to scratch or disqualify the horse.
 - d. The stewards may determine that a horse shall be unplaced for the purpose of purse distribution and time trial qualification.
5. Multiple Disqualifications. Should the stewards determine that there is more than one incident of interference in a race where disqualification is warranted, the stewards shall deal with the incidents in the order in which the incident occurs during the race from start to finish; except in the case where the same horses are involved in multiple incidents. Once a horse has been disqualified, it should remain placed behind the horse with which it interfered. The stewards shall make a conscious effort to place and maintain as placed, every and all horses placed behind others for interference
6. Horses Shall be Ridden Out. All horses shall be ridden out in every race. A jockey shall not ease up or coast to the finish, without adequate cause, even if the horse has no apparent chance to win prize money. A jockey shall give a best effort during a race.
7. Use of Riding Crops.
- a. Although the use of a riding crop is not required, any jockey who uses a riding crop during a race shall do so only in a manner consistent with exerting his or her best efforts to win.
 - b. In all races where a jockey will ride without a riding crop, an announcement of such fact shall be printed in the official program.
 - c. No electrical or mechanical device or other expedient designed to increase or retard the speed of a horse, other than the ordinary riding crop approved, shall be possessed by anyone, or applied by anyone to the horse at any time on the grounds of the association during the meeting, whether in a race or otherwise.
 - d. Riding crops shall not be used on two-year-old horses before April 1st of each year.
 - e. The riding crop shall only be used for safety, correction and encouragement.
 - f. All riders should comply with the following when using the riding crop:
 - i. Showing the horse the riding crop and giving it time to respond before hitting it.
 - ii. Having used the riding crop, giving the horse a chance to respond before using it again.
 - iii. Using the riding crop in rhythm with the horses stride.

4.11: continued

- g. Prohibited uses of the riding crop include, but are not limited to, striking a horse:
 - i. on the head, flanks or on any other part of its body other than the shoulders or hind quarters except when necessary to control a horse;
 - ii during the post parade or after the finish of the race except when necessary to control the horse;
 - iii. excessively or brutally causing welts or breaks in the skin;
 - iv. when the horse is clearly out of the race or has obtained its maximum placing;
 - v. persistently even though the horse is showing no response under the riding crop; or
 - vi. striking another rider or horse.
 - h. After the race, horses will be subject to inspection by a racing or official veterinarian looking for cuts, welts or bruises in the skin. Any adverse findings shall be reported to the stewards.
 - i. The giving of instructions by any licensee that if obeyed would lead to a violation of 205 CMR 4.11(6) may result in disciplinary action also being taken against the licensee who gave such instructions.
8. Order of Finish.
- a. The official order of finish shall be decided by the stewards with the aid the photo finish system, and in the absence of the photo finish film record, the video replay. The photo finish and video replay are only aids to the stewards' decision. The decision of the stewards shall be final in all cases.
 - b. The nose of the horse shall determine the placement of the horse in relationship to other horses in the race.
9. Returning after the Finish.
- a. After a race has been run, the jockey shall ride promptly to the place designated by the stewards, dismount and report to the clerk of scales to be weighed in. Jockeys shall weigh in with all pieces of equipment with which they weighed out.
 - b. If a jockey is prevented from riding to the place designated by the stewards because of an accident or illness to the jockey or the horse, the jockey may walk or be transported to the scales, or may be excused from weighing in by the stewards.
- 10 Unsaddling.
- a. Only persons authorized by the stewards may assist the jockey with unsaddling the horse after the race.
 - b. No one shall place a covering over a horse before it is unsaddled.
- 11 Weighing In.
- a. A jockey shall weigh in at no less than the same weight at which he or she weighed out, and if under that weight, and after consideration of mitigating circumstances by the board of stewards, his or her mount shall be disqualified from any portion of the purse money.
 - b. In the event of such disqualification, all monies wagered on the horse shall be refunded unless the race has been declared official.
 - c. A jockey's weight shall include his or her clothing, boots, saddle and its attachments and any other equipment except the bridle, bit, blinkers, goggles, number cloth and safety equipment including helmet, vest, over-girth, reins and breast collar.
 - d. Upon approval of the stewards, the jockeys may be allowed up to three pounds more than published weights to account for inclement weather clothing and equipment.
 - e. The post-race weight of jockeys includes any sweat, dirt and mud that have accumulated on the jockey, jockey's clothing, jockey's safety equipment and over-girth. This accounts for additional weight, depending on specific equipment, as well as weather, track and racing conditions.
12. Dead Heats.
- a. When two horses run a dead heat for first place, all purses or prizes to which first and second horses would have been entitled shall be divided equally between them; and this applies in dividing all purses or prizes whatever the number of horses running a dead heat and whatever places for which the dead heat is run.
 - b. In a dead heat for first place, each horse involved shall be deemed a winner and liable to penalty for the amount it shall receive.

4.11: continued

- c. When a dead heat is run for second place and an objection is made to the winner of the race, and sustained, the horses that ran a dead heat shall be deemed to have run a dead heat for first place.
- d. If the dividing owners cannot agree as to which of them is to have a cup or other prize that cannot be divided, the question shall be determined by lot by the stewards.

(7) Protests, Objections and Inquiries(a) Stewards to Inquire.

1. The stewards shall take cognizance of foul riding and, upon their own motion or that of any racing official or person empowered by 205 CMR 4.00 to object or complain, shall make diligent inquiry or investigation into such objection or complaint when properly received.
2. In determining the extent of disqualification, the stewards in their discretion may:
 - a. declare null and void a track record set or equaled by a disqualified horse, or any horses coupled with it as an entry;
 - b. affirm the placing judges' order of finish and hold the jockey responsible if, in the stewards' opinion, the foul riding did not affect the order of finish; or
 - c. disqualify the offending horse and hold the jockey blameless if in the stewards' opinion the interference to another horse in a race was not the result of an intentional foul or careless riding on the part of a jockey.

(b) Race Objections.

1. An objection to an incident alleged to have occurred during the running of a race shall be received only when lodged with the clerk of scales, the stewards or their designees, by the owner, the authorized agent of the owner, the trainer or the jockey of a horse engaged in the same race.
2. An objection following the running of any race must be filed before the race is declared official, whether all or some riders are required to weigh in, or the use of a fast official procedure is permitted.
3. The stewards shall make all findings of fact as to all matters occurring during and incident to the running of a race; shall determine all objections and inquiries, and shall determine the extent of disqualification, if any, of horses in the race. Such findings of fact and determinations shall be final.
4. In the case of disqualification the Stewards shall immediately make public the reason for the disqualification and the same shall be announced over the public address system.

(c) Prior Objections.

1. Objections to the participation of a horse entered in any race shall be made to the stewards in writing, signed by the objector, and filed not later than one hour prior to post time for the first race on the day which the questioned horse is entered. Any such objection shall set forth the specific reason or grounds for the objection in such detail so as to establish probable cause for the objection. The stewards upon their own motion may consider an objection until such time as the horse becomes a starter.
2. An objection to a horse which is entered in a race may be made on, but not limited to, the following grounds or reasons:
 - a. A misstatement, error or omission in the entry under which a horse is to run;
 - b. the horse that is entered to run is not the horse it is represented to be at the time of entry, or the age was erroneously given;
 - c. the horse is not qualified to enter under the conditions specified for the race, or the allowances are improperly claimed or not entitled the horse, or the weight to be carried is incorrect under the conditions of the race;
 - d. the horse is owned in whole or in part, or leased or trained by a person ineligible to participate in racing or otherwise ineligible to own a race horse as provided in 205 CMR 4.00; or
 - e. the horse was entered without regard to a lien filed previously with the racing secretary.
3. The stewards may scratch from the race any horse that is the subject of an objection if they have reasonable cause to believe that the objection is valid.

4.11: continued

(d) Protests.

1. A protest against any horse that has started in a race shall be made to the stewards in writing, signed by the protestor, within 72 hours of the race exclusive of non-racing days. If the incident upon which the protest is based occurs within the last two days of the meeting, such protest may be filed with the Commission within 72 hours exclusive of Saturdays, Sundays or official holidays. Any such protest shall set forth the specific reason or reasons for the protest in such detail as to establish probable cause for the protest.
2. A protest may be made on any of the following grounds:
 - a. Any grounds for objection as set forth in this chapter;
 - b. the order of finish as officially determined by the stewards was incorrect due to oversight or errors in the numbers of the horses that started the race;
 - c. a jockey, trainer, owner or lessor was ineligible to participate in racing as provided in 205 CMR 4.00;
 - d. the weight carried by a horse was improper, by reason of fraud or willful misconduct; or
 - e. an unfair advantage was gained in violation of 205 CMR 4.00.
3. Notwithstanding any other provision in this article, the time limitation on the filing of protests shall not apply in any case in which fraud or willful misconduct is alleged provided that the stewards are satisfied that the allegations are bona fide and verifiable.
4. No person shall file any objection or protest knowing the same to be inaccurate, false, untruthful or frivolous.
5. The stewards may order any purse, award or prize for any race withheld from distribution pending the determination of any protest. In the event any purse, award or prize has been distributed to an owner or for a horse which by reason of a protest or other reason is disqualified or determined to be not entitled to such purse, award or prize, the stewards or the Commission may order such purse, award or prize returned and redistributed to the rightful owner or horse. Any person who fails to comply with an order to return any purse, award or prize erroneously distributed shall be subject to fines and suspension.

4.12: Forfeitures and Suspensions

- (1) No racing official other than the Stewards shall have the right to impose a forfeiture or suspension.
- (2) The Stewards may not rescind a forfeiture, except with the approval of the Commission.
- (3) A racing official imposing a forfeiture or suspension shall report it promptly to the Gaming Commission in writing.
- (4) All forfeitures shall be paid to the Gaming Commission within 48 hours after imposition.
- (5) Any official, owner, trainer or any person licensed by the Massachusetts Gaming Commission who shall obtain food, feed, shelter, drugs, transportation, services for horses, veterinary services or supplies for himself or others whether they be licensed or not, and fails to pay the fair market value to the person or persons from whom said services or supplies are obtained may be guilty of conduct detrimental to the best interest of racing and may be suspended at the discretion of the Stewards or the Commission, however, neither the Association nor the Massachusetts Gaming Commission shall be obligated to collect debts from horsemen or other personnel licensed by the Commission.
- (6) No entry in any race shall be accepted for a horse owned wholly or in part by, or trained by, a person whose husband or wife is under license suspension at time of such entry; except that, if the license of a jockey has been suspended for a routine riding offense, the stewards may waive 205 CMR 4.12(6).
- (7) Suspensions shall be for consecutive calendar days.

4.51: continued

(d) All Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy treatments must be reported within one day to the official veterinarian or his or her designee on the prescribed form. The horse shall be added to a list of ineligible horses.

(e) Any person participating in the use of ESWT and/or the possession of ESWT machines in violation of 205 CMR 4.00 shall be considered to have committed a Prohibited Practice and is subject to a Class A Penalty.

(5) The use of a nasogastric tube (a tube longer than six inches) for the administration of any substance within 24 hours prior to the post time of the race in which the horse is entered is prohibited without the prior permission of the official veterinarian or his or her designee.

4.52: Medications and Prohibited Substances

(1) Aggravating and Mitigating Factors. Upon a finding of a violation of 205 CMR 4.50 through 4.53, the stewards shall consider the classification level of the violation as listed at the time of the violation in the *Uniform Classification Guidelines for Foreign Substances* as promulgated by the Association of Racing Commissioners International (ARCI) and impose penalties and disciplinary measures consistent with the recommendations contained therein. The stewards may consult with the official veterinarian, laboratory director or other individuals to determine the seriousness of the laboratory finding or the medication violation. All medication and drug violations shall be investigated and reviewed on a case by case basis. Extenuating factors include, but are not limited to:

- (a) The past record of the trainer, veterinarian and owner in drug cases;
- (b) The potential of the drug(s) to influence a horse's racing performance;
- (c) The legal availability of the drug;
- (d) Whether there is reason to believe the responsible party knew of the administration of the drug or intentionally administered the drug;
- (e) The steps taken by the trainer to safeguard the horse;
- (f) The probability of environmental contamination or inadvertent exposure due to human drug use;
- (g) The purse of the race;
- (h) Whether the drug found was one for which the horse was receiving a treatment as determined by the Medication Report Form;
- (i) Whether there was any suspicious betting pattern in the race; and
- (j) Whether the licensed trainer was acting under the advice of a licensed veterinarian.

As a result of the investigation, there may be mitigating circumstances for which a lesser or no penalty is appropriate for the licensee and aggravating factors, which may increase the penalty beyond the minimum.

(2) Penalties.

- (a) In issuing penalties against individuals found guilty of medication and drug violations a regulatory distinction shall be made between the detection of therapeutic medications used routinely to treat racehorses and those drugs that have no reason to be found at any concentration in the test sample on race day.
- (b) If a licensed veterinarian is administering or prescribing a drug not listed in the ARCI *Uniform Classification Guidelines for Foreign Substances*, the identity of the drug shall be forwarded to the official veterinarian to be forwarded to the Racing Medication and Testing Consortium for classification.
- (c) Any drug or metabolite thereof found to be presenting a pre- or post-race sample which is not classified in the version of the ARCI Uniform Classification Guidelines for Foreign Substances in effect at the time of the violation shall be assumed to be a ARCI Class 1 Drug and the trainer and owner shall be subject to those penalties as set forth in schedule "A" therein unless satisfactorily demonstrated otherwise by the Racing Medication and Testing Consortium, with a penalty category assigned.
- (d) Any licensee of the Commission, including veterinarians, found to be responsible for the improper or intentional administration of any drug resulting in a positive test may, after proper notice and hearing, be subject to the same penalties set forth for the licensed trainer.
- (e) Procedures shall be established to ensure that a licensed trainer is not able to benefit financially during the period for which the individual has been suspended. This includes, but is not limited to, ensuring that horses are not transferred to licensed family members.

4.52: continued

(f) **Multiple Medication Violations (MMV).**

1. A trainer who receives a penalty for a medication violation based upon a horse testing positive for a Class 1-5 medication with Penalty Class A-D, as provided in the version of the ARCI *Uniform Classification Guidelines for Foreign Substances* in effect at the time of the violation, shall be assigned points based upon the medication's ARCI Penalty Guideline as follows:

Class	Points If Controlled Therapeutic Substance	Points If Non-controlled Substance
Class A ¹	N/A	6
Class B	2	4
Class C	1	2
Class D	½	1

2. The points assigned to a medication violation shall be included in the Stewards' ruling. Such ruling shall determine, in the case of multiple positive tests as described in 205 CMR 4.52(2)(f)4., whether they shall thereafter constitute a single violation. The Stewards' ruling shall be posted on the official website of the Association of Racing Commissioners International. If an appeal is pending, that fact shall be noted in such ruling. No points shall be applied until a final adjudication of the enforcement of any such violation.

3. A trainer's cumulative points for violations in all racing jurisdictions shall be maintained and certified by the Association of Racing Commissioners International. Once all appeals are waived or exhausted, the points shall immediately become part of the trainer's official ARCI record and shall then subject the trainer to the mandatory enhanced penalties by the Stewards or Commission as provided in 205 CMR 4.52(2)(f).

4. Multiple positive tests for the same medication incurred by a trainer prior to delivery of official notice by the Commission may be treated as a single violation.

5. The official ARCI record shall constitute *prima facie* evidence of a licensed trainer's past record of violations and cumulative points. Nothing in 205 CMR 4.52(2)(f) shall be construed to confer upon a licensed trainer the right to appeal a violation for which all remedies have been exhausted or for which the appeal time has expired as provided by applicable law.

6. The Stewards or Commission shall include all points for violations in all racing jurisdictions as contained in the trainer's official ARCI record when determining whether the mandatory enhancements provided in 205 CMR 4.52(2)(f) shall be imposed.

7. In addition to the penalty for the underlying offense, the following enhancements shall be imposed upon a licensed trainer based upon the cumulative points contained in his or her official ARCI record:

Points	Suspension in Days
3-5.5	30
6-8.5	60
9-10.5	180
11 or more	360

MMV's are not a substitute for the current penalty system set forth in 205 CMR 4.52(2)(a) through (d) and are intended to be an additional uniform penalty when the licensed trainer:

¹ Except for Class 1 and 2 environmental contaminants, e.g., cocaine which shall be determined by the Stewards based upon the facts of the case.

4.52: continued

- a. Has more than one violation for the relevant time period; and
 - b. Exceeds the permissible number of points.
8. The suspension periods as provided above, shall run consecutive to any suspension imposed for the underlying offense.
 9. The Stewards' ruling shall distinguish between the penalty for the underlying offense and the enhancement based upon the licensed trainer's cumulative points.
 10. Any trainer who has received a medication violation may petition the ARCI to expunge the points received for the violation for the purpose of the MMV system only. The points shall be expunged as follows:

Penalty Classification	Time to Expungement
A	Permanent
B	3 years
C	2 years
D	1 year

(3) Medication Restrictions.

(a) A finding by the commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is *prima facie* evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race. Prohibited substances include:

1. Drugs or medications for which no acceptable threshold concentration has been established;
2. Controlled therapeutic medications in excess of established threshold concentrations or administration within the restricted time period as set forth in the version of the ARCI Controlled Therapeutic Medication Schedule in effect at the time of the violation;
3. Substances present in the horse in excess of concentrations at which such substances could occur naturally; and
4. Substances foreign to a horse at concentrations that cause interference with testing procedures.

(b) Except as otherwise provided by 205 CMR 4.00, a person may not administer or cause to be administered by any means to a horse a prohibited drug, medication, chemical or other substance, including any restricted medication pursuant to 205 CMR 4.00 during the 24-hour period before post time for the race in which the horse is entered.

(4) Medical Labeling.

(a) No person on association grounds where horses are lodged or kept, excluding licensed veterinarians, shall have in or upon association grounds which that person occupies or has the right to occupy, or in that person's personal property or effects or vehicle in that person's care, custody or control, a drug, medication, chemical, foreign substance or other substance that is prohibited in a horse on a race day unless the product is labeled in accordance with 205 CMR 4.52(4).

(b) Any drug or medication which is used or kept on association grounds and which, by federal or state law, requires a prescription must have been validly prescribed by a duly licensed veterinarian, and in compliance with the applicable state statutes. All such allowable medications must have a prescription label which is securely attached and clearly ascribed to show the following:

1. The name of the product;
2. The name, address and telephone number of the veterinarian prescribing or dispensing the product;
3. The name of each patient (horse) for whom the product is intended/prescribed;
4. The dose, dosage, duration of treatment and expiration date of the prescribed/dispensed product; and
5. The name of the person (trainer) to whom the product was dispensed.

4.52: continued

(5) Non-steroidal Anti-inflammatory Drugs (NSAIDs).

(a) The use of one of three approved NSAIDs shall be permitted under the following conditions:

1. Not to exceed the following permitted serum or plasma threshold concentrations which are consistent with administration by a single intravenous injection at least 24 hours before the post time for the race in which the horse is entered:
 - a. Phenylbutazone - two micrograms per milliliter;
 - b. Flunixin - 20 nanograms per milliliter;
 - c. Ketoprofen - ~~ten~~ nanograms per milliliter. → two
2. These or any other NSAID are prohibited to be administered within the 24 hours before post time for the race in which the horse is entered.
3. The presence of more than one of the three approved NSAIDs, in the post-race serum or plasma sample is not permitted.
 - a. A finding of phenylbutazone below a concentration of .5 microgram per milliliter of blood serum or plasma shall not constitute a violation of 205 CMR 4.52(5).
 - b. A finding of flunixin below a concentration of three nanograms per milliliter of blood serum or plasma shall not constitute a violation of 205 CMR 4.52(5).
4. The use of all but one of the approved NSAIDs shall be discontinued at least 48 hours before the post time for the race in which the horse is entered.

(b) The presence of any unapproved NSAID in the post-race serum or plasma sample is not permitted.

(6) Furosemide.

(a) In order for a horse to be placed on the Furosemide List the following process must be followed.

1. After the horse's licensed trainer and licensed veterinarian determine that it would be in the horse's best interests to race with furosemide the official veterinarian or his or her designee shall be notified using the prescribed form, that the horse is to be put on the Furosemide List.
2. The form must be received by the official veterinarian or his or her designee by the time of entry.
3. A horse placed on the official Furosemide List must remain on that list unless the licensed trainer and licensed veterinarian submit a written request to remove the horse from the list. The request must be made to the official veterinarian or his or her designee, on the proper form, no later than the time of entry.
4. After a horse has been removed from the Furosemide List, the horse may not be placed back on the list for a period of 60 calendar days unless it is determined to be detrimental to the welfare of the horse, in consultation with the official veterinarian. If a horse is removed from the official Furosemide List a second time in a 365-day period, the horse may not be placed back on the list for a period of 90 calendar days.
5. Furosemide shall only be administered on association grounds.
6. Furosemide shall be the only authorized bleeder medication

(b) The use of furosemide shall be permitted under the following circumstances on association grounds where a detention barn is not utilized:

1. Furosemide shall be administered by single intravenous injection no less than four hours prior to post time for the race for which the horse is entered.
2. The furosemide dosage administered shall not exceed 500 mg. nor be less than 150 mg.
3. After treatment, the horse shall be required by the Commission to remain in the proximity of its stall in the care, custody and control of its trainer or the trainer's designated representative under general association and/or Commission security surveillance until called to the saddling paddock.

(c) Test results must show a detectable concentration of the drug in the post-race serum, plasma or urine sample.

1. The specific gravity of post-race urine samples may be measured to ensure that samples are sufficiently concentrated for proper chemical analysis. The specific gravity shall not be below 1.010;
2. Quantitation of furosemide in serum or plasma may be performed. Concentrations may not exceed 100 nanograms of furosemide per milliliter of serum or plasma.

4.52: continued

(d) A horse which has been placed on a Furosemide List in another jurisdiction pursuant to rules similar to 205 CMR 4.52(6) shall be placed on a Furosemide List in this jurisdiction. A notation on the horse's foal papers of such shall suffice as evidence of being on a Furosemide List in another jurisdiction.

(7) Bleeder List.

(a) The official veterinarian shall maintain a Bleeder List of all horses, which have demonstrated external evidence of exercise induced pulmonary hemorrhage from one or both nostrils during or after a race or workout as observed by the official veterinarian.

(b) Every confirmed bleeder, regardless of age, shall be placed on the Bleeder List and be ineligible to race for the following minimum time periods:

1. First incident - 14 days;
2. Second incident - 30 days;
3. Third incident - 180 days;
4. Fourth incident - barred for racing lifetime.

(c) For the purposes of counting the number of days a horse is ineligible to run, the day the horse bled externally is the first day of the recovery period.

(d) The voluntary administration of furosemide without an external bleeding incident shall not subject the horse to the initial period of ineligibility as defined by 205 CMR 4.52(7).

(e) A horse which has been placed on a Bleeder List in another jurisdiction pursuant to rules similar to 205 CMR 4.52(7) shall be placed on a Bleeder List in this jurisdiction.

(8) Androgenic-anabolic Steroids (AAS).

(a) No AAS shall be permitted in test samples collected from racing horses except for residues of the major metabolite of ~~stanozolol~~, nandrolone, and the naturally occurring substances boldenone and testosterone at concentrations less than the indicated thresholds.

(b) Concentrations of these AAS shall not exceed the following plasma or serum thresholds for unchanged (*i.e.* not conjugated) substance or urine threshold concentrations for total (*i.e.*, free drug or metabolite and drug or metabolite liberated from its conjugates):

- ~~1. Stanozolol. 1 ng/ml of total 16 β -hydroxystanozolol (metabolite of stanozolol) in urine of all horses regardless of sex, or 25 pg/ml of stanozolol in plasma or serum of all horses regardless of sex;~~
- ~~2. Boldenone. 15 ng/ml of total boldenone in urine of male horses other than geldings, or 25 pg/ml of boldenone in plasma or serum of all horses regardless of sex;~~
- ~~3. Nandrolone. 1 ng/ml of total nandrolone in urine, or 25 pg/ml of nandrolone in plasma or serum for geldings, fillies, and mares.~~
- ~~4. Testosterone.~~
 - a. In Geldings. 20 ng/ml total testosterone in urine, or 25 pg/ml of testosterone in plasma or serum;
 - b. In Fillies and Mares. 55 ng/ml total testosterone in urine, or 25 pg/ml of testosterone in plasma or serum.

(c) Any other anabolic steroids are prohibited in racing horses.

(d) Post-race urine samples must have the sex of the horse identified to the laboratory.

(9) Alkalinizing Substances. The use of agents that elevate the horse's TCO₂ or base excess level above those existing naturally in the untreated horse at normal physiological concentrations is prohibited. The following levels also apply to blood gas analysis:

(a) The regulatory threshold for TCO₂ is 37.0 millimoles per liter of plasma/serum or a base excess level of 10.0 millimoles, and;

(b) The decision level to be used for the regulation of TCO₂ is 37.0 millimoles per liter of plasma/serum plus the measurement uncertainty of the laboratory analyzing the sample, or a base excess level of 10.4 millimoles per liter of plasma/serum.

4.53: Out of Competition Testing for Blood and/or Gene Doping Agents

(1) Any horse on the grounds at a racetrack or training center under the jurisdiction of the commission; or under the care or control of trainer or owner licensed by the commission is subject to testing for blood and/or gene doping agents without advance notice.

for fillies, mares and geldings or 45 ng/ml (as 5 α -estrane-3 β , 17 α -diol) in urine in male horses other than geldings,

205 CMR: MASSACHUSETTS GAMING COMMISSION
205 CMR 133.00: VOLUNTARY SELF-EXCLUSION

133.06: Responsibilities of the Gaming Licensees

A gaming licensee shall have the following responsibilities relative to the administration of the voluntary self-exclusion list:

~~(7) A gaming licensee shall not pay any winnings derived from gaming to an individual who is prohibited from gaming in a gaming establishment under 205 CMR 133.00. Where reasonably possible, the gaming licensee shall confiscate from the individual in a lawful manner, notify a commission agent who shall confiscate, or refuse to pay any such winnings including jackpot winnings, chips, tokens, machine credits, ticket vouchers, or any other form of winnings whether in the individual's possession or control while on the premises of a gaming establishment or presented for payment. The monetary value of the confiscated winnings shall be paid to the commission for deposit into the Gaming Revenue Fund within 45 days;~~

A gaming licensee shall not pay any winnings derived from gaming to an individual who is prohibited from gaming in a gaming establishment by virtue of having placed their name on the voluntary self-exclusion list in accordance with 205 CMR 133.00. Winnings derived from gaming shall include, but not be limited to, such things as proceeds derived from play on a slot machine/electronic gaming device and a wager, or series of wagers, placed at a table game.

Where reasonably possible, the gaming licensee shall confiscate from the individual in a lawful manner, or shall notify a commission agent who shall confiscate, or shall refuse to pay any such winnings derived from gaming or any money or thing of value that the individual has converted or attempted to convert into a wagering instrument whether actually wagered or not. A wagering instrument shall include, but not be limited to, chips, tokens, prizes, non-complimentary pay vouchers, electronic credits on a slot machine/electronic gaming device, and vouchers representing electronic credits/TITO slips. The monetary value of the confiscated winnings and/or wagering instrument shall be paid to the commission for deposit into the Gaming Revenue Fund within 45 days;



Legal Division

Amended Small Business Impact Statement

The Massachusetts Gaming Commission (“Commission”) hereby files this amended small business impact statement in accordance with G.L. c.30A, §5 relative to the proposed amendments in 205 CMR 133.00: Voluntary Self-Exclusion; for which a public hearing was held on April 7, 2016. These amendments were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. These amendments govern the responsibilities of the gaming licensees relative to the administration of the voluntary self-exclusion list, including the non-payment and confiscation of winnings or wagering instruments from self-excluded individuals. These regulations are largely governed by G.L. c.23K, §45.

These amendments apply directly to gaming licensees and individuals who have voluntarily placed their names on the self-exclusion list. Accordingly, these amendments are unlikely to have an impact on small businesses. In accordance with G.L. c.30A, §5, the Commission offers the following responses on whether any of the following methods of reducing the impact of the proposed regulation on small businesses would hinder achievement of the purpose of the proposed regulation:

1. Establishing less stringent compliance or reporting requirements for small businesses:

As a general matter, no small businesses will be impacted by these regulations. Accordingly, there are no less stringent compliance or reporting requirements for small businesses.

2. Establishing less stringent schedules or deadlines for compliance or reporting requirements for small businesses:

There are no schedules or deadlines for compliance or reporting requirements for small businesses created by these regulations.

3. Consolidating or simplifying compliance or reporting requirements for small businesses:

There are no compliance or reporting requirements for small businesses.



Massachusetts Gaming Commission

4. Establishing performance standards for small businesses to replace design or operational standards required in the proposed legislation:

There are no performance standards for small businesses to replace design or operational standards required in the proposed regulations.

5. An analysis of whether the proposed regulation is likely to deter or encourage the formation of new businesses in the Commonwealth:

These regulations apply solely to gaming licensees and individuals who have voluntarily placed their names on the self-exclusion list and therefore are not likely to deter or encourage the formation of new businesses in the Commonwealth.

6. Minimizing adverse impact on small businesses by using alternative regulatory methods:

These regulations do not create any adverse impact on small businesses.

Massachusetts Gaming Commission
By:

Cecelia M. Porché
Paralegal
Legal Division

Dated: _____



Massachusetts Gaming Commission

205 CMR: MASSACHUSETTS GAMING COMMISSION
205 CMR 152.00: INDIVIDUALS EXCLUDED FROM A GAMING ESTABLISHMENT

152.04: ~~Duties of the IEB~~ Investigation and Initial Placement of Names on the List

- (1) The IEB shall, ~~on its own initiative, or upon referral by the commission or a gaming licensee,~~ investigate any individual who may meet one or more criterion for inclusion on the list in accordance with 205 CMR 152.03 **upon referral by the commission or a gaming licensee. The IEB may investigate any individual on its own initiative.**
- (2) If, upon completion of an investigation, the IEB determines that an individual meets one or more criterion contained in 205 CMR 152.03 and should be placed on the exclusion list, the IEB shall ~~refer the matter to the commission by way of a report~~ **prepare a preliminary order** that identifies the individual and sets forth a factual basis as to why the IEB believes the individual meets one or more criterion for inclusion on the list in accordance with 205 CMR 152.03.
- (3) **The IEB shall serve the preliminary order prepared in accordance with 205 CMR 152.04(2) upon the named individual advising them that it intends to place the individual's name on the exclusion list. The preliminary order shall serve to notify the individual that placement of their name on the exclusion list will result in their prohibition from being present in a gaming establishment and shall offer them an opportunity to request a hearing before a hearing officer to determine whether the individual meets one or more criterion for inclusion on the list in accordance with 205 CMR 152.03. The preliminary order shall be sent by either first class mail to the individual's last ascertainable address, email, publication in a daily newspaper of general circulation for one week, or via any practicable means reasonably calculated to provide the individual with actual notice. The individual shall have 30 days from the date of the notice to request a hearing, except for notice provided by publication in a newspaper in which case the individual shall have 60 days from the last publication. Alternatively, the IEB may provide an individual with in hand service of the preliminary order in which case the individual shall have 10 days from the date of service to request a hearing.**
- (4) **If a request for a hearing is received from the individual, a hearing shall be scheduled before a hearing officer and notice of such, including the date, time, and issue to be presented, shall be sent to the individual. The hearing shall be conducted in accordance with 205 CMR 101.03. If the hearing officer finds that the individual meets one or more criterion for inclusion on the list in accordance with 205 CMR 152.03 the individual's name shall be placed on the exclusion list. If the hearing officer finds that the individual does not meet any criterion for inclusion on the list, the individual's name shall not be placed on the list and the matter closed.**
- (5) **If no request for a hearing is received within the applicable timeline provided in 205 CMR 152.04(3), the individual's name shall be placed on the exclusion list.**

152.05: Procedure for Entry of Names **Notice and Proceedings Before the Commission**

- (1) ~~The commission shall consider all reports received from the IEB in accordance with 205 CMR 152.04(2) at a public meeting. After review, the commission may place an individual on the exclusion list upon a finding of good cause shown that the individual meets one or more criterion contained in 205 CMR 152.03 and should be excluded from gaming establishments. Prior to placing a name on the list, the commission may, in its discretion, schedule a hearing on the matter and provide the individual notice in accordance with 205 CMR 152.05(2).~~
- (2) Whenever ~~the commission~~ places an individual's name is placed on the list of excluded persons in accordance with 205 CMR 152.05(1)04, the ~~commission~~ IEB shall promptly serve written notice upon that individual by personal service, registered or certified mail return receipt requested to the last ascertainable address or by publication in a daily newspaper of general circulation for one week. The notice shall contain a description of the cause for the exclusion, notice that the individual is prohibited from being present at and gambling in a gaming establishment, and an explanation of the hearing process and manner in which the individual may request a hearing in accordance with 205 CMR 152.05(3).
- (3) (a) Within 30 days of receipt of service of notice by mail or 60 days after the last publication under 205 CMR 152.05(2), an individual placed on the list of excluded persons may request an adjudicatory hearing before the commission under M.G.L. c. 30A and show cause as to why the individual should be removed from the list of excluded persons. Such request shall be made by the individual in writing. Failure to demand a hearing within the time allotted in 205 CMR 152.05(3)(a) shall preclude the individual from having an administrative hearing, but shall not affect the individual's right to petition for judicial review.
(b) Upon receipt of a demand for hearing, the commission shall set a time and place for the hearing. This hearing shall be held not later than 30 days after receipt of the demand for the hearing, unless the time of the hearing is changed by agreement of the commission and the individual demanding the hearing. The hearing shall be conducted in accordance with 205 CMR 101.00: *M.G.L. c. 23K Adjudicatory Proceedings*. **Where applicable, the administrative record of the hearing conducted in accordance with 205 CMR 152.04(4) shall be made part of the hearing record.**
(c) If upon completion of the hearing the commission determines that the individual was wrongfully placed on the list of excluded persons, the commission shall remove the individual's name from the list of excluded persons and notify all gaming licensees.
(d) A person aggrieved by a final decision of the commission in an adjudicatory proceeding under 205 CMR 152.05 may petition for judicial review under M.G.L. c. 30A, § 14.
- (4) Upon receipt of notice from a district court that an individual has been prohibited from gaming in gaming establishments in accordance with M.G.L. c. 23K, § 45(i) the commission shall place the name of an individual on the excluded list.

152.07: Duty of Gaming Licensee

- (1) Upon identification, a gaming licensee shall exclude or eject from its gaming establishment any individual who has been placed on the list in accordance with 205 CMR 152.00.
- (2) If an excluded individual enters, attempts to enter, or is in a gaming establishment and is recognized by the gaming licensee, the gaming licensee shall immediately notify the IEB.
- (3) It shall be the continuing duty of a gaming licensee to inform the commission in writing of the names of individuals it believes are appropriate for placement on the exclusion list.
- (4) ~~A gaming licensee shall not market to an individual who has been placed on the list and shall ensure that such individuals are denied access to complimentaries, check cashing privileges, club programs and other similar benefits.~~

A gaming licensee shall submit a written policy for compliance with the exclusion list program for approval by the executive director. The executive director shall review the plan for compliance with 205 CMR 152.00. If approved, notice shall be provided to the commission and the plan shall be implemented and followed by the gaming licensee. The plan for compliance with the exclusion list program shall include at a minimum procedures to:

- (a) Prevent an individual on the exclusion list from entering the gaming establishment;
 - (b) Identify and eject individuals on the list from the gaming establishment if they are able to enter;
 - (c) Remove individuals on the exclusion list from marketing lists and refrain from sending or transmitting to them any advertisement, promotion, or other direct marketing mailing from the gaming establishment more than 30 days after receiving notice from commission that the individual has been placed on the exclusion list;
 - (d) Prevent an individual on the exclusion list from having access to credit, cashless wagering program access, or from receiving complimentary services, check-cashing services, junket participation and other benefits from the gaming establishment;
 - (e) Train employees relative to the exclusion list and the licensee's program.
- (5) The commission may revoke, limit, condition, suspend or fine a gaming licensee if it knowingly or recklessly fails to exclude or eject from its gaming establishment any individual placed by the commission on the list of excluded persons.



Amended Small Business Impact Statement

The Massachusetts Gaming Commission (“Commission”) hereby files this amended small business impact statement in accordance with G.L. c.30A, §5 relative to the proposed amendments in 205 CMR 152.00: Individuals Excluded from a Gaming Establishment; for which a public hearing was held on April 7, 2016. These amendments were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. These amendments govern the procedures for individuals excluded from a gaming establishment, including notification to individuals of intention to place their names on an exclusion list, opportunity for a hearing, and submission by the gaming licensee of a written policy for compliance with the exclusion list program. These regulations are largely governed by G.L. c.23K, §§4(28), 4(37), and 45.

These amendments apply directly to gaming licensees and individuals excluded, or individuals put on notice for exclusion, from a gaming establishment. Accordingly, these amendments are unlikely to have an impact on small businesses. In accordance with G.L. c.30A, §5, the Commission offers the following responses on whether any of the following methods of reducing the impact of the proposed regulation on small businesses would hinder achievement of the purpose of the proposed regulation:

1. Establishing less stringent compliance or reporting requirements for small businesses:

As a general matter, no small businesses will be impacted by these regulations. Accordingly, there are no less stringent compliance or reporting requirements for small businesses.

2. Establishing less stringent schedules or deadlines for compliance or reporting requirements for small businesses:

There are no schedules or deadlines for compliance or reporting requirements for small businesses created by these regulations.

3. Consolidating or simplifying compliance or reporting requirements for small businesses:

There are no compliance or reporting requirements for small businesses.



Massachusetts Gaming Commission

4. Establishing performance standards for small businesses to replace design or operational standards required in the proposed legislation:

There are no performance standards for small businesses to replace design or operational standards required in the proposed regulations.

5. An analysis of whether the proposed regulation is likely to deter or encourage the formation of new businesses in the Commonwealth:

These amendments apply directly to gaming licensees and individuals excluded, or individuals put on notice for exclusion, from a gaming establishment and therefore are not likely to deter or encourage the formation of new businesses in the Commonwealth.

6. Minimizing adverse impact on small businesses by using alternative regulatory methods:

These regulations do not create any adverse impact on small businesses.

Massachusetts Gaming Commission

By:

Cecelia M. Porché

Paralegal

Legal Division

Dated: _____



Massachusetts Gaming Commission

205 CMR: MASSACHUSETTS GAMING COMMISSION
205 CMR 143.00: GAMING DEVICES AND ELECTRONIC GAMING EQUIPMENT

Section

143.01: Standards for Gaming Devices

(4) ~~If required by the commission, a gaming device~~ **All slot machines and other electronic gaming devices** shall be capable of providing the commission with a near real-time stream of data, other than personally identifiable information, in the communication format specified by the commission in 205 CMR 143.16(1) directly from each slot machine **or electronic gaming device**. Such data shall be provided for purposes of computing and reconciling daily tax obligations as provided in 205 CMR, for purposes of investigating patron disputes filed in accordance with 205 CMR 134.19: Disciplinary Action, and for purposes of maintaining general oversight of a gaming establishment. The commission is not obligated to monitor or review the data on an ongoing basis. If communications between the slot machine and the commission's central ~~control~~ **monitoring** system ~~(if required by the commission)~~ fails, the slot machine shall not continue to operate unless it records all required ~~critical~~ **data from the applicable communication protocol** since losing the connection, up to seven days, and send the data directly to the commission as soon as the connection is reestablished. If the connection is not reestablished within 24 hours due to a problem stemming from the gaming establishment's systems, then any slot machine affected shall cease operation until the connection is reestablished.

143.16: Communications Protocols

(1) ~~A slot machine or other electronic gaming device in operation in a gaming establishment may operate any industry standard open communication protocol including a Game to System (“G2S”) or Slot Accounting System (“SAS”) protocol~~ **approved by the commission provided that the system is fully compatible with the commission’s central monitoring system and all required gaming devices, and is capable of providing all data required by the commission.** A gaming licensee shall not operate any slot machine **or other electronic gaming device** in a gaming establishment unless the slot machine:

- a) is able to bi-directionally communicate with the commission's central ~~control~~ **monitoring** system ~~(if required by the commission)~~;
- b) transmits, on a per bet basis, data relative to amounts wagered, amounts won, cash in, cash out, and similar financial information necessary for tax collection and auditing;
- c) allows remote verification of gaming device software using a ~~SHA-1 or similar hashing system~~ **commission approved verification tool**;
- d) allows remotely activating and disabling slot machines; and

- e) transmits data relative to any restarts, shutdowns, resets, game changes, door open, and other maintenance events.

~~(2) A gaming licensee shall not operate any slot machine in a gaming establishment after January 1, 2017 unless that slot machine is able to directly communicate with the commission's central control system (if required by the commission) using the Gaming Standards Association's G2S Message Protocol and Point to point Transport Specification. Provided, however, any slot machine that is registered and operating in a gaming establishment prior to January 1, 2017 may use protocol convertor board, or other similar devices, to communicate with the commission's central control system.~~

~~(3) The required versions of the Gaming Standards Association's G2S Message Protocol and Point to point Transport Specification referenced in 205 CMR 143.16(2), as well as the required protocol options, commands, meters, and events, shall be specified by the commission and posted on the commission's website.~~



Legal Division

Amended Small Business Impact Statement

The Massachusetts Gaming Commission (“Commission”) hereby files this amended small business impact statement in accordance with G.L. c.30A, §5 relative to the proposed amendments in 205 CMR 143.00: Gaming Devices and Electronic Gaming Equipment; for which a public hearing was held on April 7, 2016. These amendments were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. The amendment to this regulation provides that slot machines and other electronic gaming devices may operate any industry standard open communication protocol provided that the system is fully compatible with the Commission’s central monitoring system and capable of providing all data required by the Commission. The amendment also removes the existing slot machine communication protocol restriction. These regulations are largely governed by G.L. c.23K, §§ 4(28) and 5.

To the extent that a gaming device vendor is a small business, small businesses may be impacted. There could be approximately 50 licensed gaming device vendors, but a very small percentage, if any, would be classified as a small business. In accordance with G.L. c.30A, §5, the Commission offers the following responses on whether any of the following methods of reducing the impact of the proposed regulation on small businesses would hinder achievement of the purpose of the proposed regulation:

1. Establishing less stringent compliance or reporting requirements for small businesses:

These amendments create less stringent and more inclusive compliance or reporting requirements for small businesses.

2. Establishing less stringent schedules or deadlines for compliance or reporting requirements for small businesses:

These amendments create less stringent schedules or deadlines for compliance or reporting requirements for small businesses.

3. Consolidating or simplifying compliance or reporting requirements for small businesses:

These amendments simplify compliance or reporting requirements for all affected businesses.



Massachusetts Gaming Commission

4. Establishing performance standards for small businesses to replace design or operational standards required in the proposed legislation:

The proposed language is essentially a performance standard in that the rule essentially allows use of any industry standard open communication protocol.

5. An analysis of whether the proposed regulation is likely to deter or encourage the formation of new businesses in the Commonwealth:

G.L. c.23K was enacted to create a new industry in the Commonwealth and to promote and grow local small businesses. The proposed regulations, as part of the overall process, are designed to effectuate those intentions and growth. Though it's unlikely that small businesses will be impacted, this regulation is designed to encourage business activity in the area by allowing use of any industry standard open communication protocol.

6. Minimizing adverse impact on small businesses by using alternative regulatory methods:

These regulations do not create any adverse impacts on small businesses.

Massachusetts Gaming Commission
By:

Cecelia M. Porché
Paralegal
Legal Division

Dated: _____



Massachusetts Gaming Commission