



MASSACHUSETTS GAMING COMMISSION  
PUBLIC MEETING #301

May 7, 2020  
10:00 a.m.

**Via Conference Call Number: 1-646-741-5293**  
**Meeting I.D. Number: 112 771 1475**



Massachusetts Gaming Commission

101 Federal Street, 12<sup>th</sup> Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | [www.massgaming.com](http://www.massgaming.com)



## **NOTICE OF MEETING and AGENDA**

**May 7, 2020 – 10:00 a.m.**

**PLEASE NOTE:** Given the unprecedented circumstances resulting from the global Coronavirus pandemic, Governor Charles Baker issued an order to provide limited relief from certain provisions of the Open Meeting Law to protect the health and safety of individuals interested in attending public meetings. In keeping with the guidance provided, the Commission will conduct a public meeting utilizing remote collaboration technology. If there is any technical problem with our remote connection, an alternative conference line will be noticed immediately on our website: MassGaming.com.

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, May 7, 2020**

**10:00 a.m.**

### **Massachusetts Gaming Commission**

VIA CONFERENCE CALL NUMBER: 1-646-741-5293

PARTICIPANT CODE: 112 771 1475

All documents and presentations related to this agenda will be available for your review on the morning of May 7, 2020 by [clicking here](#).

### **PUBLIC MEETING - #301**

1. Call to order
2. Approval of Minutes
  - a. April 23, 2020
  - b. April 29, 2020
  - c. May 1, 2020
3. Administrative Update – Karen Wells, Interim Executive Director
4. Research and Responsible Gaming – Mark Vander Linden, Director of Research and Responsible Gaming
  - a. Everett, Massachusetts 6 Month Public Safety Report – Mark Vander Linden, Director of Research and Responsible Gaming; Commissioner Gayle Cameron; Commissioner Eileen O'Brien; Christopher Bruce, Crime Analyst



Massachusetts Gaming Commission

5. Racing Division – Dr. Alex Lightbown, Director of Racing
  - a. Plainridge Park Racecourse 2020 Live Racing Update - Dr. Alex Lightbown, Director of Racing **VOTE**
  - b. Quarterly Local Aid Payments - Chad Bourque, Chief Financial Analyst **VOTE**
6. Investigations and Enforcement Bureau – Karen Wells, Interim Executive Director/Director of IEB
  - a. MGM Qualifier – Katherine Hartigan, Enforcement Counsel **VOTE**
7. Legal Division – Todd Grossman, Interim General Counsel and Carrie Torrisi, Associate General Counsel
  - a. Final draft of amendments to **205 CMR 134.09: Investigation, Determination, and Appeals for Gaming Establishment Employees and Vendors** pertaining to the use of sealed or expunged records; and Amended Small Business Impact Statement- **VOTE** to adopt and finalize the promulgation process
  - b. Final draft of amendments to **205 CMR 133.04: Duration of Exclusion and Removal from the List** pertaining to reinstatement from the voluntary self-exclusion list; and Amended Small Business Impact Statement - **VOTE** to adopt and finalize the promulgation process
  - c. Review of draft of **205 CMR 109.01: Authority of the Commission to Act in an Emergency Situation** pertaining to the scope of the Commission’s authority and associated exercise thereof; and Small Business Impact Statement- **VOTE** to adopt by emergency and commence the promulgation process
  - d. Licensee Quarterly Reports Discussion – Karen Wells, Interim Executive Director; Todd Grossman, Interim General Counsel; Joe Delaney, Construction Project Oversight Manager
8. Commissioners Update
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](http://www.massgaming.com) and emailed to: [regs@sec.state.ma.us](mailto:regs@sec.state.ma.us), [melissa.andrade@state.ma.us](mailto:melissa.andrade@state.ma.us).

May 5, 2020

*Cathy Judd-Stein*, Chair

**Date Posted to Website:** May 5, 2020 at 10:00 a.m.



Massachusetts Gaming Commission

101 Federal Street, 12<sup>th</sup> Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | [www.massgaming.com](http://www.massgaming.com)



## Massachusetts Gaming Commission Meeting Minutes

**Date/Time:** April 23, 2020 –10:00 a.m.

**Place:** Massachusetts Gaming Commission  
VIA CONFERENCE CALL NUMBER: 1-646-741-5292  
MEETING ID: 112 888 7986

**Present:** Chair Cathy Judd-Stein  
Commissioner Gayle Cameron  
Commissioner Enrique Zuniga  
Commissioner Bruce Stebbins  
Commissioner Eileen O'Brien

**Given the unprecedented circumstances, Governor Charles Baker issued an order to provide limited relief from certain provisions of the Open Meeting Law to protect the health and safety of the public and individuals interested in attending public meetings during the global Coronavirus pandemic. In keeping with the guidance provided, the Commission conducted this public meeting utilizing remote collaboration technology.**

### Call to Order

10:00 a.m. Chair Cathy Judd-Stein called to order public meeting #298 of the Massachusetts Gaming Commission ("Commission").

*The Chair confirmed a quorum for the meeting with a Roll-Call Vote.*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Commissioner Stebbins: Aye.*

*Chair Judd-Stein: Aye.*

The Chair made remarks regarding the Commission's anticipated steps and precautions for the anticipated re-opening of Massachusetts casinos, per the Governor's Order for non-essential businesses to remain closed until May 4, 2020. Although there is no definitive timeline for the resumption of operations, the Commission is fully engaged with licensees in preparation for a safe and sustainable re-opening process. She then added that it is helpful that Wynn and

MGM can share valuable insight based on relevant experience in Macau during that public health crisis.

Next, the Chair noted that Wynn CEO Matt Maddox issued a 23-page report that detailed a health and sanitation program for their Las Vegas property. Additionally, MGM and Penn National have publicly noted that their plans continue to evolve as new information and data become available.

The Chair then expressed gratitude on behalf of the Commission to the licensees, Commission staff, all medical and all supply chain personnel for their continued commitment to health and safety.

### Approval of Minutes

10:06 a.m.

*Commissioner Stebbins moved to approve the minutes from the Commission meeting of March 20, 2020, subject to correction for typographical errors and other nonmaterial matters. Commissioner Zuniga seconded the motion.*

*Roll Call Vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Commissioner Stebbins: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

*Commissioner Stebbins further moved to approve the minutes from the Commission meeting of March 25, 2020, subject to correction for typographical errors and other nonmaterial matters. Commissioner Cameron seconded the motion.*

*Roll Call Vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Commissioner Stebbins: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

*Commissioner Stebbins further moved to approve the minutes from the Commission meeting of April 3, 2020, subject to correction for typographical errors and other nonmaterial matters. Commissioner Cameron seconded the motion.*

*Roll Call Vote:*

*Commissioner Zuniga: Aye.*

*Commissioner Stebbins: Aye.*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Chair Judd-Stein: Aye.  
The motion passed unanimously.*

*Commissioner Stebbins then moved to approve the minutes from the Commission meeting of April 9, 2020, subject to correction for typographical errors and other nonmaterial matters. The Chair noted a clarification needed, and Chief Financial Officer Derek Lennon stated that he would provide language to amend the minutes. Commissioner O'Brien seconded the motion.*

*Roll Call Vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Commissioner Stebbins: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously, pending the requested edit.*

## **Administrative Update**

[10:11 a.m.](#) Interim Executive Director Karen Wells described that the focus has been on the process of re-opening the casinos at the appropriate time. She described that Commission staff is currently focusing on two areas. The first is regulations that will need to be in place that protect the integrity of the games as well as operations before re-opening. Second, the Commission and the casinos will need to address specific concerns regarding COVID-19 to ensure the safety of staff, patrons, and employees at the casinos.

Ms. Wells also affirmed that the Investigations and Enforcement Bureau (IEB) Assistant Director/Gaming Agents Division Chief Bruce Band, and Field Manager of Gaming Operations/Deputy Gaming Agent Division Chief Burke Cain both have experience with re-opening a gaming establishment after an emergency shut-down. They have checklists and previously established procedures to reference after re-opening casinos in Atlantic City that were shut down as a result of Hurricane Sandy.

[10:14 a.m.](#) In response to an inquiry made by Commissioner Zuniga regarding Wynn and MGM's experience in Macau during their public health crisis, Ms. Wells stated that there is a team meeting scheduled to discuss what lessons they learned during the closure and re-opening of casinos in Macau. The Chair then recommended that Ms. Wells update the Commission on the team's discussions on an ongoing basis in the form of incremental reports.

## **Research and Responsible Gaming**

[10:16 a.m.](#) **Encore Boston Harbor Request to Delay Launch of PlayMyWay**  
Director of Research and Responsible Gaming Mark Vander Linden described a shared request from MGM Springfield and Encore Boston Harbor to delay the

implementation of PlayMyWay to no later than September 1, 2021. In their request, they cited a need to postpone capital expenditure projects due to the COVID-19 outbreak and the resulting suspension of operations.

Mr. Vander Linden and the Commission's Chief Information Officer Katrina Jagroop-Gomes met with representatives from both licensees to discuss the rationale of the request and the revised schedule. Mr. Vander Linden and Ms. Gomes agree the request is reasonable and recommend the Commission grant the request to delay implementation.

10:23 a.m. *Commissioner O'Brien moved that the Commission allow Encore Boston Harbor and MGM Springfield's request to delay the implementation of the PlayMyWay play management system until no later than September 1, 2021, due to the COVID-19 pandemic and the resulting suspension of operations, and as discussed here today. Commissioner Stebbins seconded the motion.*

*Roll Call Vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Commissioner Stebbins: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

## **Legal Division**

### 10:24 a.m. **Licensing and Registration for Vendors and Employees**

Acting General Counsel Todd Grossman summarized an issue that was brought to the staff by the licensees. The issue pertains to license and registration renewals for vendors and employees that are set to expire during the temporary closure of the casinos. He stated that some administrative difficulties are anticipated as a result of the renewal of applications not being feasible during this time.

Licensing Manager Bill Curtis described the circumstances surrounding some applicants that prevent them from submitting renewal applications during the casino closures. He explained the actions taken by the staff to find a remedy for the issue. He provided options for the Commission's consideration.

Mr. Curtis then requested the Commission's approval to institute a grace period for the renewal of licenses and registrations for only the affected vendors and employees. As a result, they would be allowed to submit their renewal application while staying in compliance. Further, Mr. Curtis requested that the length of the grace period equal the number of days that the gaming establishments are closed. The actual term of the licenses and registrations would not be extended.

10:36 a.m. Commissioner Zuniga stated for the record that there is a mechanical issue with the Commission's Licensing Management System (LMS), which he described,



and stated that the LMS developer will remedy the issue. However, he affirmed that there would be no change in policy regarding the term of employee and vendor licenses and registrations and that they will continue to expire on a rolling basis. Mr. Curtis answered in the affirmative, clarifying that there are only around 20 individuals that are affected where this grace period would apply.

10:48 a.m. Commissioner Stebbins recommended that the Licensing Division send an email or a letter to vendors and employees to explain what the Commission's process will be.

Upon the Chair's request for clarification and Commissioner Zuniga's previously described concern, Mr. Curtis changed the recommendation. He recommended that the proposed grace period executes in 30-day increments, instead of the number of days that the casinos are closed.

10:53 a.m. *Commissioner Cameron moved that the Commission approve the Licensing Division's request to institute a grace period for vendors and employees affected by the closure of casinos due to the COVID-19 pandemic to file their license and registration renewals. The length of this grace period will be executed in 30-day increments. Commissioner O'Brien seconded the motion.*

*Roll Call Vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Commissioner Stebbins: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

10:54 a.m. **205 CMR 109.01: Authority of the Commission to Act in an Emergency Situation**

Associate General Counsel Carrie Torrisi described the memorandum and draft regulation addressing the IEB and the Commission's authority in an emergency. She stated that the regulation would not create any new authority; that it only clarifies and consolidates existing authority via G.L. 23K and 205 CMR, which she summarized for the Commission's consideration.

10:58 a.m. Commissioner O'Brien and the Chair further described the intentions of and clarified the process behind the formulation of this regulation.

11:01 a.m. At the request of the Chair for clarification regarding a vote, Mr. Grossman stated that he would like to allow the licensees to comment on this regulation prior to a vote. He recommends that at the conclusion of the discussion, the regulation should be circulated to the licensees for review and comment. The Commissioners concurred.



## Commissioner Updates

11:07 a.m. Commissioner Zuniga commented on Wynn Resort's widely reported on approach to COVID-19 and stated that their employee retention is remarkable. Wynn is paying employees in full, and paying them out-of-pocket in tips, through May 15, 2020. The Chair stated that Wynn's Chief Executive Officer Matt Maddox will re-train employees upon re-opening as well.

Commissioner Stebbins stated that he was on a conference call with the GameSense team for a presentation to prepare for the eventual re-opening of casinos. He said that he was pleased to see that everyone is still hard at work and preparing.

11:11 a.m. *With no further business, Commissioner Cameron moved to adjourn. Commissioner Stebbins seconded the motion.*

*Roll Call Vote:*

*Commissioner Cameron: Aye.*

*Commissioner O'Brien: Aye.*

*Commissioner Zuniga: Aye.*

*Commissioner Stebbins: Aye.*

*Chair Judd-Stein: Aye.*

*The motion passed unanimously.*

## List of Documents and Other Items Used

1. Notice of Meeting and Agenda dated April 23, 2020
2. Draft Commission Meeting Minutes dated March 20, 2020
3. Draft Commission Meeting Minutes dated March 25, 2020
4. Draft Commission Meeting Minutes dated April 3, 2020
5. Draft Commission Meeting Minutes dated April 9, 2020
6. Memorandum re: Category 1 Request to Delay Implementation of a Play Management System dated April 23, 2020
7. Memorandum re: Request for Extension of Implementation Timeline for PlayMyWay dated March 27, 2020
8. Memorandum re: Vendor and Employee License/Registration Expiring During Shutdown (Grace Period) dated April 21, 2020
9. Memorandum re: Authority of the Commission to Act in an Emergency Situation dated April 21, 2020
10. Draft Small Business Impact Statement re: 205 CMR 109.01: Authority of the Commission to Act in an Emergency Situation
11. Draft Regulation 205 CMR 109.01: Authority of the Commission to Act in an Emergency Situation

/s/ Bruce Stebbins

Secretary

# Assessing the Impact of Gambling on Public Safety in Massachusetts

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ANALYSIS OF ENCORE BOSTON HARBOR'S  
FIRST SIX MONTHS

**Christopher W. Bruce**





*Crime analysis consultant*

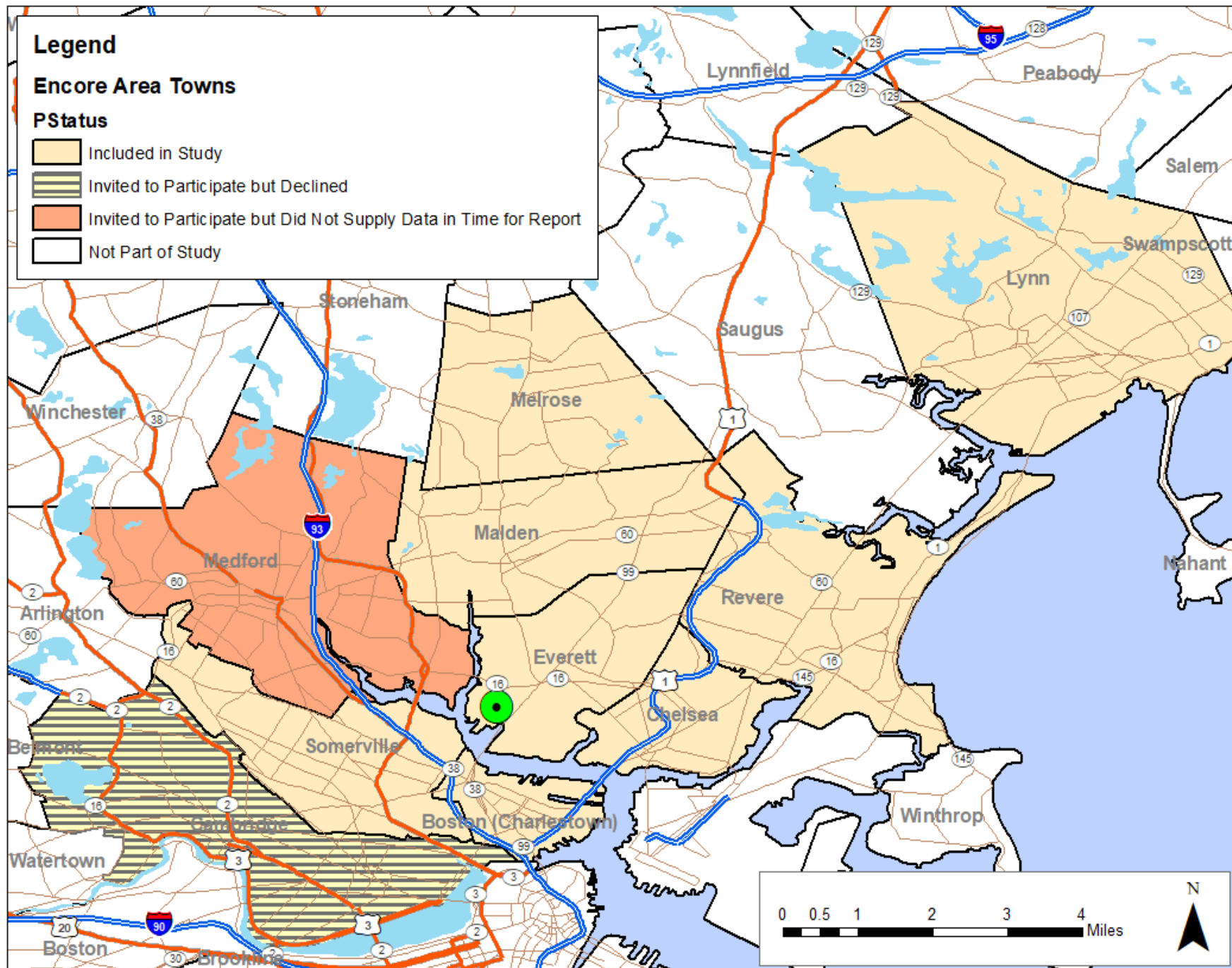


## Legend

### Encore Area Towns

#### PStatus

-  Included in Study
-  Invited to Participate but Declined
-  Invited to Participate but Did Not Supply Data in Time for Report
-  Not Part of Study



# Summary

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Encore Boston Harbor opened in June 2019.

It was the site of 124 arrests and 506 ejections during first six months.

Crimes specifically at the casino led to a 9.5% increase in violent crime, a 5.1% increase in property crime, and a 6% increase in total crime for the city of Everett.

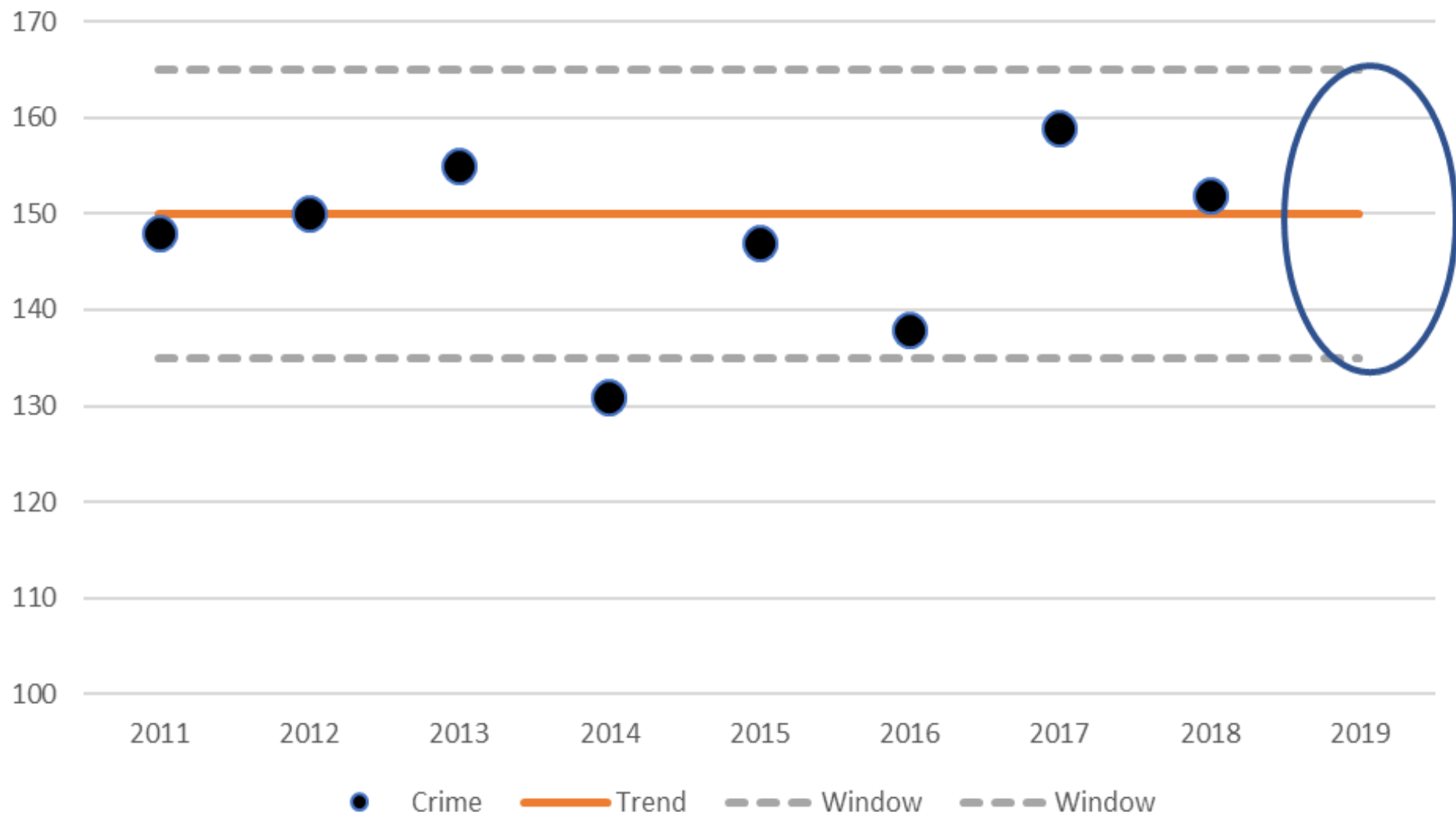
Crime totals were within expected ranges for the region and most cities.

Some individual crimes increased but not in a way that could be traced to EBH.

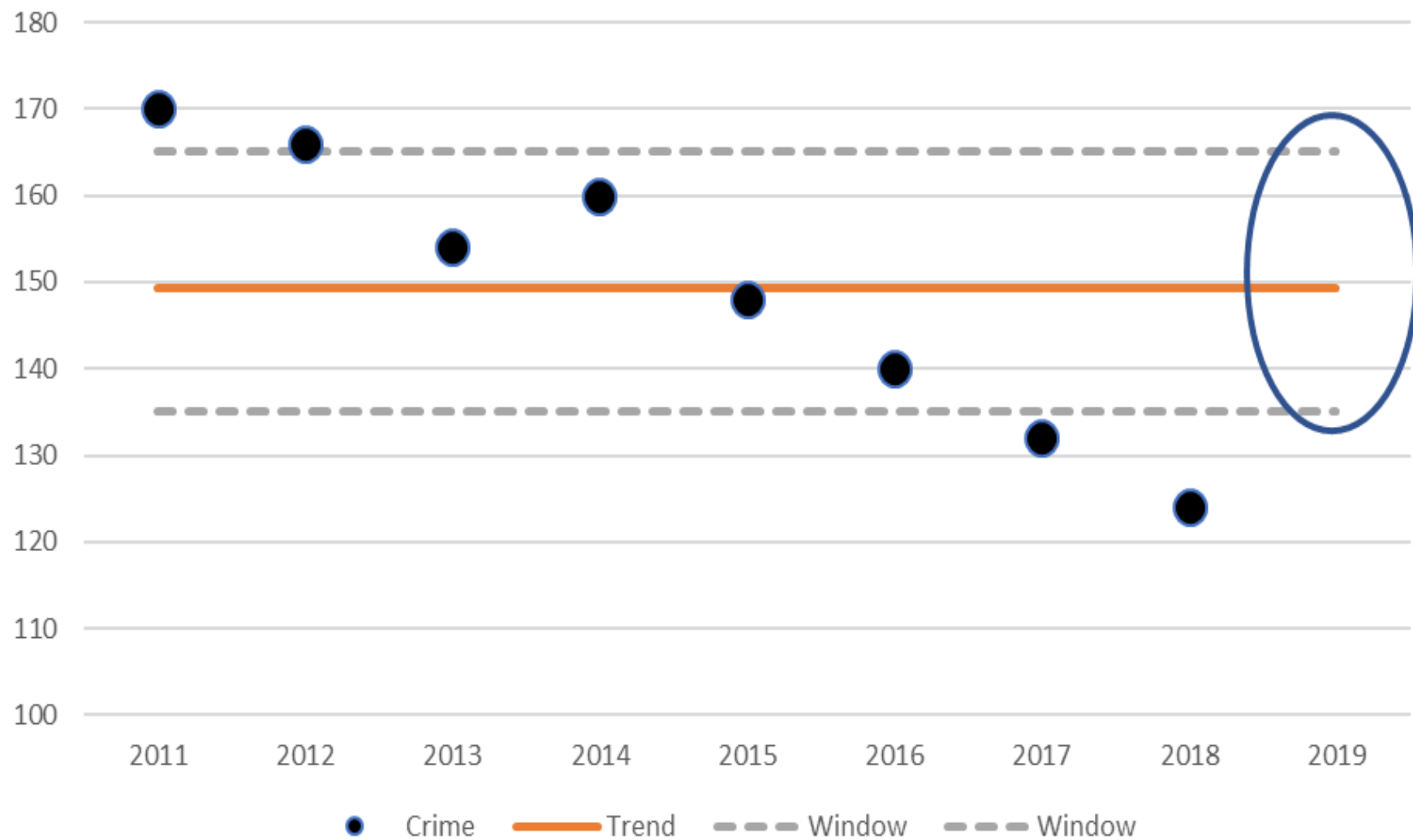
Only increase that could be definitively traced to EBH were traffic complaints in neighborhood east of casino

This being an initial six-month scan, we didn't go deep into causation

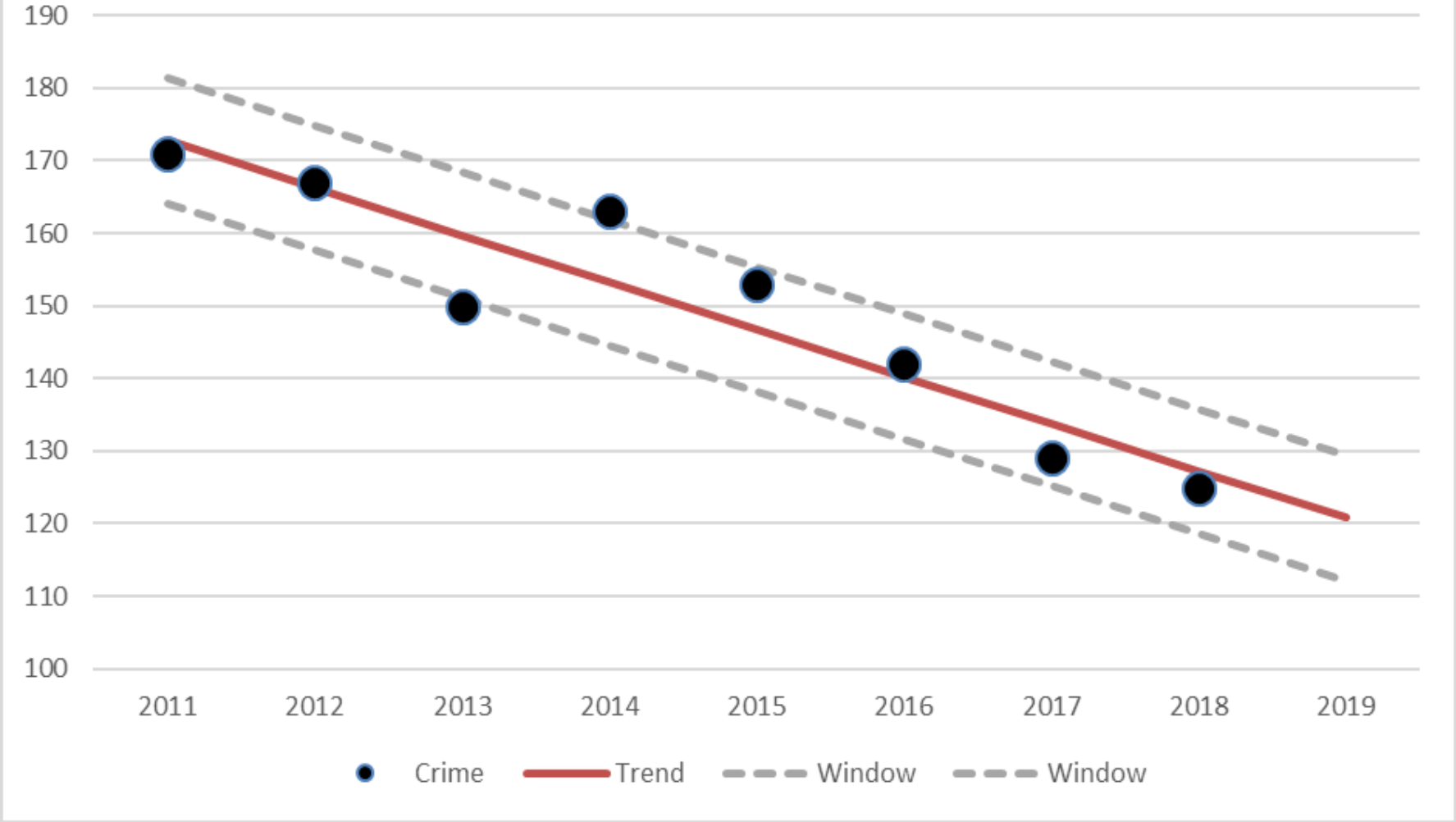
## Forecasting a Crime by Average and Standard Deviation



## Forecasting a Crime by Average and Standard Deviation

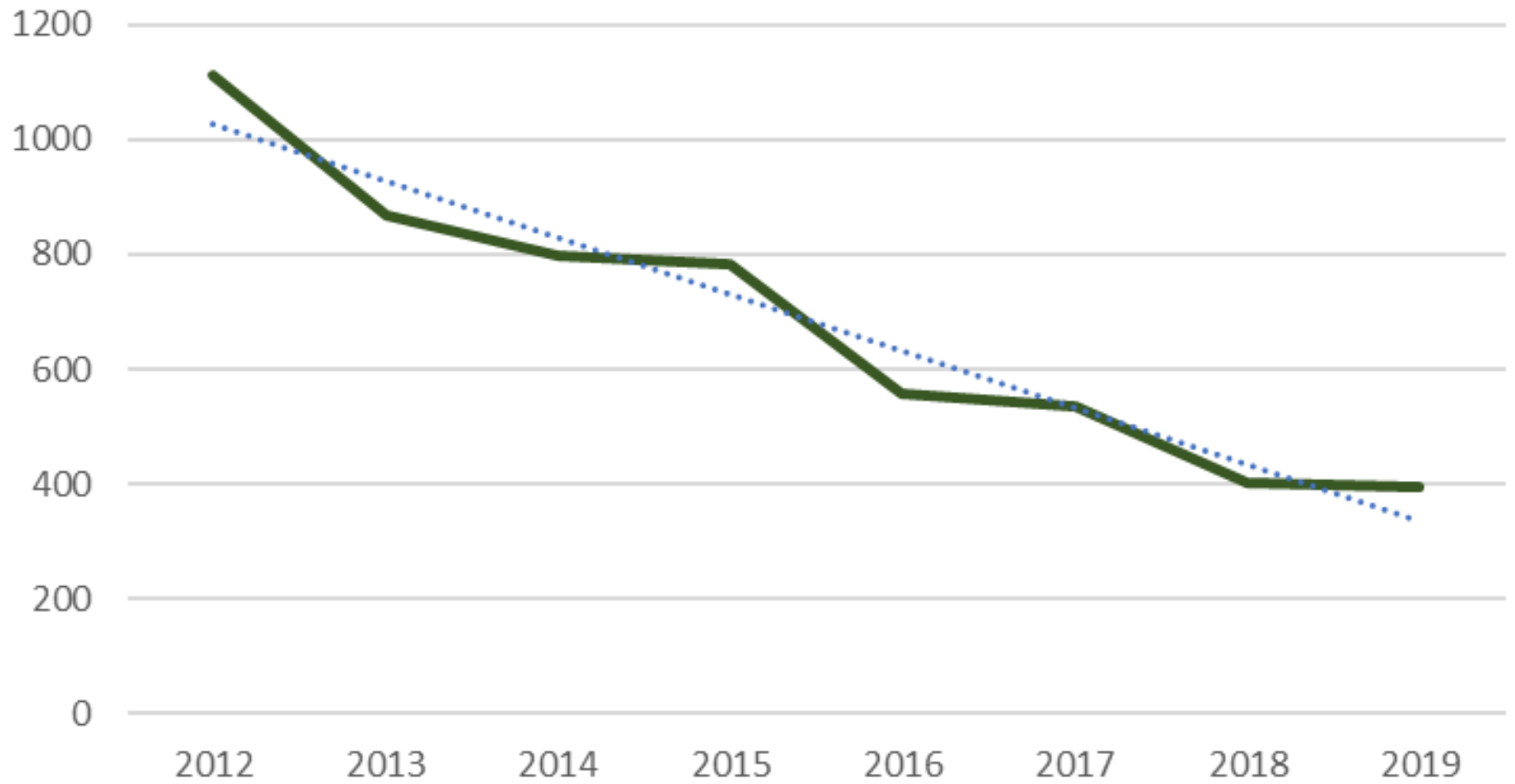


# Forecasting a Crime with a Trend





## Burglary in the Encore Region



# Everett Figures

Category	Exp. Range	2019	Notes
Murder	0-1	3	No commonalities
Sexual assault	9-13	17	Residences, local victims/offenders
Aggravated Assault	51-65	70	Residences and street, north half
Thefts from buildings	9-17	23	Cluster in NE Everett, December
Fraud	6-22	23	“Con game” frauds at residences
Disorderly	3-18	21	Northern part of town
Drunk Driving	8-18	35	Particularly on Broadway
<b>Total violent</b>	125-191	210	Murder, sex assault, agg. Assault
<b>Total property</b>	442-596	514	Expected
<b>Total crime</b>	725-1023	926	Expected
<b>Total Collisions</b>	158-243	229	Expected

# Patterns to monitor

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(No link to EBH demonstrated yet)

- Aggravated assault and disorderly conduct throughout Everett and in Chelsea
- Thefts from vehicles and auto theft in Charlestown
- Auto thefts in Malden
- Fraud in Revere
- MSP Crash increase on some local roads

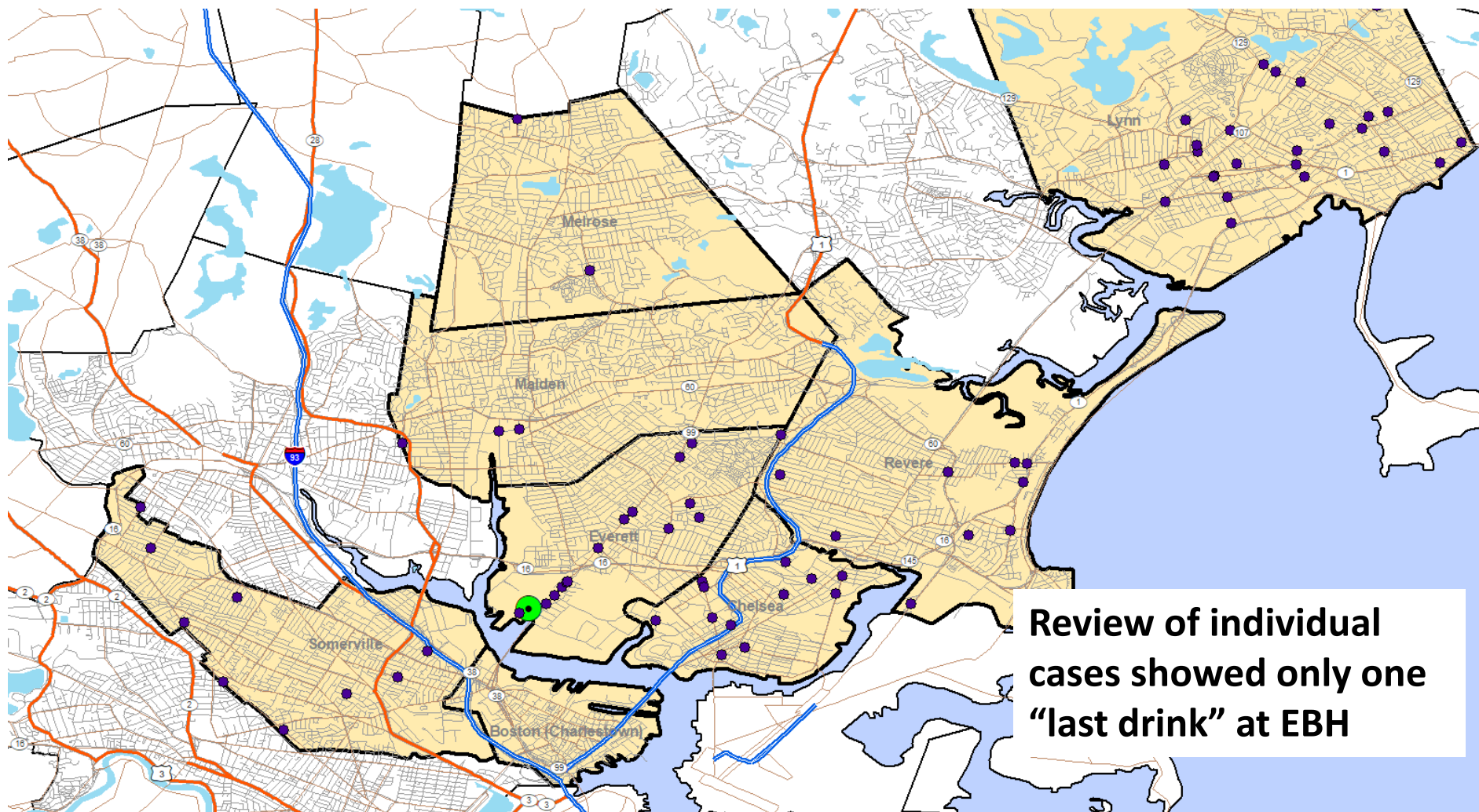
# Traffic Collision OUIs

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Agency	Avg	Slope	Type	Window	2019	Result
Chelsea	14	0	C	9-19	13	Expected
Everett	2	0	C	1-3	14	High
Lynn	30	1	C	21-39	29	Expected
Malden	5	-1	T	1-8	3	Expected
Melrose	2	0	C	1-3	2	Expected
Revere	16	1	C	9-23	12	Expected
Somerville	11	-1	C	6-16	10	Expected
<b>Total</b>	<b>80</b>	<b>0</b>	<b>C</b>	<b>67-93</b>	<b>83</b>	<b>Expected</b>

EBH listed four times as “last drink” locations since 1 July 2019

## OUI Arrests originating as traffic collision calls, Jul-Dec 2019





**Drunk Driving on Broadway  
Traffic complaints on Bow St  
and northern neighborhood**

# What next?

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Only 2 additional months of data before EBH closed.

COVID-19 closures will make analysis meaningless for March-May.

COVID-19 has affected crime rates of all types and probably will continue to have an effect once restrictions are lifted.

I will be consulting experts in quantitative evaluative research for help with more sophisticated models to help control for COVID-19.



# Thank You!

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**Christopher W. Bruce**

Crime analyst consultant to the  
Massachusetts Gaming Commission

978-853-3502

[cwbruce@gmail.com](mailto:cwbruce@gmail.com)

# **Assessing the Influence of Gambling on Public Safety in Massachusetts Cities and Towns**

*Analysis of the influence of Encore Boston Harbor on its surrounding community during its first six months of operation*

**Christopher W. Bruce**

Crime Analysis Consultant to the Massachusetts Gaming Commission

10 April 2020

v. 1.5



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# Executive summary

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## Summary

Encore Boston Harbor opened on 23 June 2019, drawing more than 3 million visitors during the first six months. As such, the facility reported various crimes, disorder, and arrests commensurate with a facility of that size hosting that many visitors. In the surrounding areas, various crimes increased and decreased. Few patterns and trends so far have shown any direct casino ties, but this report flagged a handful for future monitoring.

## About this report

- The primary purpose of this report is to conduct an analysis of the increases and decreases in activity in the communities surrounding Encore Boston Harbor since the casino opened, to alert participating agencies to increasing trends (whether or not “caused” by Encore), and to triage patterns and trends for more detailed analysis in later reports.
- Data was collected from the records management systems of the Everett, Boston, Chelsea, Lynn, Malden, Melrose, Revere, and Somerville Police Departments and the Massachusetts State Police.
- For each agency and the region as a whole, historical averages and predictive windows were established for each crime.
- Any significant increases were analyzed in more detail with available quantitative data.

As an initial six-month scan, this report does not generally attempt to answer broad questions about whether Encore “caused” increases in the area. It simply identifies those increases and looks for any initial signs of an Encore connection.

## Major findings

- Hosting more than 3 million visitors in its first six months of operation, Encore was the site of 124 arrests and 506 ejections during its first six months. The facility itself (just considering incidents at the casino) led to a 9.5% increase in violent crime, a 5.1% increase in property crime, a 6% increase in total crime, and a 4.1% increase in calls for service for the city of Everett. These figures are not notably high given the sheer number of people that Encore hosts, but we do not yet have good comparison data from other facilities.
- Overall violent, property, and total crime were within expected ranges for the region and most cities individually.
- The region experienced higher-than-average totals for murder, burglary, thefts from vehicles, and prostitution, but in most of these cases the 2019 totals were lower than average, just higher than predicted by the trend over the past 7 years. When analyzed city by city, no specific Encore connection could be found in these increases.
- Everett implemented a system to track incidents with a known Encore connection (primarily that either the victim or the offender was in the area to use the casino) but identified only three incidents that did not occur at the casino itself. Everett saw higher-than expected totals for murder, sexual assault, aggravated assault, thefts from buildings, fraud, and disorderly conduct, but in ways that were not spatially or logically influenced by Encore.
- An increase in Everett drunk driving crashes initially seemed to offer an Encore connection, with most of the incidents along Broadway Street near the casino, but a review of individual cases shows that the drivers were mostly coming from locations in Boston.

- Among increases seen in other communities, patterns worth tracking and investigating fully include:
  - A pattern of residential thefts from vehicles in the Charlestown neighborhood of Boston.
  - Increases in crashes on many state roadways in the area.
  - Increases in thefts from residences and “con-game” style frauds in Everett
- The immediate areas around the casino showed few increases in crime or calls for service. The major exception is an increase in traffic complaints in neighborhoods to the north and east of Encore, perhaps reflecting patrons parking on local streets when the garage is full.



# Background and methodology

## Background

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.

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 Massachusetts's new casinos, and to design a process for assessing changes in those agencies' activity on a periodic basis. Work began in 2015 with baseline and first-quarter analyses of the Plainville area, where Plainridge Park opened in June. A new phase began in 2018, when MGM Springfield opened in August. This is the first report on the area influenced by Encore Boston Harbor, which opened in June 2019.

### Publicly-issued and planned reports on changes in crime and police activity from this project

Issued	Report	Notes
August 2015	Report on baseline activity at Plainville area agencies	Established statistical measures for post-casino comparison
November 2015	Evaluation of change in police data after the first three months of Plainridge Park	Few changes discernible in immediate 3 months.
April 2016	Analysis of changes in police data after the first six months of operation at Plainridge Park Casino	Identified traffic-related calls for service as likely related to PPC. Noted increases in fraud-related crimes.
December 2016	Analysis of changes in police data after the first year of operation at Plainridge Park Casino	Continued to note increases in traffic-related calls; established credit card fraud increases as "likely related."
December 2017	Analysis of changes in police data after the first 2 years of operation at Plainridge Park Casino	Most comprehensive report so far. Included comparative analysis of control areas.
June 2018	Report on baseline activity in Springfield-area agencies	First report in preparation for MGM casino.
December 2018	Three-year analysis of Plainridge Park area.	Includes comprehensive traffic study
March 2019	Four-month analysis of MGM Springfield	Found mostly traffic changes, some property crime patterns
November 2019	Eight-month analysis of MGM Springfield	
November 2019	Four-year analysis of Plainridge Park	
November 2019	Baseline analysis of Encore Boston Harbor	
February 2020	1-year analysis of MGM Springfield	
February 2020	6-month analysis of Encore Boston Harbor	This report

<b>May 2020</b>	18-month analysis of MGM Springfield
<b>September 2020</b>	One-year analysis of Encore Boston Harbor
<b>October 2020</b>	Five-year analysis of Plainridge Park

## Methodology

The data used in this report was collected from the contributing agencies. For Chelsea, Lynn, Malden, Melrose, Revere, and Somerville, I established an Open Database Connectivity (ODBC) connection to each of these agencies' records management and computer-aided dispatch databases, 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. No information specific enough to identify any person (offender or victim) was collected, and I complied with various agency requests to exclude particular data elements of concern to them. These requests did not affect the integrity and completeness of the overall dataset.

Everett uses a records management system that is incompatible with ODBC. We had to get the support of the records management vendor to perform regular extracts from the system, but otherwise they were able to supply a full dataset. The Boston Police also did their own extraction, but unfortunately were unable to supply all the requested data tables.

After receiving 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 uniformity imposed by the National Incident-Based Reporting System (NIBRS) made the translation fairly easy for crime tables; it was a bit more difficult for CAD tables, which have no uniform coding even among agencies using the same system. Boston is the only agency that does not currently report to the NIBRS standard, but they had comparable data elements that required only a brief translation (and they moved to a NIBRS-compatible records system late in 2019).

These master tables formed the data pool for most of the statistics in this report, except where indicated.

Incr	Agency	IBR	Offense	dtreported	street	LocType	Weapon
190925 LY		290	DESTRUCTION/VANDALISM PROPERTY	12/31/2019 23:55:56	ARLINGTON ST	RESIDENCE/HOME	
19REV- RE	99		LICENSE SUSPENDED, OP MV WITH	12/31/2019 23:48:10	STATE RD	Street	Other/Unknown
786407 EV	999		POLICE-GENERAL REQ F	12/31/2019 23:48:00	BROADWAY ST		
190925 LY	13B		SIMPLE ASSAULT	12/31/2019 23:41:22	S COMMON ST	RESIDENCE/HOME	NONE
190925 LY	13C		INTIMIDATION	12/31/2019 23:41:22	S COMMON ST	RESIDENCE/HOME	NONE
19-361 CH	220		B&E BUILDING NIGHTTIME FOR FELONY	12/31/2019 23:23:10	CONGRESS AVE	Residence	Other/Unknown
190925 LY	35A		DRUG/NARCOTIC VIOLATIONS	12/31/2019 22:43:50	CHESTNUT ST	HIGHWAY/ROAD/ALLEY	
190925 LY	90Z		LOCAL TRAFFIC OFFENSE	12/31/2019 22:43:50	CHESTNUT ST		
19REV- RE			VERBAL ARGUMENT	12/31/2019 22:22:10	BRADSTREET AVE	Residence	Other/Unknown
190925 LY	90Z		LOCAL OFFENSE	12/31/2019 21:28:38	HAMPDEN PL		
19-361 CH	99		LEAVE SCENE OF PROPERTY DAMAGE	12/31/2019 21:25:10	WOODLAWN AVE	Street	Other/Unknown
786395 EV	999		MEDICAL-OVERDOSE	12/31/2019 21:08:21	WOLCOTT ST		
190925 LY	90Z		ALL OTHER OFFENSES	12/31/2019 20:43:56	NORCROSS TER		KNIFE/CUTTING INSTRUMENT
190925 LY	13A		AGGRAVATED ASSAULT	12/31/2019 20:43:56	NORCROSS TER	RESIDENCE/HOME	KNIFE/CUTTING INSTRUMENT
19REV- RE	120		HOME INVASION	12/31/2019 20:40:10	NORTH SHORE RD	Residence	Handgun
19REV- RE	13A		A&B WITH DANGEROUS WEAPON, CHILD UNDER 14	12/31/2019 20:40:10	NORTH SHORE RD	Residence	Handgun
190056 MA	250		COUNTERFEITING/FORGERY	12/31/2019 20:05:31	EASTERN AV	DRUG STORE/HOSPITAL/DR OFF	

Figure 1: The result of a query using the combined dataset.

## Threats to validity

There are four different records management vendors represented among the eight contributing communities. Although three of the four code crimes according to the NIBRS standard, slight variances in their approaches make some of the data inconsistent between agencies. Some of the agencies switched records systems during the 8-year

period represented by these statistics, and in each case, some immediate changes can be seen in crimes and calls for service, suggesting those changes have more to do with record-keeping than actual prevalence of social harms.

One records system, used by three of the contributing agencies, is notorious among local analysts for a data structure that makes it difficult to weed out duplications. The system also does not apply NIBRS standards correctly on the concept of "lesser included offenses," meaning that the agencies that use this system tend to over-report their crime totals.

Finally, the Boston Police Department uses a system that does not comply with NIBRS rules. In particular, it uses the "hierarchy rule," which counts only the most serious offense committed in each incident. Since all other agencies count multiple offenses per incident, statistics for Boston are artificially low but internally consistent.

## Interpreting the statistics in this report

This report compares 6 months of activity post-Encore to the statistics *expected* for the same period had Encore not opened. All statistics, except where noted, are for the period of 1 July to 31 December.

Throughout these reports, my goal has been to present the data using the simplest statistics possible, ensuring a reader without statistical education can still interpret the results. Understanding the statistics in this report requires first understanding two simple ways of predicting future volumes of crime, calls for service, and collisions. Consider one agency, where crime has remained static over a long period:

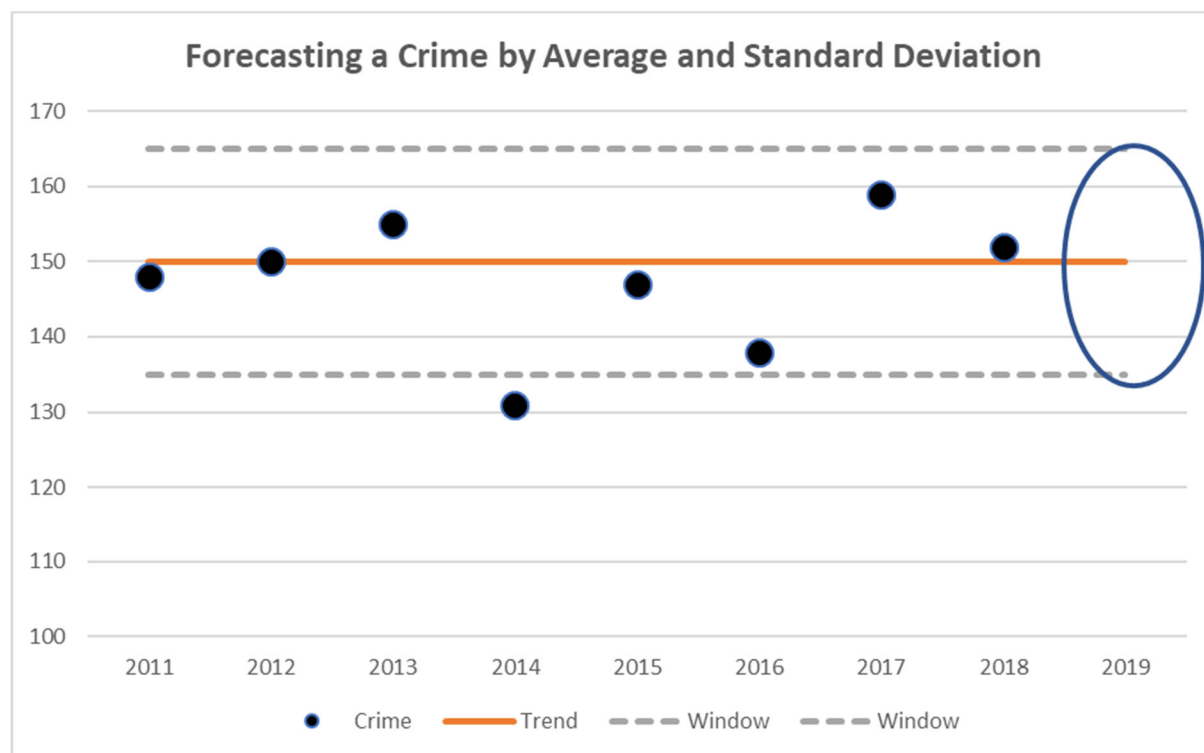


Figure 2: If a crime shows no trend over time, expected values are predicted using its average and standard deviation from the average.

In such cases, crime may vary considerably from year to year around its average, but not in a way that indicates a clear direction over the years. In such cases, we can "forecast" future activity by calculating the average (mean) of the datapoints and then using a number of standard deviations (how much the data typically varies from the average in a given year) to create upper and lower boundaries in which we would expect the data to fall a given

percentage of the time. If the data for the following year falls outside this boundary, it's a good sign that something is affecting that category other than just the normal ebb and flow of yearly crime statistics.

This particular method for creating a "prediction window" doesn't work well when the data exhibits a clear trend over the time period in question. Consider the example in Figure 3.

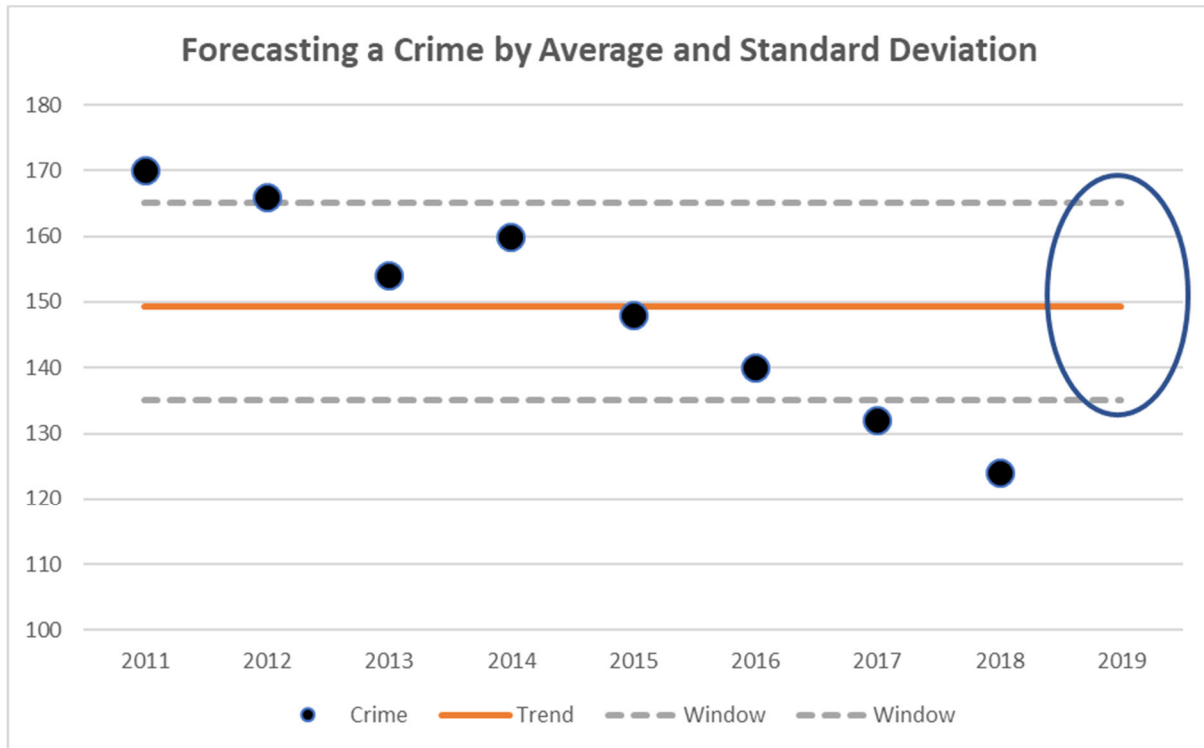


Figure 3: This method works poorly when the crime shows an increasing or decreasing trend over the period.

Here, forecasting based on the crime's average and standard deviation results in a poor prediction because average and standard deviation tell us only where the crime has been, whereas in this case, the crime is clearly going somewhere. Hence, we need different math to forecast future activity when there's a clear trend.

To create prediction windows when a past trend is evident (either up or down), I used basic linear regression analysis. Although this method also works for static crimes, it tends to create prediction windows too large to be useful when the number of crimes is poorly correlated to the progression of years.

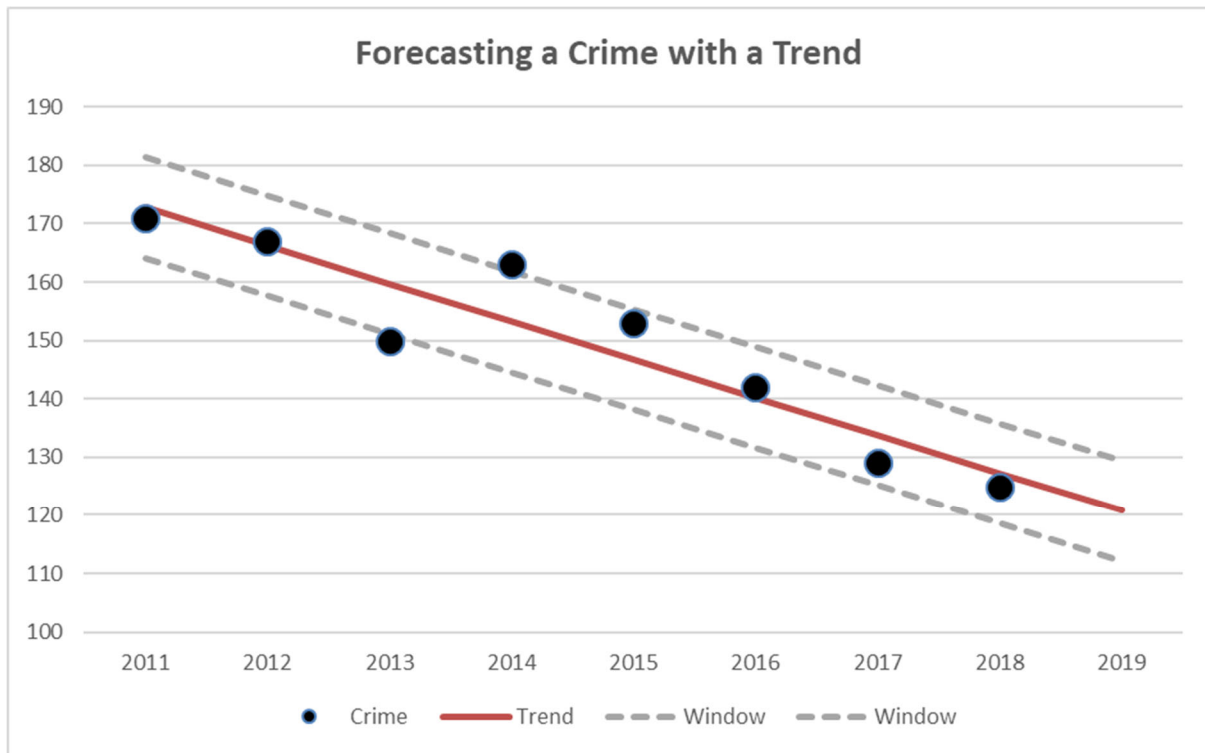


Figure 4: Trends require an alternate method of prediction that take into consideration the trendline and the normal variance around the trendline.

Thus, although most statistics offered in this report contain a “window” of predicted activity for the July–December time period, the method used to create that window varies depending on whether the category exhibited a previous trend. In both cases, the confidence window is set to 85%, meaning that barring any significant external influence, the 2019 figure had an 85% probability of falling within that window. If it does not fall within that window, it could be just a statistical fluke, but it could also be evidence of some new factor influencing the category, of which Encore is one possibility. Further analysis helps determine how likely it is that Encore is the cause, but given that this is only a six-month report, I was less interested in blaming or exonerating Encore than simply identifying the trend.

The following is a typical table in this report:

### Crimes reported to Gotham, 1 July–31 December

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	2019	Result
Murder	5	0	C	3–7	5	Expected
Sexual Assault	65	-7	T	18–67	77	High
Kidnapping	18	0	C	16–20	23	High
Robbery	201	-21	T	75–215	163	Expected
Aggravated Assault	317	-15	T	205–334	331	Expected
Simple Assault	1065	-27	T	884–1093	1042	Expected
Threats	606	-8	C	569–643	536	Low
Arson	13	-2	C	2–24	5	Expected
Burglary	551	-112	T	161–367	310	Expected

The columns can be interpreted as follows:

- **Pre-Enc Avg:** The mean of the prior to Encore, for years beginning 1 July and ending 31 December.
- **Slope:** Over the same range of years, the amount by which the crime has increased or decreased each year on the crime's trendline. For instance, robbery had an average of 201, but that was roughly the midpoint in a trendline that shows a steady decline (averaging -21 incidents per year) over the period.
- **Window Type:** Designates the method used for the predictive window. If the crime shows little or no trend (i.e., a small slope compared to the mean), I used the central tendency/standard deviation method designated by a "C." If it showed a strong trend, I used the regression method designated by a "T."
- **Predictive Window:** The window in which we would have expected the 2019 figure to fall, with roughly 85% confidence. The more erratic and unpredictable the past data, the wider this window will be.
- **2019.** The actual number of that crime observed between 1 July and 31 December 2019.
- **Result:** "High" if the crime is outside its predictive window on the high end; "Low" if it's outside on the low end; "Expected" if it's within the window. Please note that even "High" and "Low" crimes are not proof of a casino influence; other factors could be at work in these communities, or 2019 could be that rare 15% of the time where natural fluctuations cause the crime to fall outside its normal bounds. When the crime is "High," I have done my best to analyze it later in the section.

## Discussions with agency representatives

Throughout the life of this series of reports, the Massachusetts Gaming Commission has repeatedly convened meetings with the police executives in the Everett area to review the results of these analyses and receive their comments and feedback. No information about changes in the area is published without giving the local chiefs a chance to comment first. Their feedback has been incorporated into each version of the report. General agreement with these findings has been widespread, and where anyone has disagreed or offered an alternative perspective, it has been noted in this report.

## About the author

Christopher W. Bruce is a professor of criminal justice at Husson University in Bangor, Maine. He is also 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 president of the International Association of Crime Analysts from 2007 to 2012; he currently serves as vice president of membership for the IACA. 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), Western Oregon University (2012–2016), and Tiffin University (2006–2018).

Professor Bruce is an internationally-recognized expert in police data systems and police data analysis. He has trained, consulted, and provided technical assistance for various programs of the U.S. Department of Justice, Bureau of Justice Assistance; the U.S. Department of Transportation, National Highway Traffic Safety Administration; the Texas Department of Transportation; the U.S. Department of Justice, International Criminal Investigative Training Assistance Program; and the International Association of Directors of Law Enforcement Standards and Training. He lives in Maine.

# Incidents at Encore Boston Harbor

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The Massachusetts State Police and the Everett Police Department respond to incidents occurring at Encore Boston Harbor specifically, including the casino interior, exterior, parking garage, theater, and adjacent streets and walkways. Both agencies log incidents in their respective databases, and in many cases, these incidents overlap (e.g., both agencies respond, and both take a report). The State Police Gaming Enforcement Unit has primary jurisdiction inside the casino.

Two statistical sets are offered below: one for the Everett Police and one for the Gaming Enforcement Unit at Encore. To some degree, these two tables overlap, but the specific degree of overlap cannot be determined without an incident-level comparison of the events.

## Incidents at Encore Boston Harbor reported by the Gaming Enforcement Unit

The following statistics were compiled by the Gaming Enforcement Unit from July to December 2019. These numbers should be considered the most authoritative of the sources for total figures at Encore Boston Harbor; however, they might exclude some activity in the exterior reported to the Everett Police.

### Crimes and other incidents, July–December 2019

Crime Type	Jul	Aug	Sep	Oct	Nov	Dec	Total
Assaults	6	10	7	6	16	12	57
Assistance to security	168	154	190	226	275	192	1205
Assistance to other agency	31	22	32	20	20	38	163
Burglary	2	0	2	0	2	0	6
Firearms offenses	1	0	0	0	1	0	2
Forgery/False Identification	7	13	17	47	26	55	165
Fugitive from justice	0	0	2	0	0	2	4
Gaming violations	13	14	19	16	23	17	102
Theft, fraud, embezzlement	14	18	17	24	22	27	122
Counterfeiting	20	6	5	7	11	12	61
Drug investigations	11	6	6	10	13	7	53
Robbery	0	0	0	0	0	0	0
Sexual assault	0	0	0	3	5	2	10
Intoxicated persons	41	42	35	88	65	71	342
Minors in casino	19	21	14	16	3	0	74
Suspicious persons	26	17	19	22	14	14	112
Medical	9	10	12	15	7	8	203
Total ejections	66	69	88	73	113	97	506
Total arrests	20	24	28	18	14	20	124
Total criminal summonses	10	18	9	9	19	24	89



## Incidents at Encore Boston Harbor reported by the Everett Police Department

### Crimes, July–December 2019

Crime Type	Jul	Aug	Sep	Oct	Nov	Dec	Total
Robbery	0	1	0	0	0	0	1
Aggravated Assault	2	0	4	1	1	2	10
Simple assault	2	3	4	0	1	1	11
Theft from building	1	0	0	0	1	0	2
Thefts from vehicles	2	0	0	0	0	0	2
Other theft	1	4	4	0	2	1	12
Auto theft	0	0	0	1	0	0	1
Credit card fraud	0	0	0	0	1	0	1
Stolen property	0	1	0	1	0	0	2
Drug offenses	2	0	1	0	0	0	3
Drug equipment	1	0	0	0	0	0	1
Weapon violations	1	0	0	0	0	0	1
Disorderly conduct	2	4	3	1	0	5	15
Drunk driving	0	1	2	0	1	1	5
Family offenses	0	1	0	0	1	0	2
Trespassing	5	1	1	0	1	2	10
<b>Total violent crimes</b>	<b>4</b>	<b>4</b>	<b>8</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>22</b>
<b>Total property crimes</b>	<b>4</b>	<b>5</b>	<b>4</b>	<b>2</b>	<b>4</b>	<b>1</b>	<b>20</b>
<b>Total crimes</b>	<b>19</b>	<b>16</b>	<b>19</b>	<b>4</b>	<b>9</b>	<b>12</b>	<b>79</b>

### Calls for service, July–December 2019

Crime Type	Jul	Aug	Sep	Oct	Nov	Dec	Total
911 Hangup or Error	2	0	0	0	0	0	2
Abandoned Vehicle	1	2	1	0	1	2	7
Alarm	1	0	0	0	0	0	1
All Other	14	7	8	3	5	9	46
Animal Complaint	2	0	0	0	1	0	3
Assault	0	1	2	0	0	1	4
Assist Other Agency	0	2	0	0	0	0	2
Auto Theft	1	0	0	1	0	0	2
Crime Enforcement	92	63	51	53	70	46	375
Death	0	0	0	1	0	0	1
Disabled Vehicle	2	1	2	0	0	0	5
Drugs	2	0	0	0	0	0	2
Fire	3	0	1	0	1	0	5
Fraud and Forgery	0	0	0	0	1	0	1
General Service	7	4	7	2	4	8	32
Investigation	1	2	2	1	0	0	6
Liquor	2	0	1	3	1	0	7
Lost Property	1	1	0	1	0	0	3
Medical	11	6	1	4	2	6	30
Other Theft	2	3	4	0	2	2	13
OUI	0	0	0	0	1	1	2
Overdose	0	0	1	0	0	0	1

Crime Type	Jul	Aug	Sep	Oct	Nov	Dec	Total
Psychological	0	1	0	0	0	0	1
Recovered Property	0	1	0	1	0	0	2
Restraining Order Violation	0	0	0	0	1	0	1
Robbery	0	1	0	0	0	0	1
Service of Papers	0	0	0	0	0	1	1
Suspicious Activity	2	2	3	2	0	0	9
Theft from Vehicle	2	0	0	0	0	0	2
Threats or Harassment	0	1	0	0	0	0	1
Traffic Collision	3	5	4	0	4	7	23
Traffic Complaint	1	1	1	0	0	1	4
Traffic Enforcement	1	0	0	0	2	0	3
Traffic Offenses	13	10	6	8	4	6	47
Trespassing	0	1	1	0	0	0	2
Vehicle Stop	0	0	0	0	1	0	1
Warrant Service	1	0	1	0	1	0	3

\*In the case of calls for service relating to crimes, the figures offered are for the call for service as originally dispatched. Sometimes when an officer arrives on scene, he determines that the actual crime committed was different than the crime dispatched. The table above this one, which records actual reported crimes, is a better indicator of criminal activity than the call-for-service table.

## How much did Encore influence Everett's statistics?

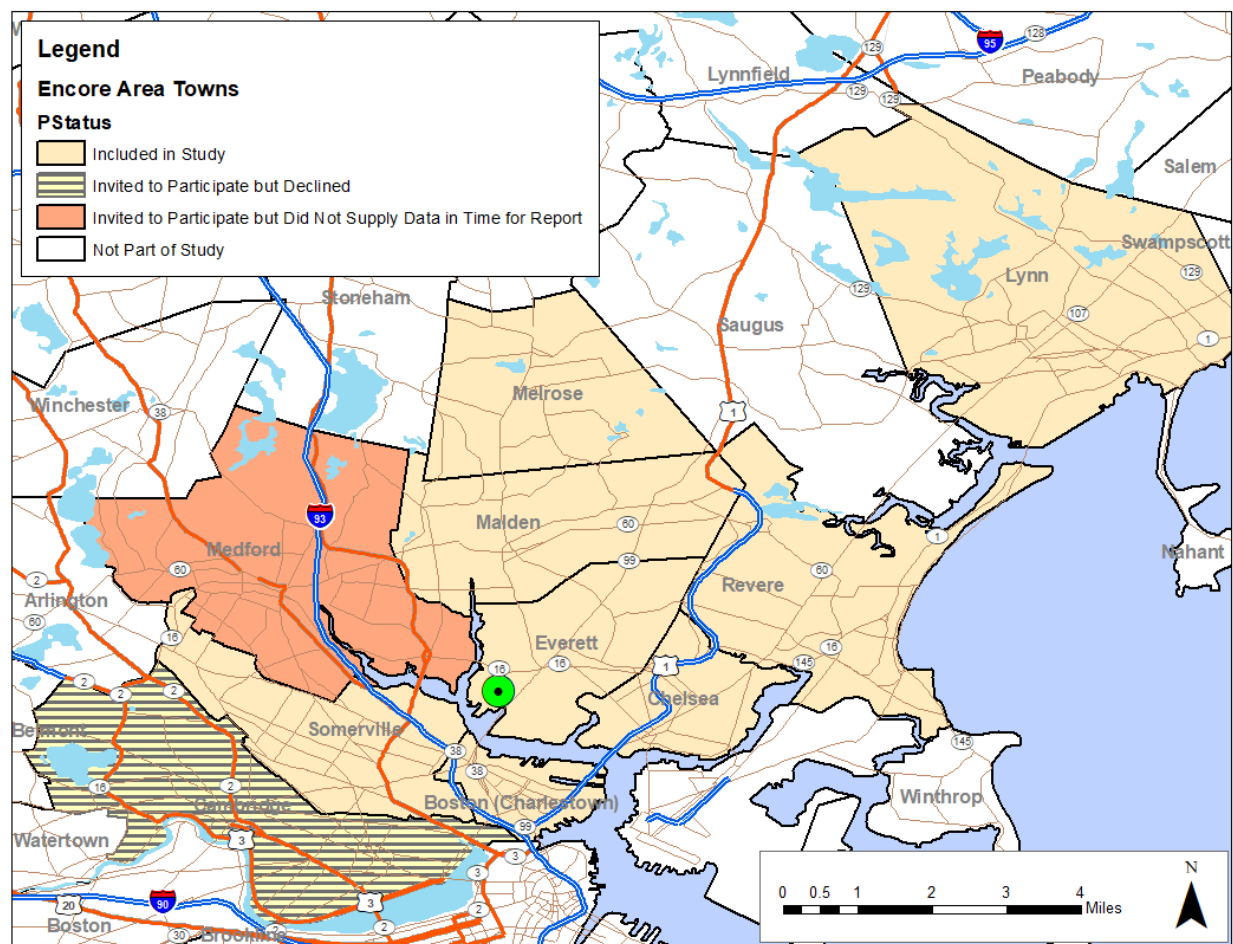
Nothing existed at 1 Broadway before Encore, except a construction site, so anything that happens at the casino specifically can be said to have directly contributed to an increase in crime in Everett, regardless if the casino influenced increases in crime in the area or not. The next sections of this report attempt to estimate the influence of the casino on the *surrounding community*, but if we want to answer the literal influence of the casino itself, the calculation is fairly simple: the percentage of activity at Encore divided by the total activity in the city. The table below shows the results.

### Everett Activity, July–December 2019

Category	Number at Casino	Total Everett Number	% New Caused by Casino
Violent crime offenses	22	232	+9.5%
Property crime offenses	29	564	+5.1%
Total crime offenses	130	2,169	+6.0%
Calls for service	696	16,850	+4.1%

Thus, the casino itself has caused a modest increase in violent, property, and total crime as well as total calls for service for the Everett Police Department specifically. These figures put Encore between MGM Springfield and Plainridge Park in the percentage of new crime that can be attributed to the casino.

## 6-Month Comparison: All Agencies



The initial study area was limited to those agencies that signed a “surrounding community” agreement with the Massachusetts Gaming Commission: Boston, Cambridge, Lynn, Malden, Medford, Melrose, and Somerville. Together, these cities represent a population of nearly 1.3 million, although limiting the analysis of Boston to Charlestown effectively reduces that number to just over 600,000.

Of the invited communities, Cambridge declined to participate by supplying the data necessary for this analysis. Medford expressed willingness to participate but had not supplied the necessary data in time for this report; we hope to include them in future reports. The MBTA Transit Police Department was also invited to participate but had not responded in time for this report.

Although the Massachusetts State Police did contribute data for this report, its format makes it inconsistent with the local agency submissions and is thus analyzed in a later section of this report rather than in the totals offered below.

The first six months showed higher-than-expected figures for burglary, thefts from vehicles, statutory rape, and prostitution. Each of these is individually discussed below. We must note that in the cases of burglary, thefts from vehicles, and prostitution, the designations as “high” are because the crimes did not decrease as predicted by the trend for the past 7 years. All of these crimes were well below their historical averages.

## Incidents reported to region, 1 July–31 December

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul–Dec 2019	Result
Murder	6	0	C	3–9	10	High
Sexual Assault	166	2	C	153–179	148	Low
Kidnapping	23	0	C	19–27	24	Expected
Robbery	282	-28	T	159–208	178	Expected
Aggravated Assault	664	-24	T	509–653	590	Expected
Simple Assault	1423	-65	T	1038–1333	1260	Expected
Threats	475	-45	T	239–415	400	Expected
Arson	14	-3	T	0–15	2	Expected
Burglary	681	-108	T	186–393	396	High
Theft from Persons	52	-2	T	35–52	44	Expected
Purse-Snatching	15	-1	T	1–20	9	Expected
Shoplifting	355	1	C	304–406	260	Low
Theft from Building	276	-11	T	186–283	262	Expected
Theft from Machine	1	0	C	0–2	0	Expected
Theft from Vehicle	714	-89	T	286–466	588	High
Theft of MV Parts	43	0	C	26–60	14	Low
Other Theft	1400	-120	T	773–1151	1097	Expected
Auto Theft	452	-33	T	249–429	326	Expected
Forgery	93	-8	T	47–78	75	Expected
Fraud	310	-7	T	229–332	323	Expected
Credit Card Fraud	125	5	C	95–155	120	Expected
Identity Theft	117	0	C	88–146	91	Expected
Employee Theft	8	-1	T	1–8	5	Expected
Stolen Property	45	-5	T	16–40	40	Expected
Vandalism	1490	-132	T	863–1183	1057	Expected
Drugs	344	-20	T	216–334	262	Expected
Drug Equipment	11	0	C	8–14	13	Expected
Statutory Rape	17	0	C	13–21	41	High
Gambling	2	1	T	1–7	2	Expected
Pornography	12	1	T	9–24	20	Expected
Prostitution	29	-8	T	0–7	14	High
Weapons	141	0	C	129–153	138	Expected
Bad Checks	26	-1	C	14–38	17	Expected
Disorderly	269	-20	T	144–247	221	Expected
Drunk Driving	164	4	C	143–185	170	Expected
Family Offenses	165	-16	T	75–139	119	Expected
Liquor Laws	220	0	C	192–248	214	Expected
Runaway	73	1	C	62–84	82	Expected
Trespassing	4	-1	T	0–5	0	Expected
<b>Violent Total</b>	<b>163</b>	<b>0</b>	<b>C</b>	<b>131–195</b>	<b>133</b>	<b>Expected</b>
<b>Property Total</b>	<b>3038</b>	<b>-160</b>	<b>T</b>	<b>2247–2674</b>	<b>2610</b>	<b>Expected</b>
<b>Total</b>	<b>6534</b>	<b>-536</b>	<b>T</b>	<b>3932–5292</b>	<b>4971</b>	<b>Expected</b>

## Murder

The good news is that most crime is expected or low in the region. The bad news is that one of the few crimes to increase is homicide. Everett and Revere both had 3, above their predicted windows, and Lynn was at the high end of theirs with 4. A review of individual cases shows a mixture of common motives, most involving people from the local area. None of them could be traced to Encore or its area influence.

## Burglary

Listing burglary as “high” makes sense mathematically but grates against common sense. The 2019 figure is actually the lowest that the region has experienced since at least the 1960s. The problem is that the crime was going down so quickly, losing more than 100 incidents a year between 2012 and 2018. (The decrease during this period was a shocking 64%.) So when the category lost only 6 incidents between 2018 and 2019, it gives the appearance that something is turning it around or at least slowing it. In fact, even in the historical data the downward trend hasn’t always been steady, and we saw similar flattening between 2014 and 2015 and between 2016 and 2017. We will need more quarters of data, and contributions from control areas, to determine if anything (including Encore) is truly influencing the crime, but for now it’s best to regard it as a fluke of the predictive formula.

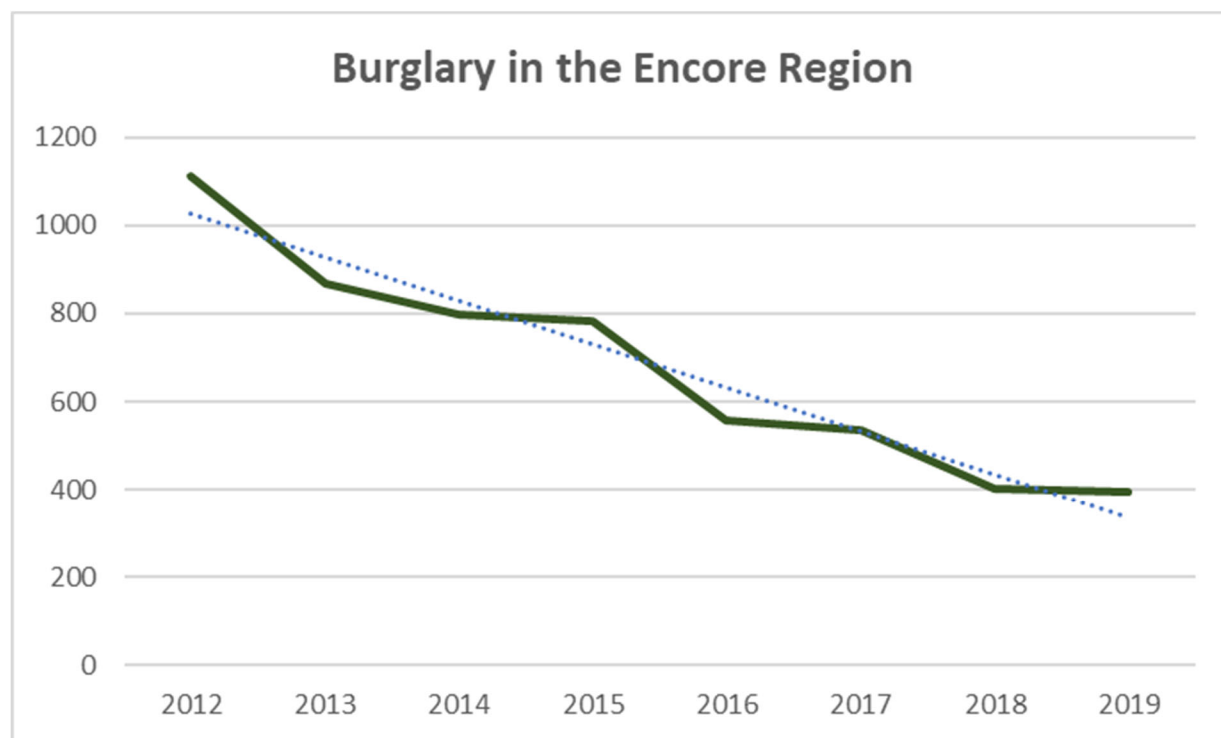


Figure 5: Burglary in the Encore region reached historic lows--just not as low as the trendline predicted.

## Thefts from vehicles

To some degree, thefts from vehicles face the same problem as burglary. The 2019 figure was 43% lower than the 2012 figure and 18% lower than the 7-year average. However, the crime didn’t just flatten in 2019; it turned around and ended 33% higher than the crime’s lowest point in 2018. Of the contributing agencies, only Boston (Charlestown specifically) showed a significant increase in 2019, with a November/December pattern on residential streets. Malden and Melrose were also at the higher ends of their expected range.

## Statutory rape

Chelsea accounted for almost all of the increase, with the crime discussed more there.

## Prostitution

This is another crime well below its average but above the predicted trend, which had been going so sharply downward. Lynn and Malden together had 12 of the 14 incidents. Lynn's were all in a cluster on Union Street in November and early December, suggesting pro-active police activity.

## Selected calls for service reported to region, 1 July–31 December

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul–Dec 2019	Result
Abandoned Vehicle	348	-18	T	211–377	327	Expected
Disabled Vehicle	953	8	C	880–1026	891	Expected
Domestic Dispute	1482	-43	T	1147–1472	1345	Expected
General Service	4267	10	C	3948–4586	3811	Low
Gunshots	186	12	T	207–259	246	Expected
Liquor	716	-83	T	335–511	437	Expected
Lost Property	616	19	T	625–760	607	Low
Medical	16373	28	C	12951–19795	15700	Expected
Overdose	314	64	T	399–590	298	Low
Psychological	655	40	T	725–907	696	Low
Suspicious Activity	3837	-80	C	3439–4235	3062	Low
Traffic Collision	6879	190	T	6871–8404	7298	Expected
Traffic Complaint	4624	459	T	5436–7483	5806	Expected
Vagrancy	169	2	C	120–218	149	Expected

None of the selected calls for service increased for the region as a whole. Many were considerably lower than predicted.

## Collisions reported to region, 1 July–31 December<sup>1</sup>

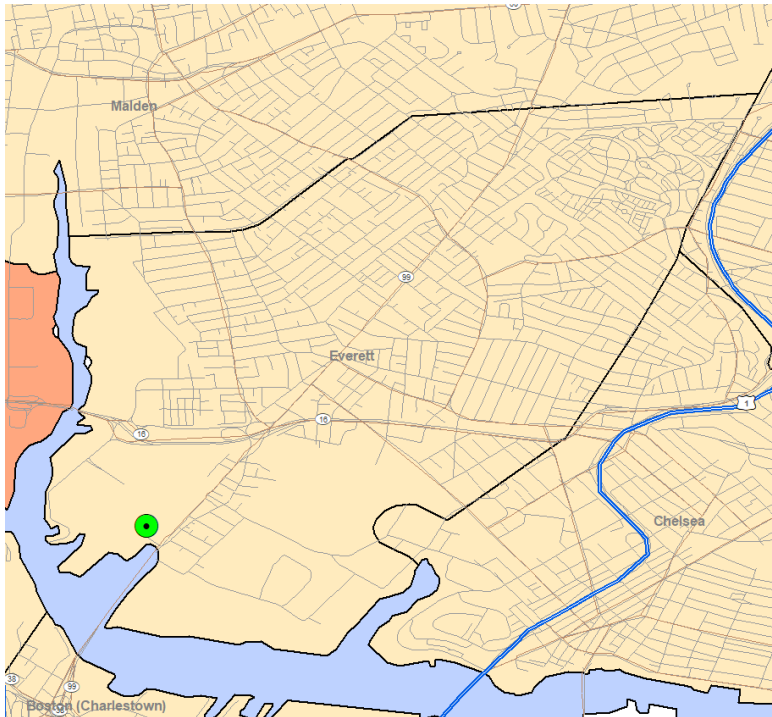
Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul–Dec 2019	Result
Vehicle in Traffic	2101	38	C	1854–2348	1940	Expected
Parked Vehicle	229	-4	C	207–251	213	Expected
Pedestrian	163	8	T	157–235	162	Expected
Bicyclist	22	-1	C	13–31	16	Expected
Animal	2	0	O	0–0	1	Expected
Fixed Object	75	5	T	69–118	80	Expected
Curb/Barrier/Embankment	33	3	T	39–49	23	Low
Rollover/Jackknife	4	0	C	1–8	4	Expected
Other/Unknown	141	-10	T	83–137	104	Expected
<b>Total</b>	<b>3068</b>	<b>62</b>	<b>C</b>	<b>2773–3384</b>	<b>2826</b>	<b>Expected</b>

Any extra vehicle traffic in the area is not reflected (so far) in collision totals. All categories are within an expected range or lower.

<sup>1</sup> Individual categories do not include Somerville, but the total does. Boston is not included in this table.

## 6-Month Comparison: Everett

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**Population (est. 2018):** 47,005

**Area:** 3.7 square miles

**Police officers:** 117

**City center distance to Encore:**  
0.93 miles

Encore Boston Harbor is being built on the south border of a densely-populated suburban community. The site is a formerly unsightly industrial area on the Mystic River. The revitalization occasioned by the casino has transformed and is likely to continue transforming the waterfront on both sides of the river, both creating opportunities for crime and providing natural guardians against it.

In the first six months of Encore's operation, Everett has seen some increases in crimes and calls for service that have a logical connection to a casino; that is, you would expect the crimes to increase with extra people in a community, or they would earn gambling-motivated offenders quick cash. However, few of them have any clear *spatial* connection, and statistics later in this report show that the immediate Encore area had few changes.

Shortly before Encore opened, Everett implemented a coding system to flag incidents that had a known relationship with Encore, either because the victim or offender was in the area to use the casino. (Note that in most cases, the offender is unknown, so the coding system will fail in such incidents.) In the six months post-Encore, the only incidents that the agency recorded not at the casino itself were two simple assaults and a stolen cell phone. Both of the assaults involved male patrons who had recently left the casino before getting into fights with other men. Assault did not increase in general for the city in the post-Encore period.

The Everett Police Department's two crime analysts are vital partners in this project. The senior analyst has worked for the agency for more than 10 years. We will rely on her judgment to analyze many of the increases and determine the probability of a casino relationship.

## Crimes in Everett

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Murder	1	0	C	0-1	3	High
Sexual Assault	11	0	C	9-13	17	High
Kidnapping	2	0	C	0-4	1	Expected
Robbery	22	-3	T	11-27	11	Expected
Aggravated Assault	47	3	T	51-65	70	High
Simple Assault	68	-14	T	24-81	61	Expected
Threats	46	-3	C	32-60	47	Expected
Arson	1	0	C	0-1	1	Expected
Burglary	79	-7	T	44-96	53	Expected
Theft from Persons	1	0	T	0-2	2	Expected
Purse-Snatching	2	0	C	1-4	2	Expected
Shoplifting	54	0	C	42-66	50	Expected
Theft from Building	17	-2	T	9-17	23	High
Theft from Machine	0	0	T	0-3	0	Expected
Theft from Vehicle	93	-11	T	43-98	54	Expected
Theft of MV Parts	4	-1	T	1-5	2	Expected
Other Theft	132	-2	C	117-147	110	Low
Auto Theft	48	-5	T	29-48	44	Expected
Forgery	7	-1	C	3-14	5	Expected
Fraud	14	1	C	6-22	23	High
Credit Card Fraud	32	2	C	16-48	35	Expected
Identity Theft	12	-5	T	1-15	0	Low
Employee Theft	1	0	C	0-2	0	Expected
Stolen Property	7	-1	C	4-10	6	Expected
Vandalism	153	-8	T	101-145	104	Expected
Drugs	26	1	C	20-32	24	Expected
Drug Equipment	10	0	C	6-14	9	Expected
Statutory Rape	1	0	C	0-2	0	Expected
Gambling	0	0	T	0-1	0	Expected
Pornography	1	0	C	0-3	2	Expected
Prostitution	1	0	C	0-3	0	Expected
Weapons	11	3	T	8-31	12	Expected
Bad Checks	9	0	C	3-16	13	Expected
Disorderly	10	1	C	3-18	21	High
Drunk Driving	13	1	C	8-18	35	High
Family Offenses	66	12	T	58-120	78	Expected
Liquor Laws	1	0	C	0-3	1	Expected
Runaway	3	0	C	0-6	0	Expected
Trespassing	6	0	C	3-9	7	Expected
<b>Violent Total</b>	<b>197</b>	<b>-17</b>	<b>T</b>	<b>125-191</b>	<b>210</b>	<b>High</b>
<b>Property Total</b>	<b>657</b>	<b>-38</b>	<b>T</b>	<b>442-596</b>	<b>514</b>	<b>Expected</b>
<b>Total</b>	<b>1012</b>	<b>-33</b>	<b>T</b>	<b>725-1023</b>	<b>926</b>	<b>Expected</b>



Everett's trend of violent crime reduction reversed in 2019, bringing it back to numbers not seen since 2013, even as its property and total crime numbers continued their decreasing trend.

## **Murder**

Everett's three murders during this period were a 42-year-old man shot outside a hookah bar in September, a 26-year-old man shot on the street in October, and the hit-and-run death of a 59-year-old resident in October. None had any casino relationship nor could have plausibly been influenced by the casino's presence.

## **Sexual Assault**

We will need assistance from the Everett Police to analyze the sexual assault increase. Most of the incidents seem to be at residences involving victims and offenders from Everett or the immediate local area.

## **Aggravated Assault**

Aggravated assault was well above the predicted trend for the 6-month period and about 55% higher than average. Almost all of the increase came in September and December, both at residences and on the street. There are a handful of incidents in the periphery of the casino, but most are above Route 16 in the north half of town.

## **Thefts from Buildings**

Most of the increase is at residences, and one particular cluster in the northeast section of town, in December, may be related in a pattern.

## **Fraud**

Everett saw a near record-high number of "con game"-style frauds in the last half of 2019, most at residences (which often suggests online fraud). When suspects are known, they seem to be from the Chelsea/Everett/Revere area.

## **Disorderly Conduct**

A modest increase in disorderly conduct arrests is scattered across the northern part of town and does not seem geographically associated with the casino.

## **Drunk Driving**

Unlike disorderly conduct, the increase in drunk driving arrests *does* seem to be spatially associated with Encore. Fifteen of the arrests alone happened on Broadway, most between 22:00 and 03:00. However, a review of individual cases shows that the drunk drivers were coming from other locations, mostly in Boston, and just happened to be driving on Broadway near Encore when stopped (extra law enforcement presence in the area may be related). We will continue to monitor this crime, but for now the spatial relationship seems to be coincidental.

## **Selected calls for service in Everett**

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Abandoned Vehicle	232	-20	T	126-233	237	High
Disabled Vehicle	66	3	T	64-94	74	Expected
Domestic Dispute	17	-1	C	13-21	26	High
General Service	771	-61	T	458-684	527	Expected
Gunshots	15	3	T	16-31	20	Expected
Liquor	8	0	C	3-13	10	Expected
Lost Property	69	10	T	76-136	60	Low
Medical	1082	-62	T	746-927	1081	High
Overdose	45	6	T	42-86	48	Expected
Psychological	20	3	T	22-44	25	Expected

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Suspicious Activity	445	-15	T	295-472	413	Expected
Traffic Collision	623	9	C	566-680	660	Expected
Traffic Complaint	555	15	T	571-658	740	High

Everett had more call-for-service increases than most other cities. As the host city for the casino, it would make sense for it to bear the brunt of any increases associated with population volume. Most of the increase is seen above Route 16 rather than south of it but otherwise the types of calls to increase make sense: **abandoned vehicles** brought from out of town, **medical aids**, and **parking complaints** on local roads.

### Collisions in Everett

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Vehicle in Traffic	95	6	T	92-145	130	Expected
Parked Vehicle	32	2	T	27-50	49	Expected
Pedestrian	11	-1	C	7-15	14	Expected
Bicyclist	4	0	C	2-6	6	Expected
Animal	0	0	0	0-0	0	Expected
Fixed Object	15	2	T	15-25	15	Expected
Curb/Barrier/Embankment	3	1	T	2-5	7	High
Rollover/Jackknife	1	0	C	0-2	0	Expected
Other/Unknown	6	0	C	4-8	8	Expected
<b>Total</b>	<b>168</b>	<b>10</b>	<b>T</b>	<b>158-243</b>	<b>229</b>	<b>Expected</b>

Everett's collision total was a bit higher than average, but within the expected range given the upward trend that the city has seen in collisions this decade.

## 6-month analysis: Boston/Charlestown

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**Population (est. 2016):** 17,201

**Area:** 24.2 square miles

**Police officers:** 2,122 (city wide)

**City center distance to Encore:**  
1.87 square miles

As the capital and the largest city in the Commonwealth, Boston gives its name to the casino and supplies much of its traffic, both residents and visitors, arriving via Logan Airport shuttles, the MBTA, vehicles, or ferries from Long Wharf and the World Trade Center.

Because any casino influence on the totality of the city would likely be undetectable amidst the normal volume of crimes and calls for service that this city generates, analysis of changes is largely confined to Charlestown, Boston Police District A-15, Boston's oldest neighborhood. This detached area is north of the Charles River, west of the main channel of Boston Harbor, south of the Mystic River, and east of Route 93. It contains Bunker Hill, the U.S.S. Constitution, several waterfront parks, two colleges, and about 17,000 of the city's 700,000 residents.

In the six months post-Encore, violent crime and total crime were higher than expected in the neighborhood, largely because of increases not experienced by other communities. These are discussed below. Because of a change to a new records management system, crime data was received from Boston very late in this report and could not be analyzed as fully as the other agencies' data.

The Mystic River serves as a practical barrier to activity spilling into the neighborhood from Encore except in a few geographically-concentrated ways. Changes in Charlestown may be reflected in extra traffic along Rutherford Avenue and Alford Street, as well as increased usage of tourist destinations within the area and facilities near Exit 28 off I-93. The neighborhood's few hotels might see extra occupancy.

Although not in Charlestown and thus not part of these statistics, we will also be working with the Boston Police to determine if crime or calls for service increase in reporting areas surrounding Long Wharf, the World Trade Center, and the Logan Airport pier, where water taxi and ferry traffic take visitors to and from the casino.

## Crimes in Boston/Charlestown<sup>2</sup>

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Murder	0	0	C	0-1	0	Expected
Sexual Assault	4	0	C	1-7	1	Expected
Kidnapping	0	0	C	0-0	0	Expected
Robbery	11	-1	C	7-15	2	Low
Aggravated Assault	26	-1	C	18-34	34	Expected
Simple Assault	64	-2	T	40-69	71	High
Threats	31	-5	T	0-27	36	High
Arson	0	0	C	0-0	0	Expected
Burglary	21	-3	T	0-30	8	Expected
Theft from Persons	1	0	C	0-2	0	Expected
Purse-Snatching	0	0	C	0-1	0	Expected
Shoplifting	10	1	C	3-17	6	Expected
Theft from Building	31	0	C	26-36	24	Low
Theft from Machine	0	0	T	0-0	0	Expected
Theft from Vehicle	45	-7	T	0-40	59	High
Theft of MV Parts	10	-2	T	0-10	8	Expected
Other Theft	41	-1	C	30-52	46	Expected
Auto Theft	16	-2	T	4-15	17	High
Forgery	2	0	C	0-4	2	Expected
Fraud	19	-3	T	0-18	24	High
Credit Card Fraud	5	2	T	5-16	6	Expected
Identity Theft	3	2	T	6-13	2	Low
Employee Theft	1	0	C	0-3	3	Expected
Stolen Property	2	-1	T	0-2	1	Expected
Vandalism	65	-5	T	30-65	58	Expected
Drugs	34	3	T	28-66	26	Low
Drug Equipment	0	0	C	0-0	0	Expected
Statutory Rape	0	0	C	0-0	0	Expected
Gambling	0	0	C	0-0	0	Expected
Pornography	1	0	C	0-2	0	Expected
Prostitution	0	0	C	0-0	0	Expected
Weapons	4	-1	C	0-8	2	Expected
Bad Checks	0	0	C	0-0	0	Expected
Disorderly	5	-1	T	0-7	4	Expected
Drunk Driving	2	0	T	0-3	1	Expected
Drunkenness	0	0	T	0-0	0	Expected
Family Offenses	14	1	T	12-24	18	Expected

<sup>2</sup> Prior to 2019, Boston's records management system did not follow NIBRS standards and only recorded the most serious offense code with each incident rather than each separate offense. Hence, while the statistics here are internally consistent, they are not directly comparable with other agencies, with the disparity getting more significant the further one goes down the list of crimes.

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Liquor Laws	1	0	T	0-1	0	Expected
Runaway	0	0	C	0-0	0	Expected
Trespassing	6	-1	T	0-7	4	Expected
<b>Violent Total</b>	<b>135</b>	<b>-7</b>	<b>T</b>	<b>73-138</b>	<b>144</b>	<b>High</b>
<b>Property Total</b>	<b>306</b>	<b>-16</b>	<b>T</b>	<b>191-300</b>	<b>290</b>	<b>Expected</b>
<b>Total</b>	<b>457</b>	<b>-27</b>	<b>T</b>	<b>389-453</b>	<b>463</b>	<b>High</b>

## Simple Assault

Charlestown is the only contributing area to see an increase in simple assaults. The increase is at residential properties, suggesting the assaults are representative of domestic violence. The increase is very slight, however, and it's too early to make much of it as a trend.

## Threats

No patterns could be seen in the increase in threats and intimidation. It crossed all months, addresses, and location types. There were no observed factors connecting the increase to Encore.

## Thefts from Vehicles

November and December brought a pattern of thefts from cars to the residential streets in the neighborhood, with report times suggesting largely daytime occurrences, particularly on Fridays.



Figure 6: A November-December pattern of thefts from cars affected Charlestown's residential neighborhoods.

## Auto theft

Auto theft increased in September and October, mostly on weekdays during the day, mostly around Monument Square.

## Fraud

The increase in fraud starts in September, shortly after the agency switched to a new records system. Concurrent decreases during the period in credit card fraud and identity theft suggest that the new system may simply have improved (or just changed) reporting categories for certain crimes.

## Selected calls for service in Boston/Charlestown

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Abandoned Vehicle	6	-4	T	0-7	0	Expected
General Service	22	4	T	21-54	32	Expected
Gunshots	12	-2	T	2-15	3	Expected
Liquor	4	-2	T	0-3	0	Expected
Lost Property	41	2	C	30-52	56	High
Medical	27	0	C	23-31	33	High
Overdose	15	0	C	8-22	8	Expected
Psychological	33	0	C	26-40	52	High
Suspicious Activity	57	-19	T	12-35	22	Expected
Traffic Collision	337	24	T	378-485	395	Expected

Charlestown's biggest increase in calls was in the "psychological" category, representing a bump in "emotionally disturbed persons," particularly in November and December. Lost property and medical aids—two volume-driven call types—were also above average. There weren't any spatial patterns.

## Collisions in Boston/Charlestown

Unfortunately, the Boston Police Department does not have electronic crash report data beyond what is recorded in the computer-aided dispatch (CAD) system and thus listed above under calls for service. Until this situation changes or we are able to get crash report data from the state, we will be unable to note changes in Charlestown-area crashes.

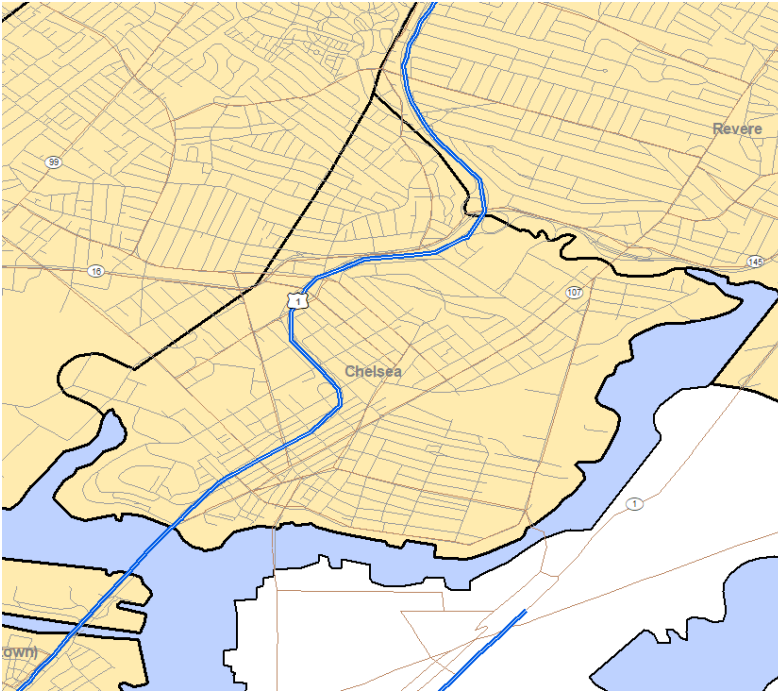
## Other questions

1. **Did calls for service increase along Rutherford Avenue and Alford Street, feeding into the casino area?** The Boston Police made more vehicle stops along these streets (57 against an average of 42 and a predicted window of 30-54), but otherwise no. Traffic collisions were at 75 against an average of 67 and a predicted window of 69-97. No other call type was reported along this street in significant volume.

2. **Did calls for service at hotels increase in Charlestown?** Charlestown only has four hotels, and in a six-month period, the collectively have 30-50 calls for service. There were 36 in the final 6 months of 2019. None of the individual categories are high enough to show a significant change yet.



## 6-month analysis: Chelsea



**Population (est. 2018):** 40,974

**Area:** 2.5 square miles

**Police officers:** 110

**City center distance to Encore:**  
1.83 miles

Chelsea is a diverse working-class community. The smallest city in the Commonwealth, and the second densely-populated, Chelsea is one of only three Massachusetts cities with a Hispanic-majority population. It has bounded back from crippling crime rates and near-bankruptcy in the 1990s and has enjoyed significant economic growth and gentrification in the past 15 years. The city's UCR Part 1 violent crime rate fell 59% between 2008 and 2018.

The city is physically close to Encore, and visitors coming from eastern Massachusetts or even Logan Airport might pass through the city's boundaries. Extra tourist traffic to Encore might bring extra visitors to its hotel and restaurant cluster off Everett Avenue. There have been no signs of any casino-related increases in the first six months, however.

Chelsea has a full-time crime analyst who is able to assist with the analysis of new patterns and trends in the city.

### Crimes in Chelsea

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Murder	1	0	C	0-3	0	Expected
Sexual Assault	31	1	C	23-39	28	Expected
Kidnapping	7	0	C	3-11	6	Expected
Robbery	81	-13	T	26-51	40	Expected
Aggravated Assault	131	-14	T	77-118	125	High
Simple Assault	351	-14	T	241-348	289	Expected
Threats	166	-14	T	96-161	127	Expected
Arson	2	0	C	0-4	0	Expected

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Burglary	87	-17	T	34-57	46	Expected
Theft from Persons	13	-2	T	3-11	2	Low
Purse-Snatching	6	-1	C	1-14	4	Expected
Shoplifting	69	-3	C	52-86	30	Low
Theft from Building	80	-3	C	51-109	53	Expected
Theft from Machine	0	0	C	0-0	0	Expected
Theft from Vehicle	95	-15	T	40-86	68	Expected
Theft of MV Parts	19	4	C	2-38	0	Low
Other Theft	86	-32	T	22-77	68	Expected
Auto Theft	68	-11	T	29-55	41	Expected
Forgery	13	-1	T	6-14	10	Expected
Fraud	47	-2	C	33-61	27	Low
Credit Card Fraud	15	-1	C	10-20	1	Low
Identity Theft	29	-3	T	16-31	22	Expected
Employee Theft	2	0	T	1-4	0	Low
Stolen Property	18	-1	C	12-22	15	Expected
Vandalism	287	-39	T	135-180	167	Expected
Drugs	48	-6	T	18-45	30	Expected
Drug Equipment	0	0	T	0-1	1	Expected
Statutory Rape	3	1	T	1-9	22	High
Gambling	1	0	T	0-5	0	Expected
Pornography	2	1	C	0-5	4	Expected
Prostitution	7	-1	C	2-12	0	Low
Weapons	36	-3	T	16-41	27	Expected
Bad Checks	6	0	C	3-9	0	Low
Disorderly	49	-7	T	21-41	31	Expected
Drunk Driving	25	0	C	14-36	22	Expected
Drunkenness	130	-9	T	86-131	99	Expected
Family Offenses	0	0	C	0-1	0	Expected
Liquor Laws	28	1	C	19-37	33	Expected
Runaway	1	0	C	0-3	0	Expected
Trespassing	35	-2	C	22-48	21	Low
<b>Violent Total</b>	<b>768</b>	<b>-54</b>	<b>T</b>	<b>485-620</b>	<b>615</b>	<b>Expected</b>
<b>Property Total</b>	<b>935</b>	<b>-128</b>	<b>T</b>	<b>453-506</b>	<b>554</b>	<b>High</b>
<b>Total</b>	<b>2075</b>	<b>-207</b>	<b>T</b>	<b>1111-2014</b>	<b>1459</b>	<b>Expected</b>

Chelsea's property crime total has dropped so much in the past 8 years that the 2019 figure registers as above the predicted window even though it's a record low for the agency; it simply didn't drop as much as the trendline predicted. This is an oddity with this agency, but we can largely ignore the totals and focus on the individual crime categories.

### Aggravated Assault

Aggravated assaults in 2019 were lower than average but above what the decreasing trend predicted. The bulk of the reversal seems to be at residences (as opposed to street violence), suggesting an increase in domestic-related



crimes, although we did not see a comparable increase in domestic disputes and domestic simple assaults. “Personal” weapons (hands and feet) and blunt objects dominate the increase in terms of weapon type.

### Statutory Rape

This category showed a massive increase in the second half of 2019, but it’s impossible to know what’s happening without access to the full reports. Almost all of the incidents are at residences, with a few duplicate addresses.

### Selected calls for service in Chelsea

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Abandoned Vehicle	29	0	C	17–41	14	Low
Disabled Vehicle	83	3	T	81–109	79	Low
Domestic Dispute	338	-23	T	211–277	268	Expected
General Service	415	-19	C	264–566	433	Expected
Gunshots	35	0	C	26–44	69	High
Liquor	52	5	T	57–81	38	Low
Lost Property	16	2	T	19–26	20	Expected
Medical	589	-6	C	417–761	400	Low
Psychological	163	9	T	155–244	210	Expected
Suspicious Activity	736	-48	T	369–812	349	Low
Traffic Collision	730	28	T	787–897	856	Expected
Traffic Complaint	541	91	T	644–1162	724	Expected

### Gunshots

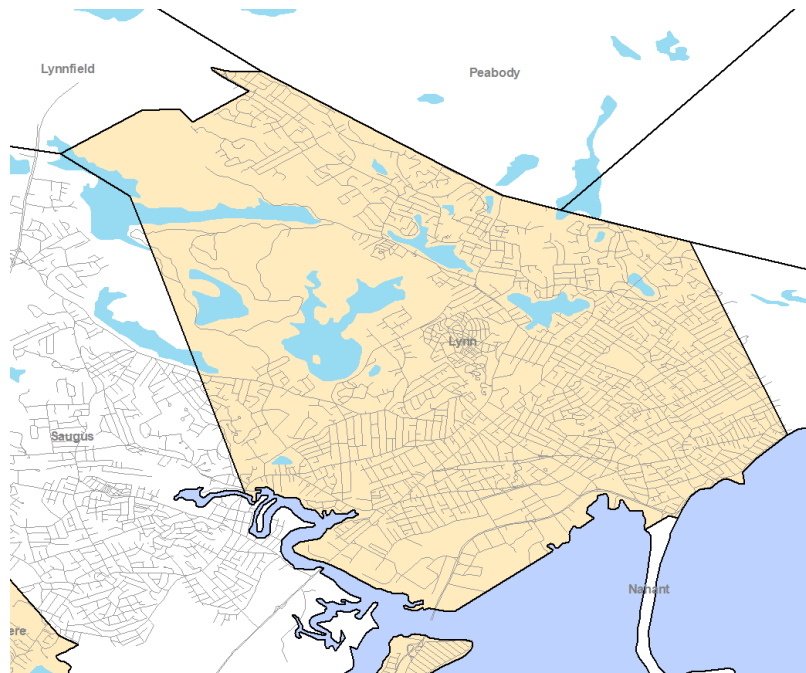
Gunshot reports for the last half of 2019 were nearly double the city’s average, but the increase came entirely from automatic notices from the city’s ShotSpotter gunshot detection service, which suggests an expansion of that service rather than an increase in the number of actual gunshots fired. If those are removed from consideration, the city had only 8 reports of gunshots from an average of 12.4.

### Collisions in Chelsea

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Vehicle in Traffic	223	8	C	179–267	257	Expected
Parked Vehicle	109	-10	T	60–91	64	Expected
Pedestrian	26	-1	C	18–34	27	Expected
Bicyclist	6	-1	C	2–10	2	Expected
Animal	0	0	0	0–0	0	Expected
Fixed Object	22	1	C	13–31	17	Expected
Curb/Barrier/Embankment	7	1	C	2–12	2	Expected
Rollover/Jackknife	1	0	C	0–2	0	Expected
Other/Unknown	6	0	C	2–10	2	Expected
<b>Total</b>	<b>400</b>	<b>-2</b>	<b>C</b>	<b>372–428</b>	<b>371</b>	<b>Low</b>

Total collision reports in Chelsea were the lowest in the past decade. Any extra traffic going through the city to Encore is not being reflected in reportable crashes.

## 6-month analysis: Lynn



**Population (est. 2018):** 94,558

**Area:** 13.5 square miles

**Police officers:** 161

**City center distance to Encore:**  
7.62 miles

Lynn is the city farthest removed from Encore Boston Harbor. Although its storied past as the “city of sin” has been tempered by crime decreases over the past two decades, its large population generates enough activity that any changes brought by Encore Boston Harbor will be difficult to detect.

Lynn has no travel routes to Encore excepting those that its own residents will use. A couple of bed-and-breakfasts make up its only lodging. It may see an increase in visitation from a small percentage of Encore visitors interested in the city’s growing arts culture. So far, however, most activity has been low, and no changes are attributable to Encore.

### Crimes in Lynn

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul–Dec 2019	Result
Murder	2	0	C	0–4	4	Expected
Sexual Assault	64	0	C	54–74	55	Expected
Kidnapping	6	0	C	3–9	5	Expected
Robbery	92	-2	C	79–105	68	Low
Aggravated Assault	228	-9	T	156–233	157	Expected
Simple Assault	425	-20	T	262–454	388	Expected
Threats	48	1	C	39–57	51	Expected
Arson	4	0	C	1–7	0	Low
Burglary	215	-32	T	80–127	127	Expected
Theft from Persons	24	0	C	15–33	26	Expected
Purse-Snatching	0	0	C	0–0	0	Expected
Shoplifting	74	-5	C	46–102	51	Expected
Theft from Building	30	-3	T	14–38	47	High

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Theft from Machine	0	0	C	0-0	0	Expected
Theft from Vehicle	184	-17	T	105-172	131	Expected
Theft of MV Parts	7	-2	T	2-8	2	Expected
Other Theft	442	-34	T	242-417	311	Expected
Auto Theft	137	-3	C	92-182	81	Low
Forgery	28	-5	T	11-16	15	Expected
Fraud	74	-4	T	50-77	67	Expected
Credit Card Fraud	29	0	C	18-40	41	High
Identity Theft	0	0	C	0-0	0	Expected
Employee Theft	1	0	C	0-1	0	Expected
Stolen Property	0	0	T	0-2	2	Expected
Vandalism	468	-39	T	262-441	299	Expected
Drugs	133	-9	T	66-156	107	Expected
Drug Equipment	0	0	C	0-0	0	Expected
Statutory Rape	4	0	C	1-8	8	Expected
Gambling	1	0	C	0-2	0	Expected
Pornography	2	1	T	1-9	3	Expected
Prostitution	18	-7	T	1-10	7	Expected
Weapons	44	1	C	35-53	48	Expected
Bad Checks	0	0	C	0-0	0	Expected
Disorderly	91	-6	T	40-110	74	Expected
Drunk Driving	56	2	C	44-68	64	Expected
Drunkenness	0	0	C	0-0	0	Expected
Family Offenses	83	-7	T	50-101	64	Expected
Liquor Laws	18	1	C	13-28	27	Expected
Runaway	0	0	C	0-0	0	Expected
Trespassing	62	-1	C	42-82	46	Expected
<b>Violent Total</b>	<b>865</b>	<b>-30</b>	<b>T</b>	<b>593-936</b>	<b>728</b>	<b>Expected</b>
<b>Property Total</b>	<b>1718</b>	<b>-144</b>	<b>T</b>	<b>943-1469</b>	<b>1200</b>	<b>Expected</b>
<b>Total Crimes</b>	<b>3094</b>	<b>-200</b>	<b>T</b>	<b>1822-3221</b>	<b>2376</b>	<b>Expected</b>

Overall crime was well within expected ranges for Lynn, generally continuing the trend of decreasing crime. A few exceptions are analyzed below.

### Thefts from buildings

There are two potential patterns at work in this increase: thefts from residences in East Lynn and thefts from restaurants in September and October. Case numbers were supplied to the Lynn Police for further review, but we had not received a response in time for this final report.

### Credit card fraud

Credit card fraud increased about 40% from average during this period, but I can't find any patterns within the data. Incidents are scattered across town, throughout the six month period, at a variety of location types. A good portion are at residences, suggesting online fraud.

### Selected calls for service in Lynn

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Disabled Vehicle	421	-8	C	354-488	319	Low
Domestic Dispute	411	-37	T	213-353	292	Expected
General Service	415	2	C	369-461	381	Expected
Gunshots	86	1	C	79-93	78	Low
Liquor	270	-29	T	123-219	177	Expected
Lost Property	206	0	C	181-231	181	Expected
Medical	4466	95	T	4579-5115	4670	Expected
Overdose	144	34	T	233-303	191	Low
Psychological	199	11	T	218-271	141	Low
Suspicious Activity	845	-30	T	545-903	689	Expected
Traffic Collision	1667	50	T	1716-2016	1663	Low
Traffic Complaint	1541	74	T	1383-2290	1451	Expected
Vagrancy	88	1	C	74-102	107	High
Traffic Complaint	224	12	T	241-304	305	High

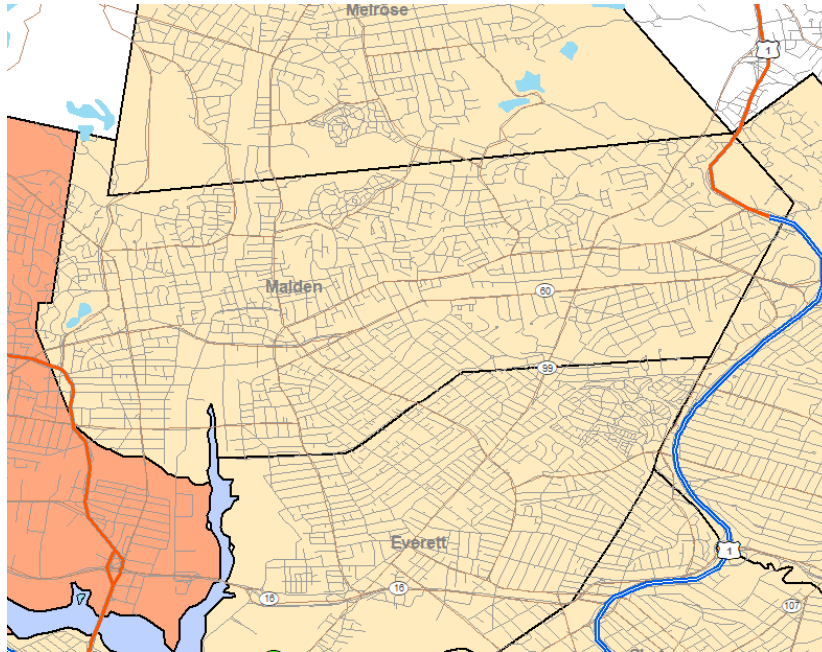
Lynn's only increases this period were for **vagrancy** and **traffic complaints**. Reports of panhandling increased in particular on Boston Street and State Street, and extra parking complaints are spread across the city.

### Collisions in Lynn

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Vehicle in Traffic	1156	-7	C	960-1352	883	Low
Parked Vehicle	5	0	C	3-7	3	Expected
Pedestrian	75	8	T	74-135	78	Expected
Bicyclist	2	0	C	0-5	4	Expected
Animal	1	0	C	0-2	1	Expected
Fixed Object	0	0	C	0-0	0	Expected
Curb/Barrier/Embankment	0	0	C	0-0	0	Expected
Rollover/Jackknife	0	00	C	0-0	0	Expected
Other/Unknown	75	-10	T	32-71	28	Low
<b>Total</b>	<b>1314</b>	<b>-9</b>	<b>C</b>	<b>1093-1535</b>	<b>997</b>	<b>Low</b>

Lynn's crash totals in the last half of 2019 were the lowest in at least 9 years, certainly showing no evidence of being affected by extra traffic to and from Encore. This makes sense, as the only travel routes that go through the city would have to originate within the city.

## 6-month analysis: Malden



**Population (est. 2016):** 61,469

**Area:** 5.1 square miles

**Police officers:** 102

**City center distance to Encore:**  
2.28 miles

Bordering Everett to the north, Malden has one of the lower crime rates (for both violent crime and property crime) among the jurisdictions in this study. With the exception of a small part of U.S. Route 1 (a stretch mostly clear of businesses except a single liquor store), the city does not have many significant auto travel routes leading to Encore. However, the casino does operate a free shuttle out of Malden Center, which may increase foot and vehicle traffic to the businesses in the region. So far, most categories analyzed below show normal or decreased activity.

### Crimes in Malden

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Murder	0	0	C	0-1	0	Expected
Sexual Assault	11	1	C	3-19	12	Expected
Kidnapping	2	1	T	2-8	7	Expected
Robbery	29	-3	T	16-27	13	Low
Aggravated Assault	69	-1	C	51-87	54	Expected
Simple Assault	176	-9	T	111-190	144	Expected
Threats	43	-14	T	12-33	19	Expected
Arson	1	-1	T	0-2	0	Expected
Burglary	80	-17	T	22-41	48	High
Theft from Persons	8	0	C	5-11	6	Expected
Purse-Snatching	0	0	T	0-0	0	Expected
Shoplifting	51	-3	C	31-71	42	Expected
Theft from Building	12	1	C	6-18	17	Expected
Theft from Machine	0	0	C	0-0	0	Expected
Theft from Vehicle	89	-8	C	43-135	104	Expected
Theft of MV Parts	2	0	C	0-4	0	Expected

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Other Theft	186	-13	T	104-210	162	Expected
Auto Theft	49	-4	T	26-50	56	High
Forgery	15	-3	T	7-14	9	Expected
Fraud	31	1	C	25-37	28	Expected
Credit Card Fraud	9	2	T	10-21	4	Low
Identity Theft	0	0	C	0-1	0	Expected
Employee Theft	0	0	C	0-1	0	Expected
Stolen Property	0	0	C	0-0	0	Expected
Vandalism	152	-9	T	97-147	134	Expected
Drugs	25	-3	T	12-24	9	Low
Drug Equipment	0	0	C	0-0	0	Expected
Statutory Rape	1	0	C	0-2	0	Expected
Gambling	0	0	C	0-0	0	Expected
Pornography	1	0	C	0-2	2	Expected
Prostitution	2	0	C	0-6	5	Expected
Weapons	10	0	C	6-14	6	Expected
Bad Checks	0	0	T	0-1	0	Expected
Disorderly	28	-1	C	15-41	15	Expected
Drunk Driving	9	-2	T	3-7	3	Expected
Drunkenness	0	0	C	0-0	0	Expected
Family Offenses	33	-3	T	13-38	32	Expected
Liquor Laws	2	0	C	0-6	0	Expected
Runaway	0	0	C	0-0	0	Expected
Trespassing	24	3	T	18-41	25	Expected
<b>Violent Total</b>	<b>330</b>	<b>-25</b>	<b>T</b>	<b>195-365</b>	<b>249</b>	<b>Expected</b>
<b>Property Total</b>	<b>686</b>	<b>-54</b>	<b>T</b>	<b>398-615</b>	<b>610</b>	<b>Expected</b>
<b>Total Crimes</b>	<b>1150</b>	<b>-86</b>	<b>T</b>	<b>638-1310</b>	<b>956</b>	<b>Expected</b>

Malden was the only city to show an increase in a couple classic categories of property crime.

## Burglary

Malden's burglary "High" is a result of the same mathematics as previously reported for the entire region. We will watch for a reversal of the previous downward trend, but for now it is important to note that the crime is well below average for the city.

## Auto theft

There was a group of three at the Hertz franchise on a single day in October, but most of the increase is at residential driveways overnight. There was a particular concentration in July and August.

## Selected calls for service in Malden

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Disabled Vehicle	81	-1	C	65-97	70	Expected
Domestic Dispute	62	1	C	44-80	69	Expected

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
General Service	410	45	T	469-696	385	Low
Gunshots	9	-1	C	4-16	7	Expected
Liquor	170	-31	T	49-106	26	Low
Lost Property	9	0	C	4-14	5	Expected
Medical	4284	564	T	4265-6614	5510	Expected
Psychological	62	0	C	46-78	58	Expected
Suspicious Activity	324	-5	C	261-387	253	Low
Traffic Collision	1009	50	T	1044-1377	1169	Expected
Traffic Complaint	266	10	C	167-365	224	Expected
Vagrancy	6	-1	C	1-12	9	Expected

All selected call-for-service categories were within expected ranges in the latter half of 2019.

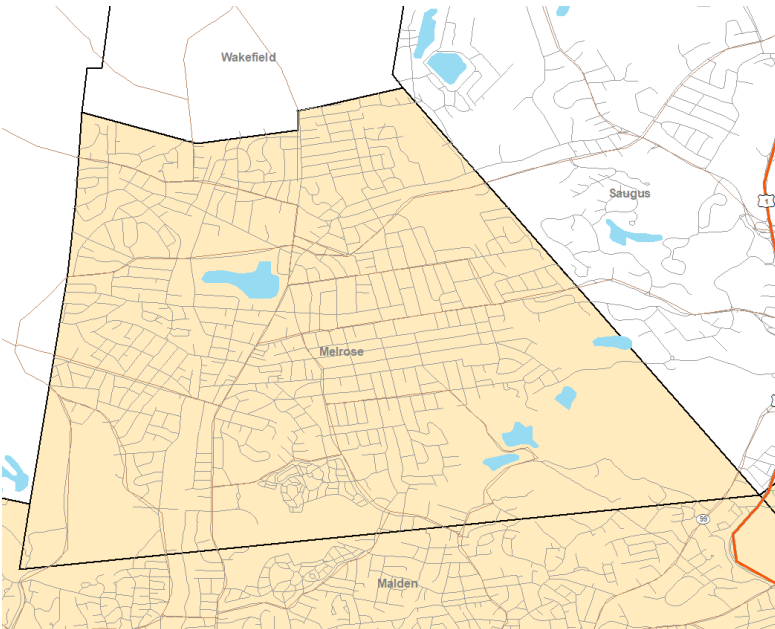
### Collisions in Malden

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Vehicle in Traffic	329	16	T	343-445	388	Expected
Parked Vehicle	2	0	C	0-4	2	Expected
Pedestrian	28	2	T	26-48	30	Expected
Bicyclist	3	0	C	1-5	0	Low
Animal	0	0	0	0-0	0	Expected
Fixed Object	0	0	C	0-0	0	Expected
Curb/Barrier/Embankment	0	0	C	0-0	0	Expected
Rollover/Jackknife	0	0	C	0-0	0	Expected
Other/Unknown	38	2	C	22-54	57	High
<b>Total</b>	<b>400</b>	<b>20</b>	<b>T</b>	<b>406-555</b>	<b>477</b>	<b>Expected</b>

Like most of the communities, Malden showed no significant increase in traffic collisions in the second half of 2019.



## 6-month analysis: Melrose



**Population (est. 2018):** 28,552

**Area:** 4.8 square miles

**Police officers:** 47

**City center distance to Encore:**  
4.16 miles

On the outskirts of our study, Melrose is smaller and more suburban than most of the other communities analyzed here. It is avoided by highways and other major travel routes to Encore, it has no hotels, and it lacks most of the other attractions and amenities that a visitor to the area would seek out. Hence, it is unlikely to experience much impact from Encore unless this region experiences the type of wide-ranging crime patterns that have been rare in the other casino communities. We will be monitoring activity in and around Melrose Wakefield Hospital, which serves as one destination for medical events at Encore. For now, almost all the statistics below are normal.

### Crimes in Melrose

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Murder	0	0	C	0-0	0	Expected
Sexual Assault	1	0	C	0-2	0	Expected
Kidnapping	1	0	C	0-1	0	Expected
Robbery	2	-1	T	0-3	3	Expected
Aggravated Assault	9	0	C	4-14	11	Expected
Simple Assault	32	-2	C	24-40	37	Expected
Threats	16	-3	T	5-9	7	Expected
Arson	1	0	C	0-3	0	Expected
Burglary	20	-5	T	4-17	15	Expected
Theft from Persons	0	0	C	0-1	1	Expected
Purse-Snatching	1	0	C	0-2	0	Expected
Shoplifting	4	-1	C	2-6	0	Low
Theft from Building	19	-3	T	4-21	8	Expected
Theft from Machine	0	0	C	0-0	0	Expected



Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Theft from Vehicle	29	-5	C	4-54	24	Expected
Theft of MV Parts	1	0	C	0-2	0	Expected
Other Theft	51	-1	C	44-58	46	Expected
Auto Theft	10	0	C	5-15	9	Expected
Forgery	2	0	C	0-4	3	Expected
Fraud	13	0	C	6-20	14	Expected
Credit Card Fraud	1	0	C	0-2	2	Expected
Identity Theft	3	0	C	2-4	4	Expected
Employee Theft	1	0	T	0-1	0	Expected
Stolen Property	2	0	C	0-4	1	Expected
Vandalism	59	-4	T	38-54	41	Expected
Drugs	4	-1	C	1-8	7	Expected
Drug Equipment	0	0	C	0-1	1	Expected
Statutory Rape	0	0	C	0-1	0	Expected
Gambling	0	0	C	0-1	1	Expected
Pornography	0	0	C	0-1	0	Expected
Prostitution	0	0	C	0-0	0	Expected
Weapons	1	0	C	0-3	3	Expected
Bad Checks	1	0	C	0-3	1	Expected
Disorderly	5	-1	T	2-7	6	Expected
Drunk Driving	4	0	C	1-7	3	Expected
Drunkenness	6	-1	T	1-9	5	Expected
Family Offenses	0	0	C	0-0	0	Expected
Liquor Laws	2	-1	T	0-4	1	Expected
Runaway	0	0	C	0-0	0	Expected
Trespassing	3	-1	T	0-3	1	Expected
<b>Violent Total</b>	<b>61</b>	<b>-5</b>	<b>T</b>	<b>33-69</b>	<b>58</b>	<b>Expected</b>
<b>Property Total</b>	<b>217</b>	<b>-19</b>	<b>T</b>	<b>118-220</b>	<b>168</b>	<b>Expected</b>
<b>Total Crimes</b>	<b>304</b>	<b>-29</b>	<b>T</b>	<b>147-382</b>	<b>256</b>	<b>Expected</b>

Melrose's crimes were all within expected ranges for the last six months of 2019. Totals followed trends and came in slightly lower than the eight-year average.

#### Selected calls for service in Melrose

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Abandoned Vehicle	3	0	C	1-5	1	Expected
Disabled Vehicle	24	1	C	15-33	29	Expected
Domestic Dispute	43	-3	T	23-47	26	Expected
General Service	529	21	T	536-692	569	Expected
Gunshots	0	0	C	0-1	0	Expected
Liquor	0	0	C	0-1	0	Expected
Lost Property	46	8	T	51-90	73	Expected

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Medical	739	35	T	740-1019	938	Expected
Overdose	10	0	C	4-17	5	Expected
Suspicious Activity	260	5	C	222-298	308	High
Traffic Collision	293	-4	T	252-303	286	Expected
Traffic Complaint	333	74	T	423-778	649	Expected

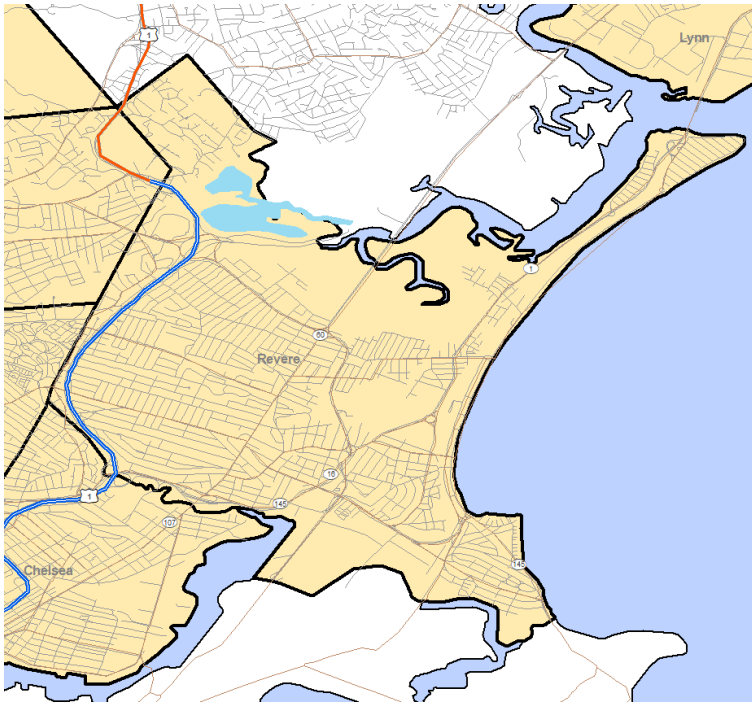
Melrose's calls for service were also low for the period, with the exception of suspicious activity calls. The increase is primarily in November, but with no geographic concentration.

### Collisions in Melrose

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Vehicle in Traffic	92	3	T	83-129	95	Expected
Parked Vehicle	39	-1	C	33-45	39	Expected
Pedestrian	6	0	C	3-9	2	Low
Bicyclist	2	0	C	1-3	1	Expected
Animal	0	0	C	0-0	0	Expected
Fixed Object	11	1	C	6-16	18	High
Curb/Barrier/Embankment	4	0	C	2-6	2	Expected
Rollover/Jackknife	1	0	C	0-2	0	Expected
Other/Unknown	5	-1	T	2-3	3	Expected
<b>Total</b>	<b>160</b>	<b>2</b>	<b>C</b>	<b>145-175</b>	<b>160</b>	<b>Expected</b>

Total crashes were exactly average in Melrose, low in the pedestrian category and high in the "fixed object" category. Overall, nothing significant seems to have changed.

## 6-month analysis: Revere



**Population (est. 2018):** 54,296

**Area:** 10.0 square miles

**Police officers:** 103

**City center distance to Encore:**  
3.52 miles

A reasonably busy north shore community, Revere shares a small part of its western border with Everett. It is far enough from Encore not to be in the facility's immediate area of influence, and so far I don't see any changes attributable to Encore. We will continue to monitor travel routes, hotels, restaurants, and shopping centers. The agency employs a full-time crime analyst, which always makes this process easier.

### Crimes in Revere

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Murder	1	0	C	0-2	3	High
Sexual Assault	22	0	C	15-29	9	Low
Kidnapping	3	0	C	0-6	1	Expected
Robbery	31	-4	T	15-28	20	Expected
Aggravated Assault	101	-2	C	91-111	56	Low
Simple Assault	221	-5	C	184-258	137	Low
Threats	119	-6	C	90-148	98	Expected
Arson	2	-1	C	0-5	0	Expected
Burglary	81	-9	T	38-80	37	Low
Theft from Persons	6	0	C	4-8	7	Expected
Purse-Snatching	6	-1	C	3-9	3	Expected
Shoplifting	106	11	T	80-198	81	Expected
Theft from Building	53	-3	C	38-68	49	Expected
Theft from Machine	0	0	C	0-0	0	Expected
Theft from Vehicle	44	2	C	25-63	47	Expected

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Theft of MV Parts	2	1	T	1-6	2	Expected
Other Theft	213	-14	T	113-225	87	Low
Auto Theft	79	-9	T	41-61	33	Low
Forgery	13	0	C	6-20	11	Expected
Fraud	49	-1	C	38-60	66	High
Credit Card Fraud	16	-3	T	2-15	5	Expected
Identity Theft	21	-1	T	14-21	16	Expected
Employee Theft	4	-1	T	1-4	2	Expected
Stolen Property	17	0	C	11-23	13	Expected
Vandalism	212	-16	T	108-210	131	Expected
Drugs	47	-4	T	26-49	29	Expected
Drug Equipment	0	0	T	0-1	0	Expected
Statutory Rape	4	0	C	1-7	7	Expected
Gambling	0	0	C	0-1	1	Expected
Pornography	1	0	C	0-3	3	Expected
Prostitution	2	0	C	0-4	2	Expected
Weapons	14	-1	C	7-21	11	Expected
Bad Checks	10	-1	C	4-16	3	Low
Disorderly	45	-2	C	32-58	31	Low
Drunk Driving	34	4	T	23-74	24	Expected
Drunkenness	36	-6	T	6-41	15	Expected
Family Offenses	1	0	C	0-2	1	Expected
Liquor Laws	10	1	C	4-16	14	Expected
Runaway	0	0	C	0-0	0	Expected
Trespassing	18	0	C	11-25	10	Low
<b>Violent Total</b>	<b>498</b>	<b>-17</b>	<b>T</b>	<b>395-582</b>	<b>324</b>	<b>Low</b>
<b>Property Total</b>	<b>921</b>	<b>-45</b>	<b>T</b>	<b>572-921</b>	<b>590</b>	<b>Expected</b>
<b>Total Crimes</b>	<b>1644</b>	<b>-72</b>	<b>T</b>	<b>1032-1976</b>	<b>1065</b>	<b>Expected</b>

Revere is one of two cities to see an unusually high **murder** total, involving local residents with non-casino causes. **Fraud** also increased, with Target reporting numerous incidents of price tampering and various con games reported at area residences, suggesting telephone or online fraud.

#### Selected calls for service in Revere

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Abandoned Vehicle	68	7	T	64-125	58	Low
Disabled Vehicle	163	11	T	146-269	196	Expected
Domestic Dispute	309	36	T	340-569	413	Expected
General Service	668	14	C	521-815	502	Low
Gunshots	16	5	T	11-55	38	Expected
Liquor	8	-1	C	0-16	1	Expected
Lost Property	60	6	T	72-96	82	Expected

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Medical	308	107	T	465-899	587	Expected
Psychological	5	0	C	3-7	1	Low
Suspicious Activity	661	47	T	640-1056	612	Low
Traffic Collision	867	82	T	1089-1297	1110	Expected
Traffic Complaint	491	79	T	615-966	672	Expected

None of Revere's calls for service showed a significant increase in the last six months of 2019.

### Collisions in Revere

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Vehicle in Traffic	206	10	T	179-301	187	Expected
Parked Vehicle	42	5	T	56-67	56	Expected
Pedestrian	17	0	C	14-20	11	Low
Bicyclist	5	0	C	2-8	3	Expected
Animal	0	0	C	0-0	0	Expected
Fixed Object	26	1	C	16-36	30	Expected
Curb/Barrier/Embankment	19	2	T	17-34	12	Low
Rollover/Jackknife	1	0	C	0-3	4	High
Other/Unknown	11	-1	T	7-13	6	Low
<b>Total</b>	<b>329</b>	<b>17</b>	<b>T</b>	<b>326-463</b>	<b>309</b>	<b>Low</b>

Collisions in Revere had increased steadily since 2015 but they reversed course in 2019, ending not only below the trendline for the period but also below the 6-month average. If Encore Boston Harbor occasioned an increase in traffic in the region, it is not being reflected in collisions on Revere roads.

## 6-month analysis: Somerville



**Population (est. 2018):** 82,161

**Area:** 4.2 square miles

**Police officers:** 124

**City center distance to Encore:**  
1.45 miles

The most densely populated city in New England, Somerville sits across the Mystic River from Everett. Once known as Cambridge's working-class sibling, Somerville has experienced significant growth and revitalization in the 21st century, greatly reducing its historic crime rate. A full-time crime analyst is contributing her expertise to this project.

Assembly Square has not yet been connected to Encore by a footbridge, so we saw no increase in that area. The rest of the city had some categorical changes, but none in a way clearly linked to Encore.

### Crimes in Somerville

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Murder	0	0	C	0-1	0	Expected
Sexual Assault	24	0	C	18-30	26	Expected
Kidnapping	2	-1	T	0-3	4	High
Robbery	26	-3	T	11-32	20	Expected
Aggravated Assault	65	0	C	52-78	73	Expected
Simple Assault	111	1	C	87-135	122	Expected
Threats	17	-1	C	6-28	15	Expected
Arson	5	-1	C	0-13	1	Expected
Burglary	137	-20	T	66-126	62	Low
Theft from Persons	0	0	C	0-0	0	Expected
Purse-Snatching	0	0	C	0-0	0	Expected
Shoplifting	0	0	C	0-0	0	Expected
Theft from Building	35	2	C	24-46	39	Expected
Theft from Machine	0	0	C	0-0	0	Expected
Theft from Vehicle	155	-29	T	62-120	99	Expected

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Theft of MV Parts	1	0	C	0-1	0	Expected
Other Theft	293	-22	T	173-312	255	Expected
Auto Theft	63	0	C	53-73	44	Low
Forgery	16	1	C	7-25	20	Expected
Fraud	63	2	C	48-78	74	Expected
Credit Card Fraud	20	3	C	7-33	25	Expected
Identity Theft	52	7	C	18-86	47	Expected
Employee Theft	0	0	C	0-1	0	Expected
Stolen Property	0	0	C	0-0	0	Expected
Vandalism	155	-13	T	86-142	123	Expected
Drugs	37	-1	C	26-48	27	Expected
Drug Equipment	0	0	C	0-0	0	Expected
Statutory Rape	2	0	C	0-4	4	Expected
Gambling	0	0	C	0-0	0	Expected
Pornography	2	0	C	1-3	6	High
Prostitution	2	0	C	0-4	0	Expected
Weapons	20	1	C	15-25	28	High
Bad Checks	0	0	C	0-0	0	Expected
Disorderly	42	-3	T	26-38	24	Low
Drunk Driving	20	0	C	13-27	13	Expected
Drunkenness	0	0	C	0-0	0	Expected
Family Offenses	24	-4	T	13-20	19	Expected
Liquor Laws	10	-1	C	6-14	6	Expected
Runaway	0	0	C	0-0	0	Expected
Trespassing	11	1	T	10-20	9	Low
<b>Violent Total</b>	<b>245</b>	<b>-4</b>	<b>C</b>	<b>174-307</b>	<b>260</b>	<b>Expected</b>
<b>Property Total</b>	<b>995</b>	<b>-70</b>	<b>T</b>	<b>623-931</b>	<b>789</b>	<b>Expected</b>
<b>Total Crimes</b>	<b>1410</b>	<b>-81</b>	<b>T</b>	<b>828-1566</b>	<b>1185</b>	<b>Expected</b>

Somerville's overall crime totals were within predicted ranges. Its property and total crime figures continued the expected downward trend. Only a few odd crimes were above normal.

### Kidnapping

Somerville's 4 kidnappings during this period exceeded its normal range by only one. Victims were two adult females from Somerville, one adult female from Boston, and one child from Somerville; suspects were all adult males from Boston and Chelsea. Evidence suggests the incidents are unrelated, probably domestic or custodial, with no association with Encore.

### Pornography

Half a dozen incidents of "obscene material" were recorded at residences in Somerville in the latter half of 2019, but none of the suspects are listed as coming from Somerville. I provided a list of cases to the SPD for further investigation but had not received any additional information by the deadline for this report.

### Weapons Offenses

There were an increased number of charges for possession of knives and firearms, mostly in July, mostly on the street. Geographically, incidents are clustered in the eastern part of the city, centered on Route 28, particularly in East Somerville and Assembly Square.

### Selected calls for service in Somerville

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Abandoned Vehicle	11	0	C	6–16	17	High
Disabled Vehicle	101	7	T	109–147	124	Expected
Domestic Dispute	301	-17	T	186–290	251	Expected
General Service	1037	4	C	858–1216	984	Expected
Gunshots	24	0	C	15–33	31	Expected
Liquor	205	-25	T	77–213	185	Expected
Lost Property	168	-10	T	92–180	130	Expected
Overdose	56	-4	C	36–76	43	Expected
Psychological	172	17	T	204–275	209	Expected
Suspicious Activity	509	-14	C	391–627	417	Expected
Traffic Collision	1353	-49	C	1048–1658	1159	Expected
Traffic Complaint	831	157	T	708–1890	1347	Expected

Somerville's call-for-service types almost all fell within expected ranges during the latter half of 2019, with one exception. The wide range in the **traffic complaint** category is due to significantly increased usage of the "TRESPTOW" code starting in 2016. If that code is removed, complaints drop to an average of 125, an expected range of 117–194, and a 2019 value of 161.

### Abandoned Vehicles

No patterns in this one. Incidents are spread throughout the period and throughout the city. There are pairs on Summit Avenue in July and Lowell Street in November but otherwise no hot spots and no commonalities.

### Collisions in Somerville

Category	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
<b>Total</b>	298	24	T	280–337	284	Expected

Somerville did not implement electronic crash reporting using the agency's records management system until 2018. Data provided for the period prior to 2018 lacks the "category" field. Total collisions, however, were average to low for the city in the six months post-Encore.



# State police data

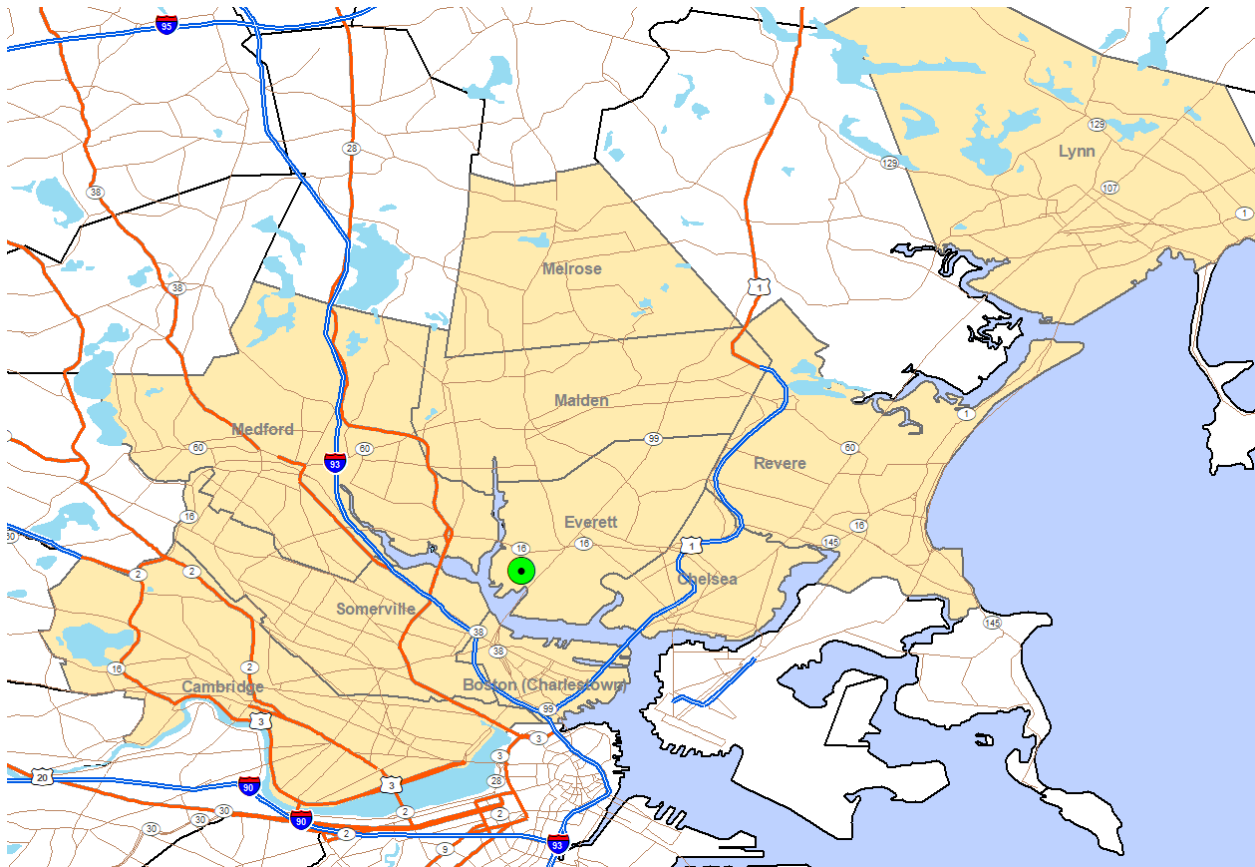


Figure 7: A network of State Police-patrolled highways and routes feeds the Encore Boston Harbor area.

State Police patrol state highways (principally I-90, I-93, and U.S. Route 1) in the Boston area, plus state properties and parks. They assist local police in response to some crime issues, and the State Police Gaming Enforcement Unit has taken over primary enforcement responsibilities at Encore Boston Harbor.

The Massachusetts State Police operate a records system with different conventions and reporting rules than the local agencies, so the categories and totals are not directly compatible. In some cases, where both agencies responded to an incident, the two systems may duplicate each other.

Naturally, the State Police are poised to see an increase in traffic on state roads that feed Encore Boston Harbor as well as at the casino itself. This will primarily be reflected in traffic-related calls for service and crimes, including collisions, drug possession, and drunk driving. The statistics below show several increases in crashes and other activity, although six months is too soon to reach any significant conclusions.

The data below comes from a combination of multiple State Police stations, including A-5 (Revere), A-4 (Medford), H-5 (Brighton), H-4 (downtown Boston), A-6 (Danvers), a section of Troop E eliminated and re-allocated in 2018, and various mobile statewide units such as headquarters units, canine units, and investigators.

## Selected activity

Activity	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
911 Hangup or Error	2	0	C	0-4	15	High
Abandoned Vehicle	7	0	C	4-10	22	High
Abduction	1	0	C	0-3	0	Expected
Administrative	1496	520	T	1316-5134	4107	Expected
Alarm	7	0	C	3-11	8	Expected
All Other	217	8	C	129-305	122	Low
Animal Complaint	34	2	C	20-48	53	High
Arson	2	0	C	0-4	0	Expected
Assault	31	0	C	23-39	37	Expected
Assist Other Agency	225	14	T	230-335	268	Expected
Bomb Threat	3	-1	T	0-3	2	Expected
Building Check	3178	-166	C	2115-4241	2060	Low
Burglary	9	-2	T	3-9	8	Expected
Crime Enforcement	26	8	T	19-94	8	Low
Death	130	0	C	113-147	144	Expected
Disabled Vehicle	793	-29	C	656-930	902	Expected
Disorderly	141	-1	C	126-156	138	Expected
Domestic Dispute	10	0	C	6-14	12	Expected
Drugs	17	0	C	10-24	17	Expected
Field Interview	14	2	T	14-33	29	Expected
Fire	57	-3	T	28-66	37	Expected
Found Property	2	0	C	0-4	3	Expected
General Service	93	17	T	74-230	136	Expected
Gunshots	9	1	C	3-15	2	Low
Investigation	108	-5	C	83-133	145	High
Liquor	11	0	C	6-16	6	Expected
Lost Property	19	1	C	14-24	32	High
Medical	175	0	C	150-200	186	Expected
Missing Person	24	1	C	12-36	25	Expected
Municipal or Utility	73	-8	C	36-110	99	Expected
Other Theft	14	-4	T	2-14	12	Expected
Prisoner Transport	124	29	T	121-350	280	Expected
Psychological	10	0	C	4-16	13	Expected
Recovered Vehicle	30	-5	T	14-35	19	Expected
R.O. Violation	2	0	C	0-4	1	Expected
Road Conditions	181	3	C	139-223	238	High
Robbery	9	0	C	5-13	7	Expected
Suspicious Activity	62	0	C	47-77	89	High
Threats/Harassment	7	1	T	6-12	11	Expected
Traffic Collision	1951	55	T	2058-2281	2148	Expected
Traffic Complaint	388	11	C	260-516	517	High

Activity	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Traffic Enforcement	123	-1	C	74-172	144	Expected
Traffic Offenses	30	-2	C	20-40	33	Expected
Trespassing	26	5	T	24-59	31	Expected
Vandalism	14	-2	T	8-14	12	Expected
Vehicle Stop	1460	-223	T	690-907	1065	High
Warrant Service	40	-4	T	17-40	52	High
Weapons	2	-1	C	0-5	2	Expected
Well-Being Check	29	3	T	21-60	63	High
Youth Disorder	1	0	C	0-2	2	Expected

The State Police had more increases in activity in the area than any local agency. Some brief notes:

- Of the **911 hangups**, more than half were in Cambridge, primarily involving Memorial Drive businesses.
- Medford dominated the increase in **abandoned vehicles**, particularly on Route 93.
- The **lost property** complaints are almost all at State Police facilities in Medford and Revere.

### Crashes on state roadways

Road	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Route 16	414	14	T	415-524	419	Expected
I-93	223	6	C	195-251	222	Expected
Route 28	228	3	C	209-247	213	Expected
Route 1	179	5	C	152-206	171	Expected
Memorial Drive	91	-2	C	78-104	115	High
Route 1A	61	1	C	49-73	81	High
Lynnway	31	5	T	37-54	43	Expected
Mystic Avenue	29	1	C	21-37	43	High
Route 38	31	3	T	33-56	42	Expected
Alewife Brook Pkwy	48	1	C	38-58	39	Expected
Revere Beach Pkwy	21	3	T	17-48	38	Expected
Mystic Valley Pkwy	11	2	T	11-28	36	High
Revere Beach Blvd	30	1	T	27-38	35	Expected
McGrath Hwy	14	1	C	5-23	34	High
Route 145	20	1	C	13-27	33	High
Fresh Pond Pkwy	49	-1	C	39-59	32	Low
Msgr. O'Brien Hwy	28	0	C	23-33	25	Expected
Fellsway East	15	1	C	7-23	22	Expected
Ocean Avenue	19	1	C	11-27	22	Expected
Route 2	33	-2	C	16-50	21	Expected
Lynn Fells Pkwy	19	2	T	17-36	21	Expected
Roosevelt Circle	10	-2	T	4-12	15	High

Unlike the local communities, State Police saw several increases in collisions along patrolled roadways, although not with any particular consistency in terms of proximity to the casino.

# Spatial analysis

With only 6 months' worth of data, and data missing from some key agencies, I'm going to confine the spatial analysis for the purposes of this report to the immediate area around Encore Boston Harbor. With a year's worth of data, I will be able to conduct more thorough spatial analyses, to include travel routes to and from the casino and key service locations along the way.

The areas immediately adjacent to Encore Boston Harbor include:

1. To the **west**, the Gateway Center Shopping Plaza. This is the closest set of retail stores and non-casino restaurants. Although it is immediately adjacent to Encore, there is no "official" way to walk from one to the other. People are crafty, however, and even if they don't find a way to walk, it is only a short drive back up to 16.

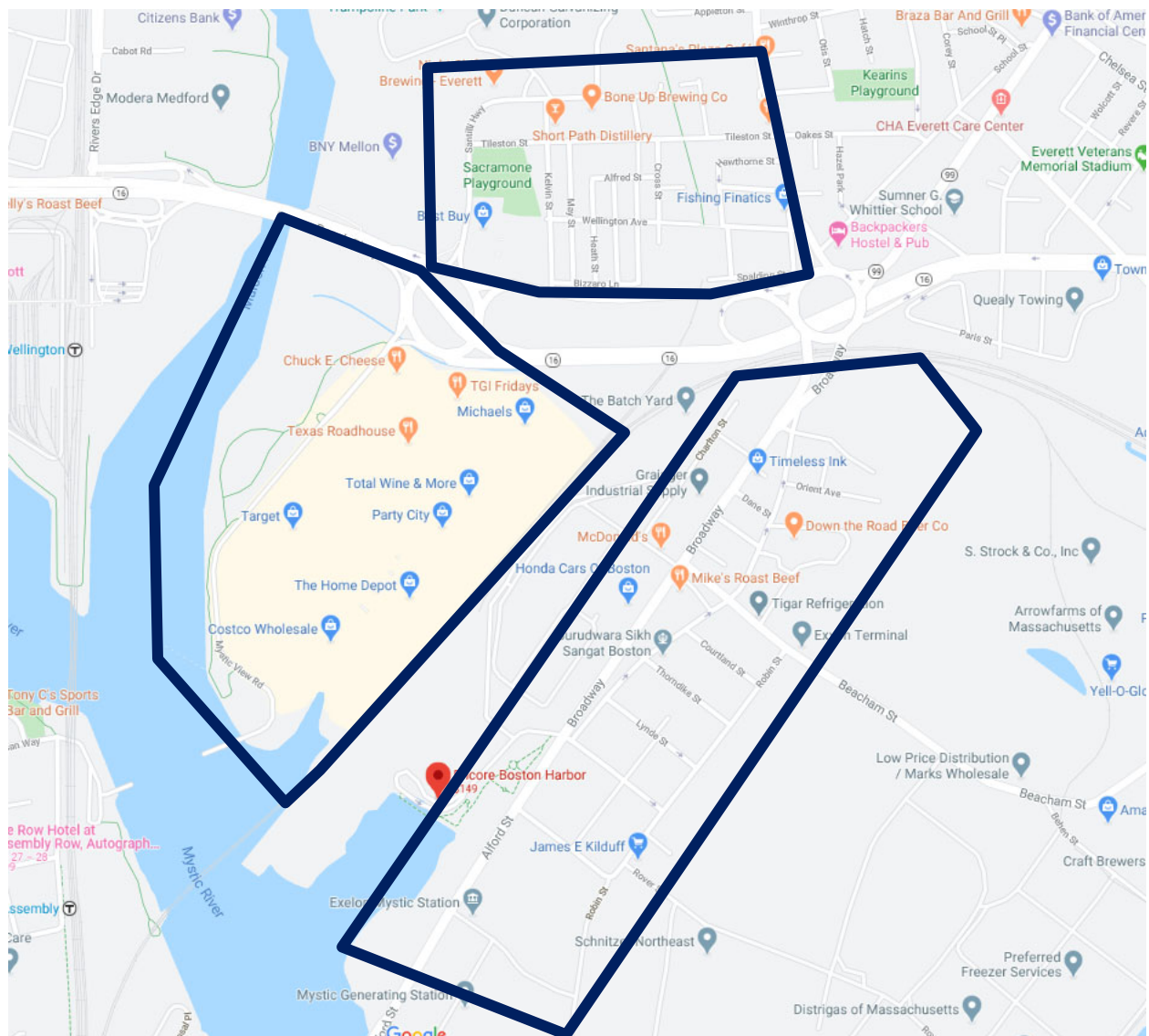


Figure 8: Three geographies around Encore Boston Harbor.

2. To the **east**, Broadway and a small mixed residential/commercial area extending one block to the east. There's a Dunkin' Donuts, a Mike's Roast Beef, a McDonald's, and some vehicle-related service businesses in the area. People driving to the casino pass through this area, and it certainly must have seen more traffic over the last six months.

3. To the **north**, a residential neighborhood extending from Route 16 with a couple of schools, a charge, a playground, and some local businesses. There's a Best Buy in the southwest corner of the area.

### Activity in the west polygon (Gateway Shopping Plaza)

Road	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Thefts from Vehicles	1	0	C	0-3	1	Expected
Shoplifting	25	0	C	15-35	25	Expected
Vandalism	2	0	C	0-4	3	Expected
Drug/Liquor Crimes	1	0	C	0-2	0	Expected
Violent Crime	2	0	C	0-4	4	Expected
Property Crime	39	1	C	27-51	38	Expected
Total Crime	43	1	C	32-54	46	Expected
Traffic Complaints	1	0	C	0-6	3	Expected
Total Calls for Service	211	-12	T	129-213	212	Expected
Traffic Collisions	2	0	C	0-5	4	Expected

### Activity in the east polygon (Broadway)

Road	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Thefts from Vehicles	2	0	C	0-5	3	Expected
Shoplifting	0	0	C	0-1	0	Expected
Vandalism	6	0	C	3-9	3	Expected
Drug/Liquor Crimes	3	1	C	1-7	9	High
Violent Crime	6	0	C	3-9	8	Expected
Property Crime	25	-1	C	15-35	17	Expected
Total Crime	40	0	C	29-51	35	Expected
Traffic Complaints	27	3	C	13-41	45	High
Total Calls for Service	365	-4	C	339-391	304	Low
Traffic Collisions	16	1	C	8-24	12	Expected

### Activity in the north polygon (neighborhood)

Road	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Thefts from Vehicles	3	0	C	1-6	2	Expected
Shoplifting	4	0	C	1-9	7	Expected
Vandalism	6	-1	T	2-8	3	Expected
Drug/Liquor Crimes	3	1	C	0-6	0	Expected
Violent Crime	5	0	C	2-8	6	Expected
Property Crime	26	-2	T	12-28	28	Expected
Total Crime	40	-1	C	33-47	43	Expected
Traffic Complaints	14	0	C	7-21	23	High
All Calls (reactive)	241	-16	T	146-236	232	Expected
Traffic Collisions	3	1	T	4-6	9	High

## Activity in the all polygons

Road	Pre-Enc Avg	Slope	Window Type	Pred. Window	Jul-Dec 2019	Result
Thefts from Vehicles	7	0	C	2-12	6	Expected
Shoplifting	29	0	C	19-39	32	Expected
Vandalism	14	-1	T	7-16	9	Expected
Drug/Liquor Crimes	5	1	T	3-15	9	Expected
Violent Crime	13	0	C	8-18	18	Expected
Property Crime	91	-1	C	78-104	83	Expected
Total Crime	118	0	C	104-132	116	Expected
Traffic Complaints	44	2	C	32-56	71	High
Total Calls for Service	817	-32	T	579-797	748	Expected
Traffic Collisions	21	2	C	11-32	25	Expected

Overall, we see very few increases in the three areas despite the extra traffic. The increase in liquor related crimes in the Broadway area is composed mostly of **drunk driving** incidents between 22:00 and 03:00 and seems likely related to the casino's presence, although we would ask the Everett Police Department to check for "last drink" statements on the related incidents (784639, 782314, 778695, 776562, 775005, 774917, and 774313).

The eastern area also saw an increase in **parking complaints**, predominantly on Bow Street. Whether it's casino-related depends on whether it makes any sense for people to park on nearby streets instead of the casino garage. There are also parking complaints in the northern neighborhood, scattered throughout the area. **Traffic collisions** were also high in the neighborhood, but the numbers are very small. Many of these are hit and runs to parked cars.

Overall, the even those incident types that increased increased so mildly that the change would be unnoticeable on a day-to-day basis.

# Future analytical plans

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This report being an initial six-month scan, there are several datasets yet unavailable that will allow us to expand this analysis in future reports. As time passes, we will be able to incorporate the following:

- An expansive analysis of trends by working with the agencies to look at the full reports, including narratives.
- An analysis of changes in the Encore Boston Harbor area compared to control areas and the rest of the state. This will become possible when a full set of statewide NIBRS data is available, probably in mid-2020.
- A comparative analysis of traffic collisions in the Everett area versus control areas. This probably will not be possible until a public statewide crash dataset is available, likely in 2021.
- Comparison of Encore Boston Harbor with other casinos, normalized by the number of annual visitors each facility receives. We are currently the process of collecting data from comparison casinos nationwide.

The Massachusetts Gaming Commission and author of this report have both received a number of questions from partners and stakeholders concerning the possible growth of human trafficking, particularly sex trafficking, in the area. Police statistics are a poor measure of “hidden” crimes like human trafficking, and thus we must look to more creative ways to blend information and intelligence from a variety of sources. To this end, the MGC will be commissioning a meeting of experts to discuss the issue, and to hopefully create an analytical process that will allow us to report better on this potential phenomenon in future reports.

# Appendix: Abbreviations and definitions

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## 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.
PVTA	Pioneer Valley Transit Authority	The organization that operates bus service and other public transportation in western Massachusetts.
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.
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## 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.

**Extortion:** Theft or attempted theft of money, goods, or services through non-violent coercion.

**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 or child neglect.

**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.

**Gambling offenses:** Crimes related to illegal gambling, promoting gambling, operating gambling machines, bookmaking, and sports tampering.

**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.

**Property crime:** An aggregate category that sums the totals of arson, burglary, thefts from persons, purse snatching, shoplifting, thefts from buildings, thefts from machines, thefts from vehicles, thefts of vehicle parts, other theft, auto theft, forgery, fraud, credit card fraud, identity theft, employee theft, extortion, stolen property, and vandalism.

**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.

**Statutory rape:** Nonforcible sexual activity with an individual who is unable to give legal consent because of age.

**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.

**Violent crime:** An aggregate category that sums totals for murder, sexual assault, kidnapping, robbery, aggravated assault, simple assault, and threats.

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

## 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.

**Disturbance:** Any of a variety of types of disorderly conduct, disputes, fights, 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.

**Gunshots:** Reports of gunshots fired, whether phoned in by a resident or received from automatic detection services.

**Hunting:** Reports of hunters hunting off-season, in protected areas, with illegal gear, or in an unsafe manner.

**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.

### 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	Violent Crime
Trespassing	Other Crime
Vandalism	Property Crime
Weapon Offenses	Societal Crime



*Division of Racing*

TO: Cathy Judd-Stein, Chair  
Gayle Cameron, Commissioner  
Eileen O'Brien, Commissioner  
Bruce Stebbins, Commissioner  
Enrique Zuniga, Commissioner

FROM: Alexandra Lightbown, Director of Racing

CC: Karen Wells, Interim Executive Director  
Todd Grossman, Acting General Counsel

DATE: May 7, 2020

RE: Postponement of June 1 Live Racing Opening at Plainridge

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Dear Commissioners:

Due to the COVID-19 pandemic, on March 20<sup>th</sup>, 2020, the Massachusetts Gaming Commission voted to postpone the opening of live racing at Plainridge Park Casino from April 6<sup>th</sup> to June 1<sup>st</sup>, based on a recommendation from myself and Steve O'Toole, Director of Racing for Plainridge Park Casino. Our recommendation was based on Massachusetts Governor Charles Baker's order prohibiting gatherings of over 25 people through April 5 and a Center for Disease Control recommendation. As of March 24<sup>th</sup>, the Governor ordered all businesses and organizations that do not provide "COVID-19 Essential Services" to cease in-person operations until April 7<sup>th</sup>. This order has been extended several times, and is currently extended to May 18<sup>th</sup>.

With this extension, Chris McErlean, Vice President of Racing, Penn National Gaming, and I feel a June 1<sup>st</sup> opening is not realistic. Bringing personnel on board, getting the track surface ready, having the track safety check performed, etc. all take time. We realize the hardship this pandemic has created for the horsemen and our staffs. Mr. McErlean and I have each been researching the best practices for opening up, and have begun discussions with the horsemen. Governor Baker has formed a Reopening Advisory Board that will be advising the administration on strategies to reopen businesses in phases, based on health and safety metrics. The Board is due to issue their report on May 18<sup>th</sup>. We look forward to incorporating their information to ensure a safe opening of live racing at Plainridge.

This is a very fluid and rapidly changing situation and will be re-evaluated as needed.

**Recommendation: That the Commission postpone the June 1, 2020 opening of Plainridge Racecourse until further notice.**



Massachusetts Gaming Commission



P.O. Box 1811, Plainville, MA 02762

Website: [www.hhane.com](http://www.hhane.com)

Main Office Number: 508.316.3364

President Robert McHugh Number: 781.929.7254

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April 30, 2020

**VIA ELECTRONIC MAIL/FED EX**

Mr. Chris McErlean  
Vice President, Racing  
825 Berkshire Blvd.  
Wyomissing, PA 19610

Mr. Lance George  
Vice President & General Manager  
Plainridge Park Casino  
301 N. Washington Street  
Plainville, MA 02762

Ms. Erin Chamberlain  
Sr. Vice President, Regional Operations  
Plainridge Park Casino  
301 N. Washington Street  
Plainville, MA 02762

Re: 2020 Racing Schedule & Resumption of Live Racing Protocol

Dear Mr. McErlean, Mr. George and Ms. Chamberlain:

I write to request clarification from Plainville Gaming and Development, LLC ("PGR"), Plainridge Park Casino ("Plainridge"), and Penn National Gaming, Inc. ("PNG" and collectively, the "PNG Entities") as to the 2020 racing schedule at Plainridge in light of the PNG Entities' commitment to hosting one hundred ten (110) live race days and it's requesting and the Massachusetts Gaming Commission's ("MGC") tentatively deciding to postpone the start of live racing at Plainridge from April 6, 2020 to June 1, 2020. As you know, the Harness Horseman's Association of New England, Inc. ("HHANE") opposed PNG Entities' decision to petition the MGC for a postponement of such a prolonged period of time that extends beyond the Governor's current "stay-at-home" order and is tied to a hypothetical casino re-opening date. HHANE's position is well documented in the administrative record.

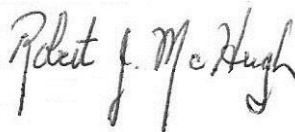
The agreement between PGR and HHANE dated March 12, 2019 requires that PGR apply for and host one hundred ten (110) live racing dates ("Live Racing Days") each calendar year and, this year, Plainridge has been granted such amount of Live Racing Days. As you are

also aware, HHANE members and other participants of the horse racing industry in the Commonwealth and beyond depend almost entirely on purse earnings from these Live Racing Days for their livelihoods. HHANE need not remind the PGR Entities that their commitment to host such racing days is independent of their casino gaming operations.

HHANE assumes that, prior to petitioning for a postponement of the start of Live Racing Days, the PNG Entities developed a plan to host the same amount of Live Racing Days, despite the postponement. Further, in line with other racing jurisdictions and racetrack operators throughout the country, HHANE assumes that the PNG Entities have been working diligently on a plan to safely and swiftly re-open racing operations.<sup>1</sup> As such, we request that the PNG Entities please (i) explain to HHANE and the MGC its plans for making up the twenty-four (24) postponed Live Racing Days and (ii) propose, in detail, its plans and protocols for re-opening the racetrack for live racing immediately when it is legally allowed to do so. With respect to (ii) above, HHANE recognizes the difficulties presented by the current situation, but believes that being proactive in developing a plan for safe re-opening will allow racing and Massachusetts horsemen's ability to earn a living to resume at the earliest possible date. The PNG Entities have been entrusted by the Commonwealth to host live racing events which is, in no way, contingent on active casino operations.

Given the potential economic impact that any unnecessary postponement of racing is likely to have on our members and constituents of the Commonwealth, we request that the PNG Entities promptly respond to these urgent requests. HHANE understands the trying times in which the Commonwealth finds itself. HHANE welcomes the opportunity to engage with the PNG Entities and the MGC to ensure a successful 2020 live racing season with the requisite amount of Live Racing Days and the health of the Commonwealth's thriving harness horse racing industry. HHANE would be happy to collaborate in developing plans and protocols for a safe re-opening of racing operations. Please let us know if HHANE can be of any assistance during the planning process.

Sincerely,

A handwritten signature in black ink, reading "Robert J. McHugh". The signature is written in a cursive, slightly slanted style.

Robert McHugh  
President  
Harness Horseman's Association of New England,  
Inc. ("HHANE")

---

<sup>1</sup> HHANE notes that multiple racetracks throughout the country, such as Gulfstream Park in Florida and Oaklawn in Arkansas, have continued to safely operate during the pandemic by implementing certain strict "social distancing" protocols. Oaklawn, for example, has continued to safely host live racing even though its indoor gaming operations have been shuttered. Additionally, in jurisdictions in which live racing is not allowed, racetrack operators have been working diligently with the relevant horseman's associations to develop protocols that will be implemented immediately once state governments allow live racing to resume. To our knowledge, none of these plans to resume live racing are contingent upon the re-opening of casino or indoor gaming operations.



cc: Ms. Alice Tisbert (HHANE)  
Mr. James Hardy (HHANE)  
Mr. Joseph Therrien (HHANE)  
Mr. Paul London (HHANE)  
Mr. Frank Antonacci (HHANE)  
Mr. Robert Bogigian (HHANE)  
Mr. Joseph Flynn (HHANE)  
Mr. Paul Silva (HHANE)  
Ms. Cathy Judd-Stein (MGC)  
Ms. Gayle Cameron (MGC)  
Ms. Eileen O'Brien (MGC)  
Mr. Bruce Stebbins (MGC)  
Mr. Enrique Zuniga (MGC)  
Dr. Alexandra Lightbown (MGC)

To: MA Gaming Commission/Racing Committee

From: Martin Corry, Esq.

Re: Plainridge Park Race Track/Possible Opening of Race Track with Strict Covid-19 Guidelines & No Fans

Date: May 1, 2020

On behalf of the women and men of the Harness Horse Association of New England, I would ask that the MA Gaming Commission and its subgroup, the MGC Racing Committee, keep an open mind regarding the topic of when Harness Racing can safely resume at Plainridge Park Race Track.

There are several grounds for this request:

1. There is a clear and distinct difference between the precautions necessary to safely re-open a casino and the precautions necessary to open a race track, especially with strict Covid-19 protocols and no fans, while still being able to simulcast the signal to viewers. Using the Governor's Reopening Advisory Board Stakeholder Engagement Principles, an effort to revive the Harness

Racing Industry at Plainridge Park surely requires independent consideration by the Commission.

2. There is an obligation by the MGC to consider the workers at Plainridge Park Race Track and ancillary businesses that employ hundreds in the business of live harness horse racing. These workers can be safely screened on-site so that the track can operate safely. Current tracks currently open, using Covid-19 protocols, include: Gulfstream Park, FLA; Tampa Bay Downs, FLA; Oaklawn Park, ARK; Remington Park, OK; Will Rogers Downs, OK; Fonner Park, NE; & Los Alamitos, CA.
3. Tracks that have opened using Covid-19 Protocols are enjoying a tremendous increase:

Track	April 2020	April 2019	\$Inc.	%Inc.
Will Rogers	\$28,836,104	\$5,194,293	\$23,641,811	455.1%
Fonner Park	\$28,299,771	\$1,992,956	\$26,306,815	1,320%
Gulfstream	\$113,219,729	\$53,669,390	\$20,692,097	111%
Tampa Bay	\$46,849,010	\$26,156,913	\$20,692,097	79.1%
Oaklawn	\$57,910,408.	\$33,281,973.	\$24,628,435	74%

4. Churchill Downs Stables has announced plans to open Stables on May 11; an April 30th article in the Paulick Report provides the Highlights from the Churchill Downs' Covid-19 Action Plan. These provide a possible template for Plainridge Park Race Track, where applicable (see attached)

The members of HHANE have been severely impacted by the loss of live racing at Plainridge Park Race Track. We want to work with the MA Gaming Commission and the Racing Committee and PNG to come forward with a safe and sound plan that will permit live racing to return to the track, independent from the reopening of the Casino.

Thank you for your consideration.

---

Martin G. Corry  
Attorney at Law  
Corry Associates LLC  
6 Beacon Street  
Suite 312  
Boston, MA 02108  
BBO#100580

## HIGHLIGHTS FROM CHURCHILL DOWNS' COVID-19

### ACTION PLAN

#### **PROCEDURES, GUIDELINES AND DIRECTIVES**

Pre-entry procedures include wearing at minimum a cloth/mask or face covering prior to entering and all times while on the grounds, COVID-19 testing and passing a medical screening which includes a medical questionnaire and temperature reading.

All individuals who refuse to comply with the COVID-19 Action Plan or those who do not pass the medical screening will be denied entry onto the premises and asked to self-quarantine per CDC guidelines. A log will be kept for individuals that fail initial medical screening so that track security can ensure current CDC self-quarantine timelines have been met prior to attempted re-entry to site.

Each person on the grounds will be given a color-coded wristband which will validate that person has passed that day's screening. Each day a new color will be used to ensure that all individuals are cleared to be on the grounds.

#### **SOCIAL DISTANCING**

In accordance with CDC guidelines, all horsemen and racetrack employees will be required to practice safe social distancing procedures. This includes avoiding group gatherings of any size and maintaining a six-foot social distancing protocol for all interactions. Track security will enforce social distancing policies in effect and repeated non-compliance will result in removal from the site.

#### **ONSITE DAILY CHECK-INS**

In addition to screening at the point of entry to the grounds, Churchill Downs will set up a process for daily onsite check-ins to screen individuals residing on the backside. These

individuals will be required to report to a designated location on the grounds where they will have their temperature checked and must answer the questions for the medical questionnaire. Tracks will require all trainers to submit a badge list identifying their employees which will be cross-referenced to ensure that all employees are screened daily. Trainers will be advised of any individuals who failed to show up for their daily screening.

At the conclusion of daily screenings, security will also randomly check to make sure horsemen have the current color-coded wristband for each day. Anyone who does not have the correct wristband will be asked to re-screen immediately.

## **QUARANTINE PROTOCOLS**

Churchill Downs will make medical staff available to provide more detailed medical evaluations for those individuals who do not pass the screening in an effort to determine if they meet the CDC guidelines for quarantining. Those who are not required to quarantine will be allowed to return to their regular assigned area(s) and will continue to participate in daily medical screenings. Those required to quarantine will be asked to report to their trainer to coordinate the offsite quarantine location in accordance with current CDC guidance.

At the conclusion of their CDC recommended duration of quarantine, the individual must be re-evaluated by a medical professional. If the individual still exhibits symptoms associated with COVID-19, the medical professional may recommend additional isolation or off site treatment at that time. Conversely, upon successful medical re-screening, the individual will be allowed to return to their regular assigned

area(s) and will continue to participate in daily medical screenings.

## **ONSITE STABLED HORSES & PERSONNEL PROCEDURES**

Personnel are encouraged to increase the frequency of handwashing by utilizing exterior hand sanitizing stations or by utilizing restrooms/bath houses that are stocked with liquid soap.

In addition, sharing of equipment shall be minimized (lead shanks, grooming tools, mucking equipment, etc.). If equipment must be shared among horsemen, it shall be disinfected between uses.

## **JOCKEYS' ROOM**

Churchill Downs will ensure that jockeys and staff are adequately spaced out in the jockeys' room to comply with proper social distance guidelines. Jockeys shipping in from out of state or are outside of the normal colony will be separated in another room.

## **GRANDSTAND/FRONTSIDE ACCESS/PADDOCK AREA**

Grandstand, frontside and paddock access will be strictly limited to horsemen with horses racing and approved racing officials and track staff. All individuals in these areas will be checked by security personnel to ensure they have the correct color wristband for access or they will be screened if this is their first time on the grounds that day. Congregating on the apron in large groups will not be allowed. All facilities will remain closed to the general public. There will be no onsite wagering for racing to reduce the likelihood of congregation and to limit touchpoints on the grounds.

Paddock access will be limited to the trainer, assistant trainer, groom and horse only.

## **CLEANING PROTOCOLS FOR BACKSIDE & TRACKSIDE OPERATIONS**

Dormitories – To maintain cleanliness within our backside dormitories, track personnel will ensure cleaning of frequently touched surfaces, such as doorknobs, door handles, handrails and tables, as well as non-porous surfaces in bathrooms, and laundry areas using EPA and CDC approved disinfectants. In addition, wastebaskets will be placed in visible locations and emptied regularly.

Restrooms – All restrooms/bath houses are pre-cleaned daily and routinely cleaned during normal operations provided six-foot social distances practices can be maintained. This includes frequent removal of trash and thorough cleaning of all surfaces. All restrooms/bath houses are stocked with liquid soap and all employees and on-site partners are encouraged to frequently wash their hands.

### **EMPLOYEE TRAINING**

Training has been developed and will be provided to all team members, security and medical personnel on all new procedures and monitoring/reporting requirements. Medical personnel will develop and be trained on procedures to ensure that all suspected or confirmed cases of COVID-19 infection are properly communicated, documented and directed to appropriate quarantine facilities.

### **ACCESS RESTRICTIONS**

To limit exposure and prevent the spread of germs and disease the following restrictions shall apply:

- No fans or media will be allowed at the track;
- No guests, no exceptions;
- No congregating in any areas;
- Official clockers and gap attendants to use their designated space(s) only;



- Only trainers and horsemen with horses stabled at Churchill Downs and Trackside and others are responsible for the care of the horses (veterinarians, grooms, exercise riders, farriers) are allowed in the stable area;
- Track kitchen will remain open to serve onsite personnel only via carryout orders;
- No access wrist bands will be issued to family members or guests of horsemen and racetrack employees; and
- Individuals under the age of 16 will be prohibited from entering the barn area at any time.



# RISK MANAGEMENT PLAN

The Return to Standardbred Horse Racing at  
Plainridge Park Racecourse Without Fans  
Plainville MA



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## **1. Purpose:**

The Harness Horseman's Association of New England, Inc. (HHANE) has been asked by The Director of Racing of the Racing Division of the Massachusetts Gaming Commission (MGC) to provide a document to address how the harness racing industry can plan for the return of harness racing at Plainridge Park Racetrack (Racetrack) in Plainville, Massachusetts.

The HHANE has considered all aspects to successfully launch the return of standardbred horse racing in the Commonwealth, spectator free during the Covid-19 crisis.

The overall recommendations are wide in scope including developing a communication strategy for all relevant stakeholders including government (federal and state), public health, horsemen and women, race fans, general public, Penn National Gaming (PNG), Owners of the Racetrack, and the MGC (the five member independent body which oversees the implementation and licensing process). One should note the costs for the operation of the MGC is paid solely by the gaming industry and not by Massachusetts tax dollars.

Other areas of focus include identifying minimum internal controls that industry can implement and provide an outline of policies, procedures, and protocols for best practices and standards going forward.

## **2. Overview**

The HHANE consists of Board Directors (Board), who are horse trainers, drivers, owners, and breeders of standardbred racehorses.

The Board met and discussed the many protocols and blueprints that are in place at other tracks currently racing across the country and around the world. Focusing on the information obtained, these comprehensive procedures were incorporated in our Risk Management Plan (Plan), a comprehensive detailed plan for industry consideration.

## **3. Management Summary**

In creating a comprehensive report that reviews all available considerations and details, the following priorities were identified:

- The importance of getting the standardbred horse racing industry back in operation
- A strong focus and emphasis on risk mitigation to assure the safety of all participants



- Ensure the safety, health, and welfare of standardbreds
- Commitment to work with and follow government and public health advisories

#### **4. Social & Economic Impact Considerations**

Every standardbred horse must first be registered with the United States Trotting Association (USTA), by law, before being eligible to race in North America or to subsequently be used in the Standardbred breeding industry.

The COVID-19 pandemic has created critical circumstances for the health and welfare of our equine athletes, as well as the people who work in the horse racing industry across the country. The delayed opening due to the pandemic has put significant stress on the standardbred industry. Horses are not machines that can be turned off and put away.

Trainers, Drivers, Owners, Groom, and Breeders have suffered financial distress more than the public since the Racetrack closed the end of November. Other businesses in the Commonwealth were operating thru March.

Horses require feed, training, and attending to seven days a week. Without purse money, owners and trainers are in an extremely precarious situation as they are responsible for feeding their families and must provide for their horses.

The primary and immediate concern of the HHANE is the welfare of the horse and the fear that as this pandemic continues, we will begin to have racehorses being neglected as owners and trainers are forced to choose between supporting their families and supporting their horses.

The HHANE believes the horse men and women can begin racing upon adoption and implementation of these procedures. This can be done with agreed to minimum internal controls, policies, procedures, and protocols that are widely accepted and practiced by the industry across the country. Through consultation, support, and input from all stakeholders a detailed plan incorporating government and public health guidelines has been created that will support an early return of live standardbred horse racing in Massachusetts without public attendance. HHANE believes this is a win-win for all involved which will:

- Put our horse people and this industry sector of the economy back to work
- Relieve the financial and mental stress of these workers
- Ensure the health and welfare of the equine athletes and the people working with them
- Create a safe, practical, and viable plan that will not put people at risk



- Build confidence within the Commonwealth that business is slowly returning to the “new normal”

The reason the standardbred horse racing industry can reset its business early is due in part to the fact that horse racing does not require a live fan base. This is due to the large percentage of revenue that is generated through broadcasting and video streaming of races and online wagering which occurs seven days a week as well as providing significant needed income to Massachusetts from the taxes generated on every wager that is made. In turn this will provide continued employment resulting in payroll taxes.

Therefore, with no fans allowed at the racetracks, the industry can focus on COVID-19 restrictions for all participants including physical distancing, personal protective equipment, policies and procedures along with protocols for the industry to follow while preparing for and conducting live racing.

The Re-opening Preparation Plan for the return of standardbred horseracing at Plainridge Racetrack provides guidance to the MGC, PNG, HHANE and internal/external stakeholders that will adjust restrictive mitigation measures in a controlled manner to support the safe re-opening of horseracing when appropriate, while supporting standardbred horse people re-entering the industry.

### **Why Is the Plan Important to the Massachusetts Horse Racing Community?**

Returning to Standardbred Racing requires a coordinated effort for all industry stakeholders with consistent accepted policies and procedures for all participants. Because of the nature of the industry, including transportation of horses to the racetracks, and overlap of horse people working at different training centers and farms, it is critical that the industry have a plan that all participants can follow. This Plan facilitates the coordination and execution of a nationwide effort with robust monitoring systems identified that are critical to navigating the COVID-19 pandemic and how it evolves.

### **Indicators and Thresholds**

While we feel that this Plan is comprehensive, we recognize that it may have to be reviewed and monitored and stricter mitigation measures for brief periods may be needed to continue containing the virus. In the future, we would hope to lessen some of the requirements when government (federal and state) and public health concludes that the risk of the virus has decreased significantly. The HHANE plans on working with all relevant stakeholders when it is concluded that the risk has decreased.

### **Prioritization and Timing**



The priority is to reopen Plainridge to allow the horse men and women to return to work. Other stages will follow with careful monitoring of the public health and health care systems. Throughout this phased reopening, it is critical for everyone to continue to strictly follow the recommended non-pharmaceutical interventions, including handwashing, wearing face coverings in congregate settings, and maintaining physical distancing.

## **5. Phase One - Stakeholder Engagement**

### **A Framework for Re-Opening Horse Racing**

The framework recognizes that the reopening may increase the risk of resurgence of the virus. Reopening is therefore conditional on:

- Confidence that incidence of infection is genuinely low within each horse racing community
- A system process that is well functioning and capable of promptly monitoring any increase in Incidence
- Working with public health officials

### **Stakeholder Role**

- Emphasize continued physical distancing
- Emphasize readiness to HHANE and the horseracing community
- Identify each participant's role in returning to work responsibly
- Establish suggested policies and procedures, minimum internal controls; create educational and awareness tools for all participants
- Criteria for readiness to lift strict mitigation
- Sharing of data and information with HHANE
- Communicate to the industry about the current situation, decisions under consideration and clear guidance for adhering to mitigation levels
- Address violations that place the industry at risk as needed
- Adaption of The Racing Industry Reopening Preparation Plan



## **HHANE'S Role**

- Common messaging, vision, clear guidance for horse people to adhere to mitigation levels
- Tailor mitigation strategies to address unique community characteristics and protect older adults and those at highest risk for severe illness (underlying health conditions)
- Assist in programs, staffing and infrastructure needs as requested
- Technical assistance · coordination of information sharing and decision making as required to the horse racing community
- Assist in any Covid-19 testing, tracking, or procedures as warranted or deemed necessary to protect the horse racing industry

### **a. MGC Racing Regulators**

HHANE recognizes the MGC as having the power to govern, control and oversee the horse racing in any or all its forms throughout the State. HHANE respectfully requests the regulating body work with HHANE, the recognized standardbred horse racing industry association to assist in the return of standardbred horse racing in Massachusetts. The HHANE will work with the MGC to further enhance the Plan by requesting input on what steps can be taken to further enhance compliance and safety measures. It is critical that those within the sport can look forward to and plan for a positive future

This may include but is not limited to:

- Meet with stakeholders to discuss the minimum internal controls being proposed in this document for input and direction
- Work with the racetrack and recognized standardbred horse associations to implement agreed upon protocols that are acceptable to the Advisory Board
- Provide support and assistance to ensure the agreed to protocols are enforced and supported by the regulating body
- Promote and advocate for the return of standardbred horse racing at Plainridge Racetrack
- Notify the jurisdictional racetracks or associations of any concerns with regards to adherence to the minimum internal controls





- Support and discuss the initiative with relevant stakeholders
- Regularly review and revise minimum internal controls and adjust accordingly to mitigate risk of the proposed Plan
- Tests horses to deter the use of prohibited substances
- Provide information on the use of approved medications. HHANE believes that there is an opportunity to work with the MGC and identify agreed upon processes and procedures that will assist in mitigating risk with regards to relaxing processes through the use of physical distancing, personal protective equipment and testing.

This includes but is not limited to:

- Meet to discuss the minimum internal controls being proposed in this document for input and direction
- MGC to work with Racetrack participants to implement an agreed upon protocol deemed acceptable
- Provide support and assistance to ensure the protocols are enforced and supported by PNG
- Notify PNG of any concern with regards to adherence to the minimum internal controls outlined by the MGC
- Support and discuss the initiative with relevant stakeholders
- Regularly review and revise minimum internal controls and adjust accordingly to mitigate risk of the proposed Plan

#### **b. Working with Government**

The Harness Horseman's Association of New England (HHANE) has developed a best-in-class public health and safety protocol, based on CDC guidelines and with our workers' and patrons' well-being at top of mind, toward restarting harness racing at Plainridge Park with no fans in attendance. We look forward to working with MGC/RACING Committee and PNG in order to reopen live racing at Plainridge Park Racetrack in an orderly fashion as soon as possible.



## **Objectives**

To provide this Plan to the “Reopening Advisory Board” established by the Governor of Massachusetts and receive approval that harness racing be identified as an industry that can reopen.

## **Key Messages to the Governor**

- The industry has prepared a comprehensive Plan that is endorsed by stakeholders.
- The primary focus is the health and welfare of the horse men and women and horses.
- A phased in approach to the return of standardbred racing will be executed with no fans at The Racetrack to reduce the risk of COVID-19.
- A return to racing will support those working in racing and alleviate some of the financial burden to government from the industry.
- The industry will implement protocols and best practices under the guidelines to protect the health of racing participants.
- Horse racing is currently being conducted successfully around the world and in several major racetracks in the United States without spectators and under strict protocol from their respective Governments and Health agencies.
- The Plan will be flexible and offer a range of options that can be adapted as required, including a contingency plan for stoppage of racing in the event that COVID-19 resurfaces.

## **c. Public Health Communication Plan**

Resuming racing in the Commonwealth successfully is contingent on the racetrack, horse people, and other industry participants abiding by Public Health protocol and guidelines. This Plan uses the protocol and guidelines to assist in evaluating the readiness to resume standardbred horse racing in the Commonwealth.

- Plan for information sharing and risk communication where Covid-19 has been detected
- Consult and Involve local Health Agencies



- Horse racing can be broadcasted / video streamed with online wagering and no spectators on track
- Configuration of activities at the racetrack will be altered for assurances
- As much of the activities as possible will be conducted outside
- There will be restricted point of entrance and exit with staggered placing of horses and horse persons to ensure physical distancing
- Hygiene practices will be followed with easy access to hand sanitizing stations
- Frequency of cleaning will increase on high touch surfaces
- A single designated person will operate each of the water spigot for horse drinking water
- The lounge area will be closed
- Food and drinks are not allowed in the paddock and must remain in your vehicle

### **Mitigation for Outbreaks**

Should a racing participant test positive for COVID-19, the participant should isolate for 14 days. A protocol will be established to determine who the infected participant should notify. There will also be a series of questions asked so the racetrack official can determine any interaction the infected person had with others at the racetrack. Those individuals will also be contacted, requested to conduct self-assessments, and will need to self-quarantine for 14 days.

Racing officials have the authority to close racetracks and discontinue racing for a specific time period, should there be a community outbreak, increased incidence of COVID-19 at the racetrack, or if it is deemed in the best interests of the health and welfare of racing participants to do so.

### **6. Phase Two – Return to Racing Without Fans at the Track**

The Plan proposes that racing resumes, but with no fans allowed at the racetracks. This will allow the industry to focus on COVID-19 preventative measures with the racing participants which will include physical distancing, personal protective equipment, proper hygiene such as hand washing and respiratory etiquette, proper cleaning methods, and travel restrictions in preparation for and during the first phase of racing.

### **Physical (social) distancing**



The spread of COVID-19 can be slowed down by making a conscious effort to keep a physical distance between each other. Physical (social) distancing is proven to be one of the most effective ways to reduce the spread of illness during an outbreak

#### **a. Barn Area – Minimum Internal Controls / Policies & Procedures**

- Ship-in to race only. There will be no overnight stabling allowed
- Face coverings will be mandatory while on the grounds
- Security personnel will log all essential licensed personnel only
- All trainers, drivers, and grooms shall make themselves available for temperature scanning before entering the grounds. Any person with a temperature above 100.4F will be denied entrance to the grounds
- Horses will be assigned stalls and grouped by trainer in the barn area regardless of what race they are in. There will be an empty stall between trainers

#### **b. Race Paddock – Minimum Internal Controls / Policies & Procedures**

Communication informing racetrack employees and horse men and women of proper protocol will be distributed in advance of the resumption of racing and posters, flyers, etc. will be posted in prominent and relevant places in the race paddock.

The measures and precautions that will be undertaken by the racing community during the resumption of racing will include:

#### **Physical (social) distancing**

The spread of COVID-19 can be slowed down by making a conscious effort to keep a physical distance between each other. Physical (social) distancing is proven to be one of the most effective ways to reduce the spread of illness during an outbreak and may include the following:

#### **In the Race Paddock**



- Physical distancing must be practiced.
- Horse men and women should not congregate or gather in groups.
- Horse men and women are advised to keep a distance of at least 2 arms-lengths (approx. 6 (six) feet from others.
- Minimal number of staff and personnel to run the race card.

### **Proper Hygiene & Respiratory Etiquette**

Proper hygiene and respiratory etiquette can help reduce the risk of infection or spreading infection to others. Wash your hands often with soap and water for at least 20 seconds, especially after using the washroom

- use alcohol-based hand sanitizer if soap and water are not available
- when coughing or sneezing:
  - cough or sneeze into a tissue or the bend of your arm, not your hand
  - dispose of any tissues you have used as soon as possible in a lined waste basket and wash your hands afterwards
- avoid touching your eyes, nose, or mouth with unwashed hands

### **Proper Cleaning & Disinfecting Equipment, etc.**

Corona viruses are one of the easiest types of viruses to kill with the appropriate disinfectant product when used according to the label directions. We will publish a list of hard surface disinfectants that are likely to be effective for use against COVID-19.

Surfaces in the Race Paddock that will require constant cleaning will include:

- Crossties
- Door handles, doorknobs



- Light switches
- Faucets & Taps (used to bathe horses)

### **Wearing Masks or Face Coverings**

Wearing a non-medical mask or face covering is an additional measure that horse persons and racing employees can take to protect people around them, even if they have no symptoms. The procedures require all horse men and women to wear face masks upon entering and until leaving the backside.

### **Key Messages**

- The horse racing industry will follow all requirements and guidelines mandated by Government officials to reduce the risk of COVID-19 when racing resumes.
- The Public Health requirements will be communicated in writing to all horse racing participants in advance of the return of horse racing and reinforced on an ongoing basis.
- The harness racing industry will adjust to new, elevated, or relaxed guidelines as mandated by the Federal and Commonwealth Health agencies.
- Horse racing participants will sign a document that confirms they will abide by all precautionary requirements in order to participate in racing.
- Failure to comply with Public Health requirements will result in the removal of a participant from the grounds.

### **c. Grandstand**

In the early stages, this measure should be a serious consideration for every racetrack

At minimum, the closures will affect public areas, allowing employees to work in the building, with strict physical distancing precautions. Non-essential personnel and members of the general public would be strictly prohibited.

At maximum, closures could apply not only to the public, but to the entire Grandstand building, which could also have implications for judges, announcers, security, camera operators etc. If this is the case, alternate arrangements would have to be made to handle certain duties remotely or from external locations around the racetrack

### **Racing**



## **Policies & Procedures**

The following are considerations that must be undertaken by PNG that will provide a safe environment for participants and maintain extremely high standards.

The following list offers several considerations that PNG should consider when developing and refining their respective procedures:

### **Earlier post time and extra time between races**

Because of the logistics of physical distancing, racetracks should consider altering post times and extending the time between races. Getting horse men and women in and out of racetrack facilities and limiting the number of horse men and women that gather at any time would be much easier to achieve if race cards are spread out.

The track may consider implementing unique measures of dividing race cards into two or three mini race cards. This measure is sometimes done during busy qualifying days. It could allow horse men and women time to warm-up, race and leave, and then allow a new group of horse men and women to arrive, warm up, race and leave.

### **Limiting staff on site**

We recommend that Plainridge limit the number of people on site to essential staff required to conduct racing. Some considerations should be made for limiting or reducing any, or all, of the following people from each site:

- No admittance to non-essential personnel
- Maximum 1 person per horse in the paddock
- No extra warm-up personnel in the paddock, trainers, or drivers to warm up horses
- Starting gate staff kept to an absolute minimum
- Paddock staff reduced to the minimum required
- Testing and identification staff reduced to a minimum
- Separate entrances designated for camera operators and any other required personnel

### **Using off site locations when possible**



In these unique circumstances, off site measures may be implemented to reduce the number of individuals on site. PNG and MGC would need to decide how many of the following measures are feasible.

- All registration, eligibility, licensing, and membership activities could take place prior to racing and completed on-line, or by phone/fax with the USTA
- All racing licenses with the MGC could be extended or protocols put in place for single application occupancy in or outside of the MGC building
- The announcer could call races from a remote location, using the video feed
- Judges could adjudicate from a remote location, using video feeds

#### **Using outdoor spaces whenever possible and when feasible**

In many cases, certain tasks usually done within the paddock can be accomplished in outdoor areas. Some of the following are potential examples:

- Identification of horses
- Delivery and pickup of saddle pads
- In this case where the barn area exist, horses could avoid being taken to the paddock to warm up and warm up from their assigned stalls in barn area
- Horses could go directly to the assigned stall in the barn area after the race if not being tested

#### **Additional precautions for participants**

All those racing will be asked to take extra precautions while on site, including any of the following:

- Participants only allowed into the paddock one hour (or a designated time) prior to their horse's scheduled post time
- Participants could go back to their assigned stalls in the barn area after their race.
- Provide list of questions asked at the stable gate as to the health of participants; each participant will be provided with two face masks





- Temperatures taken at the stable gate. Those with temperatures of 100.4F will not be Admitted
- Mandatory masks or face coverings for all participants when inside the paddock
- A trainer with only one horse may not have a groom. A trainer with 2-5 horses can have 2 grooms. Exception for those that are driver/trainer, one groom for every two horses entered is pretermitted
- All racing participants must sign a document confirming that they agree and will abide by all precautionary policies and procedures

### **Additional precautions at the facility**

The racetrack can take extra steps to ensure the paddock is a safe space. Potential measures include:

- Reorganization of the paddock floor plan which may include assigning paddock stalls by trainer. A diagram of the backside shows that we have enough stalls for that purpose.
- Disinfecting the paddock following each race card and qualifier
- Have horses using every other (or every third) race stall in the Paddock
- Driver changing room and showers closed
- Paddock lounge closed
- Install plexiglass in places needed to separate persons in the racing building
- Limit every work area at the racetrack to under 5 employees (or fewer, if needed)
- Winner's circle procedure simplified or eliminated to prevent additional gathering, and expedite post-race procedures
- Staggering post parades
- Directional signage for traffic flow to limit physical interaction



### **Alter regulatory procedures at the racetrack**

Where feasible, and upon regulatory approval, certain changes would limit the number of individuals at the track and in close proximity to one another. These include:

- Waiving the Lasix program, which could avoid people being on site for 4+ hours or if Lasix testing continues and there is underused backside stalls, this could be used in lieu of the paddock area or Lasix could be given off site by a licensed veterinarian. Slip could be provided
- Temporarily changing testing procedures, which could require only race winners called to test (less test horses possibly fewer test collectors), or a small number of horses chosen to be tested over the duration of the program, and / or test random horses 30 minutes prior to their race and / or after a race
- Waive breathalyzer and conduct a “fit for duty” assessment

### **Additional considerations:**

- Qualifiers held two sessions per week on non-race day and qualifiers for trotters on one day and pacers on another non race day
- Consider changing the qualifying rule to extend the amount of time off a horse need before qualifying to comply at a minimum with the USTA rules
- All horses with a clean charted line as of March 1, 2020 shall be deemed eligible to be entered
- All horses racing for the same claiming price as their last previous start before the COVID-19 shutdown shall not be eligible to be claimed in their first start following their return
- Adjust racing day to alternate days, Monday, Wednesday, and Friday.
- Allow only horses from the six New England States to participate at Plainridge Racetrack

### **d. Training Centers**

The reasons for strict off-site facility management are to accomplish the following:

- The flow of individuals from off-track facilities to one track, back to the facility and then to other tracks will occur. Without strict off-site management if there is a COVID-19 positive at



a single track, it could easily spread to other tracks.

- To ensure a safe working environment for all participants, on and off track.
- To provide confidence to the racetrack and the MGC that every facility is following the same protocols of physical distancing and extreme caution.

Measures to be implemented at training centers and off-track facilities

Any or all of the following measures should be considered

- The banning of unnecessary persons and the public from attending training centers, with only essential personnel; trainers, caretakers, veterinarians, and blacksmiths permitted to be on site.
- Training centers follow strict guidelines pertaining to on-site deliveries, track maintenance, site management etc., to guarantee physical distancing is taking place
- Documentation, signed by every person working at training centers, attesting that they are taking physical distancing measures both off-site and on-site, agreeing that they have read the guidelines provided and will take appropriate measures to comply
- Strict screening of new individuals who are moving onto a site

#### **e. Attestation**

The HHANE will require the owner/manager of the training center to sign documentation that would require him or her to attest to the fact that his/her facility is meeting the COVID-19 standards as established.

Prior to racing, the MGC and Plainridge may request that the facility owner/manager has attested that each of the recommended conditions, as described above, has been met and that each person working at the facility has signed off on adhering to the strict measures. Racetracks and regulatory authorities would then have the right to disallow any participant from racing if they have not completed the required paperwork, or if the facility they are located at has not completed the required paperwork and taken the appropriate steps to ensure compliance.



## **7. Phase Three - Public Relations and Communications Strategy**

### **a. Overall Plan**

Public relations are critical for the distribution of consistent information to the government, participants, fans, and the general public. The HHANE will ensure that industry stakeholders and industry participants are aware of the industry's "key messages" to communicate.

The HHANE will distribute information as required through its primary communication vehicle, [www.hhane.com](http://www.hhane.com) and also use other online methods for communicating with the membership, social media, texting, email, etc.

There are two stages to the Public Relations component of The Plan which is dependent on these milestones:

1. Government and Stakeholder engagement for the Return of Standardbred Racing in Massachusetts
2. The resumption of Standardbred Racing

Once the Plan is communicated to Government & Stakeholders, and in advance of the return of racing, there will be communication pieces targeted to:

- Stakeholders
- Participants
- Racing Fans

### **b. Key Messages**

- The HHANE has prepared a comprehensive Plan for the Standardbred industry stakeholders and Government to ensure racing commences and protects the health and safety of everyone.
- The industry supports and protects those working in racing.
- The health and welfare of the horses is a primary focus in the Plan.
- All industry participants have a role to play and can contribute to the successful execution of the Plan.



- Procedures and precautionary practices are taken very seriously for the health and safety of those working in the industry as well as the horses.
- The industry will provide accurate and timely information to audiences inside and outside the sport.
- The Racing Industry Reopening Preparation Plan will be flexible and offers a range of options that can be adapted as required

### **Communication Vehicles**

- Web & Social Media announcements
- E-Blast communications
- Press releases
- Short videos
- Posters for tracks, etc.
- Informational Messages on the USTA Website.
- Text messaging

### **The Resumption of Racing**

#### **Communication to:**

- Stakeholders
- Participants
- Racing Fans

#### **a) Key Messages – To Industry**

- The success of The Racing Industry Reopening Preparation Plan relies on all industry participants.
- The industry supports and protects those working in racing.
- The health and welfare of the horses is a primary focus. #thehorsecomesfirst



- Everyone has a role to play and is responsible for the successful execution of the plan.
- Procedures and precautionary practices are taken very seriously for the health and safety of those working in the industry as well as the horses.
- The industry will provide accurate and timely information to audiences inside and outside the sport.
- Racing Industry Reopening Preparation Plan will be flexible and offer a range of options that can be adapted as required.

#### **b) Key Messages – External (Race fans and General Public)**

- The health and welfare of our horses is the primary focus for the industry.
- Racing participants are taking procedures and precautionary practices very seriously for the health and safety of those working in the industry as well as the horses.
- Racing with no fans in attendance during this time is in the best interest of the public.
- The industry is supporting and protecting those working in racing and managing the public health risk.

#### **Communication Vehicles**

- Web & Social Media announcements
- E-Blast communications
- Press releases
- Short videos
- Posters for tracks, etc.
- Informational Messages on the USTA Website.
- Text messaging



## Conclusion

It is the hope of the HHANE that this Policy satisfies the overall goals and objectives of a successful return to Standardbred Horse Racing at Plainridge Racetrack in Plainville, MA

The success of the Policy will be determined by industry participants and stakeholders. HHANE will continue to offer assistance and consultation as requested and required to assist in the implementation of an effective overall plan for the return of harness racing. The HHANE Board of Directors wish everyone involved a timely and safe return to racing at Plainridge Racetrack so that the industry can get back to showcasing the passion and thrill of our sport through our equine athletes and champions.

Sincerely,

Robert McHugh

President Harness Horseman's Association of New England, Inc. (HHANE)



*Division of Racing*

## **MEMORANDUM**

**TO:** Massachusetts Gaming Commission  
**FROM:** Chad Bourque, Financial Analyst  
**SUBJECT:** Local Aid Quarterly Distribution for Q1 CY 2020  
**DATE:** April 29, 2020

In accordance with the Commonwealth of Massachusetts Budget and appropriation 1050-0140, 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 | March 31, 2020 \$226,583.95

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

Encl. localaid\_q1\_cy\_2020

Cdb



Massachusetts Gaming Commission

101 Federal Street, 12<sup>th</sup> Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | [www.massgaming.com](http://www.massgaming.com)



Computation of Local Aid Distributions Quarter End 03/31/2020

	<u>July, Aug, Sept</u>	<u>Local Aid .0035</u>	<u>Payable to City / Town</u>
Plainridge :			
On track	7,434,915		
Exports	6,609,989		
Hollywood Bets	<u>1,130,690</u>		
Total	15,175,594	\$53,114.58	Plainville
Raynham:			
On track	<u>6,023,621</u>		
Total	6,023,621	\$21,082.67	Raynham
Suffolk Downs:			
On track	9,100,758		
Exports	-		
TVG	16,765,317		
Twin Spires	7,914,336		
Xpress Bets	4,217,225		
NYRA Bets	<u>5,393,341</u>		
Total	43,390,977	\$151,868.42	Boston 2/3   Revere 1/3
Wonderland			
On track	<u>148,078</u>		
Total	148,078	\$518.27	Boston 2/3   Revere 1/3
Grand Total	<u>64,738,270</u>	<u>\$226,583.95</u>	

Distributions:

Town of Plainville	On Plainridge	\$53,114.58
Town of Raynham	On Raynham	\$21,082.67
City of Boston (line 1)	On Suffolk	\$101,246.12
City of Revere (line 1)	On Suffolk	\$50,622.30
City of Boston (line 2)	On Wonderland	\$345.52
City of Revere (line 2)	On Wonderland	<u>\$172.76</u>
Total		\$226,583.95

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



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2019 Q3 HANDLES	JULY	AUG	SEPT	TOTALS
PLAINRIDGE ON TRACK	2,618,589	2,627,288	2,189,038	7,434,915
EXPORTS	2,430,526	2,351,077	1,828,385	6,609,989
WINLINE	356,671	464,498	309,521	1,130,690
TOTALS	5,405,786	5,442,863	4,326,944	15,175,593
RAYNHAM ON TRACK	1,959,862	2,362,924	1,700,835	6,023,621
TOTALS	1,959,862	2,362,924	1,700,835	6,023,621
SUFFOLK ON TRACK	2,817,518	3,582,452	2,700,789	9,100,758
EXPORTS	-	-	-	-
TVG	5,581,411	7,000,727	4,183,179	16,765,317
TWS	2,544,009	3,346,935	2,023,392	7,914,336
XPRESS BETS	1,448,217	1,714,993	1,054,015	4,217,225
NYRA	1,405,312	2,851,400	1,136,628	5,393,341
TOTALS	13,796,467	18,496,507	11,098,004	43,390,977
WONDERLAND ON TRACK	51,218	51,321	45,540	148,078
TOTALS	51,218	51,321	45,540	148,078
<b>TOTALS</b>	<b>21,213,333</b>	<b>26,353,615</b>	<b>17,171,322</b>	<b>64,738,270</b>

Amounts are computed at .35 percent times amounts wagered during the quarter ended six months prior to the payment.



Massachusetts Gaming Commission

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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 amendment to 205 CMR 134.00: Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations. Specifically, an amendment to section **134.09: Investigation, Determination, and Appeals for Gaming Establishment Employees and Vendors** was drafted and proposed, for which a public hearing was held on April 28, 2020.

205 CMR 134.00 was developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. The proposed amendment applies directly to individuals applying for a gaming employee license or registration. This regulation is largely governed by G.L. c. 23K, §§ 3, 4(28), and 5.

The proposed amendment applies solely to individuals applying for a gaming employee license or registration and individuals associated with businesses applying for a vendor license or registration. The amendment is unlikely to have any negative effect 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 negatively impacted by this amendment as it solely relates to the manner in which sealed records will be considered by the Commission as part of the suitability process. 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 by this amendment.

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

This amendment does not impose any 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 regulation:

There are no design or operational standards required in the proposed amendment.

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

This amendment is not likely to deter or encourage the formation of new businesses in the Commonwealth as it is limited in its likely impact on the business community.

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

This amendment does not create any adverse impact on small businesses; to the contrary, it should have a positive impact, if any.

Massachusetts Gaming Commission  
By:

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Shara Bedard  
Paralegal  
Legal Division

Dated: \_\_\_\_\_



Massachusetts Gaming Commission

### Regulation Review Checklist

Agency Contacts for This Specific Regulation		
Name	Email	Phone
Karen Wells		
Loretta Lillios		
Overview		
<b>CMR Number</b>	205 CMR 134.09	
<b>Regulation Title</b>	Investigation, Determination, and Appeals for Gaming Establishment Employees and Vendors	
<input type="checkbox"/> <b>Draft Regulation</b>		<input checked="" type="checkbox"/> <b>Final Regulation</b>
Type of Proposed Action		
<b>✓ Please check all that apply</b>		
<input type="checkbox"/> Retain the regulation in current form.		
<input type="checkbox"/> New regulation (Please provide statutory cite requiring regulation):		
<input type="checkbox"/> Emergency regulation (Please indicate the date regulation must be adopted):		
<input checked="" type="checkbox"/> Amended regulation (Please indicate the date regulation was last revised): 08/10/2018		
<input type="checkbox"/> Technical correction		
<input type="checkbox"/> Other Explain:		

Summary of Proposed Action
Please describe the purpose of the regulation:
The proposed amendment clarifies provisions in the existing regulations regarding the handling of information and records pertaining to sealed and expunged records by the IEB as part of suitability investigations.
Nature of and Reason for the Proposed Action
This amendment clarifies a policy objective of the Commission related to the scope of background investigations performed pursuant to G.L. c. 23K, and 205 CMR 134.00.

## Regulation Review Checklist

Additional Comments or Issues Not Earlier Addressed by this Review	
Required Attachments	
✓ Please check all that apply	
<input checked="" type="checkbox"/> Redlined version of proposed amendment to regulation, including repeals	<input type="checkbox"/> Clean copy of the regulation if it is a new chapter or if there is a recommendation to retain as is
<input type="checkbox"/> Text of statute or other legal basis for regulation	
<input type="checkbox"/> Small Business Impact Statement (SBIS)	<input checked="" type="checkbox"/> Amended SBIS

205 CMR: MASSACHUSETTS GAMING COMMISSION  
205 CMR 1434.00: LICENSING AND REGISTRATION OF EMPLOYEES, VENDORS,  
JUNKET ENTERPRISES AND REPRESENTATIVES, AND LABOR ORGANIZATIONS

134.09: Investigation, Determination, and Appeals for Gaming Establishment Employees and Vendors

(1) \*\*\*

In determining the weight to be afforded any information bearing on suitability in accordance with 205 CMR 134.10 and 134.11, the Division of Licensing, Bureau, or commission, as applicable, shall consider: the relevance of the information to employment in a gaming establishment or doing business with a gaming establishment in general, whether there is a pattern evident in the information, and whether the applicant is likely to be involved in gaming related activity. Further, the information will be considered in the light most favorable to the applicant unless the information cannot be so viewed pursuant to M.G.L. c. 23K or the information obtained does not otherwise support such view. For purposes of 205 CMR 134.00 and M.G.L. c. 23K, § 16 an adjudication of delinquency shall not be considered a conviction. Such a finding may, however, be considered for purposes of determining the suitability of an applicant. Sealed or expunged records of criminal or delinquency appearances, dispositions, and/or any information concerning such acts shall not be considered for purposes of making a suitability determination in accordance with 205 CMR 134.00 and M.G.L. c. 23K. ~~Records of criminal or delinquency appearances, criminal dispositions, and/or any information concerning such acts of delinquency that have been sealed or expunged shall not be considered for purposes of making a suitability determination in accordance with 205 CMR 134.00 and M.G.L. c. 23K.~~

March 18, 2020

Massachusetts Gaming Commission  
101 Federal Street, 12th Floor  
Boston, MA 02110

Re: Comment on Proposed Regulation, 205 CMR 134.09

Dear Commissioners:

I am the director of the CORI & Re-entry Project at Greater Boston Legal Services and I am writing to comment on use of juvenile records, sealed records, and investigative methods that have the effect of excluding and discouraging many individuals with past CORI, especially from communities of color, from applying for casino jobs.

**I. The Gaming Commission Should Comply with the Spirit and Letter of the Law that Bars Use of Juvenile Records in Hiring Determinations.**

Casino hiring practices need to align with applicable anti-discrimination laws as well as the goals of the Legislature in enacting expanded gaming and CORI related reforms in 2010 and 2018. The Gaming Commission legislation intended to “provide for new employment opportunities in all sectors of the economy, *particularly opportunities for the unemployed*” and to promote the “development of workforce training programs that serve the unemployed” in need of these jobs. G.L. c. 23K, §§ 1, 18 (emphasis added). Similarly, CORI reform was intended to enable people “to overcome the inherent collateral consequences of a criminal record and achieve meaningful employment opportunities.” *Commonwealth v. Pon*, 469 Mass. 296, 297 (2014). The overuse of arrest and criminal record disqualifiers by state employers and licensing agencies shuts countless job applicants out of the economy, and in particular, affects people of color due to racial disparities in the criminal justice system.

**Juvenile Court Cases Are Not Criminal Cases**

The anti-discrimination law, chapter 151B, prohibits use of arrests and offenses that did not end in a conviction. G.L. c. 151B, § 4. The Massachusetts Commission against Discrimination (MCAD), for example, warns employers that they may not inquire about juvenile offenses unless the person was tried as an adult. MCAD, Fact Sheet: Discrimination on the Basis of Criminal Record (2007); MCAD, Fact Sheet Criminal Offender Record Information Administrative Procedure Reforms (November 2010).

If a delinquency or youthful offender case ends unfavorably, the child is adjudicated delinquent or a youthful offender, rather than convicted of an offense in the juvenile court. Treating juvenile court adjudications the same as adult convictions for purposes of hiring is at odds with well-established case law and statutes that provide that youthful offender adjudications are not convictions. In 2018, the statute defining CORI to be included in CORI reports was amended to



exclude any juvenile records from CORI reports unless the cases were transferred to an adult court or filed against the juvenile in superior court. The law provides that: "**Criminal offender record information shall be limited to information concerning persons who have attained the age of 18 and shall not include any information concerning criminal offenses or acts of delinquency committed by any person before he attained the age of 18**; provided, however, that if a person under the age of 18 was adjudicated as an adult in superior court or adjudicated as an adult after transfer of a case from a juvenile session to another trial court department, information relating to such criminal offense shall be criminal offender record information."

The Legislature has left intact the philosophical underpinnings of the Juvenile Court which require rehabilitative and non-criminal treatment of juvenile offenders. Roderick L. Ireland, 44 Mass. Prac., Juvenile Law § 1.3 (2d ed. 2011). It is well established that juveniles who are found delinquent are not convicted of an offense because "[a]n adjudication concerning a juvenile is not, of course, a conviction of crime." *Dept of Youth Services v. A Juvenile*, 384 Mass. 784, 786 (1981). "Moreover, even as to the category of children adjudicated 'youthful offenders,' the statute does not label a 'youthful offender' proceeding as 'criminal'." *Commonwealth v. Connor C*, 432 Mass. 635, 641-642 (2000). "The 1996 amendments [adding a youth offender category] did not alter that fundamental policy determination by the Legislature." 44 Mass. Prac., Juvenile Law § 1.3 (2d ed.), citing *Connor C*, 432 Mass. at 641-642.

Sections 52 through 63 of Chapter 119 govern delinquency and youthful offender cases tried in a juvenile session and make clear that neither type of case is a criminal case. Section 53 of Chapter 119, which remains unchanged since its enactment, provides that:

Sections fifty-two to sixty-three, inclusive, shall be liberally construed so that the care, custody and discipline of the children brought before the court shall approximate as nearly as possible that which they should receive from their parents, and that, as far as practicable, they shall be treated, not as criminals, but as children in need of aid, encouragement and guidance. **Proceedings against children under said sections shall not be deemed criminal proceedings.**  
G.L. c. 119, § 53. (Emphasis added).

"The distinction our law recognizes between a child and adult adjudication exists partly to avoid the infringement of a child's constitutional rights, and partly to avoid the attachment of criminal stigma to children who may be amenable to rehabilitation." *Connor C*, 432 Mass. at 642.

"The 'adjudication of a juvenile as a youthful offender subjects him to more severe penalties, including State prison sentences, . . . but it does not transform his illegal act from an act of delinquency into a crime, and does not change the statutory obligation to treat him 'as far as practicable' as a child 'in need of aid, encouragement and guidance' rather than as a criminal." *Commonwealth v. Anderson*, 461 Mass. 616, 630 (2012), quoting *Connor C*, 432 Mass. at 641-642. See also, *United States v. McGhee*, 651 F.3d 153, 158 (1st Cir. 2011) ("We conclude that Massachusetts has classified 'youthful offender' adjudications differently from 'adult convictions'"); *United States v. Curet*, 670 F.3d 296, 302 (1st Cir. 2011) (same). Furthermore, the only juvenile statute that uses the term "conviction" as related to delinquent youth or youthful offenders committed

to the DYS, provides that release from custody is deemed to "restore such person to all civil rights and shall have the effect of setting aside the conviction." G.L. c. 120, § 21.

### **Use of Juvenile Cases in Hiring is Inconsistent with Research on Brain Development and the Purpose of the Juvenile Justice System**

The inclusion of youthful offender records as part of the evaluative process for hiring job applicants undermines the rehabilitative nature of the juvenile justice system. As the United States Supreme Court acknowledged in barring the death penalty for juveniles, "it would be misguided to equate the failings of a minor with those of an adult, for a greater possibility exists that a minor's character deficiencies will be reformed." *Roper v. Simmons*, 543 U.S. 551, 570 (2005). Research supports that young people have a greater potential for change and rehabilitation than adults who commit crimes. For most teens, risky or antisocial behaviors are "fleeting" and cease as the individual becomes more mature. *Id.* at 570, quoting Steinberg & Scott, *Less Guilty by Reason of Adolescence: Developmental Immaturity, Diminished Responsibility, and the Juvenile Death Penalty*, 598 Am. Psychologist 1009, 1014 (2003). "Only a relatively small proportion of adolescents who experiment in risky or illegal activities develop entrenched patterns of problem behavior that persist into adulthood." *Id.* In sum, they possess "a lack of maturity" and are more susceptible to negative influences. *Graham v. Florida*, 130 S. Ct. 2011, 2026 (2010) (internal citation omitted). Studies have shown that brain development is not complete until early adulthood and into a person's mid-twenties. *See e.g.* Tracy Rightmer, *Arrested Development: Juveniles' Immature Brains Make Them Less Culpable Than Adults*, 9 Quinnipiac Health L.J. 1, 23 (2005) (internal citations omitted), Individuals whose last arrest or police contact was from ages eighteen to twenty compare favorably with those with no criminal records at all. Megan Kurlychek *et al*, *Enduring Risk? Old Criminal Records and Short-Term Predictions of Criminal Involvement*, 53 Crime & Delinq. 64, 75 (2007). Thus, the Commonwealth's public policy appropriately provides that delinquency and youthful offender cases "shall not be deemed criminal proceedings." G.L. c. 119, § 53.

### **Juvenile Adjudications Are Treated as Convictions Only in Criminal Prosecutions**

Treating juvenile adjudications as tantamount to an adult criminal conviction is inconsistent with the rules of evidence. Youthful offender adjudications cannot be used for impeachment of a witness in civil matters. G.L. c. 119, § 60 provides that:

An adjudication of any child as a delinquent child under sections fifty-two to fifty-nine, inclusive, or any disposition thereunder of any child so adjudicated, or any evidence given in any case arising against any child under said sections fifty-two to fifty-nine, or **any records in cases arising against any child under said sections fifty-two to fifty-nine shall not be received in evidence or used against such child for any purpose** in any proceedings in any court **except in subsequent delinquency or criminal proceedings against the same person;** . . . (Emphasis added).

Accordingly, the Massachusetts Guide to Evidence, § 609 (5) provides that adjudication of a child as a "youthful offender may be used in subsequent delinquency or criminal proceedings in the same manner and to the same extent as prior criminal convictions." Using juvenile records as an evaluative tool, however, is inconsistent with the inadmissibility of these records in civil matters.

## **II. Sealed Records Should Not Be Used in the Hiring Process.**

We thank the Commission for its thoughtful approach to use of information related to sealed records in the proposed regulation. The CORI sealing statute has long permitted job applicants to say they have “no record” when applying for jobs after they seal their records. G. L. c. 276, § 100A. Moreover, “sealed records shall not operate to disqualify a person in any examination, appointment or application for public service in the service of the commonwealth or of any political subdivision thereof; nor shall such sealed records be admissible in evidence or used in any way in any court proceedings or hearings before any boards or commissions,” except at sentencing in a subsequent criminal case and in 209A and certain family related court hearings. G. L. c. 276, § 100A. The Legislature has gone to great lengths to block inquiries related to sealed cases and arrests that did not end in a conviction. The law, as mostly recently amended, requires that not only job applications, but housing and occupational licensing applications with inquiries about criminal histories, must warn applicants that they can say that they have “no record” if their criminal records are sealed. G. L. c. 276, § 100A.<sup>1</sup> Thus, the law intends to block discussion of sealed offenses.

### **Conclusion**

For all of the above reasons, we urge the Commission to exclude juvenile court offenses in addition to information related to sealed cases from consideration in the hiring process. Your time and effort in considering these comments are greatly appreciated. Please feel free to email me at [pquirion@gbbs.org](mailto:pquirion@gbbs.org) or leave a message for me at 617-603-1554.

Respectfully submitted,

Pauline Quirion  
Director, CORI & Re-entry Project  
617-603-1554  
[pquirion@gbbs.org](mailto:pquirion@gbbs.org)

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<sup>1</sup> MASS. GEN. LAWS ch. 276, § 100A, as amended by St. 2018, c. 69, §§ 189-194, requires that an application for employment, housing or an occupational license state: “An applicant for employment or for housing or an occupational or professional license with a sealed record on file with the commissioner of probation may answer ‘no record’ with respect to an inquiry herein relative to prior arrests, criminal court appearances or convictions.”

## ADDENDUM

### **Mass. Gen. Laws ch. 151B, § 4 Excerpt pertaining to criminal arrests and sealed cases**

**It shall be an unlawful practice:**

. . .

9. For an employer, himself or through his agent, in connection with an application for employment, or the terms, conditions, or privileges of employment, or the transfer, promotion, bonding, or discharge of any person, or in any other matter relating to the employment of any person, to request any information, to make or keep a record of such information, to use any form of application or application blank which requests such information, **or to exclude, limit or otherwise discriminate against any person by reason of his or her failure to furnish such information through a written application or oral inquiry or otherwise regarding: (i) an arrest, detention, or disposition regarding any violation of law in which no conviction resulted, or (ii) a first conviction for any of the following misdemeanors: drunkenness, simple assault, speeding, minor traffic violations, affray, or disturbance of the peace, or (iii) any conviction of a misdemeanor where the date of such conviction or the completion of any period of incarceration resulting therefrom, whichever date is later, occurred 3 or more years prior to the date of such application for employment or such request for information, unless such person has been convicted of any offense within 3 years immediately preceding the date of such application for employment or such request for information, or (iv) a criminal record, or anything related to a criminal record, that has been sealed or expunged pursuant to chapter 276.**

**No person shall be held under any provision of any law to be guilty of perjury or of otherwise giving a false statement by reason of his failure to recite or acknowledge such information as he has a right to withhold by this subsection.**

Nothing contained herein shall be construed to affect the application of section thirty-four of chapter ninety-four C, or of chapter two hundred and seventy-six relative to the sealing of records.

9 ½. For an employer to request on its initial written application form criminal offender record information; provided, however, that except as otherwise prohibited by subsection 9, an employer may inquire about any criminal convictions on an applicant's application form if: (i) the applicant is applying for a position for which any federal or state law or regulation creates mandatory or presumptive disqualification based on a conviction for 1 or more types of criminal offenses; or (ii) the employer or an affiliate of such employer is subject to an obligation imposed by any federal or state law or regulation not to employ persons, in either 1 or more positions, who have been convicted of 1 or more types of criminal offenses.

**M.G.L. c 276 § 100A**

**§ 100A. Requests to seal files; conditions; application of section; effect of sealing of records**

Effective: October 13, 2018

Currentness

Any person having a record of criminal court appearances and dispositions in the commonwealth on file with the office of the commissioner of probation may, on a form furnished by the commissioner and signed under the penalties of perjury, request that the commissioner seal the file. The commissioner shall comply with the request provided that: (1) the person's court appearance and court disposition records, including any period of incarceration or custody for any misdemeanor record to be sealed occurred not less than 3 years before the request; (2) the person's court appearance and court disposition records, including any period of incarceration or custody for any felony record to be sealed occurred not less than 7 years before the request; (3) the person had not been found guilty of any criminal offense within the commonwealth in the case of a misdemeanor, 3 years before the request, and in the case of a felony, 7 years before request, except motor vehicle offenses in which the penalty does not exceed a fine of \$50; (4) the form includes a statement by the petitioner that he has not been convicted of any criminal offense in any other state, United States possession or in a court of federal jurisdiction, except such motor vehicle offenses, as aforesaid, and has not been imprisoned in any state or county in the case of a misdemeanor, within the preceding 3 years, and in the case of a felony, within the preceding 7 years; and (5) the person's record does not include convictions of offenses other than those to which this section applies. This section shall apply to court appearances and dispositions of all offenses; provided, however, that this section shall not apply in case of convictions for violations of sections 121 to 131H, inclusive, of chapter 140 or for violations of chapter 268 or chapter 268A, except for convictions for resisting arrest.

In carrying out the provisions of this section, notwithstanding any laws to the contrary:

1. Any recorded offense which was a felony when committed and has since become a misdemeanor shall be treated as a misdemeanor.
2. Any recorded offense which is no longer a crime shall be eligible for sealing forthwith, except in cases where the elements of the offense continue to be a crime under a different designation.
3. In determining the period for eligibility, any subsequently recorded offenses for which the dispositions are "not guilty", "dismissed for want of prosecution", "dismissed at request of complainant", "nol prossed", or "no bill" shall not be held to interrupt the running of the required period for eligibility.
4. If it cannot be ascertained that a recorded offense was a felony when committed said offense shall be treated as a misdemeanor.
5. Any violation of section 7 of chapter 209A or section 9 of chapter 258E shall be treated as a felony.
6. Sex offenses, as defined in section 178C of chapter 6, shall not be eligible for sealing for 15 years following their disposition, including termination of supervision, probation or any period of incarceration, or for so long as the offender is under a duty to register in the commonwealth or in any other state where the offender resides or would be under such a duty if residing in the commonwealth, whichever is longer; provided, however, that any sex offender who has at any time been classified as a level 2 or level 3 sex offender, pursuant to section 178K of chapter 6, shall not be eligible for sealing of sex offenses.

When records of criminal appearances and criminal dispositions are sealed by the commissioner in his files, he shall notify forthwith the clerk and the probation officer of the courts in which the convictions or dispositions have occurred, or other entries have been made, of such sealing, and said clerks and probation officers likewise shall seal records of the same proceedings in their files.

**Such sealed records shall not operate to disqualify a person in any examination, appointment or application for public service in the service of the commonwealth or of any political subdivision thereof; nor shall such sealed records be admissible in evidence or used in any way in any court proceedings or hearings before any boards or commissions, except in imposing sentence in subsequent criminal proceedings, and except that in any proceedings under sections 1 to 39I, inclusive, of chapter 119, sections 2 to 5, inclusive, of chapter 201, chapters 208, 209, 209A, 209B, 209C, or sections 1 to 11A, inclusive, of chapter 210, a party having reasonable cause to believe that information in a sealed criminal record of another party may be relevant to (1) an issue of custody or visitation of a child, (2) abuse, as defined in section 1 of chapter 209A or (3) the safety of any**

person may upon motion seek to introduce the sealed record into evidence. The judge shall first review such records in camera and determine those records that are potentially relevant and admissible. The judge shall then conduct a closed hearing on the admissibility of those records determined to be potentially admissible; provided, however, that such records shall not be discussed in open court and, if admitted, shall be impounded and made available only to the parties, their attorneys and court personnel who have a demonstrated need to receive them.

**An application used to screen applicants for employment, housing or an occupational or professional license which seeks information concerning prior arrests or convictions of the applicant shall include the following statement: “An applicant for employment or for housing or an occupational or professional license with a sealed record on file with the commissioner of probation may answer ‘no record’ with respect to an inquiry herein relative to prior arrests, criminal court appearances or convictions. An applicant for employment or for housing or an occupational or professional license with a sealed record on file with the commissioner of probation may answer ‘no record’ to an inquiry herein relative to prior arrests or criminal court appearances.** In addition, any applicant for employment or for housing or an occupational or professional license may answer ‘no record’ with respect to any inquiry relative to prior arrests, court appearances and adjudications in all cases of delinquency or as a child in need of services which did not result in a complaint transferred to the superior court for criminal prosecution.” The attorney general may enforce the provisions of this paragraph by a suit in equity commenced in the superior court.

The commissioner, in response to inquiries by authorized persons other than any law enforcement agency, any court, or any appointing authority, shall in the case of a sealed record or in the case of court appearances and adjudications in a case of delinquency or the case of a child in need of services which did not result in a complaint transferred to the superior court for criminal prosecution, report that no record exists.

#### Credits

Added by St.1971, c. 686, § 1. Amended by St.1973, c. 533, §§ 2, 3; St.1973, c. 1102, § 4; St.1974, c. 525; St.1975, c. 278; St.2010, c. 256, §§ 128 to 130, eff. May 4, 2012; St.2018, c. 69, §§ 186 to 192, eff. Oct. 13, 2018.

M.G.L. 276 § 100A, MA ST 276 § 100A

Current through Chapter 88 of the 2019 1st Annual Session

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End of Document

**Ennis, Jamie (MGC)**

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**From:** Angela Williams-Mitchell <angellota1957@gmail.com>  
**Sent:** Tuesday, March 24, 2020 11:51 AM  
**To:** Quirion, Pauline  
**Cc:** Bedard, Shara N. (MGC); Mimi; Marvin Martin; Weezy Waldstein  
**Subject:** Re: Proposed Gaming Commission Regulation 205 CMR 134.09

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Greetings Pauline,

Words will not do justice to explain the phenomenal articulable explanation with supporting facts that you have laid out for the Commission. My fingers are a bit sore, as I finger snapped while reading your comments.

Thank you very much for the time it took to be so detailed. I appreciate you walking the readers through such a clear description of the laws and legislation that guides and governs the practices and policies related to Sealed Records and its use in hiring practices. Thank you, thank you, thank you!

As I concluded the reading, a couple of questions were triggered in relation to the CORI question on a screening application for employment.

Question 1).

Does the question on the application read that an applicant may, or should say "No Record" if his/her CORI is sealed? Is this wordsmithing relevant?

Question 2).

Is the CORI question on the application generic (for an applicant who has never been involved with the law as well as an applicant who no longer has a CORI)?

I attempted to download a copy of the employment application online from Encore to no avail. I would have to fill out the employment application to see how the question reads. Please offer any guidance possible.

Wishing that you remain safe as possible in these times of uncertainties,  
Angela

NOTE: This email was to have been sent days ago. I saw it in my draft box this morning ... oops 😞

On Wed, Mar 18, 2020 at 12:54 PM Quirion, Pauline <[pquirion@gbis.org](mailto:pquirion@gbis.org)> wrote:

Attached are my comments. I am working at home remotely, but have full access to emails and messages left at work.

Thank you.

Paulin Quirion  
617-603-1554





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 amendment to 205 CMR 133.00: Voluntary Self-Exclusion. Specifically, an amendment to section **133.04: Duration of Exclusion and Removal from the List** was drafted and proposed, for which a public hearing was held on April 28, 2020.

205 CMR 133.00 was developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. The proposed amendment revises the administrative process and nomenclature for the reinstatement session and re-entry onto the gaming floor after removal from the Voluntary Self-Exclusion list, to establish uniform procedures. This regulation is largely governed by G.L. c. 23K, §§ 4(28), 5, and 45(f).

The proposed amendment applies directly to individuals participating in the Voluntary Self-Exclusion program. Accordingly, the amendment will not have an effect 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 this amendment as it applies directly to individuals participating in the Voluntary Self-Exclusion program. Accordingly, there are no less stringent compliance or reporting requirements that could be established 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 this amendment.

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

This amendment does not impose any 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 regulation:

There are no design or operational standards for small businesses required in the proposed amendment.

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

As this amendment applies directly to individuals participating in the Voluntary Self-Exclusion program, it is 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:

This amendment does not create any adverse impact on small businesses.

Massachusetts Gaming Commission

By:

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Shara Bedard  
Paralegal  
Legal Division

Dated: \_\_\_\_\_



Massachusetts Gaming Commission

## Regulation Review Checklist

Agency Contacts for This Specific Regulation		
Todd Grossman, Carrie Torrisi		
Mark Vander Linden		
Overview		
<b>CMR Number</b>	205 CMR 133.04	
<b>Regulation Title</b>	Voluntary Self-Exclusion: Duration of Exclusion and Removal from the List	
<input type="checkbox"/> <b>Draft Regulation</b>	<input checked="" type="checkbox"/> <b>Final Regulation</b>	
Type of Proposed Action		
✓ <b>Please check all that apply</b>		
<input type="checkbox"/> Retain the regulation in current form.		
<input type="checkbox"/> New regulation (Please provide statutory cite requiring regulation):		
<input type="checkbox"/> Emergency regulation (Please indicate the date regulation must be adopted):		
<input checked="" type="checkbox"/> Amended regulation		
<input type="checkbox"/> Technical correction		
<input type="checkbox"/> Other Explain:		

Summary of Proposed Action
Please describe the purpose of the regulation:
205 CMR 133.00 governs the procedures and protocols relative to the list of self-excluded persons from entering the gaming area of a gaming establishment or any area in which pari-mutuel or simulcasting wagers are placed.
Nature of and Reason for the Proposed Action
The proposed amendment to section .04 revises the period between the reinstatement session and re-entry onto the gaming floor after removal from the Voluntary Self-Exclusion list, to establish uniform procedures.

## Regulation Review Checklist

Additional Comments or Issues Not Earlier Addressed by this Review	
Required Attachments	
✓ Please check all that apply	
<input checked="" type="checkbox"/> Redlined version of proposed amendment to regulation, including repeals	<input type="checkbox"/> Clean copy of the regulation if it is a new chapter or if there is a recommendation to retain as is
<input type="checkbox"/> Text of statute or other legal basis for regulation	
<input type="checkbox"/> Small Business Impact Statement (SBIS)	<input checked="" type="checkbox"/> Amended SBIS

205 CMR: MASSACHUSETTS GAMING COMMISSION  
205 CMR 133: VOLUNTARY SELF-EXCLUSION

133.04: Duration of Exclusion and Removal from the List

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(4) At any time after the expiration of the selected duration of exclusion, an individual may request that their name be removed from the ~~voluntary self-exclusion~~ **Voluntary Self-Exclusion** list by submitting a petition for removal ~~on a form approve by the commission~~ **to a designated agent**. The petition shall include confirmation from a designated agent that the individual completed ~~an exit~~ **a reinstatement** session in accordance with 205 CMR 133.04(5). Any petition for removal received by ~~the Commission~~ **a designated agent** prior to the expiration of the duration of the selected exclusion period shall be denied.

The commission shall approve a completed petition for removal. An individual who has selected a lifetime duration in accordance with 205 CMR 133.04(1)(e) may not submit a petition for removal of their name from the list. An incomplete application, including one that fails to demonstrate completion of ~~an exit~~ **a reinstatement** session in accordance with 205 CMR 133.04(5) shall be denied until such time as the application is completed.

(5) To be eligible for removal from the ~~voluntary self-exclusion~~ **Voluntary Self-Exclusion** list, the petitioner shall participate in ~~an exit~~ **a reinstatement** session with a designated agent. The ~~exit~~ **reinstatement** session shall include a review of the risks and responsibilities of gambling, budget setting and a review of problem gambling resources should the petitioner wish to seek them. Upon completion of the ~~exit~~ **reinstatement** session the designated agent shall sign the individual's petition for removal from the list attesting to the fact that the ~~exit~~ **reinstatement** session was conducted.

(6) Upon approval of a petition for removal from the ~~voluntary self-exclusion~~ **Voluntary Self-Exclusion** list, a written notice of removal from the list shall be forwarded by the commission, or its designee, to each gaming licensee ~~and to the petitioner~~. ~~Notice may be forwarded to the petitioner by email or first class mail to the email address or home address provided by the petitioner in the petition.~~ The petitioner shall be deemed to be removed from the ~~voluntary self-exclusion~~ **Voluntary Self-Exclusion** list ~~when the notice is sent by the commission or its designee.~~ **immediately upon completion of the reinstatement session, at which point the petitioner shall be given a receipt verifying said completion and confirming their removal from the Voluntary Self-Exclusion list. A petitioner may be asked to present said confirmation of Voluntary Self-Exclusion list removal receipt while gaming for 7 days following their reinstatement. Failure to do so may result in administrative difficulties in confirming Voluntary Self-Exclusion status during that time-period.**

### Regulation Review Checklist

Agency Contacts for This Specific Regulation		
Name	Email	Phone
Carrie Torrisi		
Overview		
CMR Number	205 CMR 109.01	
Regulation Title	Authority of Commission to Act in Emergency Situation	
<input checked="" type="checkbox"/> Draft Regulation		<input type="checkbox"/> Final Regulation
Type of Proposed Action		
<input checked="" type="checkbox"/> Please check all that apply		
<input type="checkbox"/> Retain the regulation in the current form.		
<input checked="" type="checkbox"/> New regulation (Please provide statutory cite requiring regulation): G.L. c. 23K, §§ 1, 4, 23(b), 35		
<input checked="" type="checkbox"/> Emergency regulation (Please indicate the date regulation must be adopted): 5/7/2020		
<input type="checkbox"/> Amended regulation (Please indicate the date regulation was last revised):		
<input type="checkbox"/> Technical correction		
<input type="checkbox"/> Other Explain:		

Summary of Proposed Action
The proposed regulation would enable the Commission and the IEB to issue orders and/or establish procedures to be followed by the gaming licensees immediately, in the event of an emergency situation.
Nature of and Reason for the Proposed Action
This regulation is being proposed for emergency adoption to address situations arising from the unanticipated closures of the gaming establishments, and any potential future emergencies.

## Regulation Review Checklist

Additional Comments or Issues Not Earlier Addressed by this Review	
Required Attachments	
✓ Please check all that apply	
<input type="checkbox"/> Redlined version of proposed amendment to the regulation, including repeals	<input checked="" type="checkbox"/> Clean copy of the regulation if it is a new chapter or if there is a recommendation to retain as-is
<input type="checkbox"/> Text of statute or other legal basis for regulation	
<input type="checkbox"/> Small Business Impact Statement (SBIS)	<input type="checkbox"/> Amended SBIS



*Legal Division*

## **SMALL BUSINESS IMPACT STATEMENT**

The Massachusetts Gaming Commission (“Commission”) hereby files this small business impact statement in accordance with G.L. c.30A, §2 relative to the proposed regulation **205 CMR 109.01: Authority of the Commission to Act in an Emergency Situation**. This regulation would enable the Commission and the IEB to issue orders and/or establish procedures to be followed by the gaming licensees immediately, in the event of an emergency situation.

The proposed regulation was developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth, is primarily governed by G.L. c. 23K, §§ 1, 4, 23(b), and 35, and applies directly to gaming licensees.

Under G.L. c.30A, §2, the Commission offers the following responses:

1. Estimate of the number of small businesses subject to the proposed regulation:

As this amendment pertains solely to gaming licensees in an emergency situation. No small businesses are subject to its directives.

2. State the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposed regulation:

There are no projected reporting, recordkeeping or administrative costs created by this amendment that would affect small businesses.

3. State the appropriateness of performance standards versus design standards:

These amendments do not implicate small businesses.

4. Identify regulations of the promulgating agency, or of another agency or department of the Commonwealth, which may duplicate or conflict with the proposed regulation:

There are no conflicting regulations in 205 CMR, and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth. This regulation is consistent with G.L. c.276.



Massachusetts Gaming Commission



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

The proposed amendments to this regulation are not expected to encourage or deter the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission

By:

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Shara N. Bedard  
Paralegal

Dated:



Massachusetts Gaming Commission

205 CMR: MASSACHUSETTS GAMING COMMISSION  
205 CMR 109.00

109.01: Authority of the Commission to Act in an Emergency Situation

1. Consistent with the principles outlined in G.L. c. 23K, § 1 and in furtherance of the Commission's broad superintendence powers established in G.L. c. 23K, § 1 and G.L. c. 23K, § 4, in an emergency situation the Commission and/or the Bureau may, in furtherance of the provisions of G.L. c. 23K §§ 23(b) and 35, in its discretion, take any action it deems necessary to preserve the health ~~or, safety, or general welfare~~ of its employees, the gaming licensees and their employees, and/or patrons of the gaming establishments. An emergency situation may include, but not be limited to:

- a. A state of emergency declared by the Governor of the Commonwealth pursuant to St 1950 c. 639, § 5;
- b. A national emergency declared by the President of the United States pursuant to 50 U.S.C. 1601 *et seq.*;
- c. A local, national, or global public health emergency as declared by the Massachusetts Department of Public Health, the Federal Centers for Disease Control and Prevention, the World Health Organization, or a similarly situated local or national agency or organization having expertise in public health;
- d. A natural disaster; or
- e. Any situation that presents an immediate threat of serious physical harm to the health or wellbeing of the public that requires action without delay.

2. During such emergency situation:

- a. The Bureau may issue an order to cease and desist activity pursuant to G.L. c. 23K, § 35(a) or § 35(e) or an order of suspension of the gaming license pursuant to G.L. c. 23K, § 35(e), and may make recommendations to the Commission to issue orders to condition, suspend, or revoke a gaming license pursuant to G.L. c. 23K, § 35(d); and/or
- b. The Commission may issue orders and/or establish procedures to be followed by the gaming licensees as a condition of licensure pursuant to G.L. c. 23K, §§ 21(a)(19) and (c) and as a requirement of its operations certificate pursuant to G.L. c. 23K, § 25 that may include but not be limited to orders regarding operations relative to gaming and non-gaming activity at the gaming establishment. The Commission may also issue orders that include but are not limited to cessation of gaming or non-gaming activities or closure of the gaming establishments in whole or in part.

### 3. Hearings.

a. If the Bureau takes action pursuant to 109.01(1) and (2) and G.L. c. 23K, § 35, it may take such action immediately and, in the event of a closure of the gaming establishment, shall coordinate with the licensee to execute a safe and orderly closure. If the Bureau issues an order to cease and desist activity pursuant to G.L. c. 23K, § 35(a) or § 35(e) or an order of suspension of the gaming license pursuant to G.L. c. 23K, § 35(e), the licensee shall have the right to an adjudicatory hearing before the Commission on such order in accordance with G.L. c. 30A and G.L. c. 23K, § 35(f). Such hearing shall be convened as soon as practicable but in no case later than seven days from the date of the Bureau's action in accordance with G.L. c. 23K, § 35(f).

b. If the Commission intends to take action pursuant to 109.01(1) and (2) and G.L. c. 23K, § 23(b)(v) that will limit or cease gaming or non-gaming operations or result in closure of the gaming establishment in whole or in part, it shall provide reasonable notice of hearing in accordance with G.L. c. 30A. In the event of an emergency situation, notice shall be deemed reasonable if it is provided as promptly as the emergency allows.