

Sec. 12-574-F19. Formal ejection of persons

(a) **Formal ejection.** Through its director of security or duly authorized representative(s), an association or OTB facility operator shall eject from its grounds all unauthorized persons, known undesirables, touts, persons believed to be bookmakers or connected with bookmakers, persons whose licenses are revoked or under suspension, ejected persons or persons whose conduct may be detrimental to jai alai, greyhound racing, OTB or the public welfare. Likewise, the division on its own initiative may eject such aforesaid persons.

(b) **Division notification.** It shall be the duty of each association or OTB facility operator through its director of security, to notify the division of all formal ejections and arrests, giving the name and address of the ejectee and the specific nature of the offense.

(c) **Formal ejectee notification.** Every person formally ejected by the association or the division shall be notified in writing of the ejection and the specific reasons therefore. All ejection notices shall contain appropriate language informing the person ejected of their right to a hearing and the procedures involved. If ejected by an association or OTB facility operator, a copy of the ejection notice issued by the association shall be immediately filed with the division.

(d) **Ejection hearing.** Any person formally ejected by either the association, OTB facility operator or the division shall have the right to a hearing by the division concerning the propriety of such ejection upon written request to the division within seven (7) days of the ejection. Such hearing shall be held pursuant to division rules of practice and hearing procedures. The division, or the board of administrative judges, as the case may be, in either ejection hearings held pursuant to this subsection, or reinstatement hearings held pursuant to subsection (e) of this section, may issue orders as part of its decision as to limitations concerning any additional reinstatement hearings to be afforded said ejected persons. Any ejected person may petition for an additional patron reinstatement hearing pursuant to subsection (e) of this section upon showing that new or additional evidence exists concerning the facts of said persons' original ejection or upon a showing of a significant change in circumstances from those which appertained at the original ejection or reinstatement hearing.

(e) **Ejectee reinstatement.**

(1) Any person formally ejected by the association, OTB facility operator or the division shall have the right to a hearing to show reasons why he should be readmitted to the association facility and such ejection should be terminated. Such hearing shall be held by the board of administrative judges or the division pursuant to division rules of practice and hearing procedures.

(2) The board of administrative judges has the authority to conduct a reinstatement hearing either on its own motion or upon the written petition of the party ejected. As soon as practicable the board of administrative judges shall schedule a hearing and notify the ejectee of the place, date, and time thereof and the procedures involved.

(3) The board of administrative judges may order the appearance of any licensee at this hearing who in its opinion may be necessary for the efficient administration of justice. After the hearing the board of administrative judges may either uphold the ejection, modify it in any manner or order the ejectee's reinstatement. In any case written notice of the board of administrative judges' findings and decision thereon shall be promptly delivered to the

ejected person and the association.

(4) An association or OTB facility operator may on its own reinstate a person, and will immediately file a copy of its reinstatement notice with the division. The division reserves the right within five (5) business days of receipt of notice to approve or disapprove said reinstatement and no association reinstatement will be effective until the end of this period. Any person whose association reinstatement has been disapproved shall be so notified in writing by the division. This notice shall inform said person of his right to a hearing before the board of administrative judges or the division concerning the circumstances of the ejection and the division's determination to disapprove reinstatement.

(f) **Effect of ejection.** Anyone who has been formally ejected or whose license has been suspended or revoked by the official regulatory body having jurisdiction where the offense occurred, whether within or without the state of Connecticut, shall be denied admission to or attendance at any or all facilities licensed by the division until duly reinstated or until the matter has been otherwise determined by the division.

(g) **Association rights.** Nothing in this section shall infringe upon the rights of an association to exclude persons from its grounds for reasons not related to the conduct or integrity of racing or wagering. The length and scope of any such exclusion from association property shall be at the discretion of an association. An association may exclude persons engaged in behavior including, but not limited to, lewd or immoral behavior, using profane or indecent language, or engaging in boisterous or disorderly conduct. The association shall inform the division of any such exclusion. The division may, after reviewing the circumstances of an exclusion, formally eject any such excluded person.

(Adopted effective October 3, 2001)