



*State of Louisiana*  
*Gaming Control Board*

*BOBBY JINDAL*  
GOVERNOR

*DANE K. MORGAN*  
CHAIRMAN

**DECISION OF THE  
LOUISIANA GAMING CONTROL BOARD**

**IN RE: SHAWANDA HARRIS  
NO. P040053971**

This matter is before the Louisiana Gaming Control Board on appeal by Shawanda Harris from the Hearing Officer's decision dated September 15, 2010. The Hearing Officer upheld the denial of Ms. Harris' renewal application for a non-key gaming employee permit by Louisiana State Police, Gaming Enforcement Division ("Division").

**FINDINGS OF FACT**

On April 1, 2002, Ms. Harris was found guilty of the charge of Battery of a Police Officer.

In July 2008, Ms. Harris was permitted as a non-key gaming employee. She disclosed the battery charge. At this time, Battery of a Police Officer was not listed as a crime of violence in La. R.S. 14:2(B).

In the 2008 Legislative Session, La. R.S. 14:2(B) was amended to include Battery of a Police Officer as a crime of violence. 2008 La. Acts 619. The effective date of the amendment was August 15, 2008.

In July 2010, Ms. Harris submitted a renewal application for her non-key gaming employee

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permit. The application was denied by the Division because Ms. Harris was disqualified from holding a permit by the provisions of La. R.S. 27:28 which prohibit the issuance of a permit to a person convicted of a crime of violence as defined in La. R.S. 14:2(B).

Ms. Harris appealed the denial. After a hearing, the Hearing Officer of the Louisiana Gaming Control Board (“Board”) upheld the denial. From this decision, Ms. Harris appeals.

### **LEGAL ANALYSIS**

A gaming permit is not a right of property, citizenship or otherwise. It is a privilege. *Guillot v. Louisiana Gaming Control Board*, 98-1461, p. 3 (La. App. 1<sup>st</sup> Cir. 10/26/98; 761 So.2d 561, p. 563; La. R.S. 27:29; La. R. S. 27:42(B). The holder of a permit does not acquire any vested interest or right in or to the permit. *Id.* A privilege, such as a gaming employee permit, can be limited by legislation. *Guillot*, 98-1461 at p.3, 761 So.2d at 563.

The term of a non-key gaming employee permit is two years. La. R. S. 27:29(G). A permittee must apply for renewal of the permit. The board or division where applicable has the power to deny a renewal application. La. R.S. 27:29.5.

The board or division is prohibited from granting a permit to a person disqualified on the basis of a conviction for a crime of violence as defined in La. R.S. 14:2(B). La. R.S. 27:28(B).<sup>1</sup> At the time of Ms. Harris’ renewal application, Battery of a Police Officer was included as a crime of violence. Ms. Harris was convicted of a crime of violence. She is not qualified to possess a gaming employee permit and the board or division is prohibited from issuing such a permit to Ms. Harris.

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<sup>1</sup> Louisiana Revised Statute 27:28 was in effect when Ms. Harris first applied for a non-key gaming employee permit.  
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# ORDER

This matter having been considered by the Louisiana Gaming Control Board in open meeting of January 20, 2011:

**IT IS ORDERED THAT** the Hearing Officer's decision is **AFFIRMED**.

**THUS DONE AND SIGNED** on this the *20<sup>th</sup>* day of *January, 2011*.

**LOUISIANA GAMING CONTROL BOARD**

BY:

  
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**DANE K. MORGAN, CHAIRMAN**

**DKM/gac**

LOUISIANA GAMING CONTROL BOARD  
I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED  
ALL PARTIES THIS 21<sup>st</sup> DAY  
OF January, 2011  
APPEAL DOCKET CLERK  
