

1 NGC Case No. 23-04

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STATE OF NEVADA

BEFORE THE NEVADA GAMING COMMISSION

In the Matter of the Exclusion of:
SHAUN JOSEPH BENWARD,
a.k.a. Justin Tisdale, Shaun Benward,
Shaun J. Benward, and Shawn Joseph
Benward;
From Licensed Gaming Establishments
In the State of Nevada

FINAL ORDER OF EXCLUSION

On September 6, 2023, the Nevada Gaming Control Board (BOARD) entered its Order nominating SHAUN JOSEPH BENWARD as a candidate to the "List of Excluded Persons" pursuant to NRS 463.151 through 463.155 and Nevada Gaming Commission (Commission) Regulation 28. After being personally served with the Notice of Candidacy and Order of Nomination to List of Excluded Persons on October 19, 2023, and served by certified mail on September 15, 2023, SHAUN JOSEPH BENWARD failed to request a hearing before the Commission pursuant to NRS 463.153(1). The BOARD filed a Bill of Particulars on December 4, 2023, which was served on SHAUN JOSEPH BENWARD on December 4, 2023. This matter came before the Commission on December 21, 2023. SHAUN JOSEPH BENWARD, being duly noticed of the meeting, did not appear. MICHAEL P. SOMPS, Senior Deputy Attorney General, appeared on behalf of the BOARD.

Having reviewed and carefully considered the record together with all of the evidence presented, the Commission, believing it to be fully advised on the facts and issues before it, makes the following findings:

FINDINGS OF FACT

1
2 1. SHAUN JOSEPH BENWARD is a person who has been convicted of crimes
3 involving violations of the gaming laws of other states as follows:

4 i. In the case of *Commonwealth of Pennsylvania v. Shaun Joseph*
5 *Benward* (Case No. 5718-15) (Delaware County Court of Common Pleas), Mr. BENWARD
6 plead nolo contendere, and a Certificate of Imposition of Judgment of Sentence was
7 entered, on or about September 8, 2016, to the charge of Gaming, Person Take/Claim with
8 Intent to Defraud (Misdemeanor), a violation of Pennsylvania’s gaming laws.

9 ii. In the case of *State of Delaware v. Shaun J. Benward* (Case No.
10 N1502014232) (Superior Court of the State of Delaware – New Castle County), Mr.
11 BENWARD was adjudged guilty on or about January 17, 2017 of Cheating in a Lottery
12 Facility (Misdemeanor), a violation of Delaware’s gaming laws.

13 iii. In the case of *State of Missouri v. Shaun J. Benward* (Case No. 19CY-
14 CR01066) (In the Circuit Court of Clay County Missouri), Mr. BENWARD plead guilty,
15 and Sentence-Judgment-Commitment was entered, on or about May 30, 2019, for the
16 crime of Attempted Cheating at a Gambling Boat (Misdemeanor), a violation of Missouri’s
17 gaming laws.

18 iv. In the case of *State of Ohio v. Shaun Joseph Benward* (Case No. B
19 1905419-A) (State of Ohio, Hamilton County Court of Common Pleas), Mr. BENWARD
20 plead guilty, and judgment was entered, on or about September 28, 2021, for Attempt
21 (Misdemeanor) based on the crime of cheating at a casino game in violation of Ohio’s
22 gaming laws.

23 2. SHAUN JOSEPH BENWARD is a person who has been convicted of crimes
24 involving moral turpitude as follows:

25 i. The above-described convictions of crimes involving violations of the
26 gaming laws of other states.

27 ii. In the case of *State of Indiana v. Shaun Benward* (Case No. 31D01-
28 2003-F5-156) (Harrison Superior Court, State of Indiana), Mr. BENWARD plead guilty

1 and was convicted on or about August 31, 2022 of Theft (Misdemeanor).

2 3. SHAUN JOSEPH BENWARD is person of notorious or unsavory reputation,
3 and such reputation would adversely affect public confidence and trust that the gaming
4 industry is free from criminal or corruptive elements. The notorious or unsavory
5 reputation of SHAUN JOSEPH BENWARD is evidenced as follows:

6 i. The above-described convictions of SHAUN JOSEPH BENWARD.
7 Further, such convictions all involved circumstances where Mr. BENWARD allegedly
8 executed a version of a scheme to defraud casinos while playing the game of roulette
9 (hereinafter "Roulette Scheme").

10 ii. Mr. BENWARD was arrested in Pennsylvania on February 25, 2015
11 on charges arising from Mr. BENWARD and an accomplice allegedly executing a version
12 of the Roulette Scheme at a Pennsylvania casino. As a result of the charges, in the case of
13 *Commonwealth of Pennsylvania v. Shaun Benward* (Case No. 555 Criminal 2015) (Court
14 of Common Pleas of Monroe County), Mr. BENWARD plead guilty to disorderly conduct.

15 iii. On January 4, 2017, BOARD agents investigated Mr. BENWARD
16 related to suspicions he was executing a version of the Roulette Scheme at two southern
17 Nevada casinos.

18 iv. On August 15, 2017, BOARD agents investigated Mr. BENWARD
19 related to suspicions he was executing a version of the Roulette Scheme at a southern
20 Nevada casino.

21 v. On April 21, 2018, Mr. BENWARD was arrested in Missouri on the
22 charge of Violation of Laws Pertaining to River Boat Gambling Ownership.

23 vi. On December 17, 2018, Mr. BENWARD was charged in Iowa with
24 crimes related to cheating arising from Mr. BENWARD allegedly executing a version of
25 the Roulette Scheme multiple times with an accomplice at an Iowa casino.

26 vii. On July 29, 2019, Mr. BENWARD was arrested on charges that
27 included theft arising from Mr. BENWARD and an accomplice allegedly attempting to
28 execute a version of the Roulette Scheme at an Indiana casino.

1 viii. On December 14, 2019, Mr. BENWARD was arrested on charges that
2 included larceny arising from Mr. BENWARD and an accomplice allegedly executing or
3 attempting to execute a version of the Roulette Scheme at a Connecticut casino.

4 ix. On August 3, 2020, a warrant for Mr. BENWARD's arrest was issued
5 in Rhode Island based on allegations that Mr. BENWARD, with an accomplice, executed a
6 version of the Roulette Scheme at a Rhode Island casino.

7 x. Mr. BENWARD was investigated by the BOARD for executing or
8 attempting to execute a version of his Roulette Scheme on numerous occasions at nine
9 different Las Vegas casinos from July 2020 through August 2020 leading to his arrest on
10 charges that included Commission of a Fraudulent Act in a Gaming Establishment and
11 Conspiracy to Cheat at Gambling. Mr. BENWARD eventually plead guilty to Theft on
12 September 8, 2022.

13 xi. Mr. BENWARD is suspected of engaging or attempting to engage in a
14 version of the Roulette Scheme at Lake Tahoe casinos on June 3, 2023.

15 xii. Mr. BENWARD has a history of incidents at casinos nationwide from
16 2008 to 2021 where he has been the subject of surveillance reports, been trespassed, been
17 arrested for trespassing, and been suspected of scams.

18 xiii. Mr. BENWARD has been officially trespassed from 17 Nevada
19 casinos.

20 xiv. As described further below, Mr. BENWARD is the subject of
21 numerous orders of government agencies authorizing his exclusion or ejection from
22 gaming establishments.

23 4. SHAUN JOSEPH BENWARD is person who is the subject of written orders
24 of governmental agencies authorizing his exclusion or ejection from an establishment at
25 which gaming or pari-mutuel wagering is conducted as follows:

26 i. On October 21, 2015, Mr. BENWARD was placed on Pennsylvania's
27 Involuntary Exclusion List and ordered that, should Mr. BENWARD gain entrance to a
28 licensed facility, he be ejected.

1 corruptive elements." NRS 463.151(3)(c).

2 11. The Nevada Legislature has further provided that the BOARD may
3 nominate and the Commission may so include a person on the List of Excluded Persons
4 by reason of the fact that such person is the subject of any "[w]ritten order of a
5 governmental agency which authorizes the exclusion or ejection of the person from an
6 establishment at which gaming or pari-mutuel wagering is conducted." NRS
7 463.151(3)(d).

8 12. The Commission has also determined that a finding of any one of the criteria
9 set forth in NRS 463.151(3) is sufficient to place the name of an individual on the List of
10 Excluded Persons. See Commission Regulation 28.010(2).

11 13. Given the preceding Findings of Fact, the criteria of NRS 463.151(3)(a), that
12 SHAUN JOSEPH BENWARD has been convicted of crimes involving moral turpitude and
13 crimes involving violations of the gaming laws of any state, is met. In addition, the
14 criteria of NRS 463.151(3)(c), that SHAUN JOSEPH BENWARD has a notorious or
15 unsavory reputation which would adversely affect public confidence and trust that the
16 gaming industry is free from criminal or corruptive elements, is met. Finally, the criteria
17 of NRS 463.151(3)(d), that SHAUN JOSEPH BENWARD is a person who is the subject of
18 written orders of governmental agencies authorizing his exclusion or ejection from an
19 establishment at which gaming or pari-mutuel wagering is conducted, is met.

20 14. Should any of the foregoing Conclusions of Law be deemed Findings of Fact,
21 they shall be so construed.

22 Accordingly, the Commission finds and concludes that SHAUN JOSEPH
23 BENWARD is a person whose presence in licensed gaming establishments would pose a
24 threat to the interests of this state or to licensed gaming, or both. Based on the foregoing,
25 and good cause appearing:

26 IT IS HEREBY ORDERED that SHAUN JOSEPH BENWARD be, and hereby is
27 placed on the list of persons to be excluded or ejected from any licensed gaming
28 establishment in the State of Nevada which conducts pari-mutuel wagering or operates

1 any race book, sports pool or games, other than slot machines only.

2 DATED this 21st day of December, 2023.

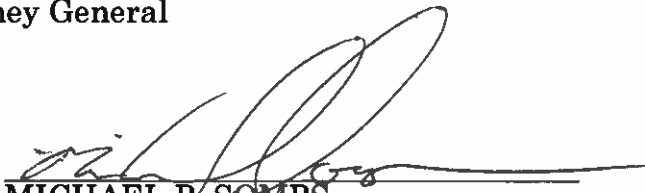
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NEVADA GAMING COMMISSION


JENNIFER TOGLIATTI, Chairwoman

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