

Stand Up For California!

“Citizens making a difference”

standupca.org

P.O. Box 355
Penryn, CA 95663

April 28, 2008

Grand Jury Foreman
2007- 2008 Contra Costa Grand Jury
725 Court Street
Martinez, CA. 94553

RE: Request for Grand Jury Investigation of Illegal Gambling Devices Operating in Contra Costa County

Dear Grand Jury Foreman:

Stand Up For California! is a statewide organization which acts as a resource of information to community groups, individual elected officials, and members of law enforcement concerned about the expansion of unlawful or unregulated gaming. In 2004, Contra Costa County overwhelmingly opposed Proposition 68 (83.8%) which would have introduced thousands of slot machines into urban areas of our state. Many would have been in Contra Costa County. Our organization respectfully requests an investigation by the Contra Costa Grand Jury into the use of unlawful slot machines in charitable bingo halls in Contra Costa County.

We recognize that the Grand Jury can only investigate and issue a report to the public; however a report to the public would clarify and sunlight that machine manufacturers from out of state are attempting to use charities as a front to establish and operate a multi million dollar unregulated gaming industry in California. Should the Grand Jury find that certain of these machines are standalone games that do not involve other players and are therefore, unlawful house-banked games we ask that appropriate remedial and enforcement actions be promptly implemented by the Contra County District Attorney and other members of law enforcement.

Several hundred bingo machines have been installed in Contra Costa, Sacramento, and Solano Counties, and there may be more in other California counties. The machines have features such as “auto daub” and “sleep daub” that allow them to operate faster than the machines designated as class II under the federal Indian Gaming Regulatory Act. Many of the observed machines play too fast to be a true game of bingo between multiple, interconnected players. Many may, in fact, be electronic or electromechanical facsimiles of bingo. The machines in play at charity halls in Contra Costa County play faster than the Bingo Machines at the San Pablo Casino. (*See-attached letter from Attorney General Lockyer, November 2005*)

These bingo machines violate not only California Penal Codes as detailed in the attached Attorney General Advisory #9 August 20, 2007, but also Article IV; section 19(e) of the California Constitution which prohibits the State Legislature from establishing casinos of the type in Nevada and New Jersey. The County has a responsibility to ensure that charity gaming is

conducted in accordance with the laws of the State. If these bingo machines are slot machines which the voters intended to prohibit when they adopted that constitutional provision (Proposition 9 in 1976), citizens want to be assured that the County will take action. .

Attached to this letter is a recent complaint to the Federal Grand Jury regarding the transportation of these machines across state lines as well as correspondence with the California Department of Justice, Attorney General Opinions, other letters and documents that establish the scope of illegal gambling in California, a list of some of the locations of illegal gaming equipment, related news article and additional exhibits are detailed within the binder.

Citizens rely upon the Grand Jury as the Ombudsman of the citizen. We thank you in advance and ask that you give serious consideration to this complaint. Clearly, the introduction of bingo slot machines will significantly affect the character of Contra Costa County as well as the quality of life of all citizens in the regional area. Therefore we request your investigation into this timely issue.

Sincerely,

Cheryl A. Schmit – Director
916-663-3207
schmit@hughes.net
www.standupca.org

CC: Assembly Member Loni Hancock

Attachments: Letter Dated November 16, 2005 from Attorney General Lockyer to Assembly Woman Loni Hancock.

Binder: Letter to Federal Grand Jury requesting an investigation of Illegal Gambling Devices Operating in California brought in Across State Lines. Includes additional documents previously discussed.