



January 30, 2020

VIA E-MAIL

bgc_regulations@doj.ca.gov

Susanne George
Bureau of Gambling Control
Department of Justice
P.O. Box 168024
Sacramento, California 95816-8024

RE: CONCEPT LANGUAGE FOR PLAYER-DEALER ROTATION

Dear Ms. George:

We reviewed the Bureau of Gambling Control's concept language that was circulated in early December 2019. We are happy to see that the Bureau of Gambling Control is attempting to resolve this contentious issue.

The proposed regulation, even if just a concept at this point, acknowledges that cardrooms must follow the rules they created and the Bureau of Gambling Control approved. (98% of the blackjack rules posted on the Bureau of Gambling Control's website specifically require that the player-dealer position be offered or actually rotate every two hands). The concept language does nothing more than reflect the cardrooms' own interpretation of the legal rotation requirements. As such, they have no valid basis to complain about the concept language.

The concept includes two options under section (a)(2), which would serve in place of the previously circulated time out, if all players fail to accept the deal. We believe that either option is acceptable.

Cardroom comments thus far have not focused on the legality of the games as they are currently operated, and have not issued any evidence to indicate that further regulation is unnecessary. They have instead shifted the focus of their comments to the economic harm regulation will impose on them and the various municipalities that derive tax revenue from their operations. The fact that the activity is lucrative does not make it legal.

The Bureau of Gambling Control is a law enforcement agency, and thus should not be concerned with public policy arguments about how enforcing the law will affect one or another group. Those are policy issues for the Legislature or the people of California to address.

Moreover, the fact that many people profit from illegal activity does not mean the State should not take enforcement action.

Penal Code section 330.11 requires that the player-dealer position be continuously and systematically rotated amongst **each** of the participants during the play of the game. The Bureau's only task, then, is to define "continuously and systematically." In the concept, it understandably chose to adopt the cardrooms' own two-hand standard, as stated in the approved rules of the games.

We look forward to the Bureau's next steps to finally put Bob Lytle and the long term effects of his conduct behind us.

Sincerely,

A handwritten signature in blue ink, appearing to read "E. Romero", with a long, sweeping flourish extending to the right.

Edwin "Thorpe" Romero
Chairman