



October 25, 2023

Via E-Mail and U.S. Mail

Director Yolanda Morrow  
Manager Andreia McMillen  
Bureau of Gambling Control  
California Department of Justice  
P.O. Box 168024  
Sacramento, CA 95816-8024

Re: Draft Blackjack Concept Language, September 11, 2023

Dear Director Morrow and Ms. McMillen:

This letter is sent on behalf of our three cardrooms: Seven Mile Casino, The Saloon at Stones Gambling Hall, and The Tavern at Stones Gambling Hall. Collectively, we employ over 750 hard-working Californians in our cardrooms and provide almost one million dollars in table taxes and other fees to our local communities.

We write this comment letter to strongly oppose the draft blackjack concept language. We agree with the statements and legal authority set forth in and incorporate by reference the letter submitted by Munger, Tolles & Olson LLP on behalf of multiple cardroom industry associations. We also incorporate by reference all of the arguments regarding the Government Code set forth in our letter submitted in response to the Draft Rotation Concept Language, September 11, 2023.

The concept regulations are completely unsupported by law and serve no legitimate purpose. They far exceed the Bureau's statutory authority under the Gambling Control Act (the "Act"), and are unsupportable by either statute or existing case law. Despite purporting to be interested in protecting the state from "illegal" games that are barred by the California Penal code, the Bureau's failure to enforce these laws against unlicensed individuals who are actually participating in illegal gaming within the state belies the integrity of the proposal.

The Bureau should be focused on going after and shutting down the unlicensed gambling locations that have popped up around the state. Despite many people in the

industry and citizen complaints about these illegal gambling dens – including providing days of operation, websites and advertisements, and addresses for the locations of these entities – the Bureau has refused to take any action to enforce the law and stop this illegal conduct. The response is that the Department does not have the authority to shut down the unlicensed businesses who are engaged in gambling within California.

The juxtaposition of the Bureau's utter failure to enforce the state's laws against unlicensed activities, while simultaneously spending taxpayer dollars on preparing these punitive draft regulations that are not supported by the law, establishes it is not actually interested in ensuring that only legal gaming occurs in the state. It is akin to the CHP implementing regulations intended to protect the state's citizens from unsafe drivers, but then only applying those rules to persons with drivers' licenses. A regulation that required all persons with a driver's license to only drive white cars and to always drive a maximum of 20 mph under the speed limit and then when an unlicensed driver is driving 100 mph claiming that they do not have authority to sanction the person who is driving illegally because they don't have a driver's license. A CHP officer would never let an unsafe driver continue to drive simply because they do not have a license.

We respectfully request the Bureau focus its energy on enforcing the state's existing laws intended to thwart illegal gambling activities.

Sincerely,

Heather U. Guerena