

# ***Stand Up For California!***

**“Citizens making a difference”**

standupca.org

P.O. Box 355  
Penryn, CA 95663

April 23, 2008

Grand Jury foreperson  
United States Attorneys  
501 I Street, suite 10-100  
Sacramento, CA. 95814

**RE: Request for Grand Jury Investigation of Illegal Gambling Devices Operating  
in California brought in Across State Lines**

Dear Grand Jury foreperson:

Stand Up For California would like to request an investigation by the Grand Jury into the use of unlawful slot machines being transported across state lines to California locations for use in charitable bingo halls.

The use of these machines is both new and expanding. Several hundred bingo machines have been installed in Sacramento, Solano and Contra Costa 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.

Because the legal status of class II machines is currently under review by the National Indian Gaming Commission and the United States Department of Justice, our organization suspects manufacturers of this type of equipment are attempting to create new and emerging jurisdictions for their gaming equipment. This is evidenced by the numerous locations of illegal bingo machines.

In May of 2007, Stand Up for California sent a letter to the California Attorney General respectfully requesting that appropriate remedial and enforcement actions be promptly implemented by the Department of Justice. By August 10, 2007, the California Department of Justice, Bureau of Gambling Control issued Advisory 9 “Electronic Bingo” making clear that these devices violated California Penal Code and California Constitutional Language. To date, the California Department of Justice has not taken an action and the reason is unclear.

These devices not only violate California laws but the devices appear to violate federal law. Stand Up For California makes the following requests of this Grand Jury:

- Determine if there has been a violation of federal law, in particular Section 1957 of Title 18 of the United States code, by organizations offering these gaming devices.
- Determine if manufactures have complied with Title 15 USC 1171-1178 or Title 28 CFR 3.1 – 3.6

Gambling Devices when shipped or transported must be plainly and clearly labeled or marked so that the name and address of the shipper and the consignee and the nature of the article or the contents of the package may be readily ascertained on an inspection of the outside of the article. This applies to all shipments of gambling devices in interstate.

Attached to this letter are letters and opinions and other documents that established the scope of illegal gambling in California, a list of some of the locations of illegal gaming equipment, related news articles and additional exhibits detailed on the following pages.

Citizens rely upon the Grand Jury as the Ombudsman of the citizen. We seek constructive recommendations that will continue to ensure the voice of citizens in the daily life of government, and we ask that government be accountable to the citizens of this State. Stand Up For California looks forward to hearing from you.

Sincerely,

Cheryl A. Schmit – Director  
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CC: Mr. Drew Parenti, Special Agent in Charge, Federal Bureau of Investigation  
Daniel M. Bryant, Special Agent  
P. O. Box 41179, Sacramento, CA. 95841

Attn: Chief – Sandra Holland  
U.S Department of Justice, 950 Pennsylvania Ave., NW  
Criminal Division, OEO  
Gambling Device Registration Unit  
JCK Building, Room 1048  
Washington, D.C. 20530-0001