

Office of the Sheriff



SANTA BARBARA COUNTY

BILL BROWN

Sheriff - Coroner

HEADQUARTERS

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December 15, 2014

STATIONS

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Carpinteria

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Carpinteria, CA 93013
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Isla Vista

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3500 Harris Grade Road
Lompoc, CA 93436
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70 Newsome Street
New Cuyama, CA 93254
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812-A W. Foster Road
Santa Maria, CA 93455
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Solvang

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Solvang, CA 93463
Phone (805) 686-5000

Sheriff - Coroner Office

66 S. San Antonio Road
Santa Barbara, CA 93110
Phone (805) 681-4145

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Santa Barbara, CA 93110
Phone (805) 681-4260

COURT SERVICES CIVIL OFFICES

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1105 Santa Barbara Street
P.O. Box 690
Santa Barbara, CA 93102
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Santa Maria

312 E. Cook Street, "O"
P.O. Box 5049
Santa Maria, CA 93456
Phone (805) 346-7430

Matthew J. Austin, Supervising Agent
Department of Alcoholic Beverage Control
3220 S. Higuera Street Suite 233
San Luis Obispo, CA 93401

Re: Application for premise-to-premise transfer of the existing Chumash Casino ABC license, 3400 East Highway 246, Santa Ynez, Ca.

Dear Mr. Austin,

The Santa Barbara Sheriff's Department has considered the above-described application for premises to premises transfer of the Chumash Casino's ABC license. Based upon our review of this application, the Sheriff's Office protests the implementation of this ABC application in its present form. This protest is based upon our belief that removal of the existing license conditions will negatively impact the public safety of our communities by potentially increasing underage drinking at the casino facility, and by potentially increasing the number of casino patrons who would operate motor vehicles while intoxicated (DUI) upon leaving the casino.

We will withdraw this protest if the Chumash Casino's existing ABC license conditions are maintained within the expanded areas. We will also consider modifying or withdrawing this protest if the Chumash Casino institutes sufficient engineering and administrative controls to mitigate our below noted concerns relating to underage drinking and DUI drivers.

With regard to the gaming floor and other areas of the casino facility where alcohol service is not presently allowed pursuant to their ABC license conditions: At present, alcohol sales and consumption are restricted to areas of the casino where significant and meaningful employee/ patron interaction occurs, providing considerable oversight and supervision of patrons who are consuming alcohol. In these areas, we can reasonably expect that the applicable casino employees will insure that patrons are not providing/ transferring purchased alcohol to underage patrons, and that intoxicated patrons are not provided with any additional alcohol.

The Sheriff's Office does not reasonably expect that casino employees will be able to maintain this significant and meaningful oversight and supervision of patrons consuming alcohol on the gaming floor and other areas where alcohol sales and consumption are presently prohibited. We believe there are two significant negative public safety impacts that will occur by removing the existing license conditions that prohibit the sales and consumption of alcohol on the gaming floor and other restricted areas.

1. Our first concern is the inability to prevent underage consumption of alcohol, as required by §25662 and §25658 of the Business and Professions Code. The Chumash Casino is open to persons 18+ years of age. The Casino does not segregate or differentiate between 18-20 year old patrons and the 21+ year old patrons while they are on the gaming floor and other general areas of the casino campus. It is unreasonable to expect that casino personnel will be able to differentiate between of-age and underage patrons, and insure that underage patrons are not consuming alcohol on the gaming floor. Although casino personnel would undoubtedly only serve alcohol to of-age patrons on the gaming floor, the alcohol could be passed to underage patrons by their of-age friends. It is unlikely casino personnel will subsequently recognize that an underage patron is in possession of alcohol while on the gaming floor.
2. Additionally, we believe the consumption of alcohol on the gaming floor will increase the incidence of patrons operating motor vehicles while under the influence of alcohol upon leaving the casino, in violation of Vehicle Code §23152 (DUI). At present, alcohol consumption within the casino facility is predominately structured to coincide with food consumption and involves significant interaction between patrons and casino personnel, affording significant opportunity for casino personnel to recognize and intercede in situations overtly indicative of a patron intending to leave the casino and operate a motor vehicle when intoxicated. We cannot reasonably expect this same level of direct contact between patrons and casino employees on the gaming floor. In combining the lack of food consumption, and lower levels of direct interaction and supervision of patrons while on the gaming floor, we believe our communities would be negatively impacted by increased numbers of intoxicated drivers leaving the Chumash Casino facility.

In consideration of these significant public safety concerns, we respectfully request that the Department of Alcoholic Beverage Control deny the Chumash Casino's application for premise transfer of the ABC license in its submitted form, and that the Department require continued adherence to the existing license conditions, which were structured and put into place to maintain public safety within our communities.

Sincerely,



BILL BROWN
Sheriff - Coroner

- c: Vincent Armenta, Chairman, Santa Ynez Band of Chumash Indians
Steve Lavagnino, 5th District Supervisor, Chair, Santa Barbara County Board of Supervisors
Salud Carbajal, 1st District Supervisor, Santa Barbara County Board of Supervisors
Janet Wolf, 2nd District Supervisor, Santa Barbara County Board of Supervisors
Doreen Farr 3rd District Supervisor, Santa Barbara County Board of Supervisors
Peter Adam, 4th District Supervisor, Santa Barbara County Board of Supervisors
Mona Miyasato, Chief Executive Officer, Santa Barbara County