



MASSACHUSETTS GAMING COMMISSION
PUBLIC MEETING #280

October 24, 2019
10:00 a.m.

Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA



Massachusetts Gaming Commission



**NOTICE OF MEETING and AGENDA
October 24, 2019**

Pursuant to the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25, notice is hereby given of a meeting of the Massachusetts Gaming Commission. The meeting will take place:

**Thursday, October 24, 2019
10:00 a.m.
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA**

PUBLIC MEETING - #280

1. Call to order
2. Approval of Minutes
 - a. October 10, 2019 – **VOTE**
3. Research and Responsible Gaming – Mark Vander Linden, Director
 - a. Gambling Behavior, Risk Factors for Problem Gambling and Public Health Recommendations: A Pilot Study in Boston’s Chinatown – Carolyn Wong, University of Massachusetts Boston and Giles Li, Boston Chinatown Neighborhood Association
4. Administrative Update – Ed Bedrosian, Executive Director
 - a. General Update
5. Ombudsman – John Ziemba
 - a. 2020 Draft Community Mitigation Fund Guidelines
 - b. Local Community Mitigation Fund Advisory Committee and Sub-Committee Appointments – **VOTE**
6. Commission Matters
 - a. Region C Follow-Up – Ed Bedrosian, Executive Director
 - b. Commissioner Updates



Massachusetts Gaming Commission

7. Legal Division – Catherine Blue, General Counsel
 - a. Final Draft Version of 205 CMR 6.35: Pick (n) Pools; and Amended Small Business Impact Statement – **VOTE** to Complete the Promulgation Process
8. Executive Session pursuant to M.G.L. Chapter 30A, Section 21(a)(3) for the purpose of discussing strategy with respect to collective bargaining as discussion at an open meeting may have a detrimental effect on the bargaining position of the Commission. The public session of the Commission meeting will not reconvene at the conclusion of the executive session – **VOTE**
9. Executive session in accordance with M.G.L. Chapter.30A, Section 21(a)(3) for the purpose of discussing strategy with respect to the ongoing Region A litigation as discussion at an open meeting may have a detrimental effect on the litigating position of the Commission. The public session of the Commission meeting will not reconvene at the conclusion of the executive session - **VOTE**
10. Executive session in accordance with M.G.L. Chapter.30A, Section 21(a)(3) for the purpose of discussing strategy with respect to the ongoing Region A litigation as discussion at an open meeting may have a detrimental effect on the litigating position of the Commission. The public session of the Commission meeting will not reconvene at the conclusion of the executive session - **VOTE**
11. Other business – reserved for matters the Chair did not reasonably anticipate at the time of posting.

I certify that on this date, this Notice was posted as “Massachusetts Gaming Commission Meeting” at www.massgaming.com and emailed to: regs@sec.state.ma.us, melissa.andrade@state.ma.us.

10.22.19
Date

Cathy Judd-Stein
Cathy Judd-Stein, Chair

Date Posted to Website: October 22, 2019 at 10:00 a.m.



Massachusetts Gaming Commission



Massachusetts Gaming Commission Meeting Minutes

Date/Time: October 10, 2019 – 10:00 a.m.

Place: Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Present: Chair Cathy Judd-Stein
Commissioner Eileen O'Brien
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga
Commissioner Gayle Cameron

Time entries are linked to the
corresponding section in the
Commission meeting video.



Call to Order
See [transcript](#) page 1

[10:03 a.m.](#) Chair Cathy Judd-Stein called to order public meeting #278 of the Massachusetts Gaming Commission.

Approval of Minutes
See transcript page 1

Commissioner Stebbins moved to approve the minutes from the Commission meeting of September 26, 2019, subject to correction for typographical errors and other nonmaterial matters. Commissioner Cameron seconded the motion. The motion passed unanimously.

Administrative Update

See transcript pages 1 – 2

10:04 a.m. **2020 Racing Applications**

General Counsel Catherine Blue updated the Commission applications received by the appropriate deadline. An application was received by Plainville Gaming and Redevelopment, also known as Plainridge Park. She stated that there will be a public hearing at the Plainville Town Hall on October 31, 2019, at 10:00 a.m. She made note that the application will be redacted and posted on the Commission's website before the hearing. Public comments can be submitted to the Commission before the hearing, as well. The application will then be brought back to the Commission for a vote at the November 7, 2019 Commission meeting in Plainville.

Commissioners' Report / Update

See transcript pages 2 – 20

10:07 p.m. **Plainridge Park Casino (PPC) License Renewal Process Discussion**

Commissioner O'Brien, Commissioner Zuniga, Deputy General Counsel Todd Grossman, and IEB Director Karen Wells discussed considerations of the terms for a Category 2 license renewal with the Commission. The Commission also reviewed a memo included in the [Commissioners' Packet](#) that outlined discussion points.

Commissioner O'Brien stated that the most pressing issue is regarding the timing and depth of review on the licensee and qualifiers by the Investigations and Enforcement Bureau (IEB). She referenced previous conversations she had with the IEB regarding this issue. Based on those conversations, she recommends that the review process that is currently in place for renewing vendors can also be the basis for the review process for Category 2 licenses.

Ms. Wells stated that the IEB is looking for the Commission to provide a general policy directive based on this recommendation. She then described the IEB's proposal to conduct a review that is generally similar to the renewal protocol that the IEB has established for Primary Gaming Vendors (slot machines and table-game manufacturers). Ms. Wells explained that as PPC's original suitability investigation has been conducted, the IEB's set model for vendor renewal could apply, with modified forms. She stated that this would be the most efficient use of the IEB's time and resources and would effectuate the due diligence requirements for the ongoing suitability of the licensee.

10:18 a.m. Commissioner O'Brien recommended that at the end of this process, the IEB should memorialize what transpired from this process in writing for the Commission's future reference when formulating the Category 1 license renewal process. This document should be a public record, easily accessible to the public and future Commissioners that reflects any issues that need further vetting and an

overview of steps taken. Ms. Wells stated that she would work with Commissioner O'Brien to draft a report for the Commission.

[10:25 a.m.](#) Mr. Grossman provided the Commission with further recommendations regarding the renewal procedure, stating that there are several other elements that the Commission will want to consider in crafting the process. He noted that the licensees' suitability is the cornerstone, as it is in most other jurisdictions.

He then stated that the Legal Division would begin drafting regulations for the renewal process and bring them to the Commission for review, as well as to solicit feedback from the public.

Mr. Grossman then reviewed policy questions that had been posed by the Commission. There was a discussion around how to determine the amount of the renewal fee that is required by the statute. The term of the license renewal was discussed, and whether or not it should exceed five years. The criteria to be investigated and analyzed as part of a renewal procedure was another matter that was also reviewed.

[10:31 a.m.](#) Concerning the determination of licensing fees, the Chair asked Mr. Grossman to examine the statute, specifically section 10(d), to interpret the language "shall be exclusive of any *subsequent* licensing fees." Mr. Grossman responded that he would look into this.

Commissioner Zuniga suggested that the licensing fee should not exceed investigatory costs. However, he stated that there could be a cost-benefit in terms of charging the fee upfront or allowing the possibility of the licensee to invest in a longer-term use of capital.

[10:41 a.m.](#) There was a discussion around billing for a suitability investigation for renewal, as well as the costs already paid for in the initial suitability investigations. Ms. Wells stated that the IEB does have a protocol in place for calculating the cost of their investigations.

[10:44 a.m.](#) Next, Mr. Grossman discussed the term of the renewal for the licensees with the Commission.

[10:50 a.m.](#) With regard to Commissioner Zuniga's suggestion regarding capital investment, Commissioner O'Brien stated that she believes it would be more prudent to stay with the five-year renewal term for the first renewal, consistent with the statute.

The Chair expressed concern with potentially misinterpreting the statute and putting licensees at risk of not holding a proper license after the five-year term if the Commission chose to extend it.

Commissioner Stebbins suggested first, a process where the licensee notifies the Commission that they would like to be renewed. Second, he suggested providing licensees the opportunity to state their five-year plan to invest, as they do have a reinvestment requirement. Licensees who wish to be renewed would also articulate their strategy for staying competitive in the marketplace.

[10:55 a.m.](#) Mr. Grossman then led a discussion regarding the scope of the renewal process. A report on the financial suitability of the overall entity and suitability of Qualifiers would be something to consider as part of the renewal. Other criteria could include verifying compliance with the licensing conditions that were assessed upon the award of the initial licenses, compliance with the host and surrounding community agreements, and the review of the required capital expenditure plan.

He concluded by making note that as there are many things that the Commission could use as part of the renewal process, there is no flexibility with compliance with the Impacted Live Entertainment Venue (ILEV) requirement.

[10:59 a.m.](#) Commissioner Stebbins suggested that a collective review by Commissioners of the RFA-2 application could help them formulate any questions for discussion with the licensee at a hearing regarding their license renewal.

[11:02 a.m.](#) Commissioner Zuniga suggested that the financial suitability review now be primarily focused on the property level instead of the company level, as the landscape has changed with two new casinos in Massachusetts. The IEB's financial investigators could then get a picture of PPC's financial condition going forward at the appropriate level.

The Commission agreed that the primary focus of the financial piece of the investigation would be on the property level. However, there would also be an investigation into the parent company. Commissioner Zuniga referenced the mid-term review, which are summary-level reports through the licensees' corporate executives that include financials from the property level.

[11:04 a.m.](#) The Commissioners all agreed that they are in favor of having a public hearing.

Mr. Grossman recommended that the Commission consider migrating some of the elements of a Category 2 renewal process over to Category 1 license renewals in some format.

[11:07 a.m.](#) As PPC's license expires on June 24, 2020; the Commission will solicit public input on the license renewal at the beginning of the new year.

Finally, Mr. Grossman stated that the Legal Division would begin preparing a set of regulations that capture all of the comments made today. He also made note that there is an invitation in the statute to send any concerns or potential

roadblocks of the legislature 180 days before the expiration of the first license. There was a discussion among the commissioners that none seemed evident. In this discussion, Commissioner Stebbins noted that \$100,000 goes to the Gaming Revenue Fund.

Ombudsman

See transcript pages 20 – 32

11:18 a.m. **2020 Community Mitigation Fund Policy Questions Review**

Ombudsman John Ziembra briefed the Commission on draft policy questions for the 2020 Community Mitigation Fund. This is the beginning of the process for approving the guidelines for next year's program final guidelines should be out no later than December. To solicit input, meetings with sub-committees convene. He thanked them for all of their feedback to date. He then presented a memo included in the Commissioners' Packet that contained different questions posed by the staff. Mr. Ziembra asked the Commission for any additional questions regarding the development of the guidelines. He expects to come before the Commission two more times with revisions. The first draft will be presented at the next meeting, and then he will post them for public comment.

Mr. Ziembra then highlighted a few of the essential items on the list, such as Workforce programs pilots, which have been the most popular items that will need to continue. He also discussed whether or not the Commission should utilize mitigation funds for the construction process for transportation projects.

Public safety needs will be addressed. Mr. Ziembra stated that one community has asked for funding for late-night patrols.

He noted that at the next meeting, he would cover in more depth the projections for next year for the overall program.

11:29 a.m. Commissioner Zuniga suggested that the staff be afforded more discretion to manage what is becoming a grant program. Mr. Ziembra replied that he might add this into the guidelines for next year, and if there is a need for that this year, he will bring it separately to the Commission.

Concerning grant items brought before the Commission, Commissioner O'Brien stated that she would be more comfortable with seeing a de minimis dollar threshold than a percentage. The Chair agreed, indicating that this would be consistent with contracting practices.

Commissioner Zuniga stated that it is something to consider as the program is going to grow and get harder to manage. He then suggested the possibility of multi-year grants, as they are now contemplating whether the awards could be in conjunction with other funding sources for projects.

[11:37 a.m.](#) Commissioner Zuniga stated that he would like to ascertain what the operational impacts are before entering into any commitments in the guidelines. He opined that those needs are going to begin to identify themselves organically.

The Ombudsman noted for the Commission that there is a typo on the memo on the first page, indicating that instead of \$3,682,946.50, it should read that the Commission awarded \$3.882, 946.50 of new grant funding for 2019.

[11:41 a.m.](#) **Local Community Mitigation Fund Advisory Committee and Sub-Committee Appointments**

Ombudsman Ziemba presented a request for the reappointment of several members to the local Community Mitigation Advisory Committees and subcommittees under the Gaming Policy Advisory Committee (GPAC). He included a bio on each appointee for the Commission in his memo, included in the Commissioner's Packet.

Mr. Ziemba stated that the staff recommends the appointment of Ms. Ellen Patashnick for one of the two human service provider appointees for Region B LCMAC. He indicated that they are working on the remaining Region B representatives.

For Region A, staff recommends the reappointment of Mr. Vincent Panzini as the Chamber of Commerce Representative, and Mr. David Bancroft as the Regional Economic Development Representative, and Mayra Negron-Rivera as Human Service Representative. Mr. Ziemba stated that the Commission still has one more human service representative open position in Region A.

Mr. Ziemba indicated that the Commission also needs to appoint a Commission representative for the Subcommittee on Community Mitigation, a representative on the Public Safety Subcommittee, and a representative on the Subcommittee on Addiction Services.

[11:44 a.m.](#) *Commissioner Cameron moved that the Commission approve the appointment of Commissioner Stebbins to the Subcommittee on Community Mitigation. Commissioner Zuniga seconded the motion. The motion passed 4 – 1 with Commissioner Stebbins abstaining.*

Commissioner Stebbins moved that the Commission approve the appointment of Commissioner O'Brien to the Public Safety committee. Commissioner Zuniga seconded the motion. The motion passed 4 – 1 with Commissioner O'Brien abstaining.

Commissioner Zuniga moved that the Commission approve the re-appointment of Mark Vander Linden to the Addiction Services committee. Commissioner Stebbins seconded the motion. The motion passed unanimously.

The chair requested an update on the strategy for meeting the goal of the Addiction Services committee. This topic will be revisited in December.

Commissioner Stebbins moved that the Commission approve the re-appointments to the Region A LCMAC of Mr. Panzini, Mr. Bancroft, and Ms. Negrón-Rivera. Commissioner Cameron seconded the motion. The motion passed unanimously.

Commissioner Cameron moved that the Commission approve the appointment of Ms. Ellen Patashnick as the Region B LCMAC Human Services Provider for this opening. Commissioner Zuniga seconded the motion. The motion passed unanimously.

[11:58 a.m.](#)

Encore Boston Harbor 90 Day Commitments

Construction Project Oversight Manager Joe Delaney reviewed the status of Encore Boston Harbor's 90-day commitment agenda with the Commission. Mr. Delaney recommends reporting back to the Commission in another 90 days after Encore has completed all of the items.

Mr. Delaney updated the Commission on an escrow agreement between Encore Boston Harbor and the City of Boston, stating that it is in the signature stage as of today.

Research and Responsible Gaming

See transcript pages 32 – 42

[12:03 p.m.](#)

Category 1 Licensees Play Management Update

Director of Research and Responsible Gaming Mark Vander Linden summarized the PlayMyWay program to the Commission as well as components that are being evaluated for implementation in the budget-setting tool for the program.

There was discussion around the configuration and usage of the budget-setting tool. Mr. Vander Linden emphasized the importance of continued evaluation of the program to optimize its effectiveness.

Next, Mr. Vander Linden reviewed a slide with the Commission that described enrollment. He then clarified that there is a typo in the Enrollment slide, stating that the reward incentive should read that there is a \$5 drink award after enrolling.

[12:41 p.m.](#)

Ms. Jagroop-Gomes explained what is required to meet the September deadline for 2020, and confirmed that the development of the tool is anticipated to be ready by this deadline.

Workforce, Supplier and Diversity Development

See transcript pages 42 – 49

[12:45 p.m.](#)

Construction Diversity Best Practices Report

Director of Workforce, Supplier and Diversity Development Jill Griffin, with Program Manager Crystal Howard, presented a report written by Peg Beringer entitled, Build to Last: Best Practices for Diversity in the Construction Industry at their event at Smith College in Northampton, MA. She thanked the Chair and Commissions Stebbins and O'Brien for participating, as well as Ms. Howard, Director of Communications Elaine Driscoll, and Digital Communications Coordinator Austin Bumpus for organizing.

Ms. Griffin stated that the purpose of the report was to capture and share development practices that they saw over time that led to opportunities for Massachusetts residents, and will be a lasting roadmap for other projects to follow.

Ms. Howard summarized the report for the Commission, describing the history and milestones over time that made this work come together. The report primarily highlights the construction and the implementation of the Expanded Gaming Act, being the driving force behind diversity plans being an integral part of the gaming license.

The Commission viewed slides that described the background and diversity goals, demand strategy practices, supply strategy practices, monitoring strategy practices, highlighted stories of successful endeavors with diverse businesses, and outcomes/results of utilizing these practices.

[1:16 p.m.](#)

Holyoke Community College Workforce Grant Request

The Commission reviewed the request of Holyoke Community College and their subgrantee, Springfield Technical Community College, to utilize some of the funds in FY20 that were not fully used in their FY19 program. She clarified that Holyoke Community College has requested the use of \$35,000 to hire a part-time career counselor as well as pay for some unforeseen expenses.

[1:18 p.m.](#)

Commissioner O'Brien that the Commission approve the revised budget and reallocation of funds awarded to Holyoke Community College pursuant to a grant from the Community Mitigation Fund as described in the Memorandum from Director of Supplier and Workforce Diversity Jill Griffin, Ombudsman John Ziembra, and Program Coordinator Crystal Howard dated October 7, 2019 and included in the Commission packet. Commissioner Cameron seconded the motion.

The motion passed unanimously.

Finance Division

See transcript pages 49 – 50

[1:21 p.m.](#)

Massachusetts Gaming Commission FY19 Budget Closeout

Chief Financial Officer Derek Lennon is unable to attend today. Commissioner Zuniga reviewed the summary of the FY19 budget provided by Mr. Lennon with the Commission. He reported a \$1.44M surplus for this year that will be credited toward FY20 as an initial assessment of licensees, as well as detailing other budgetary spending.

[1:26 p.m.](#)

Commissioner Zuniga stated for the record that legal costs are treated separately.

Legal Division

See transcript pages 50 – 53

[1:29 p.m.](#)

Initial Draft Version of an amendment to 205 CMR 133.05: Voluntary Self-Exclusion; Maintenance and Custody of the List, and Small Business Impact Statement

The Commission reviewed the draft regulation and Small Business Impact Statement for 205 CMR 133.05. The proposed amendment would permit licensees to provide an aggregated no-marketing list to junket operators that will include individuals on the voluntary self-exclusion list but will not identify them as being on such list.

[1:31 p.m.](#)

Commissioner Cameron moved that the Commission approves the Small Business Impact Statement for the amendment to 205 CMR 133.05: Voluntary Self Exclusion; Maintenance and Custody of the List as included in the packet. Commissioner Stebbins seconded the motion. The motion passed unanimously.

Commissioner Cameron further moved that the Commission approve the version of the amendment to 205 CMR 133.05: Voluntary Self Exclusion; Maintenance and Custody of the List as included in the packet and authorized the staff to take all steps necessary to begin the regulation promulgation process. Commissioner Stebbins seconded the motion. The motion passed unanimously.

[1:31 p.m.](#)

Initial Draft Version of several amendments to 205 CMR 134.00: Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations; and Small Business Impact Statement

The Commission reviewed the draft regulation and Small Business Impact Statement for 205 CMR 134.00. The proposed amendments further define the process and standards governing the gaming employee licensing procedure, update elements of the appeal process, add a requirement for the fingerprinting system, clarify the procedure for administrative closure of an application, require

independently operating junket representatives to be licensed as Key Gaming Employee – Standard, codify licensing and reporting requirements and restrictions for junket operators, and add a waiting period to reapply for a gaming license.

[1:37 p.m.](#) *Commissioner Stebbins moved that the Commission approves the Small Business Impact statement for the amendments to 205 CMR 134.00: Licensing and Registration of Employees, Vendors, Junket Representatives, and Labor Organizations; as included in the packet. Commissioner Cameron seconded the motion.
The motion passed unanimously.*

*Commissioner Stebbins further moved that the Commission approve the version of the amendments to 205 CMR 134.00: Licensing and Registration of Employees, Vendors, Junket Representatives, and Labor Organizations as included in the packet and authorized the staff to take all steps necessary to begin the regulation promulgation process. Commissioner Cameron seconded the motion.
The motion passed unanimously.*

Commissioners' Updates

See transcript pages 53 – 54

[1:38 p.m.](#) Commissioner Cameron highlighted her recent attendance at the International Gaming Regulators Conference, adding that the Commission will be hosting this conference in the third week of September 2020. Commissioner Zuniga noted that no cost comes to the Commission or the licensees as part of this effort.

Commissioner Cameron also stated that Ms. Wells has been appointed as a board member to the International Association of Gaming Regulators (IAGR).

Lastly, Commissioner Cameron commended Commissioner Zuniga for volunteering to translate a survey into Spanish that was given to all the members of the IAGR to gather statistics. This translation will enable the survey to be utilized in South America and Spanish-speaking countries around the world.

[1:44 p.m.](#) *With no further business, Commissioner Cameron moved to adjourn the meeting. Commissioner Zuniga seconded the motion.
The motion passed unanimously.*

List of Documents and Other Items Used

1. Notice of Meeting and Agenda dated October 10, 2019
2. Draft Commission Meeting Minutes dated September 26, 2019
3. Memo re: Renewal of a Gaming License dated September 12, 2019
4. Draft of Policy Questions for LCMAC and Subcommittee on Community Mitigation re 2020 Community Mitigation Fund Guidelines (Revised) dated September 19, 2019

5. Memo re: Reappointment Recommendations for Subcommittee Members under the Gaming Policy Advisory Committee dated October 3, 2019
6. Memo re: Encore Boston Harbor Section 61 and Operations Certificate Conditions Status dated October 7, 2019
7. Memo re: Encore Boston Harbor Section 61 Status dated June 26, 2019
8. Memo re: Play Management at Category 1 Casinos dated October 10, 2019
9. Slide Presentation: PlayMyWay – IGT Solution dated October 7, 2019
10. Memo re: Reconciliation of FY19 Hampden Prep Budget and Clarification Regarding the Use of Hampden Prep FY19 funds in FY20 dated October 7, 2019
11. Slide Presentation: Build to Last – Best Practices for Diversity in the Construction Industry
12. Memo re: Fiscal Year 2019 (FY19) Budget Closeout dated October 10, 2019
13. Attachment: A FY19 Actuals Spending and Revenue Final
14. 205 CMR 133.05 Regulation Cover Sheet
15. 205 CMR 133.05 Small Business Impact Statement (Draft)
16. 205 CMR 133.05 Draft Regulation
17. 205 CMR 134.00 Regulation Cover Sheet
18. 205 CMR 134.00 Small Business Impact Statement (Draft)
19. 205 CMR 134.00 Draft Regulation
20. 205 CMR 134.07 Draft Regulation
21. 205 CMR 134.10 Draft Regulation
22. 205 CMR 134.11 Draft Regulation
23. 205 CMR 134.13 Draft Regulation
24. 205 CMR 134.14 Draft Regulation

/s/ Catherine Blue
Assistant Secretary

Talking About Casino Gambling

Community Voices From Boston Chinatown

Presenters:

Carolyn Wong, Ph.D. Research Associate,
Institute for Asian American Studies, UMass Boston

Giles Li, M.P.A., Chief Executive Officer
Boston Chinatown Neighborhood Center

Special thanks to the research team: Yan-hua Li, Yoyo Yau,
Pong Louie, Terry Yin, Fengqing (Tina) Wang, Lawrence Li,
Charlie Phan, Hsin-ching Wu, Alan Xie, Long Long, Abigail Yu,

And to the Massachusetts Council on Compulsive Gambling,
and Massachusetts Gaming Commission's Gaming Research
Advisory Committee.

*The Massachusetts Gaming Commission and the Public Health Trust Fund
Executive Committee provided support for this research.*

Outline

- ▶ **Part I. Research Aims and Background**
- ▶ **Part II. Research Approach**
- ▶ **Part III. Interview Findings**

I. Research Aims: Why Prioritize Chinatown for Gambling Research?

- ▶ Large Asian American customer base - as of July 2019, 18 Asian line runs were listed from the Boston metropolitan area and Lawrence to Mohegan Sun; and 27 to Foxwood
- ▶ 2007 Interview with Sr. VP Marketing Mohegan Sun (Peters, 2007):
 - ▶ 25 percent of the casino's table game revenue
 - ▶ 20 percent of its business.
 - ▶ Grew by 45 percent in 2 years
 - ▶ "It is our most robust segment in terms of growth... It is easy to spend capital on a fast-growing market." (Peters, 2007)
- ▶ Proximity of Chinatown to Encore Boston Harbor casino
- ▶ Lack of culturally appropriate services for Asian Americans.

Targeted Marketing: Mohegan Sun Website in Chinese



Targeted Marketing: Mohegan Sun Advertisement in Chinatown



Business Practices: Specialized Transportation Options

► “Asian Bus Lines”

坎昆(Cancun) 原居地(Home) DAY 6 坎昆(Cancun) 原居地(Home)

FOXWOODS
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Bus Schedule (Daily) 賭場巴士時間表 (每天)

City	Pick Up Locations	Depart	Return
Boston	波士頓唐人街上車點 85 Bedford St. (In front of Chicken and Rice Guys)	10:00 A.M. 12:15 P.M.	5:00 P.M. 7:00 P.M.
	31 Harrison Ave.	9:15 P.M.	4:00 A.M.
Quincy	昆西市上車點 733 Hancock St. (In front of New York Mart)	9:15 A.M. 11:45 A.M. 9:00 P.M.	4:00 P.M. 7:00 P.M. 4:00 A.M.
	President Plaza (219 Quincy Ave.)	9:30 A.M. 11:30 A.M.	4:00 P.M. 7:00 P.M.
Dorchester	多徹斯特上車點 1616 Dorchester Ave.	9:00 A.M. 8:45 P.M.	4:00 P.M. 4:00 A.M.
Malden	摩頓上車點 T Station (Pleasant St)	9:30 A.M.	5:00 P.M.

\$45 Match Play* +
• FREE Buffet or
• \$10 Food or
• \$15 Match Play or
• \$10 Retail Credit
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* Bonus packages are subject to change without notice.

A Culturally Diverse Community

- ▶ The Chinese immigrants are part of an ethnic group with heterogeneous viewpoints, generational and educational backgrounds, income levels, regions of origin, immigrant experiences, and differences in young people's exposure to gambling in home or community settings.
- ▶ For many, gambling problems occur after immigration, not before, particularly not in China

Immigrant Experience:

- ▶ **Gambling mostly illegal in China**
- ▶ **Greater risk for gambling disorder in U.S.**
 - ▶ *“His parent shipped him back to China to go to school because in China, gambling is illegal....”*

Mixed Views on Gambling:

- ▶ **Culturally-influenced views**
- ▶ **Some approve and others disapprove**
 - ▶ “So you lied to family about going to casino back then?”
 - ▶ *“I still do, because Chinese traditional culture considered gambling is bad. When it comes about going to the casino, it’s not a very good sign for most Chinese.”*

Chinese Not Born as Gamblers

- ▶ *“They said that gambling is in our blood ... I do not think that we are born as gamblers.”*

No Culturally
Appropriate
Prevention or
Treatment Services
are Available

- Where culture matters?
- Interview with executive director of Chinatown clinic
 - Fear of stigmatizing whole community
 - Limitations of services with state reimbursement.

Part II. Research Approach



Academic-community partnership and research team



Training of interviewers



Recruitment and convenience sample



Interview protocol



Recording, translation, transcripts



Coding and analysis

Part III. Selected Interview Themes

Gambling Together: At Risk Together with Friends

- ▶ “Has your gambling ever caused serious or repeated problems in your relationships with any of your family members or friends?” (NODS PERC 4)
 - ▶ *“Yes, my friends too. We went together and it happened to all of us. You lose, you’re not happy. If you’re not happy, you make mistakes at work and get yelled at. You can get depressed and not be able to sleep.”*

Difficult, Low-wage Jobs

- ▶ “Why do you think so many Chinese get into gambling after coming to the US?”
 - ▶ *“Maybe because they work so hard and make so little...Our jobs are hard and we make little after working for more than 10 hours daily. We have to take a lot of flak. You go to the casino, you get to gamble and get a free meal. It’s enjoyment.”*

Social Isolation

- ▶ **“If there are more other recreational activities for Chinese people, do you think they would gamble less?”**
 - ▶ *“Yes, like in China. Not many people are addicted. Here, there are really a lot. They just work in a restaurant with no recreational activities available. We need more other things like stores, buffet, hot pot, Chinese movie theaters, dim sum. People can go eat, shop and have no time to go to casinos. There are places like that in China and Hong Kong.”*

Need More Recreational Options

- ▶ *“Most of time, Chinese do not know how to plan their life, when you are in China, you may have other hobbies, such as watching ball games, or playing Go. There is no such thing in the United States. It’s hard to find anyone to hang out with you. Besides, people are very busy here, and everyone’s schedule is different. You could get very bored and depressed here, nothing to do on your off days.”*

Linguistic Isolation: No Other Entertainment

- ▶ *“Because in the United States, I didn’t know English at the beginning, what kinds of entertainment were there? There was no entertainment.”*
- ▶ A spouse on her husband’s experience:
“There’s no recreation. Immigrants don’t know English, like my husband... If you tell him to take a bus farther away, he’s afraid to.”

At Risk from Exposure to Targeted Casino Marketing and Casino Environment

- ▶ “Do you often see Chinese people at the casinos?”
 - ▶ *“Yes, a lot, I see a lot of Chinese people. Here, casinos give out cash coupons or buffet coupons that entice people into the casino. They don’t offer those coupons in Macau. That’s why I often see a lot of the uncles and aunties going to casino. They usually leave for the casino at night.”*

Ambience Inside Casino, No Seats

- ▶ “Is there anything else you can do there when you go?”
 - ▶ *“No, there’s nothing else to do. There’s not even a place to sit down. If you want to sit, you sit at the slot machines.”*
- ▶ “Do you gamble too?”
 - ▶ *“Yes, once you go in, the atmosphere, it’s hard not to gamble. You might hang around 1 hour, 2 hours, but by the 3rd hour, you’ll gamble.”*

Ambience Inside, It Makes You Go Crazy - Become a Different Person

- ▶ *“It controls you. There is something particular about the ambience of the casino that once you go inside, it makes you go crazy. It makes you a different person that you lose control of yourself when you are inside, even though once you come out you are back to normal.”*

Family Systems: Desire to Protect Children

- ▶ “Why don’t you go?”
 - ▶ *“Because of my kids. They’re older now. I want to go, but I have to work and take care of them. Even if you don’t eat, they have to eat. In the past, I didn’t like to work, and all I could think was to go there. But then after giving birth to kids, I don’t want them to know that I gamble. I don’t want them to follow my path.”*

Hiding Gambling from Family Members

- ▶ *“The family doctor let him to see a psychiatrist, but that can't help at all. The psychiatrist, just talk to him, useless, ultimately it is about the problem of money...[We] always fight, want to divorce. Sometimes I didn't know he went to gamble and he said he didn't go. Later on, someone came here and asked me for money, saying if I don't give him the money he owed, he will kill him (her husband). Recently five or six years, we started to go to church and we did not gamble at all. We were at church two times a week.”*

Thoughts on Opening of New Casino in Everett

- ▶ “Is it good or bad to have casinos?”
 - ▶ *“Casinos are good for people to have jobs, but there’s more bad than good. People lose their hard-earned money and have nothing. People who don’t gamble can save money to buy a house, buy cars for their kids.”*

Family-based Interventions

- ▶ Understanding and respecting family inter-relationships is vital in prevention and treatment.
- ▶ Conceptualize problem gambling as a family issue.

Facilitate Civic Engagement

- ▶ *“You people with power have to do something, not like us, who have no money, no power. You elect someone, they should do something. You educated people should do something. Get people’s kids to help. They are the real victims.”*

Recommendations

▶ *Culturally appropriate prevention and services for Asian Americans*

- ▶ (1) Public health campaigns, including youth and adults.
- ▶ (2) Treatment services and culturally appropriate wellness programs.
- ▶ (3) Preventive education and services for casino workers of Asian descent and immigrant background.
- ▶ (4) Provision of state-supported reimbursement for services.
- ▶ (5) Training of professional counselors in community settings.

Concurrent development of (1), (2), (3), (4), (5) is of critical importance.

Recommendations (continued)

- ▶ *Participatory deliberation in regulatory process:*
 - ▶ (6) Engagement of community-based organizations and professionals knowledgeable about Asian American communities in goal-setting for reducing the negative impact of legalized gaming on the low-income Asian populations.
 - ▶ (7) Community engagement at the grassroots level in public policy deliberations.
 - ▶ (8) Formation of a regulatory advisory committee to review the ethics of targeted ethnic marketing practices toward vulnerable populations, including low-income, racial-ethnic minority and immigrant communities.

Recommendations (continued)

- ▶ *Expanded scope of collaboration and services:*
 - ▶ (9) A co-learning and mutual support pan-Asian American coalition of community-based organizations that provide family support and wellness programs for immigrant and refugee communities in the region.
 - ▶ (10) Community-based efforts to provide healthy and culturally appropriate recreational alternatives to casino gambling in local neighborhoods.

Lessons and Strategies for Future Research

- ▶ *A five-year research program to develop:*
 - ▶ (11) Increased understanding of social-economic impacts of legalized casino gaming in ethnically diverse Asian Americans communities.
 - ▶ (12) Culturally appropriate health communication approaches for research dissemination and implementation in Asian American communities.
 - ▶ (13) Methods to obtain representative samples for hard to reach populations.
 - ▶ (14) Expansion of research on Asian Americans prioritizing for next steps study of gambling problems, prevention, and treatment in communities of low-income Vietnamese and Cambodians residing in Dorchester, Quincy, Lowell, Malden, and Worcester.

Talking about Casino Gambling: Community Voices From Boston Chinatown

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Executive Summary

This pilot study examined the casino gambling practices of residents and workers in Boston Chinatown. Our aim was to learn about the trajectory and life context of individual participants' gambling activity, including how individual participants describe their motivation, nature and frequency of gambling, and its effects on self and family. The research was conducted by a university based research team in partnership with the Boston Chinatown Neighborhood Center, and with the assistance of the Massachusetts Council on Compulsive Gambling.

Twenty-three individuals participated in face-to-face interviews. Most participants were low-wage workers or retirees from the food and services industries in Chinatown. All but three had limited English proficiency and spoke in their preferred Chinese dialect. The three who preferred to interview in English had some college education. The convenience sample included individuals whose self-reported behavior indicated they were recreational gamblers or at risk for problem gambling. Researchers followed strict protocols to protect confidentiality of participants. No names, phone numbers, or addresses of participants were ever revealed to researchers.

The stories told by our participants illustrate multiple and overlapping risk factors for problem gambling. Our conceptual approach took into account the dynamic interaction of risk factors from multiple sources: stressors in participants' daily lives rooted in socio-economic conditions, exposure to targeted marketing aimed at Chinese immigrants inside and outside the casino, casino inducements, family contexts, and individual-level psychological and/or emotional factors. Protective factors include the support of social networks or families.

It is known that cultural influences in immigrant communities are complex and varied, affecting individuals differently from varied generational, age, gender, and place of origin backgrounds. Our approach and findings challenge erroneous notions found in popular media and some misinformed academic writings that homogenize and reify culture by depicting Chinese as "gamblers". Many of interviewees described varying degrees of dependency on gambling in casinos to relieve the drudgery of work in low-paying jobs in the food service industry, and the isolation of life in linguistically isolated neighborhoods with few alternative opportunities for recreation.

Participants expressed concern about increased risk for problem gambling with the establishment of the new Encore Boston Harbor casino. There are no culturally-appropriate prevention and treatment programs in Chinatown. Interview themes point to why there is an urgent need to fill this gap: concentrated poverty, social isolation, language and cultural difference, lack of recreational alternatives, and the longstanding practice of casino targeted advertising to Chinatown community members. The need for evidence-based and culturally appropriate prevention and treatment programs is shared by other low-income Asian American communities in Massachusetts.

The research team recommends that the Massachusetts Gaming Commission and Public Health Trust Fund support:

Culturally appropriate prevention and services for Asian Americans

- (1) Public health campaigns, including youth and adults.
- (2) Treatment services and culturally appropriate wellness programs.
- (3) Preventive education and services for casino workers of Asian descent and immigrant background.
- (4) Provision of state-supported reimbursement for services.
- (5) Training of professional counselors in community settings.

Participatory deliberation in regulatory process:

- (6) Engagement of community-based organizations and professionals knowledgeable about Asian American communities in goal-setting for reducing the negative impact of legalized gaming on the low-income Asian populations.
- (7) Community engagement at the grassroots level in public policy deliberations.
- (8) Formation of a regulatory advisory committee to review the ethics of targeted ethnic marketing practices toward vulnerable populations, including low-income, racial-ethnic minority and immigrant communities.

Expanded scope of collaboration and services:

- (9) A co-learning and mutual support pan-Asian American coalition of community-based organizations that provide family support and wellness programs for immigrant and refugee communities in the region.
- (10) Community-based efforts to provide healthy and culturally appropriate recreational alternatives to casino gambling in local neighborhoods.

A five-year research program to develop:

- (11) Increased understanding of social-economic impacts of legalized casino gaming in ethnically diverse Asian Americans communities.
- (12) Culturally appropriate health communication approaches for research dissemination and implementation in Asian American communities.
- (13) Methods to obtain representative samples for hard to reach populations.
- (14) Expansion of research on Asian Americans prioritizing for next steps study of gambling problems, prevention, and treatment in communities of low-income Vietnamese and Cambodians residing in Dorchester, Quincy, Lowell, Malden, and Worcester.

Part 1: Research Aims and Methods

The primary purpose of this project was to learn about casino gambling and risk factors for problem gambling among ethnic Chinese individuals who are patrons of Connecticut casinos and work in low-wage jobs in or near Boston Chinatown. The process of examining risk factors led to a complementary exploration of protective factors. The university-based research team developed the research design and implementation in close collaboration with a community partner, the Boston Chinatown Neighborhood Center (BCNC), and with the assistance of the Massachusetts Council on Compulsive Gambling (MCCG).

The research strategy used qualitative methods to learn about gambling behavior and risk, as well as effects of casino gambling on individuals and families. We recruited a convenience sample of primarily low-wage workers and their spouses and conducted in-depth, face-to-face, interviews in the language dialect of their preference. Most individuals worked in Chinatown and lived in Chinatown or a neighborhood in an accessible location and with a concentration of Chinese immigrant residents. To diversify the sample, we also recruited a small number of college educated professionals.

Collecting qualitative data from face-to-face interviews had two distinct advantages. First, the semi-structured interviews allowed research participants to communicate information about their gambling activity and thoughts about its effects on their lives using their own frameworks of thinking and preferred language idiom, rather than responding to pre-established conceptual concepts and fixed categorical answers. Second, oral interviews fit the communication style of many residents of Chinatown with limited formal education. To realize these two research advantages, we ensured that participants could communicate in their preferred language dialect, providing interviewers proficient in the three Chinese dialects spoken by most Chinatown residents and workers: Cantonese, Mandarin, or Taishanese. Recruitment and interviewing in participants' preferred dialects helped establish trust, which was critical in seeking candid information on the very sensitive subject of gambling and gambling problems.

Many of the Chinese immigrant patrons constitute a population group vulnerable to gambling problems because of their disadvantaged work, turbulent family life, small social networks, and limited neighborhood-based resources for recreation.

Why Prioritize Chinatown for Gambling Research?

Boston Chinatown is a neighborhood of concentrated poverty with many residents employed in low-paying jobs and lacking proficiency in English (Asian Americans Advancing Justice, 2013; Boston Public Health Commission, 2013). It is commonplace to see sizeable groups of service workers and residents gathering to ride Chinatown buses to casinos, which depart every couple of hours, seven days a week. Many of the Chinese immigrant patrons constitute a population group vulnerable to gambling problems because of their disadvantaged

work, turbulent family life, small social networks, and limited neighborhood-based resources for recreation (Fong, 2005).

Proximity to the new Encore Boston Harbor casino in Everett, MA, has raised concern in the Chinatown community, including among several of our research participants, about increased risk exposure of community members vulnerable to gambling problems. The casino is easily accessible from Chinatown and the Chinese enclaves in Quincy and Malden. From Chinatown residents can take the Orange MBTA line to Malden Center, where a free casino shuttle takes customers directly to the casino. A couple weeks after the casino opening, our researchers took this route mid-day on a weekday, riding on a full shuttle bus with persons who appeared to be 95% of Asian descent. The proximity of the new Everett casino to Boston Chinatown will vastly increase access to gambling activities for casino patrons from Chinatown, as well as other Asian Americans, including Vietnamese, Cambodians, and Chinese in Quincy, Dorchester, Malden, and Lowell.

Chinatown is often the first destination point for work and residence for immigrant workers and the elderly (Asian Americans Advancing Justice, 2013). Among immigrants, many have enjoyed games combining varied degrees of skill and chance in private social settings as a form of socializing and leisure in their communities of origin in China. The social games were typically not commercialized and there was no lure from sophisticated and targeted ethnic marketing campaigns conducted by large gambling enterprises to “win big”. Because in China, casinos are not present outside of Macau and most gambling is illegal, for most first generation immigrants from China their first exposure to casino gambling is likely to be in the U.S. unless they were able to visit Macau where gambling is legal. In the U.S., casino gambling is legal in many cities and suburban areas. Casinos are often accessible by a low-cost bus ride from places of work or residence.

Concentration of Low-Income Residents, Social and Linguistic Isolation: Our study targeted low-wage immigrant workers with limited English proficiency. We prioritized this population sector because of its vulnerability to gambling problems (Fong, 2005; Kong et al., 2013; Welte, Barnes, Tidwell, & Hoffman, 2011; Welte, Barnes, Wiczorek, Tidwell, & Parker, 2004). Nineteen (nine males, ten females) of our twenty-three research participants fit this socio-demographic profile. Two of these twenty-three participants were spouses of gamblers and spoke about family effects; these two persons did not reporting gambling much themselves. Two other persons among the twenty-three participants were both the female spouses of individuals who engaged in casino gambling and also took part in this gambling activity themselves.

The Boston Health Commission has compiled census data comparing socio-economic indicators across the city’s neighborhoods. In 2010, Chinatown’s population numbered 12,843 persons and over the previous decade had experienced the largest population growth (39.7 percent) of all Boston neighborhoods (the next largest was in South End (21.6 percent). The 2006-2010 American Community Survey (ACS) estimated that 24 percent of all families in Chinatown had incomes below the poverty level, while comparable percentage for all families in Boston remained under 20 percent. In Chinatown 35 percent of the population 26 years and older had less than a high school diploma, compared to 14 percent in Boston as whole (Boston Public Health Commission, 2013).

Beyond socio-economic disadvantages, other factors have been shown to increase the risk for gambling disorders among immigrants and racial-ethnic minorities (Fong, 2005). For many immigrants employed in restaurants, eateries, and other ethnic businesses, there is little time for recreation after working long hours in physically demanding and low-paying jobs. Economic disadvantage and cultural difference lead to social isolation, which is increased when immigrants experience prejudice and discrimination, heightening distress, loneliness, and alienation. Recreational gambling can be one of the few outlets for entertainment available to immigrants and is often benign in its effects on financial and general well-being. However, the risk of gambling becoming compulsive and going untreated by professional health providers is increased in Chinatown because of the lack of culturally appropriate treatment. Furthermore, many residents have difficulty navigating complex healthcare and insurance systems or obtaining health information from sources widely used by people who are English and computer proficient. Although the largest community health clinic in Chinatown provides behavioral health services, for persons concerned about gambling problems insurers require clinical diagnosis of gambling disorder according to DSM-5 criteria. At this site, state-supported treatment for gambling problems is not available.

In Boston Chinatown, moreover, there are few programs and little space for residents to engage in recreational activities. The only outdoor public space for sports is a small asphalt area next to Highway 93, where heavy vehicular traffic emits toxic air pollution (Community Assessment of Freeway Exposure and Health, 2017). Although many of the nonprofit organizations in Chinatown cultivate strong communities among their service population, these circles are tight-knit and often need-specific. The underemployed, elderly, at-risk youth, and mothers of children with special needs constitute the major sub-groups of the Chinatown population. There are opportunities for them to support each other, but the lack of a “third space” in Chinatown, and the relative disinvestment from state and local government have led to a loss of cohesion among community-members, and as a result, less social connectedness and resilience. Notably, several of our research participants reported that they did not engage in casino gambling until coming to the U.S. and living in this context, which is not surprising because casino gambling is illegal in China outside of Macau.

Targeted Advertising and Casino Patronage: The practice of targeted ethnic marketing to attract Chinese customers to casinos is well-honed and widely practiced. Because our study focused on Chinatown residents and workers who gambled at the Foxwoods and Mohegan Sun casinos in Connecticut, we note the following comments of the senior vice president of marketing at Mohegan Sun, quoted in the Connecticut Courant in 2007.

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Asian American customers represent about 25 percent of the casino's table game revenue, and that clientele has grown by about 45 percent over the past two years, said Anthony Patrone, senior vice president of marketing at Mohegan Sun. Although many casinos cater to an Asian clientele, Patrone said he believes none has gone this far, especially for the day-trip customers who arrive on one of 48 daily buses catering to the Asian customers... "It is our most robust segment in terms of growth," Patrone said. "It is easy to spend capital on a fast-growing market." (Peters, 2007)

In a similar vein, an article in a tourism trade journal reported that Foxwoods, the biggest casino in the world based on gambling floor space, estimates that at least one-third of its 40,000 customers per day are Asian. Mohegan Sun says Asian spending makes up a fifth of its business and has increased 12 per cent during the first half of this year alone (Simpson, 2006).

The targeted marketing toward Asians is evident from the online marketing webpages of Foxwoods and Mohegan Sun casinos. Both have specialized “Asian webpages”, which advertise transportation options: On July 16, 2019, 18 Asian line runs were listed from the Boston metropolitan area and Lawrence to Mohegan Sun; and 27 to Foxwoods. The webpage ads are written in Chinese but not Spanish or any other minority language. Inside the casino, another marketing device targeted Chinese customers is clear on the electronic gaming machines: among the techniques are display of brightly colored Chinese themed images and game themes on the screens.

The purpose of the present study was not to examine advertising practices of the casino industry. However, published standards of corporate social responsibility for the gaming industry (Chóliz, 2018) and a recent report by the Massachusetts Gaming Commission (Marotto, n.d.) point to the need for close scrutiny of advertising messages that inflate chances of winning or getting rich or saturate media venues (United States Chamber of Commerce Foundation, 2019), especially in communities of vulnerable populations.. In Canada and Europe, there is widening discussion of standards for socially responsible casino advertising. For example, one professor of gambling studies in the United Kingdom wrote: "Most of us who work in the field of responsible gambling agree that all relevant governmental gambling regulatory agencies should ban aggressive advertising strategies, especially those that target people in impoverished individuals or youth (Griffiths, 2015). Opposition to aggressive advertising targeting ethnic Chinese markets among community leaders has recently grown in Ontario, Canada, as illustrated by one local news story with this headline: “Ontario, Canada Gaming Campaign Lures Chinese Gamblers, Despite Indications of High Risks for Addiction” (Smith, 2018).

Need for Education on Problem of Reifying Chinese Culture: The playing environment for Chinese social games in immigrant communities stands in stark contrast to the commercialized casino setting, where some table games are derived from traditional Chinese games and slots machines feature Chinese themes. Among Chinese immigrants, playing social games, including Chinese card or tile games, such as Mahjong, in homes, private parks, and other community spaces is a popular recreational pastime. (Kim, 2012; Loo, Raylu, & Oei, 2008; Raylu & Oei, 2004). Recent research indicates healthy Mahjong playing among elderly may have positive effects by promoting social engagement and cognitive activity. (Kim, 2019) Mahjong as a social game has served to build social and community bonds not only among Chinese immigrants but also in Jewish American communities since the early 20th century (Walters, 2013). In contrast, playing Chinese themed table or electronic machine games in casinos can easily heighten the risk of addiction, especially when fast repeat play is a feature of electronic games, sophisticated marketing messages encourage players’ dreams of huge winnings, and free drinks are served.

Some studies have examined gambling behavior among people of varied cultural backgrounds (Oei, Raylu, & Loo, 2019). Published research provides no

The playing environment for Chinese social games in immigrant communities stands in stark contrast to the commercialized casino setting, where some table games are derived from traditional Chinese games and slots machines feature Chinese themes

scientific data that culture is a causal factor giving rise to gambling problems among cultural-minority populations. Our approach to investigating cultural factors among Chinese immigrants is informed by a long tradition of cultural studies that critiques reification of culture, which turns abstractions into physical entities (Adams & Markus 2002) and cultural essentialism, which categorizes groups of people according to supposed “essential” qualities. This literature shows that cultural traditions, thinking, and attitudes are malleable and intertwined with complex multi-layered historical, social and psychological factors (Meyer & Li & Karakowsky, 2002; Meyer & Geschiere, 1999). As Lee (2018) points out, essentialized myths of the “Chinese gambler” imagine a supposed “Chinese personality”, a media-driven image that love of gambling is somehow in-born. Our own interviews challenge that false notion.

Our interviews demonstrate the need to educate public health researchers about the reality of changing and multi-faceted Chinese cultural influences interacting with socio-economic conditions shaping the daily lives of our research participants. It is important, moreover, to educate public health providers, academic researchers, and the general public about the falsity of claims such as the following, provocatively stated in the opening sentence of a recently published academic article’s abstract: “The Chinese have always been identified as gamblers, and they accept this” (Papineau, 2013). No evidentiary support is given for this claim which should be at least dubious to readers on face value. To the contrary, our interviews point to wide diversity of culturally-influenced thinking and attitudes and beliefs about gambling among ethnic Chinese. The Chinese immigrants are part of an ethnic group with heterogeneous viewpoints, generational and educational backgrounds, income levels, regions of origin, immigrant experiences, and differences in young people’s exposure to gambling in home or community settings.

The Chinese immigrants are part of an ethnic group with heterogeneous viewpoints, generational and educational backgrounds, income levels, regions of origin, immigrant experiences, and differences in young people’s exposure to gambling in home or community settings.

Investment in Culturally Appropriate Prevention and Treatment: Problems related to lack of services cannot be solved by simply adding funds to existing programs. Prevention and treatment of problem gambling require cultural attunement and nuanced understanding of the complex immigrant experience (Lee, 2015; Lee & Awosoga, 2015; Lee, Kellett, Seghal, & Van den Berg, 2018; McComb, Lee, & Sprenkle, 2009; Reichel, & Morales, 2017).

In Chinese communities, understanding and respecting family inter-relationships is vital in prevention and treatment. One promising approach emphasizes family systems as a social determinant of health and conceptualizing problem gambling as a family issue (McComb, Lee, & Sprenkle). In Part III in our discussion of participants’ views on prevention and our recommendations, we elaborate on the applicability of the BCNC’s extensive practice in family services to problem gambling prevention and counseling.

In Chinese communities, understanding and respecting family inter-relationships is vital in prevention and treatment. One promising approach emphasizes family systems as a social determinant of health and conceptualizing problem gambling as a family issue.

It is also critically important that health providers understand culturally influenced views toward mental health

services. In data derived from the National Latino and Asian American Study (2002-2003), researchers found that Asian Americans seek mental health services at lower rates than the general population. U.S. born Asian American used these services at a higher rate than immigrants (Abe-Kim et al, 2007). Examining help-seeking behavior specifically in a Chinese minority population, one survey found that persons who were less culturally adapted to the dominant culture are often most in need of education about the utility of mental health service (Ying & Miller, 1992). Underlying low rates of usage of mental health services is fear of losing respect (Loo, Raylu, & Oei, 2008).

Research Precedents: Our study aims and approach build on results from prior research on gambling among Asian Americans. The ethnic Chinese population is heterogeneous in Massachusetts. Some Chinese live in predominantly low-income neighborhoods, including Boston Chinatown; others reside alongside neighbors of diverse racial-ethnic minority background and in communities with varying income levels; still others live in dispersed patterns in relatively affluent suburbs. Stories of the economic success of relatively prosperous and well-educated Chinese often lead to misinformation about the status of Chinese Americans and Chinese immigrants, hiding the prevalent poverty in low-income neighborhoods. For survey research, obtaining representative samples of the entire Chinese population is expensive. It is necessary nonetheless to conduct research sensitive to the differences in segments of the ethnic population.

In a still emerging area of research, several published studies have found that Asians may gamble less frequently than whites but have a higher rate of problem gambling (Kong et al, 2013; Welte, Barnes, Tidwell, & Hoffman, 2011; Welte, Barnes, Wiczorek, Tidwell, & Parker, 2004). However, estimates of prevalence of problem gambling are not consistent. A recent study at one large southern university found that a significantly larger proportion of Asian students met probable pathological gambling criteria and at-risk gambling criteria than Caucasian, African American/Black, or Hispanic/Latino(a) students (Rinker, Rodriguez, Krieger, Tackett, & Neighbors 2016). An early study conducted in five states found that Asian American university students had the highest rates of pathological gambling of all racial-ethnic groups (Lesieur et al, 1991). In contrast, a California study found that lifetime rates of problem and pathological gambling among Asian and Pacific Islanders was low (Volberg, Nysse-Carris, & Gerstein, 2006). The reasons for such variable estimates may arise from methodological problems. For those studies that report estimates for subgroups described as “Asians”, “Asian Americans”, or “Asians and Pacific Islanders”, data for diverse ethnic groups are aggregated under the umbrella racial category. However, it is known that demographic, socio-economic, and health conditions (such as chronic diseases) differ across the major Asian ethnic groups, such as Chinese, Asian Indian, and Vietnamese (Islam, et al., 2010; Wong, Hosotani, & Her, 2012). Within ethnic groups, moreover, differences in economic attainment and resources are the source of health disparities.

In other countries, research on gambling among Asian populations provides a wider lens than the U.S.-based literature alone. In Australia, the Victorian Casino and Gaming Authority (2000) found that individuals who spoke Chinese, Vietnamese, Arabic, or Greek had lower rates of gambling than others in the general population, but rates of gambling disorder were five to seven times higher than in the general population, as indicated by scores on the South Oaks

Gambling Screen of 5 or more. Abbott and Volberg (1994) found that individuals in New Zealand who identify as Maori or Chinese are at high risk of gambling problems. Devlin and Walton (2012) report that Maori (2.7%), Asians (2.4%), and Pacific Islanders (0.6%) had a higher rate of gambling disorder than Caucasians (0.2%).

Despite progress in the study of gambling among Asian Americans, including Chinese, disaggregation of Asian American data by ethnicity is rarely performed and may reveal important differences. At one study conducted at a public university, for example, undergraduate respondents self-identifying as Chinese gambled less frequently than whites. But among those Chinese students who gambled frequently there was a larger proportion at high risk for gambling disorder than among white students who gambled frequently. The Vietnamese students did not share the same patterns of gambling behavior as the Chinese (Wong & Wu, 2019). Focusing on Southeast Asians, two studies of adult Cambodian refugees revealed high rates of problem or disordered gambling, rates which may be related to the trauma of the refugee experience (Petry, Armentano, Kuoeh, Norinth, & Smith, 2003; Marshall, Elliott, & Schell, 2009).

Obtaining representative samples of specific Asian ethnic groups (disaggregated by ethnicity) in large-scale population surveys in Massachusetts would require oversampling strategies and administration in Asian languages. Public agencies have found the costs to be prohibitive. Taking into account the amount of funding available for this study and the costs of alternative strategies, our research approach focused on a single community site in Chinatown, where there is pressing need for understanding of risk and protective factors for problem gambling and provision of culturally appropriate treatment.

In its 2015 baseline study, the Social and Economic Impacts of Gambling in Massachusetts (SEIGMA) estimated the prevalence of problem gambling in the Massachusetts population. The study left gaps in knowledge about problem gambling in Asian American and other vulnerable population groups (Volberg et al, 2015). Recognizing these limitations, the Massachusetts Gaming Commission and the Massachusetts Department of Public Health called for research specially tailored to improve understanding of the problem gambling in certain vulnerable populations, including their exposure to potential harms of expanded gaming and how these can be mitigated. In a Strategic Plan for Services to Mitigate the Harms Associated with Gambling in Massachusetts, a key stakeholder is quoted on the lack of culturally appropriate services: “There are not many providers that are trained [with] cultural competence and the language skills to work with [diverse populations]...xxx [It’s] hard to find information and even harder to find treatment in Asian languages.” (Department of Public Health & MA Gaming Commission 2016). In particular, it was noted, community-level interventions are needed that will aid development of evidence-based pro-grams for delivery of preventive education and treatment services (Boston Public Health Commission, 2013).

The sampling strategy used in the SEIGMA study did not produce a subgroup of Asian Americans large enough to generate meaningful data about the prevalence of problem gambling. Thirty-five percent of Asian Americans in Massachusetts have limited English proficiency, reporting that they speak English less than well; however, the survey was not administered in any Asian languages. Accuracy of data on Asian Americans was further reduced because it was not disaggregated into ethnic subgroups. Despite these limitations, the SEIGMA findings concerning the influence of socio-economic disadvantage provide a useful departure point for designing

specialized research on Asian Americans and other vulnerable populations. In particular, the SEIGMA study found that individuals with a high school education or less are more than twice as likely to be at-risk gamblers compared to those with a college degree; in addition, individuals with annual incomes less than \$15,000 are nearly twice as likely to be at-risk gamblers compared to those with incomes of \$50,000 or more” (Volberg et al, 2015). Our one-year pilot intervention focused on an economically disadvantaged segment of the ethnic Chinese population in Massachusetts. In Massachusetts, there were 131,846 persons who identified as Chinese (alone or in any combination with other categories) and 349,768 persons who identified with one or more Asian subgroups in the 2010 census. Hereafter, the term “ethnic Chinese” or “Chinese” refers to the subpopulation of persons who identify either as Chinese or Chinese Americans including the foreign born and U.S. born persons and spanning multiple generations of immigrants and their descendants.

Part II: Research Approach

A team of academic researchers closely collaborated with the Boston Chinatown Neighborhood Center (BCNC) in each phase of the project. This academic-community partnership combined the multi-faceted expertise of a professional counselor experienced in treating gambling problems among low-wage Chinese workers, the director of family services at the BCNC, a university-based social scientist, and a team of community health educators with deep roots in Chinatown.

For research on the sensitive subject of gambling, it is difficult to recruit and interview members of our study population, who are low-wage workers both vulnerable to gambling problems and hard-to-reach. As a result, we refined our methods through iterative discussion and evaluation. The first step was to assemble a qualified research team. Second, we engaged the entire research team in the development of our interview questions and protocol. Third, we refined the protocol to ensure adherence to ethical standards for research with human subjects, receiving approval of the protocol from the University of Massachusetts Boston Institutional Review Board. The fourth step was to develop a recruitment strategy, which evolved in phases as initial plans were tried, evaluated, and revised. Fifth, we analyzed the interview transcripts.

Our recruitment methods were designed to reach out to prospective participants in a private and discreet manner, and to ensure confidentiality in the method of initial contact, the process of obtaining informed consent, and in the interview and reporting process. We did not use flyers or posters so that our researchers in the field could keep a very low profile. Persons interested in participating could talk to them, but the absence of public advertisements would lessen the chance that bystanders or family members who might overhear the conversation between researcher and prospective participants would know that research on gambling was being discussed. Rather than distributing a flyer, we distributed recruitment cards in sealed envelopes at bus stops and at community agencies and through their networks. Our research team members briefly explained that this was a research study and asked people who took the envelope to open and read it. To answer questions and discuss participation, the prospective participant was asked to call a phone number and not give their name. Prospective participants were screened over the phone for eligibility, which required going to a casino at least once in the past 60 days. We did not ask for names or phone numbers; thus, our team did not know the name of any participant. Informed consent was obtained verbally on the phone.

A cash incentive of \$100 was given to each interview participant if they completed the entire interview, and each participant did finish the interview. The amount of the cash incentive was chosen in consideration of the value of time spent by individuals in the population segment, considering that most restaurant workers in this community have typically only one off-day each week after working 10 hours a day for 6 days under demanding physical conditions. Cash payment was chosen instead of a gift coupon because many participants in low-income immigrant communities may not make purchases with gift coupons on otherwise popular online sites, such as Amazon, or buy at a store allowing redemption, such as Target.

Approximately 40 sealed envelopes were distributed at bus stops and only one person provided an interview from this venue. Our estimate is that approximately 90 percent of persons waiting for the busses were not interested in taking the sealed invitation. Our research assistant had his cellphone in receive-mode from 9 am to 5 p.m. most days and from 9 am until midnight on the several days after we distributed invitations at bus stops. We did not ask for callers to leave phone numbers on voice mail for return calls because this would likely reveal their identity to us. As a result, we estimate that we missed about four calls. Approximately 70 sealed invitations were distributed at agencies and community associations. After encountering little interest in participation at the bus stops compared to relatively more success at a community agency in the first months of recruitment, we turned to focus only on outreach through social service agency and community association networks. We do not have an estimate of how many people would not take the invitation if contacted through networks of the community agencies, but among those who took the invitation, we estimate that the participation rate was about 40 percent.

The research team. We designed qualitative research methods that would enable everyday residents and workers to describe and reflect on their own or family member's gambling experience in their own words. We ensured they could use their preferred dialect. We carefully recorded and transcribed their spoken word to Chinese text to capture nuances of language idioms. We aimed to conduct the interviews in a private and relaxed setting, giving participants due time to let a conversation unfold. Prior to developing our research approach, we consulted archived records of a survey and focus groups from a 2008 study of gambling at the BCNC, led by Chien-chi Huang, who had coordinated community outreach for Asian Americans at the Massachusetts Council on Compulsive Gambling.

We employed male and female Chinatown-based research assistants with extensive experience in community engaged research and professional experience in community health education. The team included a health navigator at a local hospital in Chinatown, a community-based bilingual education teacher, and social service professionals experienced in working with the elderly, youth, and working age clients. We planned to draw from our experience in outreach and interviewing methods to develop recommendations for how researchers might reach out to larger samples of people in this population and others. We also expected that our findings might shed light on what types of community-based preventive education projects could be effective.

The community educators had diverse age backgrounds, ranging from the late 20s to 60s, and were assisted by college students from China and Taiwan. This age and gender diversity on the team helped our recruitment of research participants from various age groups and increased our flexibility in assigning interviewers whose language-dialect and experience best fit the different experiences, perceptions of gambling, and communication styles. Finding younger and middle-aged workers was more difficult due to their limited free time.

Writing of interview questions. We asked individuals to describe their own history of gambling, their motivations, and the effects of gambling on themselves and family members in their own words. Some Chinese expressions can be translated in one of several ways into English. Multiple consultations took place among our translators about meanings, which can change according to the place of origin and immigrant experience of the speaker. We were careful to recognize the internal diversity of even a small Chinatown neighborhood in Boston.

Multiple language dialects, age and generational backgrounds affect use of language. In general, workers in Chinatown live not only in Chinatown but also in Quincy, Malden, Charlestown, and other areas in the metropolitan Boston area. They are part of a heterogeneous and dispersed ethnic population whose members may identify more or less strongly with the historical experience of Chinese in the U.S. dating from the 19th century, subsequent immigrant waves, or with the Chinese homeland.

We used a collaborative process led by the family counselor and principal investigator to write interview questions. The questions may be found in the Appendix. The professional family counselor trained the interviewers to elicit information and comments about gambling behavior that placed the individual's experience in the context of a life story. This required experienced interviewers or family counselors familiar with the population. Members of the research team held multiple discussions to identify terms hard to translate from Chinese to English because of cultural and historical contextual meanings, and how their usage may have changed over time and context. For example, there are nuanced meanings of Chinese terms for "luck" as it relates to gambling, and concepts of emotional well-being and stress differ between the Chinese and English languages.

Educational component. We provided brief information on healthy gambling practices in the form of a three to five minute presentation as an educational benefit at the start of the interview. This helped the interviewer break the ice and explain our research purpose. Initially, we considered recruiting participants by inviting them to small group presentations on healthy gambling and arranging interviews individually with participants after this session. However, all participants preferred to meet individually, and we inferred this was because of their desire to preserve their privacy. In choosing to include this educational component we considered the possibility that the interviewer's early introduction of basic concepts and terms to describe problem gambling may have influenced participant responses in a manner that introduced bias. Although such bias may have been present in some responses, such as in answers to short screening questions, our analysis of interviews took this potential problem into account and focused on thematic material that emerged from life stories and narratives of specific experiences. We weighed the potential disadvantages against the benefits of starting a conversation by providing useful health information, which could assure the research participant in the professionalism of the research project and also break the ice on a difficult subject.

Analysis of interviews. We qualitatively analyzed the interviews using in vivo coding to identify major themes. This process entailed line-by-line examination of each transcript to identify patterns in the responses and consider individual responses in the context of the whole interview. For each of the transcripts, at least two coders performed this line-by-line examination, identifying categories of expressed information and questions about ambiguous or uncertain meanings so that the team could discuss interpretation. The coding was performed in the language of the interview. Since all Chinese transcripts were translated to English and two translators consulted on the translation, a different research assistant was able to perform a separate coding of the English version. The themes identified by coders were discussed by four different team members, including those who had conducted the interviews. In addition, the transcripts were examined by staff representatives at the BCNC, who also assisted in research design and provided comments on the proposed themes and additional insights. This iterative

process produced the list of themes and illustrative interview excerpts reported in the next section.

Part III: Interview Findings

This section reports the findings from our interviews. Section A consists of profiles of selected participants, including three recreational gamblers, who are low-wage immigrant workers; three at-risk or problem gamblers, who are low-wage immigrant workers; two college educated professionals, whose risk level is not identified.

Section B describes and illustrates themes from the interviews: One set of themes focus on social-level risk factors: stressors from low income, difficult jobs, and social-linguistic isolation. A second set of themes concerns risk from exposure to casino business practices: targeted marketing and factors in the casino environment that make it difficult for casino patrons to maintain self-control of their gambling. A third set of themes describe participant's emotional and psychological relationship to gambling, and their efforts to cope or maintain self-control. A fourth set of themes focused on the effect of gambling on families. Family members provide crucial support for members with gambling problems, sometimes going to great lengths to monitor the spouse's behavior. The interviews described instances of devastating financial loss, family strife, and deceptive behavior. Finally, we describe themes that emerged from participants' comments on how cultural factors may influence gambling, views on the opening of a new casino in Everett, and participant recommendations on prevention.

A. Profiles of Selected Participants

Three Recreational Gamblers, Low-wage Immigrant Workers

We classified three interview participants, participant 6, participant 20, and participant 10, as recreational gamblers because they said they engaged in casual gambling activities at the casinos and had their gambling under control. Their visits to casinos in Connecticut were primarily for leisure or social purposes, and each answered all four questions on the NODS-PERC brief screen in the negative. They enjoyed the Chinese food, shopping areas, and found the environment conducive to socializing with friends.

- Participant 6 is a young adult immigrant from Southern China who came to the U.S. two and a half years ago. She works at a restaurant and is a high school graduate.

If you go with \$200 and gamble it and you have time before the bus comes back, what do you do?

It takes about 2 hours to get there, then you have 3 hours there. When we get there, we don't gamble right away. We walk around, sit and chat, play a couple of rounds, eat buffet. If I have \$200, I save \$50. I won't bet it. We don't go to gamble, just to have fun, be happy. We spend \$200, at least we get free buffet and have some fun. They have stores at Mohegan Sun.

- Participant 20 is a middle aged woman, born in Southern China, where she received a high school education. She has lived in the U.S several years and said “*I don’t know English, I haven’t fully adjusted yet. Don’t know about schools, what the teachers are saying*”. She works in food service and lives in Quincy. In response to the third question in the brief NODS-PERC screen:

“Has there ever been a period when, if you lost money gambling one day, you would return another day to get even? ”

No, there’s no time for it. I have to take care of the kids. We might go twice a year. I’ve only gone a few times since I came.

What do you play if you gamble?

Slot machines. One time I played 21, but it wasn’t fun. I lost, so we walked around the stores, ate and left.

- Participant 10 is a middle aged man, originally from Southern China. He lives in Chinatown and works in a kitchen. He has lived in the U.S. for a little more than 10 years, a length of time he says is “Oh, not new, but not that long. I’m used to it now, but don’t know English.”

Let’s talk about gambling.

I don’t gamble much. I’ve only gone a few times since I came here. I bet 2 or 3 hundred. If I lose, so what. I don’t expect to win. It’s just to try it and see. I play mah jong too, but only on my day off. I buy scratch tickets too, but not all the time, only if I have a little extra pocket money, then I’ll buy one. Win or lose, it’s fine. I won’t buy more.

Three At Risk or Problem Gamblers, Low-wage Immigrant Workers

Several individuals are likely at risk or problem gamblers from the responses they gave in the interviews, although we did not conduct a clinical assessment. Three persons illustrate difficulties they had in getting control of a known gambling problem. The average age of the three persons who answered negatively to all four NODS-PERC screening questions was younger than the average age of others who answered with at least 1 positive answer to the four screening questions. It is useful to notice this age-related pattern in our small sample, where younger workers in food-service occupations appeared to be at less risk for problem gambling than older workers in similar occupations. The older workers may be at higher risk as a result of longer lifetime exposure to the stress of low-wage, difficult jobs, and social isolation. However, we cannot generalize about the effects of age because the sample is small and not representative of the community population as a whole.

- Participant 17 is a middle aged woman from Southern China where she graduated from middle school. She immigrated to the U.S. 20 years ago, lives in Charlestown, and works in a restaurant. She identified her limited education and poverty as factors when talking about why she gambles:

Tell me about your educational background?

You can say that I graduated from middle school... I’m not a good student. I like to gamble. We were poor, wanted to go work and earn money.

How do you feel when you're gambling? Are you really happy?

Yes, I forget everything.

How do you know about casinos and how to go?

My friends took me. When you're a new immigrant, people take you to the casinos. In China, there's Macau, but we couldn't go there. At home, with family and friends, we played, but couldn't go to Macau or Hong Kong. It's too far, no money to go. When I came here, friends said, we'll take you to the casino, so I was very excited. That's how I started.

So you generally go with friends.

Yeah, but I've gone alone before too. Sometimes, there's something bothering me and I don't want to go to work, I've thought about going to the casino. I know it's wrong, but it's hard. (Chinese saying) It's like this if you're sick and you gamble, then you become very alert. A lot of people say that.

Have you lost a lot of money and borrowed money to continue?

Yes, with friends. You brought an amount like \$2000 and lost, so you borrow. I've used my (credit) card and I've borrowed from friends. Not a lot, just a thousand something. When I get home, I pay them back.

Have you experienced that you weren't able to pay them back?

No, not yet.

Are there other things to do, besides gambling at the casinos?

No, you go you want to win money. That's what everyone wants, is to win money. Some people say they go, but not gamble, just watch. Who can just go to watch. Of course you have to gamble. I know that some people go and walk around, but I never do that. I want to gamble. I can't help it. If you go and don't gamble, why go?

Do you sometimes forget to eat?

Yes, that happens. You get into the gambling. If I run out of money, then I have no choice. I have to stop. If you're winning, you're happy and want to win more. If you're losing, you want to win back the loses.

What do you usually play at the casino?

Mostly 21, blackjack. I tried playing pai gau. I've also played baccarat, but I'm better at 21. It's fast. You bet \$50 and count the points. Baccarat, the people do this and do that and you have to think about the cards. Pai Gau too. 21 is fast.

- Participant 14 is an elderly man, who came to the U.S. over 10 years ago. He works in a restaurant, formerly in construction and other jobs, and described his English as limited.

When did you start going to casinos?

It wasn't until I came back to Boston. I went with friends. I started with the slot machines, then big/small. I started out betting small, but as I played more, I bet bigger.

So you went with your restaurant co-workers?

No, I didn't work in a restaurant then. I went with my construction workers friends.

Did you gamble in China? Did you go to Macau?

No, I didn't even gamble in New York. I never went to Macau. You start small, but if you lose, you want to get the money back, so you bet bigger. If you lose, you usually feel

defiant about it and you want to get the money back, so you bet bigger. The type of mentality people has when going to casino is that you want to at least win a little Of course, you don't want to lose. If you lose, of course you feel upset. The more you lose, the more upset you get.

Have you won more or lost more?

Overall, I've lost more. If you win today, you'll lose it all again tomorrow.

So you've lost more then you've won.

Yeah, 98% of people lose more.

Now, how does your wife look at it?

She's very angry. She doesn't like it. When I'm off, she has to go with me. She just let me play the slots, not the other games.

Have the 2 of you argued about it?

Yeah, what woman likes her husband to gamble? No one likes it.

Have you ever tried to listen to her and not gamble?

I tried for a while. We went together. If I lost \$50, I got another hundred and lost it too. I thought I could win it back by gambling few more times, yet I lost even more.

When did you realize that it was a problem?

You start small for fun, and as you play more, you bet more. The bigger you bet, the more you lost. If you lose, you usually feel defiant about it and you want to get the money back, so you bet bigger. The type of mentality people have when going to casino is that you want to at least win a little. Of course, you don't want to lose. If you lose, of course you feel pissed off. The more you lose, the more pissed-off you get.

- Participant 3 is a middle aged woman who has lived in US for more than 25 years. She lives in Chinatown and works part time. Participant 3 answered “yes” to all four questions in the NODS-PERC brief screen.

Why do you go so much?

First, I don't have much else to do. My part time work isn't regular. Some is regular, but at night. They call me when they need me. Otherwise, I go to community meetings ... I only get called to work maybe once or twice a week, so I have time and my friends ask me to go, so I go. If I stay at home, it's useless. It's a cheap ticket to go, cheaper than eating buffet. I went with them the first time and then I started going regularly. At first, I told them I'd go if I had time and I went maybe once a week. Now I go 2 or 3 times a week.

Why do you go so much?

First, I don't have much else to do. My part time work isn't regular.

If there were other things for you to do, would you still go so often?

It depends on what it is. It has to be something I'm really interested in, something that really makes me happy. The most important thing is to be happy.

What kinds of things would make you happy?

If there's a trip, I would go. If there's some volunteer opportunity. You have to give back to the community. You should help people. After a few decades, your attitude changes, you become more Americanized.

What languages do you speak? Cantonese. English? I can get by. Mandarin? I can get by.

NODS-PERC Question 2:

Yes, before, but not now. Maybe because I've retired, there's less pressure and my son is older. Before, it was like, yeah let's go gamble and I don't have to deal with everything. I don't really have problems now. My only problem now is not to eat so much, I'm too fat. Now I go with friends, pass the time, eat buffet.

So do you try to eat less and do you exercise?

Yes, I go to the YMCA to swim, but it's not enough to offset what I eat.

NODS-PERC Question 3: You already said this before that if you lost, you wanted to win back the money.

Yeah, I couldn't accept losing. I needed money for expenses. Jobs aren't necessarily stable. You can be laid-off anytime. My son was young and needed my support. Now, my finances are stable. My son supports himself. Now I don't have that pressure. If I lose, I lose. Before, I had to win it back. If I won, I was greedy and wanted to win more. Now, I'm older, my attitude is different. If I lose, I lose. If I win, I eat more.

NODS-PERC Question 4: Has your gambling ever caused serious or repeated problems in your relationships with any of your family members or friends?:

Yes, my friends too. We went together and it happened to all of us. You lose, you're not happy. If you're not happy, you make mistakes at work and get yelled at. You can get depressed and not be able to sleep.

When you go, what do you play?

Slot machines, sometime baccarat, sometimes, big/small, sometimes roulette. There are a lot of things to play there. There's a lot of people at the casino. If they're playing big stakes, I don't want to play. If they're playing small stakes, there are a lot of people and you can't get in.

On gambling causing serious or repeated problems in relationships with family members or friends (NODS-PERC 4)

*Yes, my friends too.
We went together and it happened to all of us.*

You lose, you're not happy. If you're not happy, you make mistakes at work and get yelled at.

You can get depressed and not be able to sleep.

College Educated Professionals, U.S. Born, Risk Level Not Identified

- Participant 23, a young adult, is male, born near Boston Chinatown, and completed a college degree. His preferred language is English but speaks some Cantonese. His answer to the NODS-PERC and interview questions suggest that he might be at some risk for problem gambling, but he describes success in controlling his gambling.

NODS-PERC, question 1: Have there ever been periods lasting 2 weeks or longer when you spent a lot of time thinking about your gambling experiences or planning out future gambling ventures or bets?

Sometimes, but I try to stop at my limit of \$200.

NODS-PERC, question 2: Have you ever gambled as a way to escape from personal problems?

No

NODS-PERC, question 3: Has there ever been a period when, if you lost money gambling one day, you would return another day to get even?

Yes, but I set a limit.

NOD-PERC, question 4: Has your gambling ever caused serious or repeated problems in your relationships with any of your family members or friends?

No, but yes for my dad.

When did you start gambling?

I was 18 and there was a casino on a cruise I went on. I liked it for the thrill and, I guess, the greed.

How often do you go to casinos?

I go to Foxwoods three times a year. I've been to Twin Rivers, but not Mohegan Sun. I go with my friends. I'm tempted to go to Wynn when it opens. It's so close, so convenient, but I can control it. I set a limit and I stop even if my friends continue.

When you don't go to the casino, what do you do for fun?

I do investments in stocks. I play safe. It's safer than gambling.

- Participant 1, a young female adult, was born in Boston. She grew up speaking mostly Cantonese, attended bilingual education classes in elementary school and later gained a good command of English in high school. She has a college degree, a professional occupation, and spoke English for the interview.

When did you start going to the casino?

Probably when I was 15. We go after midnight and they don't really check IDs. It's pretty bad. I went with friends, they were older. We worked in the same restaurant. After work, we said, "Oh, what do you want to do?" "Oh, let's visit a friend in Connecticut, so you always end up in a casino and we just forgot about the friend and spent all the time in the casino. Yeah, sometimes, we'd be there until morning. Like we would go on the weekend, we would go on Saturday until Sunday, then we'd come back. I was a waitress. I was 15 and \$100 a night was a lot of money, so that's what happened, it went to the casino.

How often do you go?

Now, not so much anymore, maybe once a month. It depends too, we go to New York, we like to stop by along the way or on the way back. ...I used to go a lot. Yeah, I miss it, all the time. Well, now I look at stocks. I look at it all the time. It's still a form of gambling. Safer? Stocks, it depend on if you play options or not. I'm starting to learn. I don't go overboard. I always set a limit and I always stick to it, so if I lose, I don't feel too bad. I don't lose a thousand dollars. I lose like a hundred, two hundred versus like some people's limit is like a thousand dollars

Lose a lot?

Yeah, I did. My twenty-first birthday actually. Yeah, after that I always stick to my limit.

A problem?

No it won't become a problem because I have friends who have a problem with gambling. I saw what it did to them. Still can't help him now. His parent shipped him back to China to go to school because in China, gambling is illegal. So like if you're not a local, you would never be able to find the place, but he came back and he still does it. It's really bad. I don't think he found a way to gamble in China. He was occupied. I think he was scared because if you lose a lot of money in China, there can be a lot of problems. I think he was OK, but when he came back, he was tempted again. He'd work the whole week, the weekend, he'd just disappear.

His parent shipped him back to China to go to school because in China, gambling is illegal. So like if you're not a local, you would never be able to find the place, but he came back and he still does it. It's really bad.

I don't think he found a way to gamble in China.

B. Themes from the Interviews

1. At Risk From Low Income, Job Stress, and Social-Linguistic Isolation

Many restaurant workers in Chinatown work long hours with little time. For example, it is commonplace for many to work 10 hours a day with one day off per week, without legal avenues to advocate for labor rights or fair treatment. Traveling to a casino is low cost, admission is free, and areas designated for Chinese-themed game tables can provide a culturally accessible environment, staffed by Chinese speaking dealers, alongside Chinese buffet or fast food offerings. The Chinese-style ambience in sections of the casinos and at times performances by Chinese performers attract Chinese customers who can play together in groups as a form of social entertainment.

The presence of many Chinese patrons is apparent in any large casino accessible to Chinese immigrants from cities throughout the U.S. Less obvious to the casual observer are the conditions of work and everyday living of the low-wage workers from Chinatown; their work is often hard and physically grueling. Several individuals said they chose to go to casinos to gamble because they have a perception that there are no other entertainment opportunities they can enjoy in Chinatown, although they may not recognize the many existing opportunities to be active and civically engaged in

Why do you think Chinese people like to go to casinos?

Because people of lower class, whether they work or not, don't know English. People speak Taishanese, Hakka dialect, Northern dialects such as Mandarin. Where can people go?

And they want to make more money. At first, they think they could use the money won from the casino to earn more money. Then, when they lose, they start using their own money to gamble.

Chinatown. Understanding this perception means recognizing that casino gambling not only provides something to do, but also provides something that distracts them from the drudgery of their daily life in which they may be mistreated by bosses, may argue with their spouse, or may face discrimination and other complex societal challenges.

Some respondents said they may have played games such as Mahjong in small private settings as a social pastime in China before immigrating to the U.S., but now they were more likely to get bored or feel socially isolated, risk factors for mental health problems and reasons they gave to go regularly to the casino in the U.S.

1.1. Difficult, Low-wage Jobs

- Excerpts from transcript of participant 17 :

Why do you think so many Chinese get into gambling after coming to the US?

Maybe because they work so hard and make so little. They go to the casino and sit and relax, where they can eat something and gamble. You win or you lose. Someone who's lucky might win over \$10,000, but someone who's not lucky will lose. However, most of those who lost never think of the consequence, about where the money comes from, how to repay the money. I want to go too. Our jobs are hard and we make little after working for more than 10 hours daily. We have to take a lot of flak. You go to the casino, you get to gamble and get a free meal. It's enjoyment.

Why do you think you are having this problem? You tried to quit once.

I tried many times. Gambling has taken place for thousands of years.

Why is gambling attractive?

Its attraction comes from the fact that people want to make money without working hard. Particularly, lower middle class workers who don't really speak English think of it this way. Even if you just win a couple dozen dollars. It's still better than working so hard. This is particularly what the restaurant workers would think.

1.2. Language Isolation

- Excerpts from transcript of participant 14:

Why do you think Chinese people like to go to casinos?

Because people of lower class, whether they work or not, don't know English. People speak Taishanese, Hakka dialect, Northern dialects such as Mandarin. Where can people go? And they want to make more money. At first, they think they could use the money won

Why do you think so many Chinese get into gambling after coming to the US?

Maybe because they work so hard and make so little...

Our jobs are hard and we make little after working for more than 10 hours daily. We have to take a lot of flak.

You go to the casino, you get to gamble and get a free meal.

It's enjoyment.

from the casino to earn more money. Then, when they lose, they start using their own money to gamble. They lose again, the more they lose, the more they want to get it back. Some ladies bet over a thousand at a time without blinking like they've lost their mind.

Are there any advantages with a new casino?

Yes. First of all, it provides a place for shopping. I think the stores at the casinos get the latest fashion faster. If you're not addicted to gambling, going to casino for recreational gambling offers a comfort for the mind. If you just go for two to three times a year, spend two to three hundred dollars, it is pretty good. If you win, nice, go have fun, eat, and shop. If you lose, it is not a big deal. It helps to release pressure and distract you.

1.3. No other Entertainment Opportunities: Fewer in Boston Chinatown than in China

- Excerpts from transcript of participant 5:

If you go with friends, do you come back together too?

Yeah, my friends aren't problem gamblers either. Some people are addicted, but I don't go with them. I think maybe the other people, in 40s, 50s, might be addicted. They were here longer with no other recreation, so they gamble more.

If there are more other recreational activities for Chinese people, do you think they would gamble less?

Yes, like in China. Not many people are addicted. Here, there are really a lot. They just work in a restaurant with no recreational activities available. We need more other things like stores, buffet, hot pot, Chinese movie theaters, dim sum. People can go eat, shop and have no time to go to casinos. There are places like that in China and Hong Kong. You can spend a lot of time there. You have to take the bus a couple of hours to the casino, it's tiring.

Are there casinos in China?

No, people go to Macau In China, friends get together to gamble. A lot of times, people work together against a new person. Those are really dangerous. You think you've become a friend and before you know it, you've lost everything you have. I have never participated in that.

Is gambling fun?

It depends on how you see it. If it's a recreation, then yes. But if you're addicted and just want to gamble for money, then no. Not everyone is like that. How many people can gamble for a living? 99 out of 100 can't. Recreational gambling isn't a problem, You work in a restaurant 6 days a week, just 1 day off. There's no time to go. Older people, in their 40s, 50s gamble more, less so younger people.

If there are more other recreational activities for Chinese people, do you think they would gamble less?

Yes, like in China. Not many people are addicted. Here, there are really a lot.

They just work in a restaurant with no recreational activities available. We need more other things like stores, buffet, hot pot, Chinese movie theaters, dim sum. People can go eat, shop and have no time to go to casinos. There are places like that in China and Hong Kong.

- Excerpts from transcript of participant 17:

So do you generally go with friends?

Yeah, but I've gone alone by bus before too. Sometimes, there's something bothering me and I don't want to go to work, I've thought about going to the casino. I know it's wrong, but it's hard.

2. At Risk from Exposure to Targeted Casino Marketing and Casino Environment

One of the most common themes in our interviews noted the popularity of casino incentives; namely, free coupons that can be used to gamble or for meals as incentives that were factors making casino gambling attractive. The winning of VIP status, which affords benefits such as free bus rides, was valued to frequent gamblers. A couple interviewees noted that once they enter the casino there are factors in the physical design that make it hard not to gamble a little. There are not seats for relaxing away from the slot machines and the table games have no seats for people to rest away from the game. One interviewee noted that the whole atmosphere was conducive to an intense gambling experience, including something he suspected was “in the air”.

2.1. Incentives: Cash coupons, Meal Coupons

- Excerpts from transcript of participant 6:

Do you often see Chinese people at the casinos?

Yes, a lot, I see a lot of Chinese people. Here, casinos give out cash coupons or buffet coupons that entice people into the casino. They don't offer those coupons in Macau. That's why I often see a lot of the uncles and aunties going to casino. They usually leave for the casino at night.

2.2. VIP Status -- hard to control

- Excerpts from transcript of participant 14:

I have tried not to gamble for a month. I'm already a VIP. With the VIP card, I don't have to pay for the bus, just a \$2 tip. I usually give \$3 or \$5. .. With the \$40 coupon, you can play the slot machines. If you know how to pick the machine,

Do you often see Chinese people at the casinos?

Yes, a lot, I see a lot of Chinese people.

Here, casinos give out cash coupons or buffet coupons that entice people into the casino.

They don't offer those coupons in Macau. That's why I often see a lot of the uncles and aunties going to casino. They usually leave for the casino at night.

Is there anything else you can do there when you go?

No, there's nothing else to do. There's not even a place to sit down. If you want to sit, you sit at the slot machines.

Do you gamble too?

Yes, once you go in, the atmosphere, it's hard not to gamble. You might hang around 1 hour, 2 hours, but by the 3rd hour, you'll gamble.

generally, you can make \$15 daily in average. One time I didn't gamble for a month, and I just played the slots using the free coupons. Sometimes I could win up to \$100, and the lowest at least \$20 worth....However, not everyone has my luck and my skills. You have to control yourself. Even with what I just said, I've actually lost too, but not as much as some people. I've lost all the money that I made from work. That is, about 13 years ago, I lost all my money. I consider it as my patronage to the casino for these past 20 years, but I didn't owe anyone money, not even a penny.

2.3. Ambience Inside Casino, No Seats

- Excerpts from transcript of participant 2:

Is there anything else you can do there when you go?

No, there's nothing else to do. There's not even a place to sit down. If you want to sit, you sit at the slot machines.

Do you gamble too?

Yes, once you go in, the atmosphere, it's hard not to gamble. You might hang around 1 hour, 2 hours, but by the 3rd hour, you'll gamble.

- Quotes from participant 14:

It controls you. There is something particular about the ambience of the casino that once you go inside, it makes you go crazy. It makes you a different person that you lose control of yourself when you are inside, even though once you come out you are back to normal. I suspect that they might put something in the air inside casinos. You wouldn't know it if you have not been in the casino. You would see it once you go inside that everyone just seems to become foolishly insane and cannot escape from it.

It controls you.

There is something particular about the ambience of the casino that once you go inside, it makes you go crazy.

It makes you a different person that you lose control of yourself when you are inside, even though once you come out you are back to normal.

2.4. Risk From Exposure to Targeted Casino Marketing and Casino Environment

One interview participant, participant 19, was married and employed in a private business and had received a college education in China and post graduate education in the U.S. in the field of education. He had immigrated to the U.S about twenty years ago and worked in a restaurant before. He never went to a casino in China.

- Excerpts from transcript of participant 19:

So if you continue to play, you eventually could lose everything. This is a law of gambling. Many people know why there is no winner. 97% of the people here are losing, but why are so many people still going to casinos? It's because the casino will give you a chance to win first, but many people could not control themselves, you could not leave right away and take the

Because in the United States, I didn't know English at the beginning, what kinds of entertainment were there?

There was no entertainment

money home. Eventually you may lose everything. I have heard so many stories like this.

- Quotes from participant 4:

Because in the United States, I didn't know English at the beginning, what kinds of entertainment were there? There was no entertainment.

2.4.1. Proximity of Casino.

- Excerpts from transcript of participant 19:

Would you go to the new casino?

I definitely will go, probably go there several times a week. It will only take me a few minutes to drive from my home to the new casino, and my wife will not be able to control me. She would not even be aware that I went. The only thing that she can do, perhaps set a spending limit on my credit card.

2.4.2. Predatory Lending by Loan Sharks.

- Excerpts from transcript of participant 19:

The bus has a fixed schedule; how would you spend the rest of the time if you lost all the money you had at the beginning?

If I took the evening bus to casino at 12 midnight, and then came back during the day, there are about 4 hours wait time for the next bus, it is possible that I may lose all in the first half an hour, the casino has loan sharks available.

How do loan sharks work? Do casinos in CT have this kind of service?

Yes, they do. You borrow money from them for 3 days with 10% interest rate.

Is there any loan collateral?

No, these loan sharks are operated by Chinese. We all know each other, and they know my home address, I won't run away. For example, if I borrowed \$1,000, I have to return the money in 3 days, plus 10% interest.

Have you used loan shark before?

I used to, not now. What do I do if I lost all my cash in the first half an hour, and reached limit of my credit card? There are loan sharks. If you want to continue to play, you can borrow from them. There are many people who hold fantasies and feel that they can win back the money. I also had similar experience. I borrowed \$1000, spent another half an hour in casino and won back. After I paid back \$1100 to loan shark and I still have some money left. This is the case when you are lucky.

3. Participants' Self-Described Emotional and Psychological Relationship to Gambling

In Sections B.1 and B.2, respectively, we have described participants' description of exposure to social stressors and business practices of the casinos. In this section B.3, we describe themes from our participant's self-described emotions and psychological factors related to their gambling. These included expressions: Imagical thinking, such as belief that one has

special powers to win while minimizing the reality of losing; a belief that gambling can solve problems or make the gambler “alert”; an appreciative feeling that casino staff respect the gambling patron, an attitude not necessarily present in other parts of his/her life; 4) feeling excitement from gambling; the fantasy of being the next big winner when watching another person in the casino win despite very low odds of winning; excitement, and loneliness. Participants also described efforts to self-limit their gambling.

Interestingly, none of our interview participants specifically mentioned belief in numerology or Feng-shui. However, one of our community educators who works with older Chinese immigrants in Chinatown noted that belief in “lucky numbers” is often mentioned in informal conversations about gambling in this sector of the Chinatown population.

3.1. Magical Thinking – Exaggerating Skillfulness in Beating the Casino

- Excerpts from transcript of participant 19:

...To play lottery may cost you about \$20-30, and rarely people will spend \$10,000 to buy lottery tickets. But in casinos you may have someone next to you spending \$10,000 to \$20,000 to play. Besides that, the casino created the illusion that their games were really fair, or that the dealer does not have any advantages, and that I have a better chance of winning. A lot people feel that they are very smart. They can beat casinos. If I know I can't beat you, I definitely will not go there.

- Excerpts from transcript of participant 14:

I bet quite a lot as compared to other women, but I haven't gotten to the point of owing too much money. I'm lucky, and I've got good gambling skills. When I play the game, for example, I would win 9 times out of 10 times. Even just a single loss would be terrible for me because I don't like to lose. I have to continue to play until I win.

3.2. Believe Gambling is a Cure for Problems

- Excerpts from transcript of participant 17:

So do you generally go with friends?

Yeah, but I've gone alone by bus before too. Sometimes, there's something bothering me and I don't want to go to work, I've thought about going to the casino. I know it's wrong, but it's hard. A Chinese saying goes: gambling can cure hundreds of diseases. A lot of people say that. It's like this if you're sick and you gamble, then you become very alert.

3.3. Feeling Respected in the Casino

- Excerpts from transcript of participant 19:

My last question, you have been to many casinos. You also mentioned that you enjoyed the casino. It sounded like that you have to spend some money every month at casinos. Are you going with this attitude, spending some money there for enjoyment?

I enjoyed the casino environment very much; I feel very good in there. The staff there also treat me very well. And still I have the feeling that I am smart, and if I got lucky I may win.

3.4. Fantasy – I Will be the Next Winner

- Excerpts from transcript of participant 19:

The uncertainty of the game is like buying lotteries. Everyone knows that, my kids buy them too. I used to spend \$20-40 a week on lotteries. When Powerball accumulated to a huge number of prizes, the whole country was buying. And then my kids told me not to buy, they told me it's impossible to win, they knew that most of time my \$30, \$40 were wasted. But many people still hold the fantasy thinking they may win one day. The casino gives you the same fantasy. When you go to the casino just for a look, there are always a few people who win. This makes you think that you could be the next winner.

3.5. Excitement

- Excerpts from transcript of participant 16:

Why do you want to go gambling?

Because I sleep very little at home, I can sleep in the car for 3-4 hours. I am happier when I go to the casino. The casino is exciting, and I am more excited.

3.6. Feeling Lonely, or Just Wanting Fun. Cycle of Losing Control

- Excerpts from transcript of participant 14:

Did any of your friends or family tell you to stop?

When you feel lonely and want to go have fun for a bit, but if you lose, even if it is just for fun to begin with, it will become a nonstop cycle.

3.7. Trying to Improve Self-Control

- Excerpts from transcript of participant 14:

But now, we look at it differently. It is just for fun. Whether winning or losing, I stop chasing. That said, I still want to win when I go inside. Not that I want to make money out of the casino, I want to win back my money. People are naturally like that. In a way, it taps into that kind of mentality, and it becomes a cycle. If you don't win in the beginning, it's OK, but once you win, you would become a regular. Now I've learned my lesson. If I lose, I just look at it as a trip. Even now I'm still losing.

- Excerpts from transcript of participant 3:

In the United States, when I have money, I would lend money to not only my wife, but also my friends if they ask. Money alone is not a priority for me. Gambling is not good for most people. There are very few reasonable people, and I'm one of the few reasonable ones, I gamble whenever I want. If I don't feel like going, I don't go, and I go to play chess instead.

What makes you decide to go or not to go?

If I win, I would go every day. If I lose, I would stop going for 2-3 days. If I have been losing for a week, I would stop for two to three day.

Depend on the luck?

Luck is peculiar. Luck is fate, it just doesn't let you win.

Who is him (it)?

I've used all my wisdom, and sometimes I still lose.

- Excerpts from transcript of participant 17:

Some people can control themselves.

Yes, I was almost addicted, but I'm able to control it...You never get sick of gambling. At work, when the boss starts to yell at you, at home, husband and wife argue with each other, your kids don't listen, your job is hard, what can you do to get excitement and stress-relief in life, gambling is first thing that comes to mind.

How do you feel when you lose?

When I lost money? Just a little? Some people can't sleep if they lose because they feel bothered by it. Those people might go borrow money so they can go to gamble, only to lose it all again. When I lose, I also feel bothered, and I would try to think of different strategy to win it back.,,In the past, when I had a chance I just chased it, whenever I had time, whenever I got my pay, I'd go to try to get it back, because I felt defiant about my losing. Nowadays I've changed my attitude/mentality: when I lose, I just treat it as if I was taking a trip. If I go back again, I only bet small amounts; I go with \$500 or \$300. If I lose, I would stop to chase it back. It's less harmful. Based on my calculation, I might break even, but not lose...

3.8. Belief that Efforts to Increase Self-Control Undermined by Paid Ringer

- Excerpts from transcript of participant 14:

You stopped for a few years ...

I have a way to control myself. I go with \$350 cash in one pocket and a bank card that has a withdrawal limit of \$500 in another. If I lose \$300, I take out \$500. If I break even, I stop and leave. At most, I won't lose more than \$800.

4. Effects on Family Members

From Perspective of Gambler:

4.1. Family Strife

- Excerpts from transcript of participant 21:

Do you always go to the casino to gamble?

Now, no, I don't go anymore. I haven't gone in about 10 years. After I got married and had kids, I needed money.

So you lost more than you won?

Of course! I lost so much, I can't stand it.

You haven't gone to the casino for many years, do you feel like you want to go?

Yes, I always want to go, but I'm afraid to go and lose money. Now, I have 2 sons to support. I have to suppress the feelings. Before, when I was younger, friends asked me to go, so I went. We took the bus.

When you want to go to the casino, how do you suppress the feeling?

Of course I want to go, but I'm afraid I'll lose. I have to control myself. I gambled for 10 years. I lost a lot of money. I even lost a house.

So it affected not just you, but your whole family.

Did you borrow money to gamble?

No, I didn't borrow, but I did use my wife's money. Oh, I did borrow from friends and my wife repaid them for me.

Your wife paid off your debts, how did she feel about it?

Of course, she yelled at me. She worked hard for the money and had to use it for my debts. Of course she had something to say about it.

Did people get angry at you or...?

Of course, family was definitely angry. I sneaked off to the casino. People in the family, such as parents, were definitely angry. They would yell at me because I lost so much money.

Why don't you go (to the casino) anymore?

Because of my kids. They're older now.

I want to go, but I have to work and take care of them. Even if you don't eat, they have to eat.

In the past, I didn't like to work, and all I could think was to go there. But then after giving birth to kids, I don't want them to know that I gamble.

I don't want them to follow my path.

4.2. Desire to Protect Children

- Excerpts from transcript of participant 17:

Why don't you go?

Because of my kids. They're older now. I want to go, but I have to work and take care of them. Even if you don't eat, they have to eat. In the past, I didn't like to work, and all I could think was to go there. But then after giving birth to kids, I don't want them to know that I gamble. I don't want them to follow my path. It's not good. I hold it in. You know, you go, and you sit there all day and don't have to work. It's really awesome.

...My gambling habits caused me to owe so much money. I don't want my kids to follow in my footsteps. I'm scared. I don't want them to pick up any vice, such as gambling, drinking, and drugs. Every parent would think the same.

From Perspective of the Spouse of Persons Who Gamble in Casinos:

4.3 Monitoring Spouse's Gambling Problem

- Excerpts from transcript of participant 2:

What do you think about gambling, is it fun?

It's fun while I'm gambling. I don't really want to go, but I have to go with my husband to control him. My friends said that they see him at the bus. There's several buses every day. He stands by the bus and wants to get on. If he goes alone, he loses track of time. For my job, sometimes, I have to stay overnight. That's when he sneaks out to go to the casino. I told him not to go alone, that I'd go with him on the weekend.

And you go every week.

Every Saturday.

Have you ever lost a lot of money?

No, but my husband has. That's why I have to go and watch him.

If you have time and don't go to the casino, do you have other recreational things to do?

Yes, I work hard 5 days, so I can sleep later on Saturday, clean the house, go have dim sum and that's already a day.

What about your husband? He's free every day.

I tried to get him to go to the senior center. It's \$2.00 for lunch, then you can do other things, play ping-pong, ... But after he eats at Hong Luck House, he goes to the bus with his friends. They eat at 11:30 and there's a bus at 12:00, 5 minute walk from Hong Luck House. If the casino is farther away, then he can't go. Twin River is close. They give you a \$40 coupon. My husband stands by the bus and if there's a seat, he goes. To him, to lose \$100, \$200, it's nothing. Too many people gamble, too many Chinese people gamble.

Why do you think it's like that?

There's no recreation. Immigrants don't know English, like my husband. If you tell him to take a bus farther away, he's afraid to.

Why do you think it's like that?

There's no recreation. Immigrants don't know English, like my husband. If you tell him to take a bus farther away, he's afraid to.

What if there are other recreational activities? What kinds?

More movies, Chinese movies.

- Quotes from participant 8:

I don't like it anyway, I don't like him going, but he sometimes wants to go with friends, I don't care and he doesn't tell me.

4.4. Self-limits

- Excerpts from transcript of participant 8:

Some people, anyway, when I am going, some people, when they go to the casino, it seems to be, because they look young, bet big money. I feel like it is very horrifying. They place the bets by dozens and dozens. It seems that they are losing their minds. I don't know. Anyway, I am not going to do the same. just looking. Play very little.

- Excerpts from transcript of participant 2:

When you go with your husband (to the casino), you can control yourself?

Yes, I plan it before I go. I'm still awake when I leave. I have a budget of \$300. If it's gone, then that's it, even if it's not time for the bus yet. I sit and wait.

- Excerpts from transcript of participant 2:

No, If I win, of course I'm happy, but I won't continue to try to win more. I work hard, 10 hours and earn a little more than \$100. You play one round and it's all gone. It's not so easy to earn that money.

No, If I win, of course I'm happy, but I won't continue to try to win more.

I work hard, 10 hours and earn a little more than \$100. You play one round and it's all gone. It's not so easy to earn that money.

- Excerpts from transcript of participant 2:

But your chances of losing are more than winning. The casinos have to make money.

Once you walk in, you can't help it. I'm not addicted, but when I walk in I want to gamble. If I sit at the slot machine, waiting to leave and see someone win, I think maybe I can win at that machine too. You pull out \$20, then another \$20 and before you know it all the money is gone.

4.6. Martial Strife, Evasion, Deception

4.6.1. Loss of home and financial stability.

- Excerpts from transcript of participant 4:

I had no idea when we first met, and it didn't take long before I learned about it. I learned about it when he sold his house. He lost more than one million Renminbi (RMB). I have been in the United States for 11 years. It was about 11-12 years ago when he lost more than one million RMB. It could have scared someone to death, if you think about it, when I heard about it I almost fainted. Someone couldn't even make that much money for their whole life, He borrowed money to a point that he'd lost friends and relatives. After we met, he started to borrow money from me. I didn't think about it much at the time. It scared me when I heard that he owed more than one million RMB, and I thought, better to pay it off. In end, I sold my house.

- Excerpts from transcript of participant 4:
During that time, I became homeless ... I lived in the shelter with my daughter. Gambling has caused me to lose everything...

4.6.2. Hiding gambling from family members.

- Excerpts from transcript of participant 2:
He can go after I leave and come back before I get home and I won't even know he went.

- Excerpts from transcript of participant 13:
The family doctor let him to see a psychiatrist, but that can't help at all. The psychiatrist, just talk to him, useless, ultimately it is about the problem of money.

Short term is money. What about long term?

[We] always fight, want to divorce. Sometimes I didn't know he went to gamble and he said he didn't go. Later on, someone came here and asked me for money, saying if I don't give him the money he owed, he will kill him (her husband). Recently five or six years, we started to go to church and we did not gamble at all. We were at church two times a week.

- Excerpts from transcript of participant 13:
Sometimes we drive ourselves, sometimes go by bus, everyone gambles. I bet on mine he bet his (Bacarat). I was curious at the age of 21, and later someone came to ask for debts. I know that he didn't want me to know because, you know, no marriage anymore -- if I know.

Finally?

He paid back the money ...I'm a little emotional. I saw a psychiatrist, 1-2 times, talking about unhappy things. Emotional, not good...

The family doctor let him to see a psychiatrist, but that can't help at all. The psychiatrist, just talk to him, useless, ultimately it is about the problem of money.

... [We] always fight, want to divorce. Sometimes I didn't know he went to gamble and he said he didn't go.

Later on, someone came here and asked me for money, saying if I don't give him the money he owed, he will kill him (her husband).

Recently five or six years, we started to go to church and we did not gamble at all. We were at church two times a week.

5. Contesting Cultural Stereotypes and Myths

Our interview participants did not volunteer the opinion or express any support for the notion that Chinese as a group are “born to gamble” or even “like to gamble”. Instead, comments on cultural influences suggested a complex mix of cultural influences come into play in shaping popular views on gambling. Games of chance and skill are often played at home as a social past-time not equivalent to gambling in the commercialized casino environment. Some Chinese immigrants adhere to an interpretation of traditional moral values that disapproves of gambling, a viewpoint voice by participant 19. We do not know to what system of values Participant 19

referred in this interview, but it is reported that Confucius (551-479 B.C.) considered gambling “unproductive: and as “violating filial duty” (Wu, 2015). Interestingly, none of our interview participants specifically mentioned belief in numerology or Feng-shui. However, one of our community educators who works with older Chinese immigrants in Chinatown noted that belief in “lucky numbers” is often mentioned in informal conversations about gambling in this sector of the Chinatown population.

5.1. Popularity of social games, such as Mahjong

- Excerpts from transcript of participant 5, 30+ years old, man:

How did you start gambling?

Oh, I was young, a long time ago. You know, Chinese people, for New Year, we get together and play cards. A lot of people get together for New Year, we have some fun, play for a little money.

Are any of the people serious gamblers?

No, not really, we just play for fun. It's not time to eat yet, so we play a couple of rounds.

So you lied to family about going to casino back then?

I still do, because Chinese traditional culture considered gambling is bad.

5.2. Disapproval of gambling in traditional Chinese culture.

- Excerpts from transcript of participant 19:

So you lied to family about going to casino back then?

I still do, because Chinese traditional culture considered gambling is bad. When it comes about going to the casino, it's not a very good sign for most Chinese.

They said that gambling is in our blood.

Most of the people in casino are Chinese, Vietnamese, Korean, but rarely Japanese, Japanese are not interested in casinos.

5.3. Chinese not born as gamblers.

- Excerpts from transcript of participant 8:

Why do you think this is the case? You just said that white people are able to control themselves on gambling but, Chinese people could not? Based on your personal experience, why is that?

They said that gambling is in our blood I do not think that we are born as gamblers. I feel like I enjoy being in the casino when I go there. It is a very comfortable environment, the dealer who are working there are very nice and respectful to me. I knew I was losing money, while we are engaging conversations and laughing. We know that 97% of the people are losing money, and maybe three people are winning. Once you got there, things seem to be changed. it's like smoking marijuana and doing drugs. It is very difficult to get rid of them. I think gambling is a bit similar as drug addiction. Your central nervous system is being numbed in here.

I do not think that we are born as gamblers.

6. Thoughts on Opening of New Casino in Everett

In response to our question about seeking their viewpoint about advantages and disadvantages of opening a new casino close to Chinatown, several of our interviewees readily offered their opinions. A common theme: the new casinos are good because they provide jobs and tax income, but are bad for people who are addicted or problem gamblers. The likely negative impact of increasing risk for problem or addicted gamblers is acute, some individuals remarked, because the casino was going to be so close to where they lived. It would be easy to take public transportation, rather than take a longer bus ride to Connecticut. Opinions varied on whether the disadvantages outweighed the advantages.

Is it good or bad to have casinos?

Casinos are good for people to have jobs, but there's more bad than good.

People lose their hard-earned money and have nothing. People who don't gamble can save money to buy a house, buy cars for their kids.

- Excerpts from transcript of participant 22 (who was introduced to gambling in China through illegal gambling, and gambled in the U.S after friends took him):

I gambled a lot. I've lost about \$80,000 over 20 years. My wife yells at me, tells me to stop, my friends tell me to stop too.

Do you know about the new casino opening in Everett next year?

Yes, but I'm afraid to go. I have no more money. I've lost it all. I've borrowed money and lost it, then I have to ask friends to let me work for them a few days so I can repay what I borrowed because I'm retired,

Is it good or bad to have casinos?

Casinos are good for people to have jobs, but there's more bad than good. People lose their hard-earned money and have nothing. People who don't gamble can save money to buy a house, buy cars for their kids.

- Excerpts from transcript of participant 10:

Do you think the new casino opening in Everett next year will affect the Chinese people?

I think it's ridiculous. It's too close. If there are advantages, then there are disadvantages. They open the casino to make money, they won't open a losing business. That's their advantage. Of course it'll affect us. You have to have control and not go every day and become addicted.

Are the disadvantages more than the advantages?

Mmm, I don't know. If people become addicted, that's a disadvantage, but there is an advantage for me. It's a place where I can go to relax, then it'll be easier for me to do my job. It's doesn't matter to me, individually, if they open a few more because I won't go every day. I don't go to make money, just to relax. I work for my money. My boss makes money and can pay me, I'm happy.

Do you think some Chinese people will want to work there?

Yes, then everyone will have a job.

- Excerpts from transcript of participant 7:

Next year, a new casino will open in Everett....

Oh, when they open, I'll go take a look, walk around. No way I'll become like I was again.

Do you think more people will go from Chinatown?

I think so, but let's see if they offer any benefits. People don't have to go so far. Twin River is an hour away. Foxwood, Mohegan Sun are 2 hours away. This one is only a little more than 10 minutes away. They save a lot of time.

Will more people become addicted?

Oh, that's hard to say. If they offer more benefits, people will go more often.

Are there any Advantages?

Advantage? There's advantages for the government. For the people, there's no advantage. For those addicted, they can just come back and get more money and go back again. It so close. It's a disadvantage. Foxwood, Mohegan Sun, they can't just come back to get more money.

What if there are no Casinos?

Then the government won't have income. Other sources don't bring in as much money. The government gets a lot of taxes from them. They've thought it through. They thought about residential safely and a lot of things. That's why they have to have a vote before it can open. People who don't gamble oppose it. Residential safely is affected in a big way.

- Excerpts from transcript of participant 15:

Will you go to Everett when the new casino opens there?

Yes, I will go gamble even more, it's so close, my friends will too.

Is it good to have more casinos?

No, it's not good to open more casinos. It's for the boss and good to get taxes. People can get jobs to work there, but you have to know English, but if you work there, you want to gamble too. But if you work there, you can't gamble there. You have to go to another casino to gamble.

- Excerpts from transcript of participant 4:

In response to a question about the impact of her husband's gambling on her daughter, part of her response included a comment about opening of the casino very near her home:

Even if it is built, one of the advantages is that there are more job opportunities. If you don't build it, everyone will go to Connecticut. The money from gambling flows out, and from an economic point of view, it's an advantage. If the casino isn't built, is it possible to limit how often people visit the casino? In fact, I personally think that it is most useful to encourage people to not get so deep into gambling that they become lost in it. It is not useful to discuss whether or not to build the casino, but to talk about the effects it will have, and to remind everyone that you are going to gamble. You are going there for entertainment. It's the most important thing to not let your family get hurt by playing. When the family is hurt, really, many things can't be salvaged.

7. Participant Recommendations for Prevention

Our interview protocol did not use specific language referring to “protective factors” when asking participants to reflect on how they started gambling, what may have helped them gain control once at risk for gambling problems, or what “can be done” to improve the situation where too many community residents become addicted to gambling. From their responses on these topics, we extract several themes:

7.1. Family-based Support Systems

- Excerpts from transcript of participant 3:
Have your husband and son told you not to gamble?
Yes, it helped me. I was addicted before, but not now.

Research indicates that the involvement of family members in addiction treatment may be much more important in Asian American addicts than others (Zhu et al., 2002); it would stand to reason then that whole family engagement would make prevention efforts more effective as well. Approximately 10% of respondents to our research study were the spouse of a problem gambler, rather than a gambler themselves.

Research indicates that the involvement of family members in addiction treatment may be much more important in Asian American addicts than others (Zhu et al., 2002); it would stand to reason then that whole family engagement would make prevention efforts more effective as well.

- Excerpts from transcript of participant 17:
Why don't you go?
Because of my kids. They're older now. I want to go, but I have to work and take care of them. Even if you don't eat, they have to eat.

Researchers also consider that in Asian cultures, the concept of doing it for the benefit of one's family may be more powerful than the common American concept of the strong-willed individual overcoming their challenges alone. To address the issues of addiction among the Asian American Pacific Islander (AAPI), Fong and Tsuang (2007) have suggested “working with the families...will also help to identify and reduce enabling and codependency behaviors that can be difficult for AAPI families to break because family harmony and acting as one are more familiar concepts than direct confrontation.”

7.2. Community Education

- Excerpts from transcript of participant 4:
Then what do you think can be done to educate more people about self-control, gambling only for entertainment, but not become addicted to gambling?
I think it could be like the method done by the church. The church gives out flyers. Or it could be made into a pamphlet, and sent to everyone, or it can be posted/left at a place for people to read, or something like that. I think the effect may be bigger through the format of advertisement. There is no way to stop people from gambling. Everyone is an adult...

- Excerpts from transcript of participant 2:

Few Chinese people will help, but like where I work, the Americans and Hispanics will participate. Put it on the internet, pass out leaflets in Chinatown for people who don't use computers. There must be a way. You people are smart. There must be a way. Do your best.

Even widespread addiction can be impacted by a coordinated and well-planned public education campaign, as shown by success of widespread education on smoking. While numerous factors have likely contributed to a decrease in smoking rates in this country over the last 50 years, a remaking of the public image of smoking has also played a role. Regarding the significance of the public education campaign, Cummings (2016) has argued: “The shift in public perceptions is important because perception and the social pressure that comes along with it have been the driving force behind the decline of smoking over the last half century. Once consider a rite of passage into adulthood, the majority of teenagers today have never smoked and don't intend to.”

A robust marketing campaign about the dangers of gambling addiction could be an important component of preventing increases in rates of problem gambling in the future. Moreover, a linguistically-appropriate and culturally-competent campaign directed at Chinese and other Asian communities would be a necessary part of this strategy, as the motivations for gambling are quite different, as we have shown in this report.

You people with power have to do something, not like us, who have no money, no power.

You elect someone, they should do something. You educated people should do something. Get people's kids to help. They are the real victims.

7.3. Facilitate Civic Engagement

- Excerpts from transcript of participant 2:

You people with power have to do something, not like us, who have no money, no power. You elect someone, they should do something. You educated people should do something. Get people's kids to help. They are the real victims.

- Excerpts from transcript of participant 19:

What do you think the government is going to do? Perhaps to provide some counseling on gambling issues?

How do you counsel? I don't know how the government could help. The government has brought the casino here. How can they counsel their residents and advise them not to go? This is contradictory in itself. If no one is going to casinos, that will hurt the government revenue. If the government encourage you to go, it may bring many social problems. I can predict the crime rate will increase after the Boston casino opens next year. Because gamblers may lost their money, I am expecting larceny and theft may occur more often, The government allowed the casino open through legislation, and then it asked everyone not to gamble? This makes no sense?

A common theme in the answers of some participants was that powerful people want a casino in the region for the benefits to society – such as jobs, increased tax revenue, appeal to tourists – but that poor people would bear the brunt of the negative outcomes. A greater sense of empowerment for the Asian immigrant community would help some of these community members feel more in-control of the impact of the casino on themselves and their community. Some of this work can be led by community-based organizations, and other parts of this could be achieved with more articulated transparency from bodies such as the Mass Gaming Commission.

Many respondents are very aware of the potential harm that comes from addiction, but feel powerless to even begin to address it. Working on developing a sense of responsibility and power over the problem could help communities develop more resilience.

7.4. More Recreational Options

Several people pointed to the lack of recreational opportunities in Chinatown, as noted earlier in our discussion of Risk Factors. These comments suggest that availability of adequate recreational opportunities in people’s own neighborhoods, near their home or workplace would give them an alternative to gambling or seeking socializing outlets in casinos; thus, making recreational alternatives available in communities would act as a protective factor.

- As participant 19 commented, excerpts from transcript: Most of time, Chinese do not know how to plan their life, when you are in China, you may have other hobbies, such as watching ball games, or playing Go. There is no such thing in the United States. It’s hard to find anyone to hang out with you. Besides, people are very busy here, and everyone's schedule is different. You could get very bored and depressed here, nothing to do on your off days.

Most of time, Chinese do not know how to plan their life, when you are in China, you may have other hobbies, such as watching ball games, or playing Go.

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You could get very bored and depressed here, nothing to do on your off days.

Section IV: Discussion of Findings and Conclusion

It is widely acknowledged among public health professionals that culturally relevant mental health services for gambling problems in low-income Asian American communities are critically needed but hard to find. The importance of funding research and services is largely underestimated or neglected because of the social marginalization of these immigrant communities. Our interviews confirmed the existence of a serious service-treatment gap.

However, community participants went much further to talk about deeper roots of gambling problems, not focusing on supposed Chinese cultural preferences to gamble or not gamble, but rather pointing to social determinants that shape gambling behavior: the desire to relieve stress of low-wage jobs, the dream of winning “easy” money in the hope of escaping

poverty, the lack of other recreational options in Chinatown, and factors such as the proximity of casinos, low cost and frequent bus rides, and inducements in the form of coupons and opportunities for Chinese meals and shopping. The factors that contribute to problem gambling in this community are numerous, and the community-based infrastructure to counter them is not yet well-developed. These comments and opinions of our research participants about why they take part in casino gambling clearly point to a critical need: it will be important to devote public health and community mitigation resources from casino revenues to prevention as well as treatment.

Recommendations

Effective problem gambling prevention and treatment require development and careful evaluation of evidence-based practices that are closely attuned to risk factors affecting individuals, families and communities. For residents and workers in Chinatown, effective preventive and treatment interventions require cultural tailoring to the complex mix of risk factors affecting individuals, families and communities. Our research indicates that in low-income Chinese immigrant communities with concentrations of at-risk members, prevention and treatment need to address social stressors arising from work conditions, low-pay, social-linguistic isolation, and cultural influences that make people unwilling to seek help outside families for mental health problems. From the earliest stages of designing and pilot testing interventions to later stages of implementation and evaluation, it is necessary to build and sustain close collaborations between health professionals, educators, and community organizations. These partnerships will leverage diverse expertise and efforts to devise novel and effective methods of prevention, screening, referral systems, and treatment sensitive to social context and cultural factors. The factors include economic disadvantage, family dynamics, concepts of “face”, gender, acculturation in multi- and inter-generational communities, age differences, styles of recreation, and culturally-influenced concepts of healthful living.

Concurrent development of prevention and services: To be effective, the provision of culturally appropriate gambling counseling services needs to occur **concurrently** with the culturally tailored public health campaign. In general, individuals will not become more open to seeking services without culturally appropriate education and assurance that help is available. But if individuals are persuaded to initially explore counseling or other forms of help and no bilingual and culturally proficient counselors are available, individuals will be discouraged from seeking help in the future and the credibility of community-wide prevention and treatment efforts will likely be harmed.

Development and delivery of culturally appropriate interventions will be successful only if **community-based organizations** can develop the necessary **institutional capacity** at a pace commensurate with heightened exposure to risk in vulnerable neighborhoods, especially those near or easily accessible by public transportation to new casino businesses.

We recommend a **multi-pronged** program of action.

Culturally Appropriate Prevention and Services

1. **Public Health Campaign:** Support for culturally appropriate public health campaigns on problem gambling. The messages should be tailored to for different youth and adult age groups. Scholars and family counselors in Chinatown frequently note that clients are very reluctant to seek gambling counseling. Even if clients do attend an initial counseling interview it is hard to sustain participation. A major barrier is a cultural norm that discourages talking about mental health problems and any family problems outside the family for fear of losing “face”. Thus, there is an urgent need to develop innovative ways

to gradually open up conversation in both private and more public settings about gambling problems, explaining differences between benign recreational and problematic gambling. A first step will be to disseminate the knowledge gained from this project, *Talking About Casino Gambling: Community Voices from Boston Chinatown*, to everyday Chinatown residents and gather community comments in a series of workshops. These conversations will inform a second step, which entails development of a series of age-appropriate educational pamphlets and videos. The third step is to develop and implement strategies to use the educational pamphlets in existing social service settings and a series of workshops in diverse community settings.

2. **Support for Provision of Culturally Appropriate Services:** There are virtually **no culturally appropriate gambling counseling services available** for Chinese immigrants, including in Chinatown or outside of Chinatown. A critical first step will be to integrate vastly expanded services into existing family counseling and youth programs in agencies and clinics. Training alone of existing staff in standard screening and treatment approaches has not yielded satisfactory levels and quality of services in the past. Rather, there is a need to expand service capacity and develop tools for the staff to conduct culturally appropriate education, screening and counseling models for the Chinese low-income population. Provision of more counseling focused solely on gambling issues alone will not be effective. Gambling addiction typically leads to multiple negative consequences, both emotional and material. When individuals are affected they need not just counseling to control gambling problems and address related problems, but also social assistance to manage daily living, stabilize families, and stabilize finances disrupted by gambling problems.
3. **Preventive Education and Services for Casino Workers:** Development of a prevention campaign and culturally appropriate services for Asian American casino employees. A large proportion of casino employees at the Encore Boston Harbor casino are Asian American. Since it is known that casino employees are at heightened risk for gambling problem, targeted prevention and treatment services are required for this population.
4. **State-supported Reimbursement** for community-based treatment program in health clinics and social agencies is vitally needed. Even limited services for treating gambling problems in community clinics that are not at this time culturally tailored do not receive such support.
5. **Professional Training.** The local pool of culturally trained counselors needs to be greatly expanded. With heightened concern about gambling problems in Chinatown, there is an urgent need for development of a professional certification program on cultural competence in problem gambling counseling for Asian Americans.

Participatory Deliberation in Regulatory Process

6. **Regulatory Goal Setting:** Engagement of community-based organizations and professionals knowledgeable about Asian American communities in **goal-setting for reducing the negative impact of legalized gaming** on the low-income Asian population. The purpose is to ensure **representation of stakeholders in** communication among representatives of the gaming industry, community organizations, and professionals working to counter the harm caused by the casino industry itself
7. **Community Engagement in Public Policy:** Work with leaders in the Asian community to **engage community-members in public presentations** about the public uses of casino revenue, and how their communities can be further engaged in influencing those decisions;
8. **Ethics Review of Targeted Ethnic Advertising and Marketing Practices:** Establish an advisory committee to review the **ethics of targeted advertising and other marketing practices** aimed at vulnerable populations, including low-income, immigrant, and racial-ethnic minority communities. Advertising includes promotional communication in varied formats, including web-based marketing, signage, social media, and printed formats. The advisory committee will include community leaders and public health professionals with necessary linguistic and ethnic-cultural expertise.

Expanded Scope of Collaboration and Services

9. **Regional Resource Sharing and Learning:** Support for a **co-learning and mutual support pan-Asian coalition** of community-based organizations that provide family support and wellness programs for immigrant and refugee communities in the region.
10. **Healthy Recreational Alternatives:** Support community-based efforts to provide **healthy and culturally appropriate recreational alternatives** to casino gambling in local neighborhoods. To be effective, prevention cannot be limited to educational campaigns and interventions alone but must also address resource inequities that limit alternative entertainment options in Chinatown and in other low-income Asian American communities.

Research Agenda—Support for a five-year **research** agenda to develop:

11. **Increased understanding of the impact of legalized casino gaming on diverse Asian Americans communities**, including Cambodian, Korean, Vietnamese, and South Asian ethnic groups. This pilot study focused on a sample of residents and workers in Chinatown who are casino customers. A larger study of more broadly representative ethnic Asian American populations is needed.

12. **Culturally appropriate prevention and treatment interventions** require tailoring for **both youth and adults, understanding of intergenerational community and family dynamics**. It is critical to integrate understanding of the effects of migration and immigrant transitions, war and refugee experiences in homelands, cultural perspectives on mental health and wellbeing in prevention messages and counseling or alternative therapy approaches.

13. **Methods to obtain representative samples for hard to reach Asian American populations**. Our research experience underscores the important role of community organizations in aiding researchers construct sampling lists of prospective survey or interview respondents from their membership or client base. In a small community with dense social ties, it is vital to take careful measures to preserve confidentiality, not making it known who participated in a research project by inadvertent exposure of identities.

14. **Expansion of Research to Multiple Asian American communities**. We began this research with the expectation that Chinatown would be an important starting point for studying gambling among members of other Asian American communities. We recommend placing priority for next steps on study of gambling problems, prevention, and treatment for low-income Vietnamese and Cambodians residing in Dorchester, Quincy, Lowell, Malden, and Worcester, where communities are at risk for problem gambling because of social stressors arising from the refugee experience, low-income, social and linguistic isolation, and a lack of problem gambling services.

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Appendix: Interview Questions

Interview Question for Persons Who Gambles

- 1) When did you start (a. to gamble b. going to the casino?)
- 2) How often do you go to the casino?
- 3) When you don't go to the casino, where else do you do for fun?
- 4) How do you know this information about the casino?
- 5) What do you think about gambling? What does it do to you?
- 6) Does your family know about this? How do they feel about it?

Family Members

- 1) How did you find out about the gambling of your family member?
- 2) What are the signs that make you aware that your family is gambling?
- 3) Have you tried to stop him/her from gambling? If not, why? If yes, what did you do?
- 4) What do you think why he/she goes to gamble? (the purpose of gambling)

Additional questions for All Participants

1. When the new casino opens, will you go check it out?
2. When the casino is opened close to Boston, do you think it will affect a lot of Chinese people?
3. Are there advantages or disadvantages of opening the new casino? Which is greater, the advantages or disadvantages?
4. For people who indicated they have trouble controlling their gambling: Do you know about people or programs who help you quit? If you want to see a counselor, can we help you find one ?
5. Do you have anything you would like to add?



TO: **MGC Commissioners**

FROM: **John Ziemba
Joseph Delaney
Mary Thurlow**

CC: **Ed Bedrosian
Catherine Blue**

DATE: **October 23, 2019**

RE: **2020 Community Mitigation Fund Draft Guidelines**

Earlier this month, the Commission received its first set of policy questions regarding the establishment of the 2020 Community Mitigation Fund (“CMF”). These policy questions were reviewed by the Region A Local Community Mitigation Advisory Committee (“LCMAC”) members and the Subcommittee on Community Mitigation. Both Regions are scheduled for LCMAC meetings in the middle of November subject to quorum. In addition to these meetings, we recommend, consistent with past practice, that the Commission ask for public comments on these draft Guidelines after they are reviewed by the Commission.

Consistent with the statements the Commission made in the 2019 CMF Guidelines, for the 2020 year, staff recommends that the Commission allocate CMF funds based upon the amount of funds generated in 2019 by the regions, Region A and Region B, after accounting for grants that will be made for Category 2 impacts. We are recommending a \$11.5 million target spending amount for the 2020 program, with \$6 million targeted for spending in Region A, \$5 million in Region B, and not more than \$500,000 targeted for Category 2 impacts.

There is approximately \$1.5 million in unallocated funds remaining from the \$17.5 million placed into the CMF from the original license fees. In addition, now that MGM Springfield and Encore Boston Harbor are both open, they are each generating new tax revenues and fine revenues that are being placed into the CMF fund. We have made projections on what could be placed into the CMF by MGM Springfield and Encore Boston Harbor by the end of the year. **PLEASE NOTE THAT THESE**



Massachusetts Gaming Commission

PROJECTIONS ARE BASED SOLELY ON AVERAGE DAILY CONTRIBUTIONS TO THE FUND TO DATE AND DO NOT ACCOUNT FOR SEASONAL VARIATIONS OR IMPACTS CAUSED BY MARKETING EFFORTS. When the Commission finalizes the Guidelines in December, it will have additional information on revenues. Further, the Guidelines state that the Commission can adjust targeted spending. By the time of the February 1, 2020 application deadline, the Commission will know how much was placed into the CMF by Encore Boston Harbor and MGM Springfield by the end of calendar year 2019.

Below please find recommendations and options based on the Commission staff review and the input received to date.

Recommendations and Options for the 2019 Discussion Draft Guidelines

Grant Type	Proposed 2020 Per Grant Amounts	Per Grant Amounts in 2019 Guidelines
Specific Impact Grants	\$500,000	\$500,000
Workforce Development Pilot Program	\$300,000 per region plus a \$50,000 regional incentive (for a total \$700,000 program)	\$300,000 per region
Transportation Planning	\$200,000	\$200,000
Transportation Construction Projects	\$3,000,000 statewide	n/a
Joint Transportation Grants	\$200,000 each community plus regional incentive	\$200,000 each community plus regional incentive
Tribal Impact Grant	\$200,000	\$200,000
Non-Transportation Planning Grants	\$100,000 plus incentive	\$50,000 plus incentive

In addition to the eligible purposes we recommend in the Guidelines from prior years, we recommend that the Commission solicit comments on a proposal to create a new category of transportation grant, the 2020 Transportation Construction Project grant. This grant, if included in the final Guidelines, would be available for only one year grants for construction projects that begin by June 30, 2021. The Guidelines state that applicants should not expect any future awards for any transportation construction project if awarded a grant in 2020. In an effort to better understand the number and specifics of potential multi-year transportation

construction projects, the Guidelines state that the Commission may issue a request for statements of interest sometime in 2020. It is the staff recommendation that any CMF assistance provided would only be for a percentage of the costs of any such project and that significant other federal, state, local and other funding would need to be available to pay for the costs of any such projects.

In addition to the new category, we recommend that the Commission:

- Continue a target limit of \$200,000 per Transportation Planning Grant with a total allocation target of no more than \$1M, a target of \$500,000 per Specific Impact Grant, limited to one per community; and a target of \$300,000 per Workforce Development Pilot Program region (Region A & Region B) for a total allocation target of \$700,000 statewide (including a \$50,000 regional incentive).
- Continue the use of the Community Mitigation Fund to mitigate operational impacts relating to the Plainridge Park facility with a limit of \$500,000.
- Use Community Mitigation Fund to mitigate Specific Impacts related to the operations of all gaming facilities, now that both MGM Springfield and Encore Boston Harbor have been constructed.
- Establish spending criteria for public safety grants recognizing the value of public safety grants but also recognizing the various sources of existing funding for public safety purposes.
- Automatically preserve unused 2015/2016 One-Time Reserve Fund grant for those communities awarded Reserves in 2015 or 2016.
- Continue to support regional approaches to mitigation needs in recognition that that some mitigation requires the commitment of more than one community.
- Expand funding for Non-Transportation Planning Grants in 2020.
- Require certain limitations and specific requirements on planning applications. For example, applicants should provide detail regarding consultations with nearby communities to determine the potential for cooperative regional efforts regarding planning activities; and
- Stipulate that the Commission may in its discretion waive or grant a variance from any provision or requirement contained in these Guidelines.



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COMMUNITY
MITIGATION
FUND

10/21/19

2020 COMMUNITY MITIGATION FUND GUIDELINES
BD-20-1068-1068C-1068L-_____

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COMMUNITY MITIGATION FUND

2020 COMMUNITY MITIGATION FUND GUIDELINES BD-20-1068-1068C-1068L-_____

What is the Community Mitigation Fund?

The Expanded Gaming Act, M.G.L. c. 23K, created the Community Mitigation Fund (“CMF”) to help entities offset costs related to the construction and operation of a gaming establishment.

When Is the Application Deadline?

February 1, 2020. M.G.L. c. 23K, § 61 states that “parties requesting appropriations from the fund shall submit a written request for funding to the Commission by February 1.”

Who Can Apply?

M.G.L. c. 23K, § 61 states the Commission shall expend monies in the fund to assist the host and surrounding communities ... “including, but not limited to, communities and water and sewer districts in the vicinity of a gaming establishment, local and regional education, transportation, infrastructure, housing, environmental issues and public safety, including the office of the county district attorney, police, fire, and emergency services.” The Commission may also distribute funds to a governmental entity or district other than a single municipality in order to implement a mitigation measure that affects more than one community.

Applications involving a mitigation measure impacting only one community shall only be submitted by the authorized representatives of the community itself. Governmental entities within communities such as redevelopment authorities or non-regional school districts shall submit applications through such community rather than submitting applications independent of the community.

Private non-governmental parties may not apply for Community Mitigation Funds. Governmental entities may apply to the Commission for funds to mitigate impacts provided that the funding is used for a “public purpose” and not the direct benefit or maintenance of a private party or private parties.

The Community Mitigation Fund may be used to offset costs related to both Category 1 full casino facilities (MGM Springfield and Encore Boston Harbor), the state’s Category 2 slots-only facility (Plainridge Park), and may be utilized, pursuant to these Guidelines, for a program of technical assistance for communities that may be impacted by the potential Tribal gaming facility in Taunton.



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Does a Community Need to Be a Designated Host or Surrounding Community to Apply?

No. The Commission’s regulations and M.G.L. c. 23K, § 61 do not limit use of Community Mitigation Funds to only host or surrounding communities. The Commission’s regulation, 205 CMR 125.01(4), states that “[a]ny finding by the commission that a community is not a surrounding community for purposes of the RFA-2 application shall not preclude the community from applying to and receiving funds from the Community Mitigation Fund established by M.G.L. c. 23K, § 61....”

What Cannot Be Funded?

2020 Community Mitigation Fund may not be used for the mitigation of:

- impacts that are projected or predicted but that are not occurring or have not occurred by February 1, 2020;**
- impacts that are the responsibility (e.g. contractual, statutory, regulatory) of parties involved in the construction of gaming facilities (such as damage caused to adjoining buildings by construction equipment, spills of construction-related materials outside of work zones, personal injury claims caused by construction equipment or vehicles);
- the cost of the preparation of a grant application;
- requests related to utility outages, such as the mitigation of business interruptions;
- police training costs; and
- other impacts determined by the Commission

**These limitations do not apply to transportation planning grants, non-transportation planning grants, workforce development program grants, transit project(s) of regional significance grants, tribal gaming technical assistance grants, and grants for police training costs.

Please note that the Commission may determine to expand the eligible uses of funds for the 2020 program or other future programs when impacts are more clearly identifiable. The Commission will also consult with mitigation advisory committees established in M.G.L. c. 23K in determining such uses.

Guidance to Ensure Funding is Used for Public Purposes Related to Gaming Facility Impacts

The Commission strongly encourages applicants to ensure that the impacts are directly related to the gaming facility and that the public purpose of such mitigation is readily apparent. The Commission will not fund any applications for assistance for non-governmental entities.

Please note that as stated by the Commonwealth’s Comptroller’s Office: “The Anti-Aid Amendment of the Massachusetts Constitution prohibits ‘public money or property’ from aiding non-public institutions.... Article 46 has been interpreted to allow the expenditure of public funds to non-public recipients solely for the provision of a ‘public purposes’ [sic] and not for the direct benefit or maintenance of the non-public entity.”

Any governmental entity seeking funding for mitigation is required to ensure that any planned use of funding is in conformity with the provisions of the Massachusetts Constitution and with all applicable laws and regulations, including but not limited to, Municipal Finance Law and public procurement requirements.

How Much Funding Will Be Available?

The Commission has determined a target spending amount of \$11.5 million for 2020. This represents a significant increase in the potential amount of grants awarded compared to prior years (\$2 million in 2015 (all reserve awards), \$2.7 million in 2016 (including some new reserve awards), \$2.4 million in 2017, \$5.9 million in 2018 (including one-time police training costs), and \$3.96 million in 2019).¹ Despite this funding increase, significant funds are estimated to remain in the Community Mitigation Fund for impacts and priorities in future years, as such impacts and priorities become more evident. If all target spending is made in 2020, the CMF could still have an estimated unallocated balance of over \$3 million from funds generated by December 31, 2019, including \$1.25 million reserved for future Region A use, \$590,000 for future Region B use, and \$1.5 million from the original license fees). Additional funds will be placed into the CMF from MGM Springfield and Encore Boston Harbor funds generated in 2020.

Now that both the Encore Boston Harbor and MGM Springfield facilities are operational, 6.5% of the revenues from the tax on gross gaming revenues from these facilities are being placed into the Community Mitigation Fund. Based upon an analysis of revenues generated to date, more than \$10 million may be placed into the fund in 2020 for awards in future years.

Allocation by Region

The Commission intends to allocate 2020 CMF funding based on needs in the regions that reflect the proportion of funds paid into the Community Mitigation Fund from the taxes and fine revenue generated by the MGM Springfield and Encore Boston Harbor facilities.² This allocation takes into account mitigation needs outside Region A and Region B, and includes a

¹ These yearly grant awards amounts include both the amounts of reserve grants (which by their nature were designed to be spent in future years) and the full value of non-reserve grants that were reduced (because of the requirement that outstanding reserves had to be spent prior to the use of new grant funding). Thus, the amounts of awards for prior years should not be totaled in any effort to understand the total amount of funds granted over the course of the CMF program. For example, a new \$250,000 transportation planning award in 2018 is counted in the 2018 totals here even though that \$250,000 total grant was made from \$150,000 in 2018 funds and \$100,000 from a reserve grant that was made in 2015 or 2016).

² These Guidelines do not describe revenue estimates from the potential Tribal facility in Taunton or the participation of a Region C facility, as no Region C license or Tribal facility has yet been fully authorized. Further, after the initial deposit, no further contributions from the Slots licensee will be made to the fund.

method to utilize unspent allocations.

For the 2020 year, the Commission plans to allocate the \$11.5 million target spending amount almost equally between the two regions, Region A and Region B, after accounting for grants that will be made for Category 2 impacts. Targeted spending is \$1 million higher in Region A than Region B reflecting the higher amount of funds expected to be generated by Region A in 2019. Thus, by way of example, if the Commission awards \$500,000 for Category 2 impacts in 2020, \$11 million would be available to be split between Region A and Region B (i.e. \$6 million for Region A and \$5 million for Region B). Please note that these Guidelines establish a maximum target of \$500K for Category 2 impacts. In the event that \$500K is not necessary for Category 2 impacts, more target spending would be available for Region A and Region B.

Although Encore Boston Harbor opened mid-year (June 23) and will place only about a half year’s worth of revenues into the CMF by December 31, 2019 (compared to a full year’s worth of MGM Springfield revenues), an Encore Boston Harbor fine issued in 2019 resulted in approximately \$2.3 million being placed into the Community Mitigation Fund. Encore Boston Harbor is also expected to generate more funds into the CMF in 2019 than MGM Springfield. However, funding that was not allocated in 2019 for Region B can be made available to Region B in 2020. Approximately \$1.65 million that was generated by MGM Springfield in 2018 can be made available in 2020 for Region B.³

Below is a chart showing the anticipated contributions from each Region, compared to projected target spending levels for Region A and Region B.

FOR ILLUSTRATION PURPOSES ONLY (SEE NOTE BELOW)

	<u>Region A</u>	<u>Region B</u>
Unutilized 2018 Gaming Tax Contributions	n/a	\$1.65 million⁴
Projected 2019 Gaming Tax Contributions	\$5.20 million	\$4.18 million
2019 Fines	<u>\$2.30 million</u>	<u>\$0.01 million</u>
<u>Total:</u>	<u>\$7.5 million</u>	<u>\$5.84 million</u>
<i>2020 Target Spending Amount⁵</i>	<i>\$6.0 million</i>	<i>\$5.0 million</i>
<i>Plus \$500,000 for Category 2 Spending (split equally).</i>	<i>\$.25 million</i>	<i>\$.25 million</i>

³ For the 2019 CMF program, the Commission set a spending target of \$4.1 million for Region B, which included the use of approximately \$1.5 million from “new” funds generated by MGM Springfield in 2018 and \$2.6 million remaining from the original license fees. Only \$1.1 million was awarded to Region B in 2019, leaving the \$1.5 million in “new funds” and approximately \$1.5 million from the original license fees.

⁴ In the 2019 Guidelines, the Commission included a conservative estimate of \$1.5 million estimate for 2018 MGM Springfield contributions to the CMF. MGM Springfield placed \$1,649,098.02 into the fund in 2018.

⁵ Assumes \$500,000 of Category 2 spending (i.e. \$11.5 million in total spending - \$500k category 2 = \$11 million split between the Regions \$6M and \$5M).

PLEASE NOTE THAT THIS CURRENT ESTIMATE FOR PROJECTED 2019 GAMING TAX CONTRIBUTIONS IS PROVIDED ONLY FOR ILLUSTRATION PURPOSES. THE ESTIMATE IS CALCULATED SOLELY BY USING THE AVERAGE DAILY TAX REVENUES CONTRIBUTED TO DATE MULTIPLIED BY THE NUMBER OF REMAINING DAYS IN 2019. THIS ANALYSIS DOES NOT ACCOUNT FOR SEASONAL IMPACTS (SUCH AS SOME POST-SUMMER REVENUE DECLINES EXPERIENCED TO DATE). IT ALSO DOES NOT ACCOUNT FOR OTHER FACTORS SUCH AS THE IMPACT OF MARKETING BY THESE FACILITIES OR IMPACTS OF REGIONAL COMPETITION. BY THE TIME OF THE ANTICIPATED FINALIZATION OF THE GUIDELINES, THE COMMISSION WILL HAVE THE BENEFIT OF REVENUE NUMBERS THROUGH OCTOBER (AND PERHAPS NOVEMBER). THE BEST AVAILABLE ESTIMATES WILL BE USED AT THAT TIME.

It is the Commission's further intention that any unused funds allocated to each Category 1 Region will be set aside for that Region for a period of three years. After the three-year period, the funds shall be allocated back into a combined general fund for all regions and for Category 2 impacts. Because Encore Boston Harbor opened in 2019, Encore Boston Harbor did not generate any 2018 funds for use in the 2019 program. Therefore, no funds are rolled over into 2020. Approximately \$1.65 million of funds generated by MGM Springfield in 2018 are rolled over into 2020. If these funds are not utilized by 2022, they would be allocated back into the combined general fund for all regions and Category 2 impacts during the 2023 CMF program. It is the intention of the Commission to count any allocated regional balances **first/last** toward 2020 spending targets.

Joint Applications

The Commission continues to support regional approaches to mitigation needs and recognizes that some mitigation requires the commitment of more than one community. The 2020 Guidelines for the Community Mitigation Fund allow multiple communities to submit a joint application. In the event that any of the applicant communities has not expended its One-Time 2015/2016 Reserve ("reserve" or "reserves"), the application must detail how the reserves will be allocated between the applicant communities to meet any reserve expenditure requirement. For example, transportation planning grants require that reserves be used prior to the receipt of new planning funds. In the event of a joint application for a \$200,000 planning grant, the joint application shall specify how the applicant communities will allocate/use a total of \$100,000 in reserves between the communities. The application must specify which community will be the fiscal agent for the grant funds. All communities will be held responsible for compliance with the terms contained in the grant.

In order to further regional cooperation the applications for transportation planning grants and non-transportation planning grants that involve more than one community for the same planning projects may request grant assistance that exceeds the limits specified in these Guidelines (\$200,000 for transportation planning grants and \$50,000 for non-transportation planning grants). The additional funding may be requested only for the costs of a joint project being proposed by more than one community, not similar projects. Eligible communities may request additional funding for joint projects based on the below table.

	Base Funding	Regional Planning Incentive Award	Total Allowable Request
Non-Transportation Planning Projects Involving Two (2) Communities	\$100,000 for each community	\$10,000	\$100,000 X 2 communities <u>\$200,000 + \$10,000 =</u> <u>\$210,000</u>
Non-Transportation Program Involving Three (3) or More	\$100,000 for each community	\$15,000	\$100,000 X* 3 communities <u>\$300,000 + \$15,000 =</u> <u>\$315,000</u>
Transportation Planning Projects Two (2) Communities	\$200,000 for each community	\$25,000	\$200,000 X 2 communities <u>\$400,000 + \$25,000 =</u> <u>\$425,000</u>
Transportation Planning Projects Three (3) or more	\$200,000 for each community	\$50,000	\$200,000 X * 3 communities <u>\$600,000 + \$50,000</u> <u>\$650,000</u>

*Although the base amount for such grants would increase with applications involving four or more communities (e.g. \$200,000 Transportation Planning Grant per community X 4 communities = \$800,000) the amount of the Regional Planning Incentive Award will not exceed \$50,000 (e.g. 4 community transportation planning grants would not exceed \$850,000 = 4 x \$200,000 base award plus \$50,000 Regional Planning Incentive Award).

Please note that communities can apply for a portion of the planning grants for single community applications while allocating a portion for joint projects. For example, a community could apply for one \$100,000 base Transportation Planning Grant leaving \$100,000 for a joint application involving another community. In this example the community could be eligible for \$100,000 for the single community project, \$100,000 for a joint project, and a \$25,000 Regional Planning Incentive Award amount shared with a second community.

Applications seeking a Regional Planning Incentive Award amount shall allocate at least fifty percent (50%) of the base funding level towards a joint project. For example, at least \$100,000 of a \$200,000 Transportation Planning Grant seeking an additional Regional Planning Incentive Award amount shall be for the joint project with another community. No community is eligible for more than one Transportation Regional Planning Incentive Award. No community is eligible for more than one Non-Transportation Regional Planning Incentive Award.

Limitations

No application for a Specific Impact Grant shall exceed \$500,000, unless a waiver has been granted by the Commission. No community is eligible for more than one Specific Impact Grant,

unless a waiver has been granted by the Commission. However, communities may apply for multiple purposes in one application.

Of that amount, for 2020, no more than \$500,000 may be expended for operational impacts related to the Category 2 gaming facility, unless otherwise determined by the Commission.

One-Time 2015/2016 Reserves

In 2015 and 2016, a Reserve Fund was established for communities that may not have been able to demonstrate significant impacts by the submittal deadline date. The Commission reserved \$100,000 for the following communities which were either a host community, designated surrounding community, a community which entered into a nearby community agreement with a licensee, a community that petitioned to be a surrounding community to a gaming licensee, or a community that is geographically adjacent to a host community:

Region A: Boston, Cambridge, Chelsea, Everett, Lynn, Malden, Medford, Melrose, Revere, Saugus, Somerville

Region B: Agawam, Chicopee, East Longmeadow, Hampden, Holyoke, Longmeadow, Ludlow, Northampton, Springfield, West Springfield, Wilbraham

Category 2 – Slots: Attleboro, Foxboro, Mansfield, North Attleboro, Plainridge, Wrentham

In many cases, communities may not be in a position to access their 2015/2016 Reserves by the February 1, 2020 deadline. Therefore, the Commission has extended such Reserves for the 2020 Community Mitigation Fund Program. Communities may continue to access whatever portion of the original \$100,000 that remains unexpended. **The above communities do not need to submit any new application to keep their Reserves. These reserves have automatically been extended by action of the Commission.**

The criteria for the use of the Reserves remain the same. This Reserve can be used to cover impacts that may arise in 2020 or thereafter. It may also be used for planning, either to determine how to achieve further benefits from a facility or to avoid or minimize any adverse impacts.

Funds will be distributed as the needs are identified. Communities that utilize the Reserve are not prohibited from applying for funding for any specific mitigation request.

What are the Reserve Amounts?

Can a community apply for mitigation of a specific impact even though it has not fully utilized its One-Time 2015/2016 Reserve?

Yes. However, if a Specific Impact Grant application is successful, a portion of the One-Time Reserve will be used as an offset against the amount requested for the specific impact. The reserve amount will be reduced by fifty thousand dollars (\$50,000.00) assuming the specific impact request is at least that amount.

Specific Impact Grants - What Specific Impacts Can Be Funded?

The 2020 Community Mitigation Fund for mitigation of specific impacts may be used only to mitigate impacts that either have occurred or are occurring as of the February 1, 2020 application date. Although the definition in the Commission's regulations (for the purpose of determining which communities are surrounding communities) references predicted impacts, the 2020 program is limited to only those impacts that are being experienced or were experienced by the time of the February 1, 2020 application date.

The Commission has determined that the funding of unanticipated impacts will be a priority under the annual Community Mitigation Fund. Thus the Commission will review funding requests in the context of any host or surrounding community agreement to help determine funding eligibility.⁶ The Community Mitigation Fund is not intended to fund the mitigation of specific impacts already being funded in a Host or Surrounding Community Agreement.

No application for the mitigation of a specific impact shall exceed \$500,000. However, communities and governmental entities may ask the Commission to waive this funding cap. Any community and governmental entity seeking a waiver should include a statement in its application specifying the reason for its waiver request, in accordance with the waiver guidance included in these Guidelines.

Allowable impacts for funding are as follows:

Operational Impacts for All Gaming Facilities: In recognition that the Category 2 gaming facility in Plainville opened during calendar year 2015, the MGM Springfield Category 1 facility opened during calendar year 2018, and Encore Boston Harbor opened during calendar year 2019, the Commission will make available funding to mitigate operational related impacts that are being experienced or were experienced from that facility by the February 1, 2020 date. The Commission will make available up to \$500,000 in total for applications for the mitigation of operational impacts relating to the Plainridge facility.

The Commission's regulation 205 CMR 125.01 2(b)4 defines operational impacts as:

"The community will be significantly and adversely affected by the operation of the gaming establishment after its opening taking into account such factors as potential public safety impacts on the community; increased demand on community and regional water and sewer systems; impacts on the community from storm water run-off, associated pollutants, and changes in drainage patterns; stresses on the community's housing stock including any projected negative impacts on the appraised value of housing stock due to a gaming establishment; any negative impact on local, retail, entertainment, and service establishments in the community; increased social

⁶ The Commission is aware of the difference in bargaining power between host and surrounding communities in negotiating agreements and will take this into account when evaluating funding applications.

service needs including, but not limited to, those related to problem gambling; and demonstrated impact on public education in the community.”

Although these definitions include the types of operational impacts that may be funded, it is not limited to those. The determination will be made by the Commission after its review.

All applications for public safety personnel or other public safety operation costs must demonstrate that CMF funds will supplement and not supplant historical operations funding. Grants for public safety personnel or operations costs may not exceed \$ [REDACTED] per community. Grant funds shall not be used to pay for Gaming Enforcement Unit personnel or operations costs specified or anticipated in the memoranda of understanding between the Massachusetts State Police and host communities’ police departments.

Applicants must include detailed hourly estimates for the costs of any public safety personnel costs. Applicants should include the most relevant information describing historical service or staffing levels (“baseline information”) in order to demonstrate that all funds will be used to supplement existing efforts. For example, if a community requests funding for additional staffing for a specific time period, the application should include information about the staffing levels that have been used for that same time period during the license term of the gaming facility. In describing any historical service levels, applicants should identify any time limited or “pilot” type operations which may have a bearing upon any determination of how the baseline service levels should be calculated. Applicants are requested to provide as much detailed baseline information as practicable to help the Commission in its review.

Please note that any 2020 public safety grants shall have a duration of only one year, unless otherwise determined by the Commission. Any grant awards issued in **2020 SHOULD NOT** be considered to provide any guarantee or indication of future funding.

Hampden County Sheriff’s Department – Specific Impact Grant

In 2016 the Commission awarded the Hampden County Sheriff’s Department (“HCSD”) funds to offset increased rent for the Western Massachusetts Correctional Alcohol Center (“WMCAC”). In providing assistance, the Commission stated that the amount of assistance shall not exceed \$2,000,000 in total for five years or \$400,000 per fiscal year. A provision in the grant required HCSD to reapply each year. Each grant application may not exceed \$400,000 per year. Any such lease assistance shall be included in the Region B allocation of funds.

2020 Non-Transportation Planning Grant

The Commission will make available funding for certain planning activities for all communities that previously qualified to receive funding from the One-Time 2015/2016 Reserve Fund, and have already allocated and received Commission approval of the use of its reserve. No application for this 2020 Non-Transportation Planning Grant shall exceed One Hundred Thousand Dollars (\$100,000). Applications involving transportation planning or design are not eligible for the 2020 Non-Transportation Planning Grant. Communities requesting transportation planning should instead apply for Transportation Planning Grant funds.

Eligible planning projects must have a defined area or issue that will be investigated as well as a clear plan for implementation of the results. The planning project must be clearly related to addressing issues or impacts directly related to the gaming facility. Applicants will be required to submit a detailed scope, budget, and timetable for the planning effort prior to funding being awarded. Each community applying for a 2020 Non-Transportation Planning Grant will also need to provide detail on what it will contribute to the project such as in-kind services or planning funds. Planning projects may include programs created by communities to provide technical assistance and promotion for groups of area businesses.

Communities that utilize this 2020 Non-Transportation Planning Grant are not prohibited from applying for funding for any specific mitigation request.

Transportation Planning Grants

The Commission will make available funding for certain transportation planning activities for all communities eligible to receive funding from the Community Mitigation Fund in Regions A & B and for the Category 2 facility, including each Category 1 and Category 2 host community and each designated surrounding community, each community which entered into a nearby community agreement with a licensee, and any community that petitioned to be a surrounding community to a gaming licensee, each community that is geographically adjacent to a host community.

The total funding available for Transportation Planning Grants will likely not exceed \$1,000,000. No application for a Transportation Planning Grant shall exceed \$200,000.

Eligible transportation planning projects must have a defined area or issue that will be investigated as well as a clear plan for implementation of the results. Transportation Planning Grant funds may be sought to expand a planning project begun with reserve funds or to fund an additional project once the reserves have been exhausted.

Eligible transportation planning projects must have a defined area or issue that will be investigated as well as a clear plan for implementation of the results.

Eligible expenses to be covered by the Transportation Planning Grant include, but not necessarily limited to:

- Planning consultants/staff
- Data gathering/surveys
- Data analysis
- Design
- Engineering review/surveys
- Public meetings/hearings
- Final report preparation

The transportation planning projects must be clearly related to addressing transportation issues or impacts directly related to the gaming facility. Applicants will be required to submit a detailed scope, budget, and timetable for the transportation planning effort prior to funding being awarded.

Communities that requested and received the One-Time 2015/2016 Reserve Grant must first expend those funds before accessing any Transportation Planning Grant funds. Transportation Planning Grant funds may be sought to expand a planning project begun with reserve funds or to fund an additional project once the reserves have been exhausted.

In addition to the specific impact grant factors further defined in section “[*How Will the Commission Decide on Applications?*](#)”, the Commission will also consider whether the applicant demonstrates the potential for such transportation project that is the subject of a CMF application to compete for state or federal transportation funds.

Applicants may, but are not required, to include a description of how the project meets the evaluation standards for the Fiscal Year 2020 TIP criteria for the Boston MPO Region or the Pioneer Valley Planning Commission’s transportation evaluation criteria, or other regional transportation project evaluation standard, whichever may be most applicable.

Transportation Project Construction Costs

In addition to grants for transportation planning and design through its transportation planning grants, the Commission has determined to expand these grants to include the cost of the construction of transportation projects in the 2020 CMF. The Commission intends that any CMF assistance provided will only be for a percentage of the costs [no more than __X__ percent] of any such project and that significant other federal, state, local, private or other funding will be available to pay for the costs of any such project.

Applicants are not prohibited from applying for transportation construction funds in future years for a project included in a 2020 application. However, any 2020 transportation project may not rely upon contributions from the CMF in future rounds. Applicants should demonstrate that the financing for the project does not depend upon any future year awards by the Commission. Given the likely complexity of any such transportation construction applications, applicants may consult with Commission staff before and during the CMF review on such projects. The Commission anticipates authorizing no more than \$3,000,000 in grants for transportation construction projects. The Commission does not anticipate authorizing more than \$1,000,000 for any one award. Applicants may include a request to use funding from previously awarded CMF Reserves in any description of significant other federal, state, local, or private contributions. Similarly, applicants may include contributions from gaming licenses and private contributions.

Applicants must demonstrate that any transportation construction project will begin construction no later than June 30, 2021.

Although the Commission will not authorize any multi-year grants for transportation projects in 2020, the Commission plans to issue request for Statements of Interest in 2020 for transportation construction projects that would require multi-year grants. Such Statement of Interest would help the Commission determine the needs for multi-year grants in preparation

for the 2021 CMF funding round. The Statement of Interest would also be utilized to allow for a greater understanding of projects that may be the subject of a future application.

Applicants are strongly encouraged to include a letter of support from the MassDOT with any application.

Limitations/Specific Requirements on Planning Applications

The Commission will fund no application for more than two years for any municipal employee. The CMF will not pay the full cost of any municipal employee. The municipality would need to provide the remaining amount of any employee cost and certify that all such expenses are casino related. For non-personnel costs, each community applying for planning funds will also need to provide detail on what it will contribute to the planning project such as in-kind services or planning funds.

Pursuant to the Guidelines, the Commission will evaluate requests for planning funds (including the use of One-Time 2015-2016 Reserve, Non-Transportation Planning Grant, Transportation Planning Grant and Transit Project(s) of Regional Significance) after taking into consideration input the applicant has received from the local Regional Planning Agency ("RPA") or any such interested parties. Although there is no prerequisite for using RPA's for planning projects, consultation with RPA's is required to enable the Commission to better understand how planning funds are being used efficiently across the region of the facility. Please provide details about the applicant's consultation with the RPA or any such interested parties. Applicants should provide detail regarding consultations with nearby communities to determine the potential for cooperative regional efforts regarding planning activities.

Tribal Gaming Technical Assistance Grant

The Commission may make available no more than \$200,000 in technical assistance funding to assist in the determination of potential impacts that may be experienced by communities in geographic proximity to the potential Tribal Gaming facility in Taunton. Said technical assistance funding may be made through Southeastern Regional Planning and Economic Development District ("SRPEDD"), the regional planning agency that services such communities or a comparable regional entity. Such funding will only be made available, after approval of any application by SRPEDD or a comparable regional entity, if it is determined by the Commission that construction of such gaming facility will likely commence prior to or during Fiscal Year 2020. Any such application by SRPEDD or a comparable regional entity must demonstrate that any studies of impacts will address the technical assistance needs of the region which may include but not be limited to the communities that are geographically adjacent to Taunton. Such funding shall not be used to study impacts on or provide technical assistance to Taunton, as funding has been provided in the Intergovernmental Agreement By and Between the Mashpee Wampanoag Tribe and the City of Taunton. Any such program of technical assistance may be provided by SRPEDD itself or through a contract with SRPEDD.

Workforce Development Pilot Program Grant

For fiscal year 2020, the Commission will make available funding for certain career pathways workforce development pilot programs in Regions A and B for service to residents of communities of such Regions, including each Category 1 host community and each designated surrounding community, each community which entered into a nearby community agreement with a licensee, any community that petitioned to be a surrounding community to a gaming licensee, and each community that is geographically adjacent to a host community. CMF Workforce grant applicants should focus on areas highly impacted by casino development, including gaming school scholarships, culinary, hospitality skills training or vocational focused English language/adult basic education.

The total funding available for grants will likely not exceed \$700,000. No application for a grant in each Region shall exceed \$300,000 unless otherwise determined by the Commission. In an effort to promote administrative efficiencies and greater regional cooperation, applicants that demonstrate cooperation of a significant number of workforce agencies in each region may be eligible for \$50,000 in additional funding. One grant is anticipated to be considered for each Region. Each governmental entity applying for workforce development funds will also need to provide detail on what it will contribute to the workforce development project such as in-kind services or workforce development funds.

Eligible career pathways workforce development proposals must include a regional consortium approach to improve the skills, knowledge, and credential attainment of each Region A and Region B residents interested in a casino career, focusing on increasing industry-recognized and academic credentials needed to work in the most in-demand occupations related to the expanded gaming industry or a focus on occupations that could be in high demand from the casino, potentially negatively impacting the regional business community. This could include a focus on hospitality, culinary, cash handling, or customer service, etc.

Goals include:

- To help low-skilled adults earn occupational credentials, obtain well-paying jobs, and sustain rewarding careers in sectors related to hospitality and casino careers.
- To get students with low basic skills into for-credit career and technical education courses to improve their educational and employment outcomes.
- To deliver education and career training programs that can be completed in two years or less and prepare program participants for employment in high-wage, high-skill occupations related to the casino.
- To align and accelerate ABE, GED, and developmental programs and provide nontraditional students the supports they need to complete postsecondary credentials of value in the regional labor market.

- To mitigate a strain in existing resources and a potential impact to the regional labor market.

Eligible activities include:

- a program in Region A or Region B that structures intentional connections among adult basic education, occupational training, and post-secondary education programs designed to meet the needs of both adult learners and employers;
- a program in Region A or Region B that provides post-secondary vocational programs, registered apprenticeships, courses leading to college credits or industry-recognized certificates, Adult Basic Education (“ABE”) and vocationally based English for Speakers of Other Languages (“ESOL”) training programs, contextualized learning, integrated education and training, and industry-recognized credentials.

A consortium application is required. However, governmental entities eligible to receive funds would include but not be limited to: host communities, communities which were each either a designated surrounding community, a community which entered into a nearby community agreement with a licensee, a community that is geographically adjacent to the host community of a gaming licensee, a community that petitioned to be a surrounding community to a gaming licensee state agencies, state agencies, and regional employment boards. The Commission shall evaluate the use of host community agreement funds in evaluating funding requests for workforce development pilot program grant funds. Applicants should consider leveraging other funding resources.

The Commission has determined that administrative costs (including but not limited to all indirect and other administrative funding) shall not exceed 7.5% of the total grant allocation. Administrative costs include activities related to management, oversight, reporting and record keeping, and monitoring of the grant program.

What Should Be Included in the Applications?

- ★ Applicants are required to complete the 2020 Specific Impact Grant Application, the 2020 Transportation Planning Grant Application, the 2020 Workforce Development Pilot Program Grant Application, the 2020 Non-Transportation Planning Grant Application, 2020 Transportation Project Construction Costs Grant Application, or 2020 Reserve Planning Grant Application/Tribal Gaming Technical Assistance Grant Application, and may also submit additional supporting materials of a reasonable length.
- ★ Applicants will need to describe how the specific mitigation, planning, workforce development pilot program or regional transit project request will address any claimed impacts and provide justification of any funds requested. Unlike existing surrounding community agreements which were based on anticipated impacts, any Specific Impact Grant will be based on impacts that have occurred or are occurring, as described previously.

- ★ Applicants will need to describe if and how such impacts were addressed or not addressed in any host or surrounding community agreements. Applicants may include a letter of support from the applicable gaming licensee. However, this is not necessary, as the Commission will request the licensee’s opinion regarding each Application.

How Will the Commission Decide on Applications?

Similar to the Commission’s surrounding community review process, the Commission will ask each licensee to review and comment on any requests for funding.

The Commission will evaluate the submittal by the community, any input received from the community and interested parties (such as regional planning agencies), the responses of the licensee, Commission consultant reviews, and any other sources determined by the Commission. Commission Staff may consider information from the report issued by the Lower Mystic Regional Workforce Group in its evaluation of transportation planning grants.

The Commission will evaluate any funding requests in the context of any host or surrounding community agreements. Factors used by the Commission to evaluate grant applications may include but not be limited to:

- A demonstration that the impact is being caused by the proposed gaming facility;
- The significance of the impact to be remedied;
- The potential for the proposed mitigation measure to address the impact;
- The feasibility and reasonableness of the proposed mitigation measure;
- A demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party;
- The significance of any matching funds for workforce development pilot program activities or planning efforts, including but not limited to the ability to compete for state or federal workforce, transportation or other funds;
- Any demonstration of regional benefits from a mitigation award;
- A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure;
- A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant; and
- The inclusion of a detailed scope, budget, and timetable for each mitigation request.

Supplemental Guidelines Used To Evaluate Workforce Development Applications

- ❖ Does the application develop a workforce pilot program that seeks to address any claimed impacts?
- ❖ Does the proposal include a program in Region A or Region B that structures intentional connections among adult basic education, occupational training, and post-secondary education programs?
- ❖ Does the proposal seek to assist low-skilled adults in obtaining education and career training to enable them to join the regional labor market?
- ❖ Does the proposal seek to address the anticipated goals of the program (see pages 12 and 13 of these Guidelines)?
- ❖ Will the participants receive industry-recognized or academic credentials needed to work in the most in-demand casino –related occupations within the region?
- ❖ A governmental entity applying for workforce development funds will also need to provide detail on what it will contribute to the workforce development project such as in-kind services or workforce development funds
- ❖ Is the Applicant collaborating with others to provide a regional approach?
- ❖ Does the Applicant address issues related to a gaming facility?

The Commission may ask Applicants for supplementary materials, may request a meeting with Applicants, and reserves the ability to host a hearing or hearings on any application.

The Commission’s deliberations on Community Mitigation Fund policies will also be aided through input from the Gaming Policy Advisory Committee, the Community Mitigation Subcommittee, and any Local Community Mitigation Advisory Committees as established pursuant to M.G.L. c. 23K.

The Commission reserves the ability to determine a funding limit below what is detailed in these Guidelines. The Commission also reserves the ability to determine a funding limit above what is detailed in these Guidelines. The Commission notes that it plans to target its funding decisions based on the regional allocations described earlier. However, the Commission reserves the right to make determinations that do not strictly adhere or adhere to such targets. In the event the Commission awards are not in such adherence, the Commission may make appropriate adjustments in future guidelines to bring regional allocations into more congruity with such targets.

The Commission reserves the ability to fund only portions of requested projects and to fund only a percentage of amounts requested. The Commission also reserves the ability to place conditions on any award.

There is limited funding available. The Commission therefore reserves the right to determine which requests to fund based on its assessment of a broad range of factors including the extent of public benefit each grant is likely to produce.

When Will the Commission Make Decisions?

The Commission anticipates making funding decisions on any requests for grant assistance before July 2020, after a comprehensive review and any additional information requests.

Authorization to Approve Requests for Changes to Components of Grant Awards

The Commission hereby authorizes staff to approve requests for changes to components of grant awards provided that staff shall provide notice of such changes to all Commission members and provided further that such changes shall not exceed 10% of the grant award or \$10,000, whichever is smaller.

Is There a Deadline for the Use of the One-Time 2015/2016 Reserve?

There is no deadline. Funds may be used on a rolling basis when specific impacts are determined or the specific planning activity is determined. Once known, communities should contact the Ombudsman's Office, which will assist the community in providing the needed information. Communities with specific impacts will, at the time the impacts are known, complete the Specific Impact Grant Application or the Planning Project Grant Application in its entirety. Communities with requests for planning funds will provide similar information to the Commission: a description of the planning activity, how the planning activity relates to the development or operation of the gaming facility, how the planning funds are proposed to be used, consultation with the Regional Planning Agency, other funds being used, and how planning will help the community determine how to achieve further benefits from a facility or to avoid or minimize any adverse impacts. The Commission will fund no application for more than two years for any municipal employee. The CMF will not pay the full cost of any municipal employee. The municipality would need to provide the remaining amount of any employee cost and certify that all such expenses are casino related. Each Community applying for planning funds will also need to provide detail on what it will contribute to the planning project such as in-kind services or planning funds. Please note that such details do not need to be determined by the February 1, 2020 application date. Commission approvals of the use of the One-Time 2015/2016 Reserve will also be on a rolling basis corresponding to the rolling determinations of use by communities.

Waivers and Variances

(a) General. The Commission may in its discretion waive or grant a variance from any provision or requirement contained in these Guidelines, not specifically required by law, where the Commission finds that:

1. Granting the waiver or variance is consistent with the purposes of M.G.L. c. 23K;
2. Granting the waiver or variance will not interfere with the ability of the Commission to fulfill its duties;
3. Granting the waiver or variance will not adversely affect the public interest; and

4. Not granting the waiver or variance would cause a substantial hardship to the community, governmental entity, or person requesting the waiver or variance.

(b) Filings. All requests for waivers or variances shall be in writing, shall set forth the specific provision of the Guidelines to which a waiver or variance is sought, and shall state the basis for the proposed waiver or variance.

(c) Determination. The Commission may grant a waiver or variance, deny a waiver or variance, or grant a waiver or variance subject to such terms, conditions and limitations as the commission may determine.

Who Should Be Contacted for Any Questions?

As the 2020 Community Mitigation Fund program is just in the fifth year of the program for the Commission, communities and other parties may have a number of questions. They are encouraged to contact the Commission's Ombudsman with any questions or concerns. The Commission's Ombudsman will regularly brief the Commission regarding the development of Community Mitigation Fund policies.

The Commission's Ombudsman, John Ziemba, can be reached at (617) 979-8423 or via e-mail at john.s.ziemba@state.ma.us. The Commission's address is 101 Federal Street, 12th Floor, Boston, MA 02110.

Where Should the Application Be Sent?

Applications **must be sent to** www.commbuys.com. An application received by COMMBUYS by February 1, 2020 will meet the application deadline. Applicants that are not part of the COMMBUYS system should contact Mary Thurlow of the Commission's Ombudsman's Office well in advance of the February 1, 2020 deadline to make arrangements for submission of the application by the deadline. Mary Thurlow can be contacted at (617) 979-8420 or at mary.thurlow@state.ma.us.

If you have any questions or concerns contact the COMMBUYS Help Desk at COMMBUYS@state.ma.us or during normal business hours (8am - 5pm ET Monday - Friday) at 1-888-627-8283 or 617-720-3197.



TO: MGC Commissioners

FROM: John Ziemba, Ombudsman
Mary Thurlow, Program Manager

CC: Ed Bedrosian, Executive Director
Catherine Blue, General Counsel

DATE: October 23, 2019

RE: **Recommendation for Appointment of Allison Ebner for Appointment to the Region B Local Community Mitigation Advisory Committee**

At the most recent Commission meeting, the Commission made several one-year appointments to the Local Community Mitigation Advisory Committees (“LCMAC”). The purpose of these LCMACs is to provide information and develop recommendations for the Community Mitigation Advisory Subcommittee on issues related to the gaming facilities in each region and to present information to the Commission on any issues related to the gaming establishment located in each region.

We are pleased to provide a further recommendation for appointment to the Region B LCMAC. Pursuant to MGL c. 23K, §68, the Commission may appoint a representative from a Chamber of Commerce in each region. For the Region B LCMAC Chamber of Commerce representative, we request the Commission’s appointment of Allison Ebner, Director of Membership & Partnerships at EANE – Employers Association of the Northeast. Allison is a member of the Springfield Regional Chamber of Commerce who was recommended by Nancy Creed, President of the Chamber.

Below please find her biography:

Allison Ebner - Chamber of Commerce Representative

Allison Ebner has over twenty years of experience in human resources, recruitment and corporate branding including talent acquisition, succession planning, employee engagement and labor trends and compliance. In her present role, she is the Director of Membership & Partnerships for The Employers Association of the NorthEast, where she is responsible for leading the engagement team that meets regularly with members to discuss best practices around compliance, employee relations and overall business success. Prior to her role at EANE, she was the Director of Recruitment for FIT Staffing and the Director of Membership Development for the Associated Industries of Massachusetts (AIM) in the Western MA Region. Allison is Past President of the Human Resource Management Association of Western New England, a Board Member for the Massachusetts Chapter of SHRM, a Trustee for the Mason Wright Foundation, a Board Member for the ERC5 Chamber of Commerce and a member of the Springfield Regional Chamber’s Legislative Steering Committee (sub-committee) on Workplace Issues. Allison is a graduate of Ithaca College



Massachusetts Gaming Commission

101 Federal Street, 23rd Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | www.massgaming.com

in New York where she received a Bachelor of Science Degree in Marketing and she is currently enrolled at IOM, the Institute for Organizational Management.

We respectfully request the Commission consider appointing Allison Ebner for a one year appointment to the Region B LCMAC as the Chamber of Commerce Representative. As is our practice with appointments, we recommend that that this appointee should serve at the pleasure of the Commission.



TO: Chair Judd-Stein, Commissioners Cameron, O'Brien, Stebbins and Zuniga

FROM: Executive Director Edward Bedrosian Jr.

CC: General Counsel Catherine Blue

DATE: October 24, 2019

RE: Region C - Possible Next Steps

Background

On September 12, 2019, the Commission received presentations from the Commission's legal department and counsel for Mass Gaming & Entertainment ("MGE") as well as testimony from MG&E's Chairman, on whether the Commission had the authority to reconsider its 2016 decision to deny MG&E's application for a gaming license in Region C and, if the Commission had the authority to reconsider its decision, whether there were sufficient grounds for the Commission to do so. After hearing the presentations, posing questions to the Commission's legal department and MG&E attorneys, and discussion by the Commissioners, the Commission determined that it did have the authority to reconsider its 2016 decision and further determined that sufficient grounds did not exist to support a reconsideration of the Commission's 2016 decision to deny MG&E's application for a gaming license in Region C.

The Commission acknowledged as part of its discussion that a decision to deny reconsideration of MG&E's application did not foreclose further action by the Commission regarding the issuance of a license in Region C. The Commission further agreed that it would continue its discussion regarding Region C at a future date. On September 20, 2019 the Commission received a letter from MG&E counsel requesting that the Commission immediately initiate a new RFA process in Region C and advise counsel for MG&E whether and when that process would begin. (A copy of that letter is attached.) In conjunction with the MG&E request for reconsideration, the Commission also received public opposition comments.

Possible Next Steps

The Commission has multiple ways to advance its discussion regarding Region C:

1. The Commission could review the September 20, 2019 letter from MG&E and decide to open up Region C for a new application process;



Massachusetts Gaming Commission

2. The Commission could review and reevaluate the public comments it received in November 2018 and between August 8 and September 13, 2019 regarding the grant of a license in Region C. (Comments received between August 8 and September 13, 2019 are included in the Commission packet.)

3. The Commission could issue a request for information (“RFI”) requesting more particular feedback or information on what issues the Commission should consider when thinking about issuing a gaming license in Region C and how the Commission could structure a competitive evaluation process in Region C. A RFI traditionally precedes a request for response (“RFR”) or a request for a proposal (“RFP”) and can help inform what is in the RFR or RFP. Issues which could be assisted by an RFI include but are not be limited to: (a) whether the Commission’s application or evaluation format should request additional or different types of information; (b) the necessity or not of commissioning studies regarding the market capacity and how to assess regional and Commonwealth wide impact; (c) jobs or other impacts arising from the issuance of a license in Region C and (d) whether the Commission needs to make changes in its regulations regarding the licensing process.

4. The Commission could hold a public hearing in one or more venues in Region C to solicit information and feedback from interested parties.

Aside from option 1, none of the options are exclusive. The Commission could decide to do all or part of the other options using a hybrid approach.

Along with any steps the Commission decides to take, Commission staff will continue to follow the status of any legislation or litigation that would impact the Commission’s licensing process and in particular any legislation or litigation that specifically impacts Region C and advise the Commission thereon. At a minimum this would include an update on tribal litigation and corresponding federal legislative efforts.



Massachusetts Gaming Commission



David J. Apfel
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100 Northern Avenue
Boston, MA 02210

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+1 617 570 1000

September 20, 2019

VIA EMAIL AND HAND DELIVERY

Chair Cathy M. Judd-Stein and Commissioners
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Re: Mass Gaming & Entertainment LLC and Region C

Dear Chair Judd-Stein and Commissioners Cameron, O'Brien, Stebbins, and Zuniga:

We write on behalf of Mass Gaming & Entertainment ("MG&E"). Needless to say, we were disappointed with the outcome of last Thursday's hearing on MG&E's request for reconsideration. Indeed, as Mr. Bluhm indicated near the conclusion of the hearing, he is not sure how much longer he will be able to continue his five-year effort to obtain the Category-1 gaming license that would help to revitalize Brockton. That the Commission took 15 months just to determine whether it had the authority to consider our request for reconsideration, which we submitted back in June 2018, was also discouraging.

Still, we remain hopeful that Brockton will not be forgotten and that the Commission will honor its word and address Region C in what you termed a "timely" manner. In this regard, we ask that you initiate the new RFA process immediately. Notwithstanding the delays that have plagued the Commission's consideration of Region C to date, and the disappointment of last week, if the Commission follows through on its publicly stated seriousness about prioritizing Region C by promptly starting a new RFA process, MG&E is committed to participate. Provided there is no further delay, our intent is to compete and demonstrate the merits of our Brockton project. We want to look forward, not back.

In rejecting our request for reconsideration, it appeared as if a primary goal of yours was to have a more competitive process. In this regard, if, as we suspect, a new RFA yields no other suitable applications for a Region C Category-1 gaming license, we would hope and expect that you would expedite consideration of our application.



GOODWIN

Massachusetts Gaming Commission
September 20, 2019
Page 2

Please let us know as soon as possible whether – and when – you intend to initiate a new RFA for Region C. We look forward to hearing from you.

Very truly yours,

David J. Apfel

(jab)

Roberto M. Braceras

cc: Ed Bedrosian, Executive Director, MGC
Catherine Blue, General Counsel, MGC
Todd Grossman, Associate General Counsel, MGC
Neil Bluhm

219 received

Dear Commissioners,

Once again Region C has come to the forefront of discussions. The MGC decision to reject by a 4-1 vote the MG&E proposal for a casino next to one of the largest high schools on the east coast of the United States was a wise one for the residents of Brockton. We thank you for doing your job and making the tough decisions.

I am fully aware that Sen. Michael Brady recently urged you to give Brockton a second crack at landing the Region C casino license. Senator Brady is quoted as saying, "So the revenue that's desperately needed for Brockton, the jobs that are desperately needed because, as I mentioned, the shoe industry isn't what it used to be". True, Brockton needs revenue, but reality is that there are no shoe factories in Brockton now so it really is not what it used to be, it is non-existent. Senator Brady is also quoted as saying, "We did have a vote of the residents a while back and there was overwhelming support from the residents in the city of Brockton to support this third Region C casino". This is an outright false statement. The 2015 casino vote in Brockton passed with 7,163 votes or 50.5 percent in favor and 7,020 votes opposed to the proposal. That is hardly "overwhelming". His claim that business owners and public officials are supportive of a casino coming to Brockton is also not accurate entirely. Though many city officials want it there are a number that are vehemently opposed to a casino coming to Brockton.

Yes, the uncertainty of the Mashpee Wampanoag tribe's planned \$1 billion First Light Resort and Casino in Taunton, less than 20 miles from the site of the planned Brockton casino is still an issue. Quite frankly no one seems to know what will or will not happen there. Our federal representatives are making moves to restore the land to the tribe, so we cannot know what will happen in the future.

Over the past number of years I and many other citizens of Brockton have shared with you many reasons why a casino in Brockton is not a good idea. I will not reiterate those at this time, but I will remind you that a casino next to a high school is a disaster waiting to happen. With multiple other casino facilities already in Massachusetts, you as the commissioners and regulators of these casinos have been dealing with a real problem of underage gamblers at these facilities. I cannot imagine how much worse it would be if any of the existing facilities were next to a high school.

Another real issue that comes from your own commission reports is that the facilities in Plainville and Springfield are underperforming when compared to the expectations that were made. If a casino is underperforming the host community is not receiving the funds that they were told they would get. I am also certain that as you look forward to the future and the legacy that you leave behind, you likely do not want to leave multiple casino facilities that are underperforming.

PUT REGION C ON A 20 YEAR HOLD, WAIT TO SEE HOW THE OTHER FACILITIES REALLY PERFORM.

Sincerely,



Date: 8-11-19

89 received

Dear Commissioners of MGC,

Once again Region C has come to the forefront of discussions. The MGC decision to reject by a 4-1 vote the MG&E proposal for a casino next to one of the largest high schools on the east coast of the United States was a wise one for the residents of Brockton. We thank you for doing your job and making the tough decisions.

I want to let you know that Senator Brady does not speak for me or many residents of Brockton when it comes to the issue of a casino in Brockton. He speaks as a single resident of Region C.

I want to look at the evidence that comes from your own commission reports. The facilities in Plainville and Springfield are underperforming when compared to the expectations that were made. If a casino is underperforming the host community is not receiving the funds that they were told they would get. Yet the bulk of the profits from the casino (which is losses to the Massachusetts resident gamblers) go to organizations outside of Massachusetts. The previous bidder in Brockton would have seen monies flowing to the Chicago based owners and a trickle to the City of Brockton. I am also certain that as you look forward to the future and the legacy that you leave behind you likely do not want to leave multiple casino facilities that are underperforming. Now is the time to put a 10-20 year moratorium on a Region C casino. Let's wait out and see what really happens now that Encore is open and the Rhode Island casinos are only 400 yards from the MA border.

Over the past number of years I and many other residents of Brockton have shared with you many reasons why a casino in Brockton is not a good idea. I will not reiterate those at this time, but I will remind you that a casino next to a high school is a disaster waiting to happen. With multiple other casino facilities already in Massachusetts, you as the commissioners and regulators of these casinos have been dealing with a real problem of underage gamblers at these facilities. I cannot imagine how much worse it would be if any of the existing facilities were next to a high school.

While we wait for the regional evidence to come in Stand Up for Brockton and the churches of Brockton are working to run and introduce programs that will help the residents of Brockton and the City's financial stability.

Sincerely,

Marie

9/1/2019



City Council

CITY OF BROCKTON

Anne Beauregard Councilor Ward 5

37 Anawan Street • Brockton, MA 02302

(H) 508-584-6919 • (C) 774-297-4939 • abeauregard@cobma.us

August 7, 2019

Mass Gaming Commission
101 Federal Street 12th floor
Boston, MA 02110

Dear Commissioners:

It is with deep concern that I write you another letter in response to the proposal to revisit Region C for a casino in of all places Brockton. Repeatedly the community has requested that you end plans for such an operation across the street from a high school, downtown the street from one of the largest elementary schools in the city with the fourth largest school district in this Commonwealth, a long time church and a residential neighborhood. This does not bring economic development but disaster at all levels and a traffic nightmare.

I realize that everyone deserves a chance to be heard both for and against such projects but lately we seem to hear or read in the news about the problems with the newest casino Encore, the financial projections of both Plainridge and MGM Springfield not meeting expectations and it does not seem to make sense to create more likely failures. I hope as you review the considerations of the residents that you understand the massive negative impact this would have on thousands of individuals of all ages.

Please vote NO on Thursday, August 15, 2019 and allow our city to grow in a positive economic direction. Thank you for your attention to this matter. Your efforts are always appreciated.

Sincerely,



City Council

CITY OF BROCKTON

Anne Beauregard Councilor Ward 5

37 Anawan Street • Brockton, MA 02302

(H) 508-584-6919 • (C) 774-297-4939 • abeauregard@cobma.us

September 6, 2019

Mass Gaming Commission
101 Federal Street 12th floor
Boston, MA 02110

Dear Commissioners:

It is again that I write you with deep concern in response to the proposal to revisit Region C. In Brockton we have repeatedly spoken, written and attended meetings in opposition of having a casino near a residential neighborhood, across from one of the largest high schools in the country, down the street from an elementary school with several hundred children, a church around the block and a middle school there too. This does not bring any economic development but disaster at all levels and a traffic nightmare.

I am aware that everyone deserves a chance to be heard both for and against such projects and as I am opposed I will say that the latest information on the newest casinos in this state does not meet with much positive information. I hope as you review the concerns of the residents of Brockton and the massive negative impact this would have on thousands of individuals of all ages.

Please vote NO for Brockton. Thank you for your attention to this matter. Your efforts are always appreciated.

Sincerely,


Anne Beauregard

Blue, Catherine (MGC)

From: Showell, Vivian (MGC)
Sent: Friday, September 13, 2019 3:38 PM
To: Blue, Catherine (MGC); Ennis, Jamie (MGC)
Subject: FW: A Review of the MGC Meeting on 9/12/2019

From: Stand UP for Brockton [mailto:standupforbrockton@gmail.com]
Sent: Friday, September 13, 2019 3:18 PM
To: MGCcomments (MGC)
Subject: A Review of the MGC Meeting on 9/12/2019

Please share this message with all the commissioners and thank them for their diligence.

A Review of the MGC Meeting on 9/12/2019

Region C Reconsideration

Today the Mass Gaming Commission met with Ms. Gayle Cameron absent to determine whether the MGC has the right to reconsider their own past decisions and on whether to reconsider the MG&E denial of 2016.

At the heart of the matter is Section 17(G) of the law which states: “The commission shall have full discretion as to whether to issue a license. Applicants shall have no legal right or privilege to a gaming license and shall not be entitled to any further review if denied by the commission.”

This section is one of the most simply written portions of any law on the books in Massachusetts. There are but two sentences.

The first sentence clearly gives the commission the ability to grant a license and the term “full discretion” implies that the commission can reconsider any and all decisions it makes in any matter. It is also clear that the first sentence speaks to the commission and about the commission.

The second sentence clearly is speaking about the applicants and particularly to any applicant that has been denied a license. One that has been awarded a license is not likely going to request a review of that decision.

The legal team of the commission introduced that in another case that the SJC viewed this further review meant judicial review. Though this may be included it is not what the law states. It simply states “any further review”.

The denied applicant has no right or privilege or process to request a review. The commission however can conduct a review but it must be initiated by the commission and not be the denied applicant. The current discussions and reconsideration are invalid based upon the plain English language used in Section 17 (G) of this law.

In today’s vote despite an inaccurate interpretation by the commission’s legal team, the commission made the correct decision by a 3 – 1 vote. Yes they do have the ability to reconsider their own previous decisions and they rightly denied a reconsideration of the proposed Brockton, MA casino. The grounds for reconsideration

were not met. Additionally, the process was not followed. Any reconsideration is to be initiated by the commission and not the denied applicant.

This matter has been resolved. There should be no more meetings or discussion regarding the matter of the MG&E denial of 2016. The matter is over. MG&E can present its new proposal as revealed in their slide presentation on pages that were determined to be irrelevant for this meeting by the commission but shown anyway if and when the commission re-opens Region C for a fair competitive bidding process. Based upon Mr. Bluhm's own words about "waiting around" he may not be there should this come up again for the bidding process.

On behalf of Stand Up for Brockton and the residents of Brockton, I want to thank the commissioners for their conscientious work.

Brockton does need help to correct its current status, but as I have outlined many times in the past a casino next to one of the largest high schools was not the best option for Brockton. Though Mayor Rodrigues listed a number of the crisis situations we are dealing with in Brockton he seemed to place the blame on being shorted or cheated out of benefits from the State. The reality is that the many of the issues we are facing today are the result of bad decisions made by Brockton leaders in the past and more recent past. We are making slow progress on some of these issues, but we need to do more.

As interesting as things were during the meeting once the break was called to allow those of us there for the Region C discussions to leave, things got more interesting for me. I was able to go down the elevator with Mayor Rodrigues and his team and the legal team for Mr. Bluhm. Just standing there and saying nothing although I really wanted to, listening was far more important. The legal team stating that the fix was in and the decision was pre-determined before the meeting that had just concluded. They were clearly upset. One comment that stood out was that the vote against the motion was the second last one that they thought they could turn. Once out of the elevator, Mr. Bluhm greeted his legal team and was clearly upset with the second denial.

In my own research even though new evidence was not a part of this hearing, the evidence from the public records clearly show that the MGM and Plainridge and yesterday's news stories reveal that the two oldest casino facilities are underperforming and that it appears even Encore will underperform in its first quarter. So I have to ask myself, do we really need a fourth facility that would underperform?

Again thank you for your vote as this should put a Brockton casino to bed for good.

Pastor Richard Reid
North Baptist Church of Brockton
Stand Up for Brockton

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Stand UP for Brockton
<http://www.nocasinoinregionc.info>

From: [MGCcomments \(MGC\)](#)
To: [Ennis, Jamie \(MGC\)](#)
Subject: FW: Region C Licence
Date: Wednesday, September 11, 2019 3:46:19 PM

From: Susan Millet [mailto:susanmcm1028@gmail.com]
Sent: Sunday, August 11, 2019 9:03 AM
To: MGCcomments (MGC)
Subject: Region C Licence

To whom it may concern,

As a fifty-two year resident of Brockton I am deeply concerned about a gambling casino in this city. Brockton has enough crime now, that this casino is going to invite more crime. I live near the Fairgrounds. This area is too close to the Brockton High School and is not conducive to area safety. Another area of concern is Route 123 ...Belmont Street. Even with the recent improvements to Belmont Street, the traffic is still difficult to deal with. A casino at the Fairgrounds will only make it worse.

In regards to crime, we have gangs and shootings in Brockton now, why invite more crime to an already crime ridden city ?

This is a very serious issue ! I do not want a casino of any kind in Brockton !!

Thank you for your time and consideration,

*Susan M. Millet
12 Elmside Road
Brockton, MA 02301
susanmcm1028@gmail.com*

--

Susan

Forwarded to Cahtnerine B. ans Shara B. on August 12, 2019

From: [MGCcomments \(MGC\)](#)
To: [Ennis, Jamie \(MGC\)](#)
Subject: FW: Region C License
Date: Wednesday, September 11, 2019 3:46:07 PM

From: Jen Metti [mailto:jen.metti@gmail.com]
Sent: Friday, August 9, 2019 8:04 PM
To: MGCcomments (MGC)
Subject: Region C License

My name is Jennifer McDonough. I live at 66 Hayward Avenue in Brockton with my husband and two young children. I am vehemently opposed to granting a gaming license to the owner of the Brockton Fairgrounds.

From what I understand, the type of casino that the owner is looking at putting in a cheap, regional type of casino, not a world class casino such as the MGM in Springfield or the Wynn. Brockton does need a large, reliable employer, but this casino is not the answer. In city that is plagued by higher unemployment rates for minority residents, an opioid crisis, high crime rates, etc., this casino is liable to worsen crime and the opioid crisis. It is also likely to turn cause a percentage of our population to have a gambling addiction or make it worse. The cons outweigh the pros. With 2 high quality casinos within a reasonable drive, I don't see that a lower class casino here will help anyone or attract a clientele to the city that would bring anything of value.

If a casino were to open here, my family and I would likely move to another town or city. I would prefer to stay in Brockton, as I see so many residents who are striving to make this city better. A casino is not the answer.

Sincerely,

Jennifer McDonough

Forwarded to Catherine B. and Shara B. on August 12, 2019

Kevin M. Considine, Esq.
kconsidine@considinefurey.com

September 6, 2019

VIA EMAIL & FIRST CLASS MAIL

Catherine Blue, Esq.
Massachusetts Gaming Commission
101 Federal Street - 12th Floor
Boston, MA 02110

Re: Response to Request for Public Comments on Mass Gaming & Entertainment LLC's Motion for Reconsideration of Region C License Decision

Dear Attorney Blue:

On behalf of the Notos Group, LLC, I write in response to the Massachusetts Gaming Commission's ("MGC," or the "Commission") invitation for public comments regarding Mass Gaming and Entertainment's ("MG&E") request that the Commission reconsider its decision denying MG&E's gaming license application. The Notos Group has proposed a major economic development project in Region C within the Town of Wareham that would include a thoroughbred racetrack with a gaming component. As set forth below, the Commission does not have the authority to reconsider its decision *three years* after holding a public hearing on MG&E's application and denying that application in a decisive 4-1 vote. MG&E urges the Commission to overlook both the substance and the spirit of Massachusetts statutory law by reconsidering MG&E's application at this late juncture without soliciting additional applications for a Region C gaming license.

Although MG&E relies heavily on the common law principle that an agency has discretion to reconsider its decision, such discretion is not absolute. Rather, "[a]n administrative agency, ***in the absence of statutory limitations***, generally has the inherent authority to reconsider a decision or reopen a proceeding ***to prevent or mitigate a miscarriage of justice.***" *Soe v. Sex Offender Registry Bd.*, 466 Mass. 381, 395 (Mass. 2013) (citing *Moe v. Sex Offender Registry Bd.*, 444 Mass. 1009, 1009, (Mass. 2005)). An agency's authority to reconsider its decisions "must be sparingly used if administrative decisions are to have resolving force on which persons can rely." *Stowe v. Bologna*, 32 Mass. App. Ct. 612, 616 (Mass. App. Ct. 1992). Further,

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requests for reconsideration of an agency decision are subject to reasonable time limitations. *Covell v. Dept. of Social Services*, 42 Mass. App. Ct. 427, 433 (Mass. App. Ct. 1997); *see also Stowe*, 32 Mass. App. Ct. at 618-619.

Reconsideration would be inappropriate here because (1) there are statutory limitations in place preventing the Commission from reconsidering its decision on the MG&E application; (2) there will be no “miscarriage of justice” if the Commission denies MG&E’s request; and (3) MG&E has not made its request for reconsideration within a reasonable timeframe.

1. Massachusetts Statutory Law Does Not Permit the Commission to Review of Decision Denying MG&E’s Application at this Juncture.

Gaming is a heavily regulated industry in Massachusetts. G.L. c. 23K, while granting discretion to the Commission on the award of licenses, establishes significant guidelines for licensing decisions. That statutory framework provides no basis for the Commission to reconsider its denial of MG&E’s application for a Region C license three years after issuing that decision.

a. G.L. c. 23K §17(d) Requires the Commission to Issue a Decision Within Months of a Public Hearing.

The Commission may only reach a determination regarding gaming licenses after a public hearing. As set forth in G.L. c. 23K §17(d),

The public hearing shall provide the commission with the opportunity to address questions and concerns relative to the proposal of a gaming applicant to build a gaming establishment, including the scope and quality of the gaming area and amenities, the integration of the gaming establishment into the surrounding community and the extent of required mitigation plans and receive input from members of the public from an impacted community.

See §17(d). Following a public hearing on a license application, the Commission is required to make a determination within 30-90 days granting the application, denying the application, or extending the decision-making period **no longer than 30 days**. *See* G.L. c. 23K §17(e). The legislature thereby intended for the Commission to reach a final decision on an application within months of the public hearing. Section 17(e) would be rendered meaningless if the Commission could reverse its decision three years after the public hearing on MG&E’s application.

b. G.L. c. 23K §17(f)-(g) Only Allows for Review of Findings of Fact and States That “Applicant Shall Not Be Entitled to Any Further Review.”

Once the Commission has denied an application, an applicant may “request a hearing before the commission to contest any findings of fact by the bureau relative to the suitability of the applicant.” G.L. c. 23K §17(f). However, “applicants shall have no legal right or privilege to a gaming license and **shall not be entitled to any further review if denied by the commission.**” G.L. c. 23K §17(g). Here, MG&E does not contest any suitability determination, but challenges the ultimate agency decision. MG&E thus makes the untenable argument that because it has not challenged a finding of fact pursuant to §17(f), there are **no** limitations on the Commission’s authority to review its prior decision. The more reasonable reading of the statute is that an applicant is only entitled to request a hearing as to findings of facts relative to suitability and there is otherwise no “further review” as to the commission’s discretionary findings. *See* §17(g). Furthermore, MGC has consistently interpreted §17(g) to preclude the agency from reconsidering the denial of a gaming license. Even if the intent of the Legislature were not clear (which it arguably is in G.L. c. 23K §17(g)), a Court would give deference to the reasonable interpretation by the agency implementing the statute. *See Chevron v. Natural Resource Defense Council, Inc.*, 467 U.S. 837, 843–844 & n. 11 (1984); *Souza v. Registrar of Motor Vehicles*, 462 Mass. 227, 228–229 (Mass. 2012); *Goldberg v. Board of Health of Granby*, 444 Mass. 627, 633–634 (Mass. 2005).

2. *There is No Compelling Reason for MGC to Reconsider Decision on MG&E’s Application.*

Further, an agency’s authority to reconsider its decisions “must be sparingly used if administrative decisions are to have resolving force on which persons can rely.” *Stowe v. Bologna*, 592 N.E. 2d 764. MG&E presents no compelling reason why the Commission should reconsider its April 2016 decision denying the Region C application. MG&E emphasizes that the gaming landscape in southeastern Massachusetts has shifted since 2016 as a result of the federal court decisions halting the Mashpee Wampanoag Tribe’s (the “Tribe”) efforts to build a casino in Taunton, Massachusetts. MG&E mistakenly suggests that the Commission rejected its application solely because of concerns over competition from the prospective Tribal casino in the region.

In fact, transcripts from the Commission’s deliberations reflect a wide range of concerns with MG&E’s applications, which were unrelated to the Tribe. For example:

- Chairman Crosby: “I’m deeply concerned about whether or not independent of tribal issues this project meets our requirements.” MGC Public Meeting, April 28, 2016, Tr. 76:11-13.
- Chairman Crosby: “It’s not in my view a destination resort casino in the way that the Legislature and we really anticipated.... It may not match what we were looking for under the completely reasonable constraints of this particular marketplace.” *Id.* at 118:8-14.
- Commissioner Cameron: “But there were a number of issues that I was concerned about. One of them was the close vote in this community. This is a divided community. And we have not had a situation in which we were going to award where it was this close.” *Id.* at 84:12-17
- Commissioner Cameron: “[T]he legislation really calls for high-quality jobs. And I was concerned about the low salaries.” *Id.* at 85:15-18.
- Commissioner Stebbins: “...I have some serious concerns... Commissioner Cameron raised one with respect to pay. I have concerns about what the applicant has told us are their retention rates, which is a concern.” *Id.* at 103:14-19.
- Commissioner Stebbins: “...I don’t want to make an award of a license to an application that in my estimation is just not up to the level of excellence that I would expect... *Id.* at 104:16-19.

In short, the Commission denied MG&E’s application based on various concerns unrelated to potential competition from the Tribe’s proposed casino in Taunton. The decision in *Littlefield v. Dep’t of the Interior*, 199 F. Supp. 3d 391 (D. Mass. 2016) may have removed certain roadblocks relating to “saturation” of the gaming market in southeastern Massachusetts, but that decision did not resolve the various unrelated shortcomings of MG&E’s application. In short, MG&E has not demonstrated compelling reasons for the Commission to reconsider its 2016 decision.

It bears further note that, although the Commission addressed the possibility of “reopening” discussions of a Region C gaming license during deliberations on the MG&E application, the Commissioners suggested that further proceedings would involve a second RFA round. Commissioner Zuniga acknowledged, “Circumstances could change. If we don’t award the license, we retain the option to re-bid this years down the line or however long later.” April 28, 2016 Tr. 109:22-110:1. Commissioner Stebbins noted, “...I don’t feel saying no to this application necessarily... means no to a casino in Region C. And I don’t believe maybe it means no to a casino in Brockton. It just may not be this application that I’m comfortable with.” *Id.* at 105:7-14. Indeed, the Notos Group respectfully suggests that circumstances in Region C have changed and the Commission ought to re-open the Region for competitive bids based on current market conditions.

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3. *MG&E Did Not Request Reconsideration Within a Reasonable Timeframe.*

Even if the Commission had authority to reconsider licensing decisions, “applications for [reconsideration of an agency decision] can hardly be entertained without limit of time.” *Covell v. Dept. of Social Services*, 42 Mass. App. Ct. 427, 433 (Mass. App. Ct. 1997); *see also Stowe*, 32 Mass. App. Ct. at 618-619 (holding that agency decision was no longer “susceptible to reconsideration” four years later). It has now been three years since the Commission denied MG&E’s application; four years since Brockton voted (by a remarkably slim 143 vote margin) to approve MG&E’s proposal; three years since a public hearing on MG&E’s application; and two years since Judge Young issued his decision in *Littlefield* (the supposed basis of MG&E’s request for reconsideration). Moreover, the Commission has two new members who did not participate in the prior proceeding. Certainly they should be given the opportunity to participate fully in any Region C process involving the issuance of a gaming license. The clock has surely run on a “reconsideration” of MG&E’s long-dead application.

In summary, I strongly recommend that this Commission deny MG&E’s request for reconsideration.

Sincerely,

Kevin M. Considine

KMC:hp

cc: Neil D. Raphael, Esq.

From: MGC Website [<mailto:massgamingcomm@gmail.com>]
Sent: Sunday, August 18, 2019 12:56 PM
To: MGCcomments (MGC)
Subject: Contact the Commissioner Form Submission

Name
Ceil Kahn
Email
Ceilwk@gmail.com
Phone
(508) 468-4244
Subject
Proposed casino license Brockton
Questions or Comments
<p>I am writing to you once again to implore you not to approve a gaming license for a casino in Brockton. This issue is once again rearing its ugly head. This area is already saturated with gaming venues. Brockton is not a "destination city" and the site if the proposed casino is in a congested residential area close to two schools and across the street from a church. Currently, the traffic from Rte 27 crossing Pleasant St onto West St where I live often backs up dangerously through the traffic lights due to high congestion. There have been several bad accidents at this intersection as well as on West Street. One accident occurred midday when a driver crossed into oncoming traffic and hit a tree before destroying my neighbors front stairs. Please keep in mind that there is a high volume of pedestrian traffic on West St including kids walking to and from school. I loathe to think of how traffic problems including accidents will become worse with more congestion caused by a casino at the Brockton fairgrounds. I am also concerned about the increase of drivers impaired by alcohol.</p> <p>As I've said, this area is already saturated with gambling venues. Presently we are facing the possibility of another recession. Not only am I concerned about higher crime, lowered property values and the peril to pedestrians (as well as trees, telephone poles and stairs) due to more traffic, but I also worry that a casino is a shortsighted solution to Brockton's economic woes. And once a casino has been built and fails the permanent damage to my community will have been done. We need viable solutions to improve Brockton. A casino is not a solution.</p> <p>I have been in touch with Senator Michael Brady who is a proponent of this very bad idea and clearly expressed my vehement opposition to a gaming license being granted to this city.</p> <p>Again. I implore you, for the sake of Brockton, please, do not let a casino come here.</p> <p>Thank you. I look forward to a response.</p>



Legal Division

AMENDED SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this amended small business impact statement in accordance with [G.L. c.30A §5](#) relative to the proposed amendments in [205 CMR 6.00: Pari-Mutuel Rules for Thoroughbred Racing, Harness Racing, and Greyhound Racing](#). Specifically, **205 CMR 6.35: Pick (n) Pools**, for which a public hearing was held on August 1, 2019. These proposed regulations and amendments were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. The proposed amendments describe the addition of further wagers to the regulation, notice of which was filed this day with the Secretary of the Commonwealth. These amendments were developed as part of the process of promulgating regulations governing horse racing in the Commonwealth, and are largely governed by [G.L. c. 128A §9](#).

These amendments apply directly to gaming licensees and patrons. Accordingly, these amendments are unlikely to have an impact on small businesses.

Per G.L. c.30A §5, the Commission offers the following responses as to whether any of the following methods of reducing the impact of the proposed regulation on small businesses would hinder the achievement of the purpose of the proposed regulation:

1. Establishing less stringent compliance or reporting requirements for small businesses:

As a general matter, no small businesses will be impacted by these amendments as they apply solely to licensees and patrons. Accordingly, there are no less stringent compliance or reporting requirements for small businesses.

2. Establishing less stringent schedules or deadlines for compliance or reporting requirements for small businesses:

There are no schedules or deadlines for compliance or reporting requirements for small businesses created by this regulation or the amendments thereto.

3. Consolidating or simplifying compliance or reporting requirements for small businesses:



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This regulation, as well as the proposed amendments, does not impose any reporting requirements for small businesses.

4. Establishing performance standards for small businesses to replace design or operational standards required in the proposed legislation:

These amendments do not implicate a need for small businesses to alter their design or operational standards to accommodate the addition of further wagers to the regulation.

5. An analysis of whether the proposed regulation is likely to deter or encourage the formation of new businesses in the Commonwealth:

These amendments apply solely to licensees and individuals; therefore, they are not expected to deter or encourage the formation of new businesses in the Commonwealth.

6. Minimizing adverse impact on small businesses by using alternative regulatory methods:

The proposed amendments are not likely to create any adverse impact on small businesses.

Massachusetts Gaming Commission

By:

Shara N. Bedard

Paralegal

Dated:



Massachusetts Gaming Commission

205 CMR: MASSACHUSETTS GAMING COMMISSION

205 CMR 6.35: Pick (n) Pools

- (1) The Pick (n) requires selection of the first-place finisher in each of a designated number of contests. The association must obtain written approval from the Commission concerning the scheduling of Pick (n) contests, the designation of one of the methods prescribed in 205 CMR 6.35(2), and the amount of any cap to be set on the carryover. Any changes to the approved Pick (n) format require prior approval from the Commission. (ARCI c. 9 cal. § G(1))
- (2) The Pick (n) pool shall be apportioned under one of the following methods:
 - (a) Method 1, Pick (n) with Carryover. The net Pick (n) pool and carryover, if any, shall be distributed as a single price pool to those who selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish. If there are no such wagers, then a designated percentage of the net pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests; and the remainder shall be added to the carryover.
 - (b) Method 2, Pick (n) with Minor Pool and Carryover. The major share of the net Pick (n) pool and the carryover, if any, shall be distributed to those who selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish. The minor share of the net Pick (n) pool shall be distributed to those who selected the first-place finisher in the second greatest number of Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first-place finisher of all Pick (n) contests, the minor share of the net Pick (n) pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests; and the major share shall be added to the carryover.
 - (c) Method 3, Pick (n) with No Minor Pool and No Carryover. The net Pick (n) pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests, based upon the official order of finish. If there are no winning wagers, the pool is refunded.
 - (d) Method 4, Pick (n) with Minor Pool and No Carryover. The major share of the net Pick (n) pool shall be distributed to those who selected the first place finisher in the greatest number of Pick (n) contests, based upon the official order of finish. The minor share of the net Pick (n) pool shall be distributed to those who selected the first-place finisher in the second greatest number of Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first-place finisher in a second greatest number of Pick (n) contests, the minor share of the net Pick (n) pool shall be combined with the major share for distribution as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests. If the greatest number of first-place finishers selected is one, the major and minor shares are combined for distribution as a single price pool. If there are no winning wagers, the pool is refunded.

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- (e) Method 5. Pick (n) with Minor Pool and No Carryover. The major share of net Pick (n) pool shall be distributed to those who selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish. The minor share of the net Pick (n) pool shall be distributed to those who selected the first-place finisher in the second greatest number of Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first-place finisher in all Pick (n) contests, the entire net Pick (n) pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests. If there are no wagers selecting the first-place finisher in a second greatest number of Pick (n) contests, the minor share of the net Pick (n) pool shall be combined with the major share for distribution as a single price pool to those who selected the first-place finisher in each of the Pick (n) contests. If there are no winning wagers, the pool is refunded. (ARCI c. 9 cal. § G(2))
- (f) Method 6, Pick (n) with Minor Pool and No Carryover: The major share of net Pick (n) pool shall be distributed to those who selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish. The minor share of the net Pick (n) pool shall be distributed to those who selected the first-place finisher in the second greatest number of Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first-place finisher in all Pick (n) contests, the entire net Pick (n) pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests. If there are no wagers selecting the first-place finisher in a second greatest number of Pick (n) contests, the minor share of the net Pick (n) pool shall be combined with the major share for distribution as a single price pool to those who selected the first-place finisher in each of the Pick (n) contests. If there are no winning wagers, the pool is refunded.
- (g) Method 7, Pick (n) with Carryover and “Unique Winning Ticket” Provision: The net Pick (n) pool and carryover, if any, shall be distributed to the holder of a unique winning ticket that selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish. If there is no unique ticket selecting the first-place finisher in each of the Pick (n) contests, or if there are no wagers selecting the first-place finisher of all Pick (n) contests, the minor share of the net Pick (n) pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests, and the major share shall be added to the carryover. Associations may suspend previously approved unique winning ticket wagering with the prior approval of the Commission. Any carryover shall be held until the suspended unique winning ticket wagering is reinstated. Where there is no correct selection of the first-place finisher in at least one of the Pick (n) contests, based upon the official order of finish, the day’s net pool shall be refunded and the previous carryover pool amount, if any, shall be carried over to the next scheduled corresponding pool. In obtaining authorization for operating the Pick (n) pool under this subsection, associations must clearly identify which definition under ~~paragraph 16(b)~~ ARCI c. 9 cal. § G(16)(b) will be relied upon for determining the existence of a unique winning ticket.
- (h) Method 8, Pick (n) with the Pool Split into Tthree Sshares, Oone Sshare having a Carryover: The share percentages are determined by the pool host and approved by the

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Commission. The first share of the net Pick (n) pool and the carryover, if any, shall be distributed to those who selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish. The second share of the net Pick (n) pool shall be distributed to those who selected (n-1) of the Pick (n) contests, based upon the official order of finish and a third share of the Pick (n) pool shall be distributed to those who selected (n-2) of the Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first-place finisher of all Pick (n) contests, the first share shall be added to the carryover. If there are no wagers selecting (n-1) of the Pick (n) contests, this second share shall be added to the carryover. If there are no wagers selecting (n-2) of the Pick (n) contests, this third share shall be added to the carryover. Where there is no correct selection of the first-place finisher in at least one of the Pick (n) contests, based upon the official order of finish, the day's net pool shall be refunded and the previous carryover pool amount, if any, shall be carried over to the next scheduled corresponding pool.

- (i) Method 9, Pick (n) with the P pool S split into T three S shares, with Carryovers, and a Unique Winning Ticket Provision: The share percentages are determined by the pool host and approved by the Commission. The first share of the net Pick (n) pool and the first share carryover, if any, shall be distributed to those who selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish. The second share of the net Pick (n) pool shall be distributed to those who selected the first-place finisher in the second greatest number of Pick (n) contests, based upon the official order of finish. If there are no wagers selecting the first-place finisher of all Pick (n) contests, the second share of the net Pick (n) pool shall be distributed as a single price pool to those who selected the first-place finisher in the greatest number of Pick (n) contests, and the first share shall be added to the first share carryover. The third share and the third share carryover, if any, shall be distributed to the holder of a unique winning ticket that selected the first-place finisher in each of the Pick (n) contests, based upon the official order of finish. If there is no unique winning ticket selecting the first-place finisher in each of the Pick (n) contests, the third share shall be added to the third share carryover. For greater certainty, the holder of a unique winning ticket shall receive both the first share, and first share carryover, if any as well as the third share, and the third share carryover, if any. Where there is no correct selection of the first-place finisher in at least one of the Pick (n) contests, based upon the official order of finish, the day's net pool shall be refunded and the previous carryover pool(s) amount(s), if any, shall be carried over to the next scheduled corresponding pool. In obtaining authorization for operating the Pick (n) pool under this subsection, associations must clearly identify which definition under ~~paragraph 16(b)~~ ARCI c. 9 cal. § G(16)(b) will be relied upon for determining the existence of a unique winning ticket.

(3) If there is a dead heat for first in any of the Pick (n) contests involving:

- (a) contestants representing the same betting interest, the Pick (n) pool shall be distributed as if no dead heat occurred;

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- (b) contestants representing two or more betting interests, the Pick (n) pool shall be distributed as a single price pool with each winning wager receiving an equal share of the profit. (ARCI c. 9 cal. § G(3))
- (4) Should a betting interest in any of the Pick (n) contests be scratched, the actual favorite, as evidenced by total amounts wagered in the Win pool at the host association for the contest at the close of wagering on that contest, shall be substituted for the scratched betting interest for all purposes, including pool calculations. In the event that the Win pool total for two or more favorites is identical, the substitute selection shall be the betting interest with the lowest program number. The totalisator shall produce reports showing each of the wagering combinations with substituted betting interests which became winners as a result of the substitution, in addition to the normal winning combination. (ARCI c. 9 cal. § G(4))
- (5) The Pick (n) pool shall be canceled and all Pick (n) wagers for the individual performance shall be refunded if:
 - (a) at least three contests included as part of a Pick 4, Pick 5 or Pick 6 are canceled or declared “no contest”;
 - (b) at least four contests included as part of a Pick 7, Pick 8 or Pick 9 are canceled or declared “no contest”;
 - (c) at least five contests included as part of a Pick 10 are canceled or declared “no contest”. (ARCI c. 9 cal. § G(5))
- (6) If at least one contest included as part of a Pick (n) is canceled or declared “no contest”, but not more than the number specified in 205 CMR 6.35(5), the net pool shall be distributed as a single price pool to those whose selection finished first in the greatest number of Pick (n) contests for that performance. Such distribution shall include the portion ordinarily retained for the Pick (n) carryover but not the carryover from previous performances. (ARCI c. 9 cal. § G(6))
- (7) The Pick (n) carryover may be capped at a designated level approved by the Commission so that if, at the close of any performance, the amount in the Pick (n) carryover equals or exceeds the designated cap, the Pick (n) carryover will be frozen until it is won or distributed under other provisions of 205 CMR 6.35. After the Pick (n) carryover is frozen, 100% of the net pool, part of which ordinarily would be added to the Pick (n) carryover, shall be distributed to those whose selection finished first in the greatest number of Pick (n) contests for that performance. (ARCI c. 9 cal. § G(7))
- (8) A written request for permission to distribute the Pick (n) carryover on a specific performance may be submitted to the Commission. The request must contain justification for the distribution, an explanation of the benefit to be derived, and the intended date and performance for the distribution. (ARCI c. 9 cal. § G(8))

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- (9) Should the Pick (n) carryover be designated for distribution on a specified date and performance in which there are no wagers selecting the first-place finisher in each of the Pick (n) contests, the entire pool shall be distributed as a single price pool to those whose selection finished first in the greatest number of Pick (n) contests. The Pick (n) carryover shall be designated for distribution on a specified date and performance only under the following circumstances:
- (a) upon written approval from the Commission as provided in 205 CMR 6.35(8);
 - (b) upon written approval from the Commission when there is a change in the carryover cap, a change from one type of Pick (n) wagering to another, or when the Pick (n) is discontinued;
 - (c) on the closing performance of the meet or split meet. (ARCI c. 9 cal. § G(9))
- (10) If, for any reason, the Pick (n) carryover must be held over to the corresponding Pick (n) pool of a subsequent meet, the carryover shall be deposited in an interest-bearing account approved by the Commission. The Pick (n) carryover plus accrued interest shall then be added to the net Pick (n) pool of the following meet on a date and performance so designated by the Commission. (ARCI c. 9 cal. § G(10))
- (11) With the written approval of the Commission, the association may contribute to the Pick (n) carryover a sum of money up to the amount of any designated cap. (ARCI c. 9 cal. § G(11))
- (12) Providing information to any person regarding covered combinations, amounts wagered on specific combinations, number of tickets sold, or number of live tickets remaining is strictly prohibited. This shall not prohibit necessary communication between totalisator and pari-mutuel department employees for processing of pool data. (ARCI c. 9 cal. § G(12))
- (13) The association may suspend previously-approved Pick (n) wagering with the prior approval of the Commission. Any carryover shall be held until the suspended Pick (n) wagering is reinstated. An association may request approval of a Pick (n) wager or separate wagering pool for specific performances. (ARCI c. 9 cal. § G(13))