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LEGISLATIVE TESTIMONY

To: Members of the Joint Committee on Consumer Protection and Professional Licensure

From: Edward F. Saunders, Jr., Esq., Executive Director

Re: Senate 191, "An Act to Control Gaming in Massachusetts," and Senate 217, "An Act Revitalizing Live Racing in the Commonwealth"

Date: March 18, 2008

The Massachusetts Catholic Conference ("Conference") respectfully submits this testimony in opposition to the above-referenced bills, both of which, with varying conditions, would permit the expansion of gambling in Massachusetts.

The Roman Catholic Church recognizes that gambling can be a legitimate form of recreation, but it can be accompanied also by a "passion [that] risks becoming an enslavement," and the Church considers gambling "morally unacceptable" when it "deprive[s] someone of what is necessary to provide for his needs and those of others."¹

The Roman Catholic Bishops in Massachusetts have opposed the expansion of gambling in the Commonwealth because, as explained in their most recent statement, "in gambling, especially in casinos and high stake lotteries, there are increased dangers and abuses that warrant vigilance and concern. There is no doubt that gambling can victimize the poor and often surpass 'legitimate recreation.' . . . [C]asinos and the authorization for additional slot machines will raise gambling to a new level in our Commonwealth. In addition these can also encourage addictive gambling. The state should not depend on gambling for resources to pay for needed services."²

In 1999, the National Gambling Impact Study Commission, created by Congress to investigate the gambling industry, and made up of gambling supporters and opponents, concluded that "there is a need for a 'pause' in the growth of gambling,"³ after noting that gambling's "rapid growth . . . begs a host of questions" that have not been adequately considered.⁴ The critical concerns identified by the Commission included whether "[gambling's] benefits outweigh its costs," whether it "will sap the very citizens it is intended to help," whether it will "raise or lower crime rates," and whether "more gambling [will] automatically mean more problem and pathological gambling"?⁵ The Commission observed that "[n]o one has definitive answers to

¹ Catechism of the Catholic Church, no. 2413 (included within a discussion of the Seventh Commandment, "You shall not steal").

² Catholic Bishops in Massachusetts, Statement on Gambling (Oct. 31, 2005).

³ Final Report of the National Gambling Impact Study Commission ("NGISC Final Report"), Executive Summary at 53 (June 18, 1999) available at <http://govinfo.library.unt.edu/ngisc/>.

⁴ NGISC Final Report, Executive Summary at 2.

⁵ Id.

these and other questions about gambling, least of all our policymakers, who are now caught short and, in some cases, may be flying blind as they attempt to formulate rational, informed gambling policies.”⁶

After completing what remains the most comprehensive and unbiased research to date, the Commission concluded that gambling, whatever its benefits, came with “undeniable and significant costs.”⁷ For example, the Commission found that economic benefits from creating establishments where gambling is allowed were generally limited to the establishment’s immediate vicinity while the social costs tended to be diffused throughout a broader geographic region.⁸ The Commission also “heard repeated testimony of desperate gamblers committing illegal acts to finance their problem and pathological gambling.”⁹ The Commission’s own research “suggest[ed] that a relationship may exist between gambling activity and the commission of a crime,”¹⁰ determined that “people within communities that host legalized gambling believe crime rates are up,” which the Commission found “troubling and demand[ed] greater research,”¹¹ and “found wide-spread perception among community leaders that indebtedness tends to increase with legalized gambling, as does youth crime, forgery and credit card theft, domestic violence, child neglect, problem gambling, and alcohol and drug offenses.”¹²

Further, “the Commission likewise heard abundant testimony and evidence that compulsive gambling introduces a greatly heightened level of stress and tension into marriages and families, often culminating in divorces and other manifestations of familial disharmony.”¹³ The Commission discovered that “[i]ndividuals with gambling problems seem to constitute a higher percentage of the homeless population”¹⁴ and that “[c]hildren of compulsive gamblers are often prone to suffer abuse, as well as neglect, as a result of parental problem or pathological gambling.”¹⁵ Of great interest to the Massachusetts debate, “It was brought to the Commission’s attention that cases of parents leaving their children in the Foxwoods casino parking lot became so commonplace that Foxwoods management posted signs warning that such incidents would be reported to the police.”¹⁶

Two more recent studies, both published in 2006 and updating and ratifying many of the findings of the National Gambling Impact Study Commission, also merit this Committee’s attention. First, in “the largest problem gambling survey conducted in the United States,”¹⁷ submitted by the National Opinion Research Center at the University of Chicago to the State of California’s Office of Problem and Pathological Gambling, researchers reported that “[t]he lifetime prevalence of problem and pathological gambling in California is particularly high among men,

⁶ Id.

⁷ NGISC Final Report, Chapter 7: Gambling’s Impacts on People and Places at 7-2.

⁸ Id. at 7-11.

⁹ Id. at 7-13.

¹⁰ Id. at 7-14.

¹¹ Id.

¹² Id.

¹³ Id. at 7-26.

¹⁴ Id. at 7-27.

¹⁵ Id. at 7-28.

¹⁶ Id.

¹⁷ Final Report: 2006 California Problem Gambling Prevalence Survey 20 (Aug. 2006) (“California Report”), available at http://www.adp.ca.gov/OPG/pdf/CA_Problem_Gambling_Prevalence_Survey-Final_Report.pdf.

African Americans and respondents who are disabled or unemployed,” and that “lifetime problem and pathological gamblers are significantly more likely than other gamblers and non-gamblers to smoke cigarettes daily and to have used tranquilizers, cocaine or other illicit drugs in the past year.”¹⁸

Second, in a review of current United Kingdom and international gambling data that was commissioned by Scotland’s government, it was reported that “[d]isadvantaged social groups who experience poverty, unemployment, dependence on welfare, and low levels of education and household income are most likely to suffer the adverse consequences of increased gambling.”¹⁹ Moreover, the Scottish report noted emerging trends where increased percentages of women and “relatively affluent people” are developing problems with gambling.²⁰

The Conference respectfully calls this Committee’s attention to Governor Deval Patrick’s own words when he announced last year his intention to expand gambling in the Commonwealth. In his press conference on September 17, 2007, he acknowledged that his proposal would cause additional hardships for individuals and families.²¹ He stated that “increases in drug and alcohol abuse, personal bankruptcy and even domestic violence have been documented.” The Governor affirmed that “the impact on an affected individual or families can be devastating.” He thus appears to accept the social problems associated with expanded gambling as a “cost of doing business” by proposing to set aside some of the Commonwealth’s casino income for treatment.

The bills before this Committee today are not good government. By authorizing expanded forms of gambling, the Commonwealth would be creating a new population of addicted gamblers. The harm will reach far beyond individual gamblers by affecting their spouses, children, dependents, employers and the community in which they live.

Government should promote the common good with the best interests of all citizens in mind. It is not “good economic policy” to increase the Commonwealth’s income at a cost that involves the personal well-being of its citizens.

In view of the many known problems related to gambling and to the expansion of gambling, and to the still preliminary though nonetheless disturbing nature of the scientific assessment of social risks, the Conference urges the Committee to give Senate 191 and 217 an unfavorable report recommending that these bills ought not pass.

The Conference is the public policy office of the Roman Catholic Bishops in the Commonwealth, representing the Archdiocese of Boston and the Dioceses of Fall River, Springfield, and Worcester.

¹⁸ California Report at 94-95.

¹⁹ Scottish Executive Social Research, Research on the Social Impacts of Gambling: Final Report, Executive Summary at 6 (2006) (“Scottish Report”), available at <http://www.scotland.gov.uk/Resource/Doc/143770/0036514.pdf>.

²⁰ Id. at 61, 62.

²¹ The following quotes from the Governor were part of his opening remarks at the press conference announcing his support for expanded gambling. See Transcript: Governor Unveils Casino Gaming Plan (Sept. 17, 2007), available at http://www.mass.gov/Agov3/video/2007-09-17_casino_announcement.rtf.