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Judge Michael Tynan, Dr. Timothy Fong, Harriet Rossetto, Rabbi Mark Borovitz, Judge Mark Farrell, Judge Terry Smerling, Kathy Marks, Terri Sue Canale
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Wanted: A State of California Gambling Court

By Joleen Deatherage, LA Nonprofit Business Examiner
June 3rd, 2011 11:14 pm PT

Does California need a Gambling Court? According to Beit T'Shuvah, a successful residential treatment and prevention center based in Los Angeles, that's exactly what California needs.

Recently, the organization sponsored a luncheon to raise awareness about gambling addiction and its causal relationship to crime featuring Judge Mark Farrell - a New York judge presiding over the only active Gambling Court in the country.

"Gambling produces the same neurological reaction as stimulant drugs like cocaine and methamphetamine," said Kathy Marks, Program Director of Beit T'Shuvah's Right Action Gambling Program. "Beit T'Shuvah, along with founders and advocates of Drug and DUI court, believe that rehabilitation, not incarceration, heals the social wounds of crimes that stem from treatable mental disorders."

Since 2001, Judge Farrell has tried a variety of cases ranging from larceny, burglary, and fraud to auto theft and even aggravated assault. Remarkably, the Gambling Court works. The percentage of Judge Farrell's Gambling Court graduates who become repeat offenders is virtually nonexistent; of the first 100 graduates, only one has since been convicted of another crime, and it was not related to gambling.

The statistics on gambling addiction are staggering. The National Council on Problem Gambling reports:

- Gambling is the fastest growing addiction among adolescents.
- 2-3% of the nation's population meets the criteria for a gambling disorder (approximately 4 million adults and 500,000 adolescents).
- The highest access to the gaming industry in the nation resides in California.
- The effects of gambling addiction cost society 6.9 billion dollars annually.
- Gambling addicts commit 40% of white collar crime.
- Conservative estimates place the annual cost to American tax payers at over $10,000 per

pathological gambler.

At the May 20th luncheon hosted by Beit T'Shuvah, Judge Farrell was joined by Judge Michael Tynan - a Los Angeles Superior Court Judge who presides over the county's Drug and Alcohol Court. Judge Farrell recounted how Judge Tynan influenced him on an important point of law: *How do you balance the law with the human being?*

"In a traditional court, you have a crime and a sentence. In a progressive court, you have therapeutic justice," said Judge Farrell. "In therapeutic justice, our goal is to treat the addiction so the offender doesn't commit that crime again."

Judge Farrell related the similarities between gambling and drug addiction, and cited medical evidence that gambling addicts share the same MRI results as drug and alcohol addicts.

"The carnage is tremendous, but not always understood," Judge Farrell said. "A therapeutic approach works with gamblers. Monitoring and education is much more challenging, but gamblers need intervention and they need treatment. There has to be a motivational base and that's what a Gambling Court provides."

Joining the panel was Dr. Timothy Fong - an Associate Professor of Psychiatry at UCLA who is also Director of the university's Addiction Medicine Clinic and Co-Director of the Gambling Studies Program. Dr. Fong pointed to four forms of gambling in California: the lottery, horse track, car clubs and tribal casinos - all of which generate 10 billion annually in state revenue, and that figure doesn't include online gambling.

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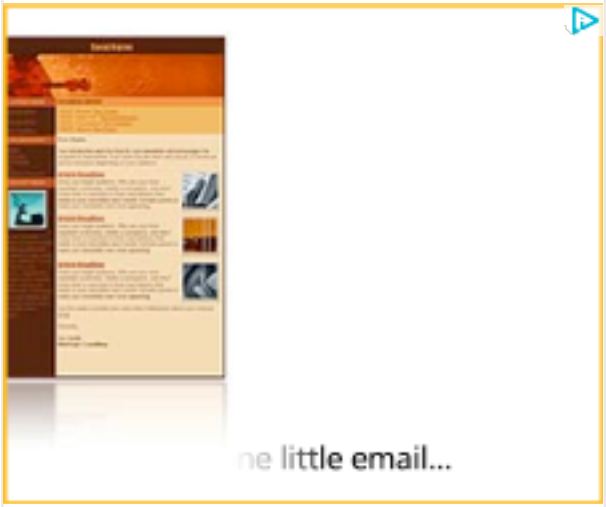

"Pathological gambling is a major addiction," said Dr. Fong. "We have to treat the root cause which is an *untreated* gambling addiction."

The event attracted a wide range of supporters and advocates including a representative from the State of California's Office of Problem Gambling - Terri Sue Canale, Deputy Director of the Department of Alcohol and Drug Programs. A brand new program was launched in January 2011 to address gambling addiction. Canale's office provides training and technical assistance to organizations, and ironically, their funding comes from Indian gaming.

Two of the most moving presenters at the luncheon included the father of a gambling addict who lost 5.2 million dollars over a three and a half year period playing poker. The father shared how a federal judge disregarded the addiction factor entirely and would only look at the criminal factor. No one from the family was allowed to speak at the hearing or sentencing. The emotional impact was still evident on the father's

face.

Next, a well-dressed young man stepped forward and shared with the audience how at age 11, he experienced gambling on a cruise ship when he asked an older couple to bet $5 for him. He won and was hooked. In spite of coming from an Orthodox Jewish family, he found himself on a downward path of lying and manipulation. In order to support his gambling addiction, which sometimes involved betting on 30 NBA games a night, he embezzled from his family's business and eventually landed in prison. He quickly discovered that prison is a hotbed for contriband where gambling is exalted - inmates offered to pay him for poker lessons with bowls of soup.

The data and personal stories illustrate the ineffectiveness of incarceration which is why Beit T'Shuvah is working hard to catalyze a major change within the California judicial system. Currently, the California judicial system provides an alternative to incarceration for drug addicted and alcoholic offenders, allowing them to instead receive treatment for their addiction. Beit T'Shuvah wants to see the same alternative for gambling-related offenders.

Gambling court has the highest proven method in reducing recidivism and the cost of gambling court is one sixth the cost of incarceration. Restitution to victims is a requirement which decreases the devastating effects on both the families and society as a whole.

For more information on the Gambling Court initiative, contact Kathy Marks at (310) 204-5200 or visit www.beittshuvah.org.

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