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**Is your newspaper under 50,000 circulation or above 50,000 circulation?**

Less than 50,000

**Please give a brief explanation of issues discussed and the results achieved. (This space will expand as you type in your comments.)**

These editorials addressed the problems caused by illegal gambling allowed under a flawed state law.

## Whose interest is government serving on game rooms?

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**Byline:** By MICHAEL A. SMITH

### Content

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The inventory of items sheriff's deputies seized during two raids in May on so-called game rooms suspected of being illegal gambling dens is interesting for what's not listed.

Deputies reported taking almost \$9,000 in cash, 48 video slot machines, a surveillance camera, multiple TVs, an iPad, computer equipment and a printer.

What's not listed is any cheap novelty items — rabbit's-foot keychains, rubber snakes, little dashboard hula dancers and the like. That absence is significant because the only way such places can legally possess and operate video slot machines is by paying winners off with cheap novelty items worth \$5 or less. You'd think they'd have some of that on hand.

What these game rooms had on hand instead was a fair amount of cash money. It was actually an extremely large amount of money for a small operation to have on hand during these days of digital commerce. It was a small amount, however, compared to what law enforcement officers have seized during other raids on the same sorts of places. They have collected tens of thousands of dollars in the past.

Things officers seize during such raids become evidence to support the prosecution of charges against people operating the illegal gambling establishments. Most times, we suspect, the law officers get cuffs on some midlevel manager working for wages. Despite their efforts, it seems unlikely officers ever get close to the people actually behind the proliferation of illegal gambling halls all over the state. We suspect those are organized criminals skilled at obscuring the money trail and careful to keep ranks of expendable people between them and the law.

Be that as it may, there are sets of the responsible parties who can't hide from Texans wanting this problem solved. One of those is the Galveston County

Commissioners Court, which has for years had the power to enact rules meant to regulate game rooms, but has failed to act in any effective way. Why that may be is becoming a bigger and bigger elephant occupying a smaller and smaller room.

Those local elected officials are only partly at fault, however. The main responsibility falls directly on the Texas Legislature, which created the grand fiction that allows thousands of unregulated low-end casinos to flourish all over the state. Those lawmakers could solve the problem with a single bill making possession of gambling devices illegal.

When state lawmakers created the grand fiction — which is that some people might invest money in scores of video slot machines with the intent of operating them as simple amusement devices, and that lots of people might feed lots of money into those machines for a chance to win nothing much — they created another unfunded mandate. They mandated that local people would have to spend local tax dollars to battle a criminal industry created, nurtured and protected by the state of Texas itself.

Those May raids were the culmination of an undercover operation that began in January, according to an affidavit. About five months of police work so far has achieved one felony charge. We can't say how much that cost just yet, but we are asking and suspect it wasn't cheap.

Despite many other raids over the years, the casinos often reopen under new ownership, Maj. Barry Cook told a Daily News reporter.

“Our running raids against them is simply an inconvenience against them,” Cook said.

Every taxpayer should think about that. Are elected leaders here and in Austin looking out for your interest on this issue, or somebody else's?

• **Michael A. Smith**

## **Tagline**

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## For game rooms, there's aiding and abetting aplenty

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### Content

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Has someone in Hitchcock or Galveston County government been protecting illegal gambling dens?

That's among the hot questions arising from a lawsuit a Harris County man filed against a pair he claims as partners in two Hitchcock game rooms, and a third defendant he claims is a silent partner who provides protection from law enforcement.

Another hot question, of course, is who that public employee or official might be if the claims are true.

A simpler question, however, is who in governments from Austin on down isn't aiding and abetting the illegal gambling halls operating all over the state?

As best we can tell, when it comes to soft-balling, tiptoeing and generally looking the other way, everybody in government is in on the game.

Muhammad Zubair Safdar is suing to get out of a partnership that owns two Hitchcock game rooms, asserting, among other things, that a public employee of either the city or county government is aiding the operation of illegal gambling parlors.

Safdar sued Creative Establishment, Zeeshan Rajpute, of Sugar Land, and Sarwar Jawad on Sept. 4 in the 405th District Court, seeking between \$100,000 and \$500,000 in damages.

The lawsuit also lists a John Doe employee of either the city or Galveston County as a defendant, court records show.

The defendant owners argue they aren't operating illegally, Zeeshan Rajpute, said.

"Everything is by the book," Rajpute said. "The city, the sheriff and the state comptroller have been out and we've passed with flying colors."

Texas outlaws gambling and electronic gambling devices, but allows an exemption for businesses that offer small non-cash prizes, limited to \$5 or 10 times the cost of playing the game, whichever is smaller.

So, it's technically possible for a game room to operate legally under state law.

Safdar, Jawad and Rajpute formed Creative Establishment LLC, each with a 33 percent ownership stake, to hold and operate Lone Star Game Room and Luckey's Game Room in Hitchcock, according to the lawsuit.

Safdar came to suspect the other two men were operating illegally by paying out cash to winners, despite the fact they had agreed not to do so, the lawsuit asserts.

"The two men were very comfortable giving out cash without even making appearances to hide it," Altaf Adam, the attorney representing Safdar, said.

"They further represented that they have an inside person who works for the authorities and that this person is a secret partner in the game rooms," the lawsuit asserts.

The secret partner ensures the game rooms aren't investigated and works to shut down competing game rooms, the lawsuit asserts.

The lawsuit promises to get interesting, assuming it's not quickly, quietly settled.

In the meantime, it's worth asking again who in government is not abetting illegal game rooms?

The Texas Legislature certainly is by maintaining the gaping legal loophole through which they operate.

And closer to home? County commissioners have for going on three years had authority to regulate game rooms but have not done so. Commissioners rejected a set of regulations because it was drafted without input from the sheriff. That draft envisioned a regulatory scheme in which a single code enforcement officer would somehow regulate all the video slot parlors in the county, a number that's unknown, but large.

Recently, the court said it might act on a plan apparently drafted without input from the sheriff, and envisioning a regulatory scheme in which a single code enforcement officer would somehow regulate all the video slot parlors in the county.

What does that perfect bureaucratic circle indicate? Who knows. What it doesn't indicate, however, is commitment battling game rooms, despite their illegality and the fact they incubate worse crimes, including armed robbery and murder.

• **Michael A. Smith**

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