

Crime and Disordered Gambling

Jerry Bauerkemper

- ▶ Today we will look:
- ▶ What types of gambling is legal in Oregon and Washington
- ▶ Problem and disordered gambling and crime
- ▶ Prison and Crime
- ▶ Domestic Violence and crime
- ▶ Recovery and crime
- ▶ Reporting to the courts on patient recovery



Class three casino gambling legal in Oregon and Washington (Tribal).

Class 2 and 3 are all legal as is sports gambling with some restrictions
Washington only within boundaries of tribal. Oregon online approved

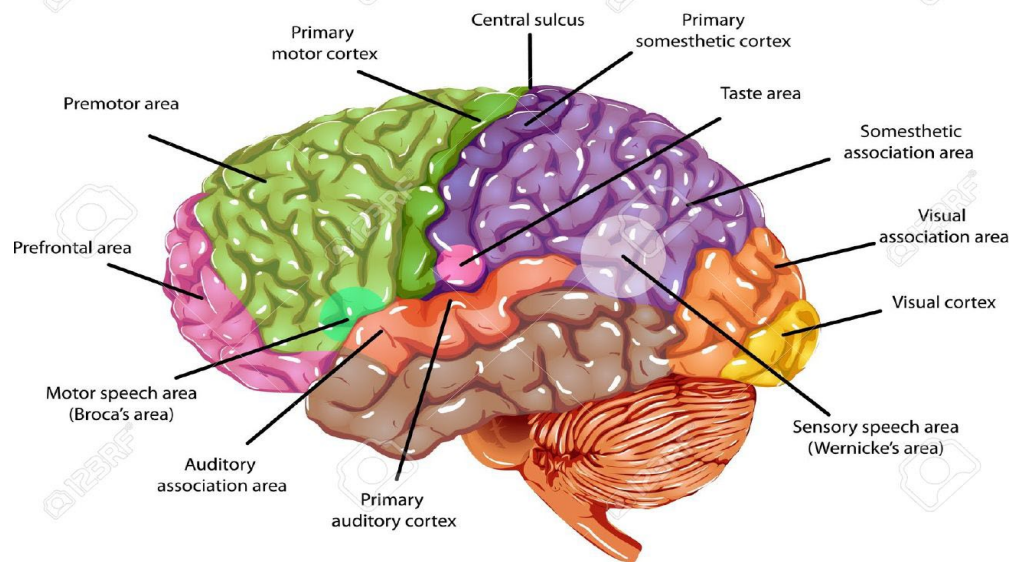


In order to understand crime and gambling we need to understand disordered gambling

- ▶ Disordered gambling changes the way the brain looks at life
- ▶ Thought processes are hijacked
- ▶ The ability to think with a rational mind is compromised
- ▶ The ability to defer gratification is also compromised
- ▶ Desperation around gambling promotes the thoughts of compromised values

Problem Gambling May Start in Failure of Brain's Fear Instinct

Regions of the Human Brain



A study has found that a part of the brain that controls fear may prevent gambling, even when the estimated benefit is greater than the cost. Conversely, those whose amygdala's, containing the brain's fear responses, are damaged were found to gamble even when the odds are against them, like problem gamblers.

California Institute of Technology and the University College of London

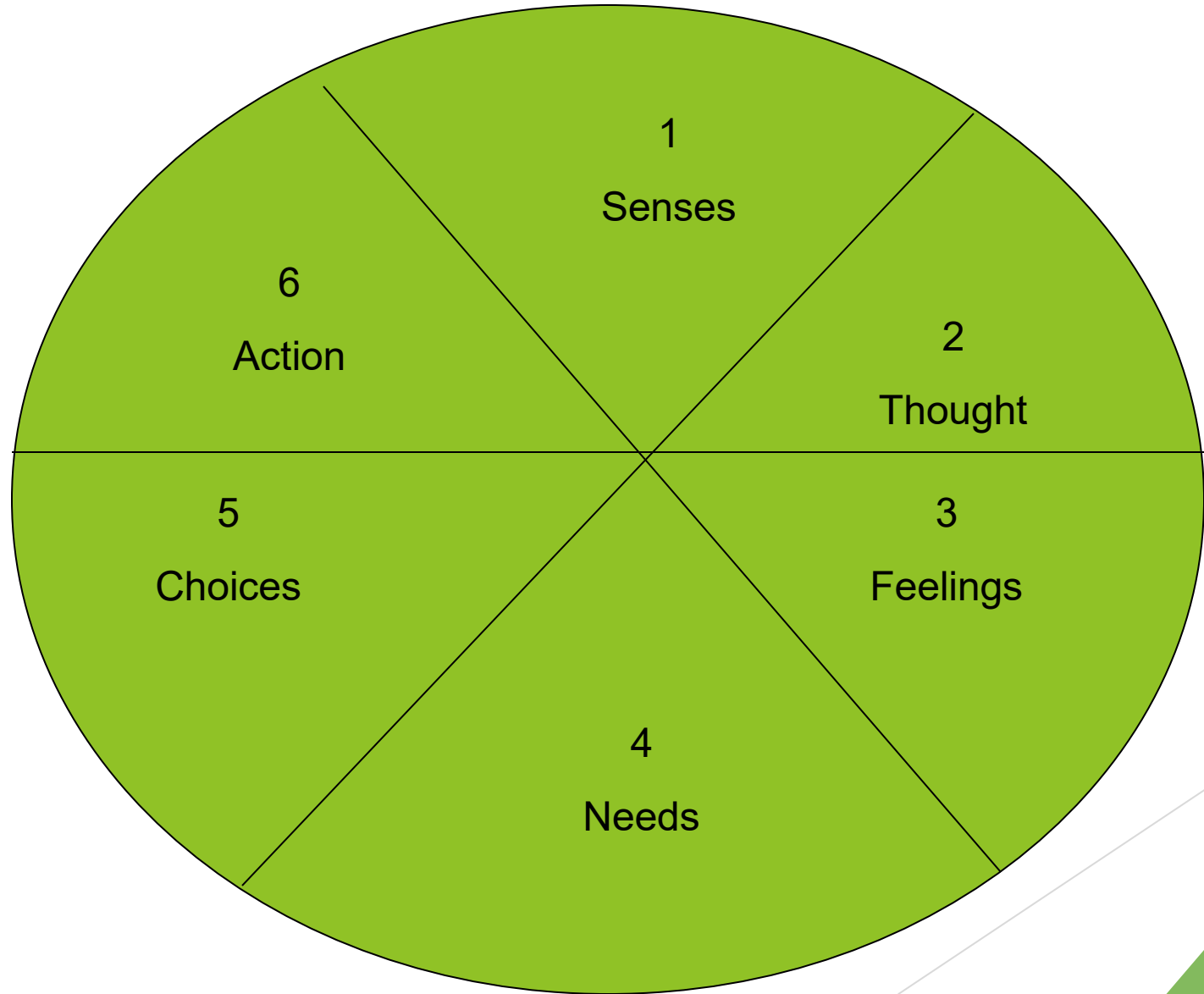
The brain is hijacked

- ▶ Disordered gambling moves the thought process from the prefrontal cortex to the limbic system.
- ▶ It moves the brain from ordered decision making to the amygdala and flight or fight

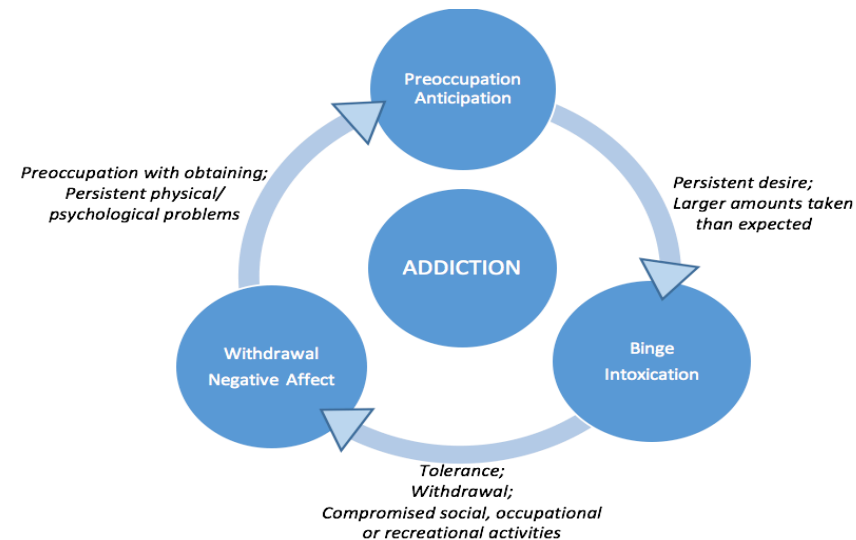
The brain loves pleasure

- ▶ The pleasure centers become paramount in gambling
- ▶ Endorphines, Dopamine, Serotonin
- ▶ Missing Oxytocin

Thought Process Wheel



Gambling produces a cycle of addiction wherein gamblers acquire debt from gambling and must then gamble to earn money to pay off these debts while remaining stuck in this pattern and unable to desist resulting in gambling-motivated crimes



Problem Gambling and Crime

- ▶ A study of callers to a problem gambling helpline (Potenza et al., 2000) found that problem gamblers who reported legal problems related to their gambling were not only likely to experience more severe gambling problems, but also to experience a wider range of addiction and mental health problems including attempted suicides.



Crime and Problem Gambling: A Research Landscape: The report of the Commission on Crime and Problem Gambling

- ▶ There is a clear relationship between disordered gambling and crime, with high prevalence rates of crimes being committed by people in order to fund their gambling (Williams et al, 2005)
- ▶ Certain demographics are more likely to commit crimes, in addition to having increased vulnerability to gambling addiction (Perrone et al, 2013; Turner et al, 2017)

Georgia State University study

- ▶ Problem gamblers had an arrest rate of 8 times that of non gamblers
- ▶ Had an imprisonment rate of 40 times higher than non gamblers
- ▶ National Institute of Justice study reported problem gamblers 3 to 5 times higher rates among offenders than the general criminal population
- ▶ Also they found 1/3 of those offenders had committed robbery within the past year and 13% had assaulted someone

Problem gambling, crime appear co-symptomatic, not causal

- ▶ “We’re finding that it’s not so much that problem gambling causes crime, but rather that the same background characteristics that contribute to predicting the likelihood of someone being a problem gambler also predict that they’ll engage in crime,”
- ▶ Christopher Dennison, assistant professor of sociology, College of Arts and Sciences. (2020)

Problem Gambling and Crime and its Costs

- ▶ Common risk factors underlying both problem gambling and crime may explain non-monetary crime (26-28). For example, both of these behaviors are likelier to develop if someone:
 - ▶ • Experienced inadequate parental supervision in childhood
 - ▶ • Was part of a social circle where these behaviors were acceptable
 - ▶ • Had a family member who has been arrested
 - ▶ • Was predisposed to impulsivity
 - ▶ • Had a higher than normal level of anxiety
- ▶ David T. Kryszajtys, PhD Student Dr. Flora I. Matheson, PhD

Problem Gambling and Crime and its Costs

David T. Kryszajtys, PhD Student Dr. Flora I. Matheson, PhD

- ▶ Some studies have taken a closer look at why individuals cross the line to seek income illegally, specifically concerning the crime of embezzlement (14-16). They argue that embezzlement arises among people experiencing gambling problems, because:
 - ▶ • They have an opportunity to embezzle as trusted employees in control of finances
 - ▶ • They feel pressure to do so as a result of their gambling
 - ▶ • They rationalize their activity as borrowing

How much do disordered gamblers lose each year? Costs of Disordered Gambling

- ▶ Swedish study:
 - ▶ Average cost of problem gambler \$4,400 per year
 - ▶ Cost of severe disordered gambling per person: \$30,000 (includes healthcare, treatment, productivity loss, unemployment, crime, homelessness, suicide)

Problem Gambling costs in US estimated at \$8B/year

4,121 subjects for the Ontario Problem Gambling Research Centre. (2021)

- ▶ “In this study, the nearest casino is over sixty-four miles away from the population studied. We estimate that being a problem gambler increases one’s likelihood of committing crime by 4.3 to 7.6 percentage points.”
- ▶ *Earl L. Grinols^a & David B. Mustard*

What kinds of rates of disordered gambling are we talking about?

- ▶ Addiction rates vary from 1.2% (Florida) to 6.2% (Oklahoma)
- ▶ 52% of all slot machine players have problems with gambling
- ▶ 77% of those with disordered gambling play online
- ▶ One study estimates persons with gambling issues lose \$16,750 per year
- ▶ In California the average gambler who calls the helpline spent \$46,000 per year on gambling in 2020
- ▶ A study of 300 homeless individuals showed 23% had gambling problems
- ▶ Source: AGA 2023

The more complex, prolonged and persistent the gambling problem, the more likely that a crime will be committed and, indeed, that many crimes may result (Turner et al, 2009; Perrone et al, 2013)



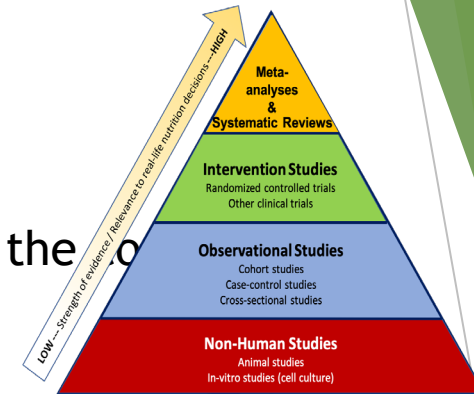
Problem Gambling and Crime

- ▶ Blaszczynski (1996) concluded that crimes committed by pathological gamblers occurred late in their gambling career & were secondary or existing to the gambling disorder.

Problem Gambling and Crime

- ▶ Problem and pathological (now called Disordered Gambling) gambling have consistently been associated with illegal activities and adverse legal consequences (i.e., arrests, incarceration).
- ▶ Studies of Gamblers Anonymous report that approximately 50% of members had stolen to gamble and over 33% had been arrested (Thompson et al, 1996; Rosenthal & Lesieur, 1996).

Ledgerwood et al (2007) surveyed gamblers in treatment in the for their addiction in Connecticut (USA)



Found that gambling-related illegal behavior was common in the sample, with **27.3 per cent of participants reporting at least one gambling-related illegal act in the year before entering treatment.** Illegal behavior reported included fraudulent financial dealings (such as writing bad checks), theft, unauthorized use of a credit card, forgery or embezzlement.

Commission on crime 2020 Sarah Ramanauskas Senior Partner Audit and Research, Gambling Integrity

NEARLY 70 PERCENT OF GAMBLERS ASSESSED AS HAVING A SEVERE PROBLEM REPORTED ENGAGING IN ILLEGAL ACTS RELATING TO GAMBLING, COMPARED TO ROUGHLY 26 PERCENT ASSESSED TO HAVE MODERATE SEVERITY

A STUDY OF GAMBLERS ANONYMOUS MEMBERS FOUND THAT 57 PERCENT HAD STOLEN TO FINANCE THEIR GAMBLING WITH A COMBINED FINANCIAL IMPACT OF THEFT EQUALING \$30 MILLION

COMPULSIVE GAMBLERS ARE ARRESTED SEVEN TIMES MORE FREQUENTLY THAN NON-GAMBLERS



• High rates of co-morbidity, which may ...

• High rates of co-morbidity, which may be related to offending

- Incarcerated felons with an alcohol/drug problem were more likely to have a gambling problem
- Over 80% of pathological gamblers were at risk for alcohol or drug abuse/dependency¹¹
- Pathological gamblers who also have a substance abuse problem were significantly more likely than those without a co-morbid condition (problem gambling **or** substance abuse) to report having assaulted someone, stolen, or sold drugs within the past year¹¹

• Those most in need of treatment rarely get help:

- Only 5.4% of offenders assessed as having a gambling problem reported having ever been in treatment or attending a self-help group for gambling
- Among those incarcerated who were aware that they had a gambling problem, between 74% and 60% reported wanting help, yet only about 25% of them sought assistance

^{13, 14}



- **Roughly 50.0% of problem gamblers commit crimes**^{1, 2, 3}
- **The majority of crimes committed by problem gamblers are fueled by their gambling (either to obtain money to gamble with or to pay gambling debts)**
 - Over two-thirds of pathological gamblers who committed crimes reportedly did so as a direct result of gambling: 40.4% reported only committing crimes related to their gambling¹

“80 to 90 percent of people in Gamblers Anonymous will tell you they did something illegal in order to get money to gamble. A lot of them do white collar crimes, fraud, credit card and employee theft.” *(Looney, 1998)*⁴

Does Gambling really lead to Crime: A Closer Look

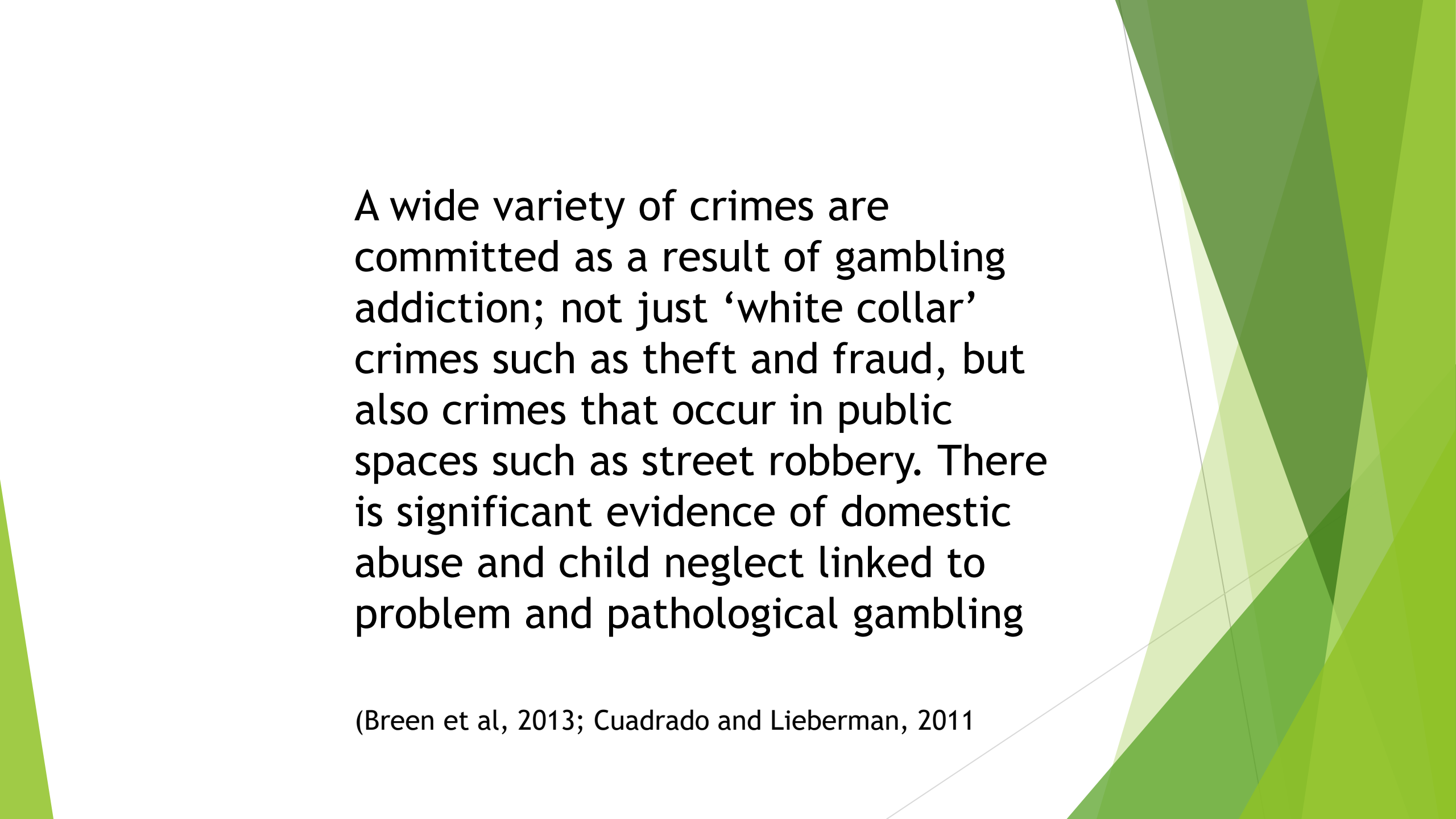
Wager Vol 25(5)

Which Background Characteristics are More Common in Future Problem Gamblers?	
More Common	Not More Common
<ul style="list-style-type: none">• Being Male• Not living with both biological parents• Delinquency• Low GPA• Not feeling close to parents• Low self-control• Working 20+ hours• Low religious involvement	<ul style="list-style-type: none">• Being a certain ethnicity• Low socioeconomic status• Receiving public assistance• Feeling alienated from school• Low vocabulary test scores• Depression

Figure. The left part of the table shows the background characteristics that were more common among adolescents who would later report problem gambling than

Sue McNabb General Assistant Attorney General State of Louisiana

- ▶ Criminal activities such as theft, forgery, issuing worthless checks, credit card fraud, insurance fraud, and failure to pay child support are typical felonies or misdemeanors, related to gambling addiction(issues).
- ▶ Almost without exception, gambling addicts (those with gambling issues)are incarcerated or otherwise punished without given either an option or an opportunity to solve their problems through treatment.

The background features abstract, overlapping geometric shapes in various shades of green, ranging from light lime to dark forest green. The shapes are primarily triangles and polygons, creating a dynamic, layered effect. The overall composition is clean and modern, with the text centered on a white background.

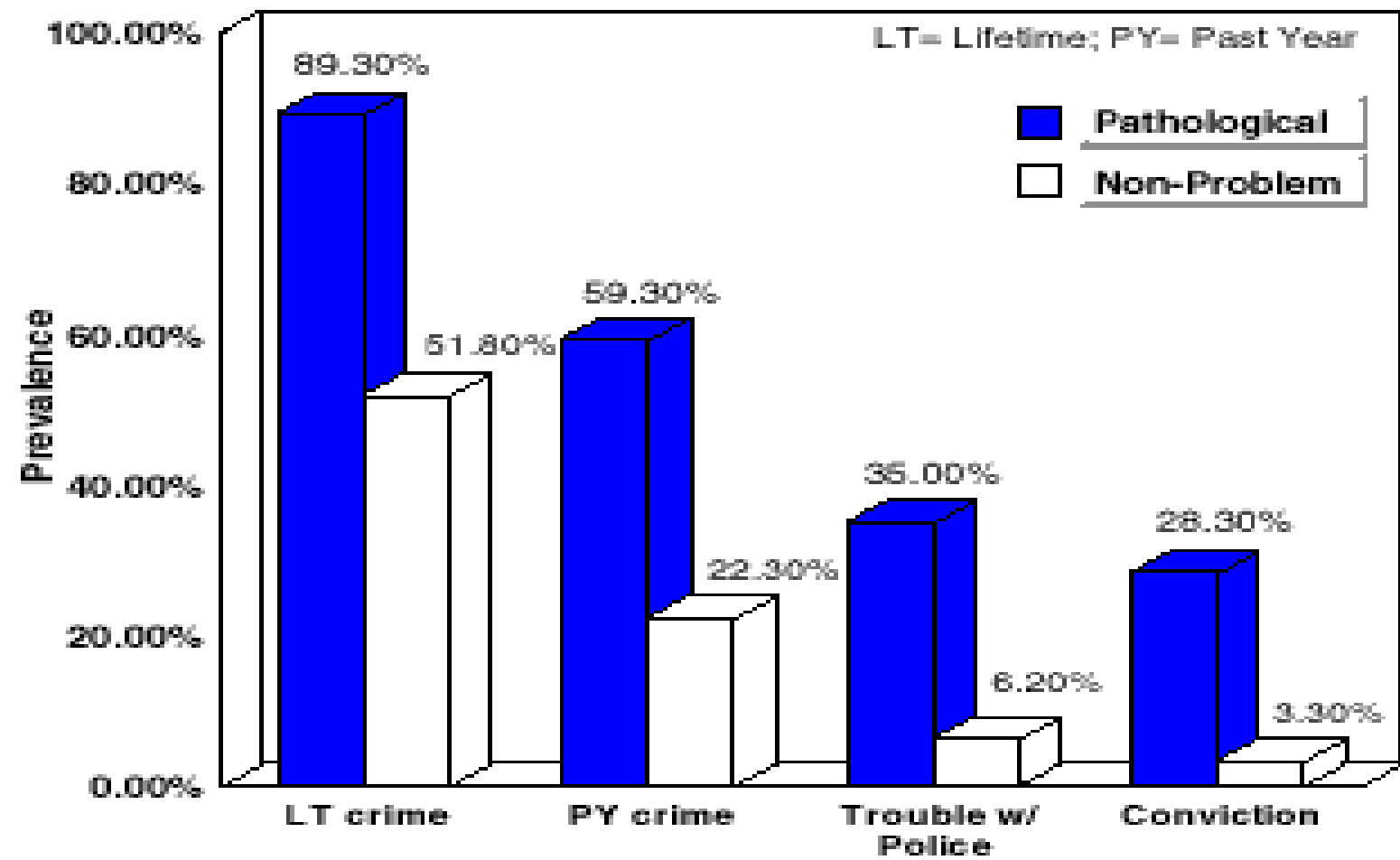
A wide variety of crimes are committed as a result of gambling addiction; not just ‘white collar’ crimes such as theft and fraud, but also crimes that occur in public spaces such as street robbery. There is significant evidence of domestic abuse and child neglect linked to problem and pathological gambling

(Breen et al, 2013; Cuadrado and Lieberman, 2011)



Problem Gambling and Crime

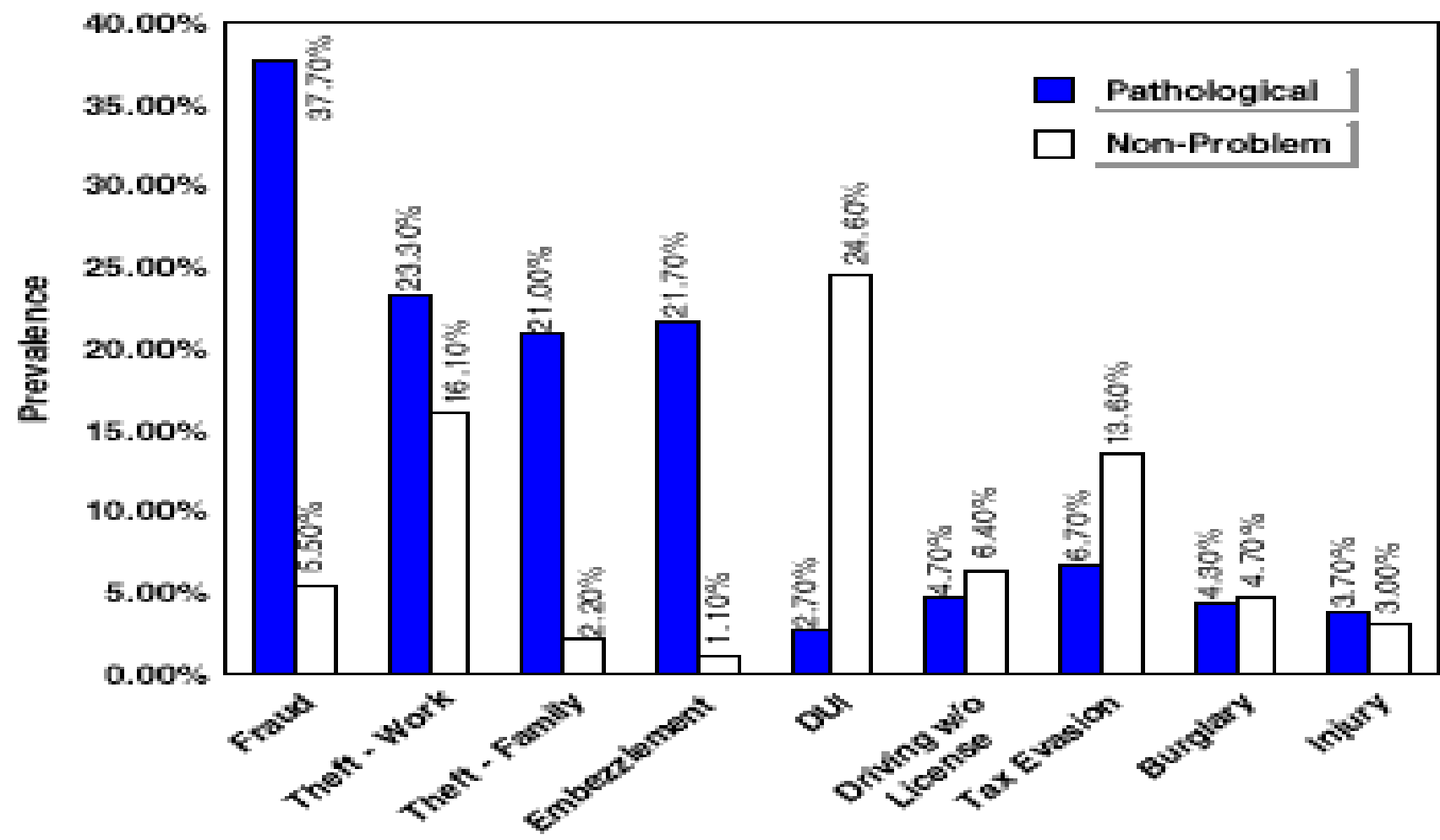
Meyer & Stadler, 1999



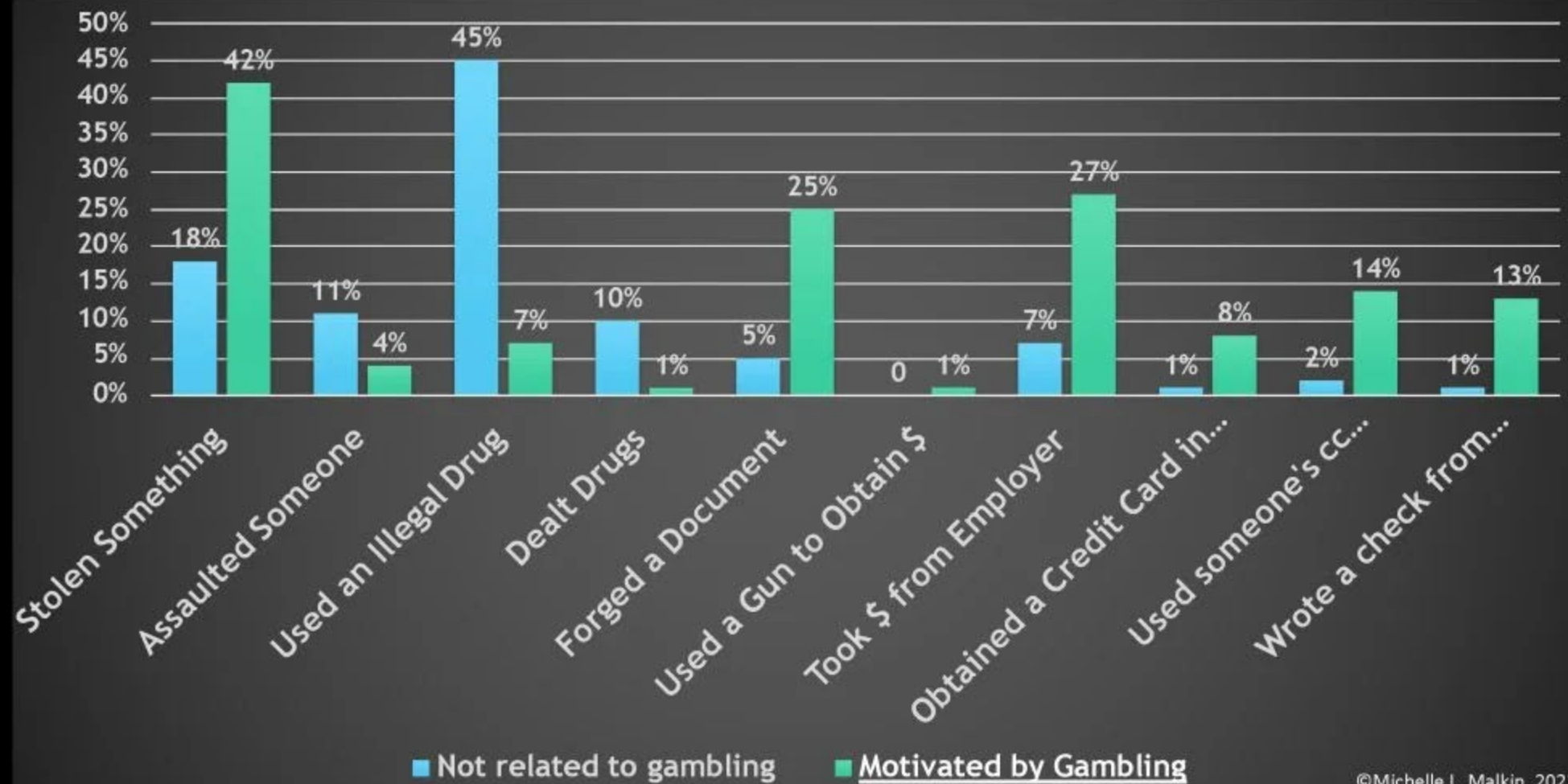


Problem Gambling and Crime

Meyer & Stadler, 1999



Gambling-Motivated Crimes (N=195)



Research suggests that the rate of problem gambling is higher among male and female prisoners in prison, compared to the general population. **Problem gambling is markedly higher amongst women than in the general population** (as reported in Finnish research by Lind and Kääriäinen

2018 and Australian research by Perrone et al, 2013)

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- ▶ **Research suggests that there is little treatment and support for problem gamblers in prison, however, there is evidence of resistance to undertaking treatment amongst prisoners (Lahn, 2005; Turner et al, 2017)**

6 Different Types of Crimes

▶ Crimes Against Persons

- ▶ Crimes against persons also called personal crimes, include murder, aggravated assault, rape, and robbery.

▶ Crimes Against Property

- ▶ Property crimes involve the theft of property without bodily harm, such as burglary, larceny, auto theft, and arson.

▶ Hate Crimes

- ▶ Hate crimes are crimes against persons or property that are committed while invoking prejudices of race, gender or gender identity, religion, disability, sexual orientation, or ethnicity.

6 Different Types of Crimes

▶ Crimes Against Morality

- ▶ Crimes against morality are also called victimless crimes because there is no complainant or victim. Prostitution, illegal gambling, and illegal drug use are all examples of victimless crimes.

▶ White-Collar Crime

- ▶ White-collar crimes are crimes committed by people of high social status who commit their crimes in the context of their occupation. This includes embezzling (stealing money from one's employer), insider trading, tax evasion, and other violations of income tax laws.

▶ Organized Crime

- ▶ Organized crime is committed by structured groups typically involving the distribution and sale of illegal goods and services.

What do we mean by “Gambling-Motivated Crime”?

- **Primarily non-violent**, financial crimes that are committed in order to pay off gambling debts and/or continue gambling
- While there may be some problem gamblers who commit other types of crimes, the prevailing type of offense by **problem gamblers are acquisitive (or monetary)** in nature (Adolphe et al., 2018)
- The most common types of gambling-motivated crimes are **embezzlement, larceny, theft, robbery, and counterfeit currency**
 - **Most often committed against family, friends, or employers are seen as crimes of trust**

The most common types of gambling prior to prison are :

Gambling machines (slots) ($n = 89, 49\%$),

Sports ($n = 84, 46\%$),

Horses/dogs/other animals ($n = 76, 42\%$),

lottery ($n = 68, 37\%$),

casino ($n = 65, 36\%$),

online gambling ($n = 61, 33\%$)

and card/dice games ($n = 45, 24\%$).

Fixed odds betting terminals (FOBT), bingo and the stock market were the least popular ($n = 25, 14\%$ for FOBT and bingo; and $n = 12, 7\%$ for stock market).

Of those who reported gambling prior to prison, 45 (24%) reported just one type of gambling while 40 (22%) engaged in two, 28 (15%) engaged in three, 18 (10%) engaged in four, 22 (12%) engaged in 5, and 23 (12%) engaged in six or more different activities.

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The most common currencies used in gambling in prison were:

Food, with canteen food such as sweets/chocolate being the most popular (44%, 39% respectively), with some prisoners using mixed economies.

Cash was used by almost a third of those who gambled ($n = 40$, 32%).

Other canteen items ($n = 35$, 28%), cigarettes ($n = 31$, 25%), drugs ($n = 16$, 13%), drinks ($n = 16$, 13%), stamps ($n = 0$, 8%), alcohol ($n = 6$, 5%), services ($n = 5$, 4%), dares ($n = 6$, 5%)

And favors/promises ($n = 3$, 2%) were also gambled.

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Partner Audit and Research, Gambling Integrity

Gambling and Violence

- ▶ The researchers surveyed 1,030 consecutively admitted clients at 11 treatment agencies across three provinces in Australia.
- ▶ **Results**
- ▶ **About 12% (120) of participants reported problem gambling within the family.**
 - ▶ **Of these, 52.5% reported some form of family violence in the past 12 months:**
 - ▶ 20.0% reported only victimization,
 - ▶ 10.8% reported only perpetration,
 - ▶ 21.6% reported both victimization and perpetration.
- ▶ By comparison, estimates for the twelve-month prevalence rate for partner abuse in Australia range from 2.1% to 28.0% (Hegarty & Roberts 2008).

Determining the Relationship Between Gambling & Crime

	Problem Gamb	Non-Prob Gamb
Dom. Violence	23.5%	16.5%
Violence	0%	15.0%
Sub.Ab./DUI	29.4%	43.5%
Money Related	29.4%	15.5%
Other	11.8%	9.5%

Important Questions

- ▶ **Do you have any legal charges pending or fear of possible charges, i.e. insufficient fund checks, kited checks, advanced checks, theft, embezzlement, drug charges, forgery, credit card theft, insurance fraud, DWI, back child support, assault?**

Lifetime Co-morbidity

Kessler et al., 2008 (National Comorbidity Survey Replication)

Disorder	Prevalence of Disorder among PG	Temporal Sequence (For those with PG and other disorder)		
		PG First	Other Disorder First	Onset at same time
Any mood Disorder	55.6%	23.1%	64.1%	11.7%
Any anxiety disorder	60.3%	12.4%	82.1%	4.5%
Any Impulse Disorder	42.3%	0%	100%	0%
Any substance use disorder	42.3%	36.2%	57.4%	6.4%

Gambling and Recovery with the courts

- ▶ There are several types of court involvement and types of recovery
- ▶ Gamblers can have both civil and criminal courts they must reconcile in their recovery process

Civil Settlements

- ▶ Lawsuit judgments for such things as injuries or death in a car accident, workman's compensation, or product claims may be paid out in a lump sum or in periodic payments known as a structured settlement. Structured settlements are generally preferred for problem gamblers, unless a trust will be used.



Court Procedures and the 5 R's

- ▶ Remorse
- ▶ Repentance
- ▶ Restitution
- ▶ Rehabilitation
- ▶ Recovery





GAI - 7 scales

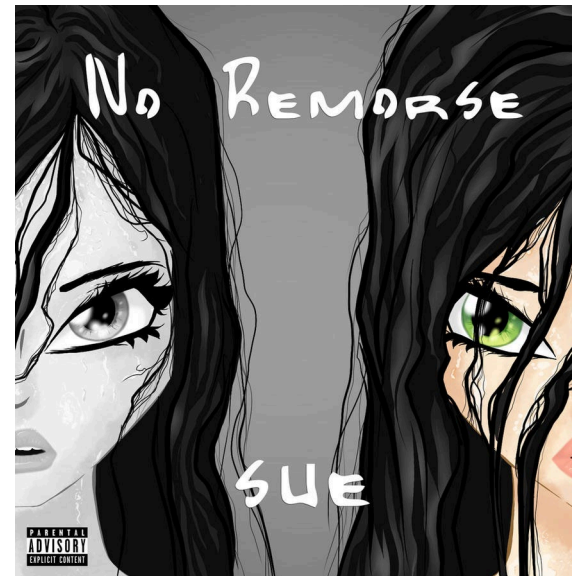
- ▶ Truthfulness Scale - Establishes how truthful the gambler was while completing the scale.
- ▶ Gambling Scale - Determines the severity of gambling.
- ▶ Suicide Scale - Identifies desperation
- ▶ Attitude Scale - Measures gambler's resistance to help.
- ▶ Alcohol Scale - Measure alcohol abuse
- ▶ Drug Scale - Classifies the severity of drug abuse.
- ▶ Stress Coping Abilities Scale - Measures ability to cope with stress.

Lets look at what these 5 “Rs”mean



Remorse

- ▶ Remorse: A deep regret coming from a sense of guilt for past wrongs
- ▶ Remorse a distressing emotion experienced by an individual who regrets actions which they have done in the past that they seem to be shameful hurtful or wrong
- ▶ Synonyms:
 - ▶ Contrition
 - ▶ Penitence
 - ▶ Repentance



Repentance:

- ▶ Repentance:
- ▶ The action of repenting sincere regret or remorse
- ▶ Repentance typically means an admission of guilt for committing a wrong or for omitting to do the right thing: a promise to resolve not to repeat the offense. An attempt to make restitution for the wrong.
- ▶ Five steps to repentance:
 - ▶ 1. Confession (should be short and sweet)
 - ▶ 2. Acknowledge you were wrong (from the heart)
 - ▶ 3. Expresses regret
 - ▶ 4. Commit to change
 - ▶ Ask for forgiveness



Restitution

- ▶ Restoration:
- ▶ The of something lost or stolen to it's proper owner
- ▶ The act of giving back to a person (or entity) something that was lost or stolen or of paying them for the loss
- ▶ In the case of a court:
 - ▶ As part of the sentence ordering the defendant to compensate the victim for losses suffered as the result of a crime
 - ▶ Budgeting important for this piece of recovery

Rehabilitation

- ▶ Rehabilitation:
- ▶ The act of restoring someone to health or normal life through training and therapy after addiction or illness
- ▶ A set of interventions designed to optimize functioning and reduce disability in individuals with health conditions in interaction with their environment
- ▶ What is patient doing to recover?

Recovery

- ▶ Recovery:
- ▶ A return to a normal state of health, mind or strength
- ▶ The action or process of regaining possession or control of something lost or stolen
- ▶ A process of change through which individuals improve their health and wellness, live a self directed life , and strive to reach their full potential

The End

- ▶ Thank you so much for listening and much success working with those affected and afflicted with gambling issues
- ▶ Jerry Bauerkemper

Questions? Comments?

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