

1 KAMALA D. HARRIS  
Attorney General of California  
2 SARA J. DRAKE  
Senior Assistant Attorney General  
3 JENNIFER T. HENDERSON  
Deputy Attorney General, SBN 206231  
4 1300 I Street, Suite 125  
P.O. Box 944255  
5 Sacramento, CA 94244-2550  
Telephone: (916) 322-5366  
6 Fax: (916) 327-2319  
E-mail: Jennifer.Henderson@doj.ca.gov  
7 *Attorneys for Complainant*

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9 **BEFORE THE**  
10 **CALIFORNIA GAMBLING CONTROL COMMISSION**  
11 **STATE OF CALIFORNIA**

12  
13 **In the Matter of the Statement of Reasons  
for Denial of License Application:**

BGC Case No. BGC-HQ2014-00008SL

CGCC Case No: CGCC-2014-0422-7B

14  
15 **RUBEN MORENO**

16 

STATEMENT OF REASONS

17  
18 **Respondent.**

19  
20 Complainant alleges as follows:

21 **PARTIES**

22 1. Wayne J. Quint, Jr. (Complainant) brings this Statement of Reasons for denial of  
23 an Application for Gambling Establishment Key Employee License solely in his official  
24 capacity as the Chief of the California Department of Justice, Bureau of Gambling Control  
25 (Bureau).

26 2. On or about May 10, 2012, Ruben Moreno (Respondent) submitted an  
27 Application for Gambling Establishment Key Employee License CGCC-031 (Rev. 05/11), and  
28 Key Employee Supplemental Background Investigation Information Form (BGC-APP. 016A

1 (Rev. 08/09)) (collectively: Application) to the California Gambling Control Commission  
2 (Commission).

3 3. On March 20, 2014, the Commission granted Respondent a Temporary Key  
4 Employee License (GEKE-001763).

5 4. On April 22, 2014, the Commission's Executive Director referred consideration  
6 of Respondent's suitability for licensure to an evidentiary hearing pursuant to California Code  
7 of Regulations, title 4, section 12060, subdivision (a). As a result, Respondent's Temporary  
8 Key Employee License was stayed pending the outcome of an evidentiary hearing.

9 5. Respondent submitted a Notice of Defense, dated March 2, 2015.

10 **JURISDICTION**

11 6. Business and Professions Code section 19811, subdivision (b), provides:

12 Jurisdiction, including jurisdiction over operation and concentration, and  
13 supervision over gambling establishments in this state and over all persons or  
14 things having to do with the operations of gambling establishments is vested in  
15 the commission.

16 7. Business and Professions Code section 19823 provides:

17 (a) The responsibilities of the commission include, without limitation,  
18 all of the following:

19 (1) Assuring that licenses, approvals, and permits are not  
20 issued to, or held by, unqualified or disqualified persons, or by persons  
21 whose operations are conducted in a manner that is inimical to the  
22 public health, safety, or welfare.

23 (2) Assuring that there is no material involvement, directly  
24 or indirectly, with a licensed gambling operation, or the ownership or  
25 management thereof, by unqualified or disqualified persons, or by  
26 persons whose operations are conducted in a manner that is inimical to  
27 the public health, safety, or welfare.

28 (b) For the purposes of this section, "unqualified person" means a  
person who is found to be unqualified pursuant to the criteria set forth in  
Section 19857, and "disqualified person" means a person who is found to be  
disqualified pursuant to the criteria set forth in Section 19859.

8. Business and Professions Code section 19824 provides, in part:

The commission shall have all powers necessary and proper to enable it  
fully and effectually to carry out the policies and purposes of this chapter,  
including, without limitation, the power to do all of the following:



1 (d) Conviction of the applicant for any misdemeanor  
2 involving dishonesty or moral turpitude within the 10-year period  
3 immediately preceding the submission of the application, unless the  
4 applicant has been granted relief pursuant to Section 1203.4,  
5 1203.4a, or 1203.45 of the Penal Code; . . .

6 **FIRST CAUSE FOR DENIAL OF LICENSE APPLICATION**  
7 **(Disqualification – Conviction of Crime of Moral Turpitude)**

8 12. Respondent's Application is subject to denial pursuant to Business and Professions  
9 Code, section 19859, subdivisions (a) and (d), in that, on or about January 9, 2007, Respondent  
10 was convicted of violating Vehicle Code section 20002, subdivision (a), failure by a driver  
11 involved in an accident to immediately stop, a misdemeanor and crime involving moral turpitude,  
12 in the case of *People v. Moreno* (Super. Ct. Los Angeles County, 2006, No. 6PK09046).  
13 Respondent admitted that he left the scene of a freeway accident in which another person was  
14 involved and did not stop to render aid. Respondent's criminal conviction occurred less than ten  
15 years prior to the submission of his Application, and he has not been provided relief from that  
16 criminal conviction pursuant to Penal Code sections 1203.4, 1203.4a or 1203.45.

17 **SECOND CAUSE FOR DENIAL OF LICENSE APPLICATION**  
18 **(Unqualified for Licensure - Lack of Requisite Character and Integrity )**

19 13. Respondent's Application is also subject to denial pursuant to Business and  
20 Professions Code, section 19857, subdivisions (a) and (b), in that, as alleged in paragraph 12 and  
21 incorporated herein by reference, Respondent was convicted of a crime of moral turpitude, by  
22 failing to stop and render aid to the other motorist in the accident, and by leaving the scene of the  
23 accident before giving the required identifying information. After the conviction, Respondent did  
24 not fully comply with the probation requirements imposed by the court, his probation was  
25 revoked, Respondent was remanded to custody, and his probation was conditionally reinstated.  
26 Respondent's conviction and/or his conduct that gave rise to it, and/or his conduct subsequent to  
27 the conviction, demonstrates that he lacks the requisite character for licensure; that he poses a  
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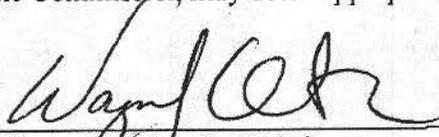
threat to the public's health, safety or welfare; and/or that his licensure would undermine the public's trust and confidence.

PRAYER

WHEREFORE, Complainant requests that following the hearing to be held on the matters herein alleged, that the Commission issue a decision:

1. Denying Respondent's Application for Gambling Establishment Key Employee License; and
2. Taking such other and further action as the Commission may deem appropriate.

Dated: June 11<sup>th</sup>, 2015

  
Wayne J. Quint, Jr., Chief  
Bureau of Gambling Control  
California Department of Justice  
Complainant