



GAMBLING CONTROL COMMISSION

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PAULA LABRIE, CHAIR
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February 14, 2023

To: All Stakeholders

Re: **PROHIBITED COMMUNICATIONS WITH THE CALIFORNIA GAMBLING CONTROL COMMISSION MEMBERS AND STAFF**

This is a reminder that you must **never** send communications of any kind (e.g., emails, phone calls, text messages, letters, etc.) directly to Commissioners regarding applications, requests for approval, regulations, or any other matters that may be pending before the California Gambling Control Commission (Commission) or the Bureau of Gambling Control (Bureau). This prohibition bars communications from: 1) applicants; 2) any person with a direct or indirect interest in the outcome of a decision, including members of the public; and, 3) any agents and/or persons acting on the applicant's or interested party's behalf.

In addition, contacting Commission staff on the merits of matters pending before the Commission or Bureau without notice to all appropriate parties is considered an ex parte communication violation. Commission regulations, the Gambling Control Act, and the California Government Code prohibit Commissioners and Commission staff from engaging in ex parte communications on pending matters.¹ The Commissioners may deny an application or other approval solely based upon a prohibited ex parte communication.

Further, attempts to contact Commissioners directly, instead of discussing your item at an open meeting and/or providing your correspondence to the appropriate parties in a timely manner, undermines the Commission's mission of making fair decisions and ensuring honesty and transparency in the controlled gambling industry. These communications may also violate the Bagley-Keene Open Meeting Act and even allow other parties to overturn a decision made in your favor.

¹ These provisions are contained in the California Business and Professions Code section 19872, the California Government Code sections 11430.10 through 11430.80, and Title 4 of the California Code of Regulations section 12012.

To reach the Commission, please contact the appropriate Commission staff as follows:

- **For pending applications or requests for approval**, please send an email **with all parties included** (i.e., the Bureau and Applicant or Representative) to Dolores Olivarez, Deputy Director of the Licensing Division, at dolivarez@cgcc.ca.gov.
- **For scheduled Gambling Control Act evidentiary hearings**, please contact the Presiding Officer identified in your hearing notice; or Pam Mathauser, Administrative Hearings Coordinator, at pmathauser@cgcc.ca.gov; or Jason Pope, Chief Counsel, at jpoppe@cgcc.ca.gov.
- **For matters involving regulations or legislation**, please contact Rebecca Kirk, Deputy Director of Legislative and Regulatory Affairs, at rkirk@cgcc.ca.gov or lawsandregs@cgcc.ca.gov.
- **For cases referred to the Office of Administrative Hearings**, please contact the attorney representing the Bureau. You can find this information at the top left section of the Accusation filed by the Bureau. You may also contact the Office of Administrative Hearings. For jurisdictional-specific contact information for the Office of Administrative Hearings, please go to www.dgs.ca.gov/oah.
- **For all other matters**, please contact Stacey Luna Baxter, Executive Director, at slunabaxter@cgcc.ca.gov or at comments@cgcc.ca.gov.

Again, to avoid ex parte communication, you must include all appropriate parties, which are usually the Bureau and the applicant, or the applicant's attorney or designated agent, on all messages to Commission staff. However, never send communications of any kind directly to Commissioners regarding any matters pending before the Commission or the Bureau.

Sincerely,



STACEY LUNA BAXTER
Executive Director