

St. Louis County Council

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August 25, 2023

(Via electronic mail – c/o PoliceBoard@stlouiscountymo.gov)

Ms. Thomasina Hassler, Chair
St. Louis County Board of Police Commissioners
7900 Forsyth Blvd.
Clayton, Missouri 63105

RE: Illegal Gambling Devices in St. Louis County

Dear Chairwoman Hassler:

Illegal gambling is taking over St. Louis County, victimizing our citizens and visitors with promises of jackpots and financial gain without any oversight by any arm of the State of Missouri or St. Louis County. This illegal gambling is not taking place in dark alleys late at night, but in plain sight at our local convenience stores, bars, taverns, restaurants, gas stations and beyond. These gambling houses are not licensed by the Missouri Gaming Commission, they have no safeguards for children playing on them or people with a gambling addiction, and they give nothing back to the County of St. Louis or the State of Missouri in the way of taxes.

Under the guise of monikers such as "grey machines", "skill games", or "amusement devices", the establishments where St. Louis County residents shop, have family meals, or visit with friends have become overrun by illegal slot machines. I have reviewed the applicable law and it is my opinion that these devices constitute illegal gaming devices. I write to implore the Board of Police Commissioners to direct the St. Louis County Police Department and its officers to investigate claims of illegal slot machines, gambling houses, and any activity that supports illegal gambling in St. Louis County. In support of same, I direct your attention to the pertinent sections of the Missouri Constitution, Missouri statutes, and St. Louis County Ordinance that clearly demonstrate the Commission's authority and duty to remove any and all illegal slot machines from St. Louis County.



The Missouri Constitution only permits gambling on licensed riverboats on the Missouri and Mississippi rivers.¹ The Missouri Constitution further prohibits the General Assembly from authorizing gambling outside of casinos, racetracks, and the state Lottery.² The General Assembly, as is expressly required by the Missouri Constitution³, has reinforced this constitutional principle, legislating that illegal gambling in Missouri is punishable as a Class A or C misdemeanor;⁴ promoting illegal gambling can lead to a Class B Felony;⁵ possession of a gambling device is punishable as a Class A misdemeanor;⁶ any building regularly used for any unlawful gaming activity is deemed by Missouri law to be a public nuisance;⁷ and “[a]ny gambling device or gambling record, or any money used as bets or stakes in unlawful gambling activity, possessed or used in violation of this chapter may be seized by any peace officer and is forfeited to the state.” §572.120, RSMo.

St. Louis County has also enacted multiple ordinances to be certain that it does not become a sanctuary city for illegal gambling. Under the St. Louis County Ordinances, “[a] person shall not willfully permit any gambling...device, including any video lottery game terminal, to be set up or used for the purposes of gambling in any house, building, shed, booth, shelter, lot or other premises belonging to him or occupied by him or of which he has at the time possession or control.”⁸ Additionally, a “person shall not set up and keep a common gaming house.”⁹

This issue is particularly important to the well-being of our residents and visitors to St. Louis County. Every dollar that is wasted gambling on illegal slot machines instead of at licensed and regulated casinos in our County harms not only our residents, who have no way of knowing if the device is capable of winning, but it impairs our partnership with our licensed and regulated casinos, who have invested hundreds of millions of dollars in our community and undergo rigorous regulatory oversight to ensure its patrons and St. Louis County are protected from the ills that befall illegal gambling.

Over the past five years, Hollywood St. Louis and River City Casino have contributed \$205.3 Million in local tax revenue to our County, enabling growth and economic development to the benefit of all our residents. The properties have employed tens of thousands of citizens during the last three decades and have contributed millions to local charitable and non-profit organizations. The illegal slot machine operators and their manufacturers siphon these benefits out of our community every day, and we must not sit idly on the sidelines while they attempt to destroy 30 years of a successful partnership between the County and our home dock casinos.

I look forward to seeing the Commission address this problem by directing the County Police Department to aggressively enforce the applicable statutes and ordinances.

¹ Mo. Const. Art. III, §39(e)

² Mo. Const. Art. III, §39(9)

³ Mo. Const. Art. III, §39(9)

⁴ §572.020, RSMo (punishable as a Class A or C misdemeanor).

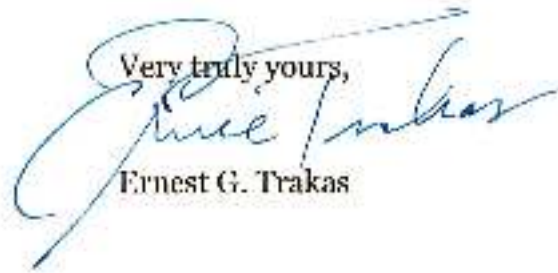
⁵ §572.030, RSMo.

⁶ §572.070, RSMo.

⁷ §572.090, RSMo.

⁸ St. Louis County Ordinance No. 716.110.

⁹ St. Louis County Ordinance No. 716.120.

Very truly yours,

Ernest G. Trakas

cc: Michelle Schwerin
Brian Ashworth
Richard Banks
Col. Kenneth Gregory