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**FOR DEPARTMENT OF JUSTICE,
SENT VIA E-MAIL TO:
Susanne.George@doj.ca.gov**

Department of Justice
Bureau of Gambling Control
Attn: Susanne George
P.O. Box 168024
Sacramento, CA 95816

**FOR OFFICE OF ADMINISTRATIVE LAW,
SENT VIA FACSIMILE TO:
(916) 323-6826**

Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814

Re: **Comments to Emergency Regulations
Title 11, Division 3, Chapter 1, Article 8 –
Major League Sports Raffle Program**

Dear Ladies and Gentlemen:

On behalf of our client, The Los Angeles Dodgers Foundation, an “eligible organization” under Section 320.6 of the California Penal Code (“Penal Code”), we submit the following comments to the above-referenced emergency regulations:

- Section 2088(j) states that the designated fiduciary must ensure that “the manual draw is conducted with integrity” which is vague. It should read that the fiduciary must ensure that the “the manual draw is conducted *in compliance with the requirements of this article*.”
- Section 2088(m) is too onerous. It should be revised to read “Ensuring that a registered event is conducted *by the eligible organization* in the best interests of the public’s health, safety, and general welfare.”
- In Section 2090, the regulations require registration of post-season game raffles at least 72 hours in advance. However, during play-off games, 72 hours will be too long in some cases because the team does not always get its play-off schedule that far in advance.
- In Section 2096(p), while we understand the reason for applying this to persons affiliated with the eligible organization, it is too onerous to prohibit sales the others listed. First, the eligible organization has no way of policing this because it has no way of knowing who those persons are, especially given that the team will employ many people to run the venue and

the game when the raffles will be conducted. Second, it would result in a lot of lost revenue for the eligible organization.

- Section 2097(a) is awkward. It appears to be missing a word.
- Sections 2100(e)(3) and 2106(a)(3) mention the eligible organization specifying the “time” of the manual draw. The team may not allow the eligible organization comply with a specific time (*e.g.*, 3:00 p.m.) because a game is unpredictable. So, the “time” should be a point in the game (*e.g.*, in the 7th inning).
- In Section 2102(e), the eligible organization should get at least three business days instead of 72 hours to respond to a request from the Bureau.
- In Section 2106, the regulations do not describe what is considered “advertising.” For example, is it an announcement at the game or is it limited to a publication, television or radio advertisement? If it’s the former, it is onerous for the eligible organization to comply in that case. The eligible organization does not unfettered access to the announcement system at the venue. In other cases, like a message board, all the required information may not fit.
- Under Section 2108(e), if the electronic raffle system relies on computer networks and/or wireless (Wi-Fi) services provided at the venue, the equipment must be housed in a permanent, secure location, under constant surveillance. The regulations should define what “constant surveillance” requires. For example, is it acceptable to have it monitored by video camera or does a security person need to constantly monitor it in person?
- Section 2109 regarding the pre-game testing of the system assumes that the eligible organization has unlimited access to the team’s venue and its systems. The team may not have staff at the venue before the game at the time of the required testing, making testing impossible or impracticable.

Please contact the undersigned if you have any questions regarding these comments. Thank you for your consideration.

Very truly yours,



Shannon M. Paresa
of RODRIGUEZ, HORII, CHOI & CAFFERATA LLP

cc: Nichol Whiteman, The Los Angeles Dodgers Foundation
Dwayne M. Horii