



## Problem Gambling: Impact on the Legal Professional


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## Florida Council on Compulsive Gambling


- The Florida Council on Compulsive Gambling, Inc. (FCCG), established in 1988, is a not-for-profit 501(c)(3) educational and advocacy organization under contract with Florida State government.
- The FCCG's primary mission is to help individuals adversely affected by problem and compulsive gambling. The FCCG maintains a **neutral** stance on the issue of legalized gambling, while seeking to assist citizens in need of supports.



## Programs and Services


Toll-Free Confidential, Multilingual, 24-Hour HelpLine  
**888-ADMIT-IT**

- Prevention, education & outreach programs
- Problem gambling awareness, education and training
- Representation on gambling related issues before policymakers
- Sponsor/conduct research
- Coordination and assistance in establishing alternative sentencing options in conjunction with judicial and law enforcement authorities
- Impaired Professionals Program
- Training for medical & other health care professionals



## What is Gambling?


**Any time you bet money or something of value on an event of uncertain outcome**



## American Psychiatric DSM-IV-TR Criteria

Diagnostic Criteria: 5 or more

Preoccupied with gambling	Needs to gamble more to get same thrill
Gambles to escape negative feelings	Chases losses
Restless or irritable if not gambling	Risks job, school or relationships
Illegal behavior	Seeks financial bailouts
Lies to conceal extent of gambling	Tries to cut back or stop but can't



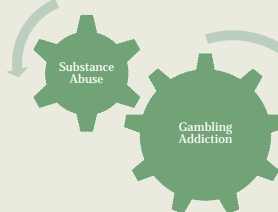
## Problem Gambling vs. Drug Addiction or Alcoholism

- Problem gambling is a “hidden” addiction
- Progressive in nature – similar to alcoholism
- No saturation point
- Gambling requires no ingestion of chemicals
- Usually not perceived as a disease
- Affects chemicals in the brain
- Fewer resources available for compulsive gamblers

**2001 Prevalence Study by UF Shows:**


**Currently, more than 500,000 Floridians suffer from serious to severe problems as a result of their gambling addiction.**

**Research substantiates link between gambling and substance addictions**



- 30% of individuals treated for drug and alcohol addiction can be classified as problem gamblers
- 50% of individuals in recovery groups for gambling such as GA, have or have had a drug or alcohol problem

**Impacts of Problem Gambling on Crime**



62% Fraud


21% Larceny/Theft

21% Embezzlement

7% Other Illegal Acts

30% of callers committed illegal acts to fund gambling

**Impacts of Problem Gambling on Crime**



64% Civil Actions

11% Arrest and Probation

24% Jail, Prison, and Probation

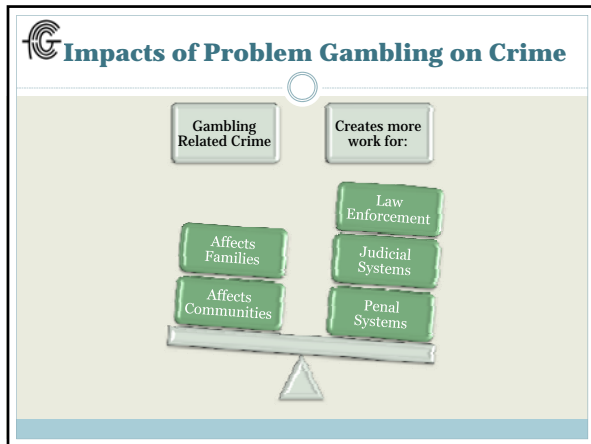
20% were subject to further legal actions

**Impacts of Problem Gambling on Crime**

**20% of gamblers were given legal referrals to assist with gambling related legal consequences.**

**Impacts of Problem Gambling on Crime**

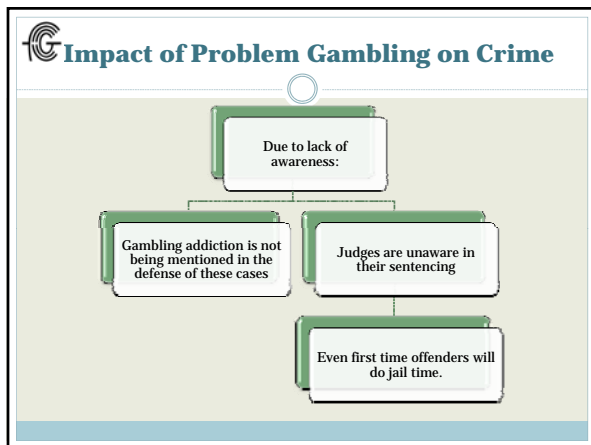
DCF Supervisor	Receives 17 years in prison for embezzling \$1.54 million
Luxury Auto Dealer	Embezzles \$500,000.
Clearwater Accountant	Steals \$1.6 million to fuel horse racing addiction
Delray Beach Priests	Embezzle over \$8 million dollars to fund gambling trips
Weight Watchers Bookkeeper	Embezzles nearly \$1 million to fund gambling addiction
Florida Highway Patrol Officer	Loses job after taking money from illegal aliens to pay for a drinking and gambling problem.



### Impact of Problem Gambling on Crime

**What does this data tell us?**

- A new population of criminals is developing
- These offenders often have no history of criminal activity
- They have not been identified as a likely population for therapeutic justice systems.



### Effects on the Legal Community

- Attorneys may be representing clients that have a gambling problem.
- It is important to inquire whether gambling played a role in many crimes.

### Effects on the Legal Community

**Crimes often related to gambling addiction:**

- Forgery/Fraud
- Theft
- Embezzlement
- Tax Violations
- Drug Sales
- Burglary
- Prostitution

### Effects on the Legal Community

When beginning the interview process with a new client ask the following questions:

- Did gambling play a role in the crime you are accused of committing?
- How often do you gamble?

If they answer 'yes' to the first question, ask:

- Have you ever lied to people about how much you gamble?
- Have you ever felt you needed to bet more and more money?

### Effects on the Legal Community

- If compulsive gambling is identified as a factor in the offense...
  - A full screening by a treatment professional should be conducted and utilized in the court proceedings.
    - It cannot be used as a defense, but it *could* be used to encourage alternative sentencing with strict requirements, similar to drug courts.

### The Six "R"s

- Resentment** - towards the prosecution
- Remorse** - evidence of feelings
- Repentance** - evidence of lifestyle changes. What is different? Job situation, marriage, etc.
- Restitution** - plan...is it realistic?
- Recovery** - treatment plan for recovery, evidence of compliance
- Rehabilitation** - evidence of change in attitude. (Volunteer work, community service, spiritual, lifestyle change)

### Effects on the Legal Community

No one is exempt from developing a gambling addiction. → Gambling addiction is not limited to any class or type of person. → No one is immune to addiction. (This includes judicial professionals.)

### Effects on the Legal Community

Legal professionals are held to a higher standard than most others.

Therefore, crimes committed by legal professionals often result in stiffer sentences.

This behavior can be viewed as an insult and embarrassment to the profession.

We neglect to remember that we are talking about:

**ADDICTION**

People who are addicted do not behave with the clarity they might otherwise possess.

### Effects on the Legal Community

#### Importance of Knowledge

- Gambling addiction may impact attorneys
  - If it is their own addiction
  - If a partner is addicted
  - If a client is addicted
- Knowledge is needed to:
  - Know how to identify the signs of a gambling problem and intervene.

### Warning Signs of a Gambling Problem

- Reliving past gambling experiences, planning the next venture, or constantly thinking of ways to get money to gamble.
- Needing to gamble with increasing amounts of money in order to feel the excitement.
- Becoming restless or irritable when attempting to cut down or stop gambling.
- Gambling as a way of escaping from problems or relieving guilt, anxiety or depression.
- Returning another day to get even or chase losses.

### Warning Signs of a Gambling Problem

- Lying to family members, friends, therapist or others to conceal the extent of involvement with gambling.
- Participating in illegal activities (e.g. forgery, fraud or theft) in order to finance gambling.
- Jeopardizing significant relationships, job, educational or career opportunities because of gambling.
- Relying on others to provide money to relieve desperate financial situations caused by gambling.
- Attempting to control, cut back or stop gambling but unable to do so.

### Effects on the Legal Community

Gambling is available, accessible, and socially acceptable.

- It poses a threat because it is so prevalent.
- It comes in many different forms:
  - Lottery
  - Casino
  - Track
  - Internet
  - Many others (too numerous to name)

### Effects on the Legal Community

Gambling addiction can grip:

- Clients
- Partners or Associates
- Spouses
- Ourselves

We must know how it can affect our lives and our profession.

### Help is Available

Where to start?

The Florida Council on Compulsive Gambling

- The FCCG is a resource for you on a personal and professional level.

### Help Starts Here

- Legal consultation, expert testimony
- Call the FCCG's Confidential HelpLine:

**888 – ADMIT – IT**

- Referral to trained treatment providers
- Brochures, workbooks, videos and other materials
- Staff training