



**WRITTEN STATEMENT OF KEITH S. WHYTE  
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**Public Hearing on B22-944 Sports Wagering Lottery Amendment Act of 2018**

**COMMITTEE ON FINANCE AND REVENUE**

**Wednesday, October 17, 2018**

Dear Chairman Evans and Members of the Committee:

Thank you for the opportunity to testify on B22-944. On behalf of the National Council on Problem Gambling and two million Americans—including the estimated 15,000 District residents—with gambling problems, I would like to submit this testimony for the record. We speak for those who are at-risk for gambling problems, those who suffer from a gambling addiction and for those in recovery who must remain anonymous. We speak for those youth and adults who will be harmed in the future from expanded sports betting. We bear witness to the devastating impacts of a gambling addiction on individuals and their families and to the effectiveness of services that provide help and hope for those who struggle. We can never eliminate the disease of gambling addiction, but we can and must make better efforts to prevent and treat it.

We believe the expansion of legalized sports gambling in the District will likely increase gambling participation and problems unless the Council and Lottery:

1. Dedicate at least one percent of revenue or \$200,000 to prevent and treat gambling addiction.
2. Develop robust and enforceable responsible gaming programs for sports betting licensees.
3. Conduct surveys of the prevalence of gambling addiction prior to expansion and at regular periods thereafter to assess problems.
4. Establish a consistent minimum age for sports gambling and related fantasy games.

We are concerned about the collision of three trends—vast increases in gambling advertising, especially exhortations to gamble during the game; advances in technology including mobile phone gambling, and a virtually unlimited menu of betting opportunities far beyond game outcome or even player performance. This Frankenstein’s monster of advertising, access and action is unprecedented in America, and indeed anywhere else in the world. As a result it is likely that most Americans will soon be bombarded by marketing urging them to bet instantly from their phone on every action by every player on every play in every game in every sport.

Everyone who profits from sports betting bears responsibility for gambling problems. Dedicating a portion of profits from gambling to mitigate gambling harm is an ethical imperative and an economic necessity. The only way to maximize benefits from sports betting is to minimize problem gambling harm.

The language in Section 4(b) directing the DC Lottery to promote “social responsibility and responsible gaming” is a good start. We suggest the regulations at a minimum they should include comprehensive employee training, self-exclusion, ability to set limits on time and money spent betting and specific requirements for the inclusion of help/prevention messages in external marketing. The operator must have a written plan with measurable objectives, and an annual report on the progress towards these goals must be provided to the regulator and available for public review. Compliance with the responsible gambling regulations and plan performance should be a condition of licensure and renewal.

Players who wish to exclude themselves from sports betting should have options through either the operator or an outside service recognized by NCPG or the Lottery. Family members should be able to request a gambler be banned through a process adjudicated by the regulator. Excluded players should receive information about available help services upon application; and subsequently should not receive any direct marketing or promotional offers to continue gambling. Regulators should hold harmless operators who make reasonable efforts to comply with exclusion requests; but should pursue actions against operators who fail to do so. The operator should have a clearly articulated commitment to advertising that does not mislead or target people with gambling problems or minors. Advertising should contain a responsible gaming message and/or the National Problem Gambling Helpline (1-800-522-4700) number. Advertising should not be placed before any audience where most of the audience is ordinarily expected to be below the legal age to participate in gambling activity.

When considering new and expanded gambling legislation, regulations, policy or programs, the DC Lottery acting as a regulator should consider the precautionary principle that there is a social responsibility to protect the public from exposure to harm, when scientific investigation has found a plausible risk. Survey research should be conducted prior to the expansion of sports betting and periodic monitoring conducted thereafter to support evidence-based, data-driven responsive measures. In addition, deidentified data collected by regulated operators on gambling activity should be made publicly available through the regulatory agency to qualified researchers to help support mitigation efforts.

A minimum age to bet on sports and fantasy games should be determined and enforced. Operators should have an affirmative obligation to put in place technical and operational measures to prevent access by those who are underage, especially in online or mobile betting. Sports betting legislation that allows internet, mobile and online gambling options may further increase risk factors for gambling addiction, but this technology also allows additional opportunities to enhance the responsible gaming features described above including setting limits and exclusion programs. Therefore NCPG urges legislators and regulators to utilize NCPG’s best practice Internet Responsible Gambling Standards (IRGS) as the basis for any internet or mobile gaming. Gaming vendors and operators are encouraged to pursue NCPG’s Internet Compliance Assessment Program (iCAP) to receive an independent audit confirming they meet the IRG Standards. Not only will this make it easier for all stakeholders to have a consistent responsible gambling program across various jurisdictions, systems and license holders but most importantly it will provide those who gamble with continuity of protection.

We know a limited amount of legal and a vast amount of illegal sports betting occurs across America and in the District. Expansion will likely increase availability and acceptability of sports gambling and thus increase participation, which may lead to more gambling problems.

NCPG has additional concerns about the impact of gambling on the health of athletes, as research indicates that athletes are more likely to be at risk for addictions. Preventing and treating gambling addiction among players protects their health and the integrity of the game. Therefore leagues and teams should establish specific gambling addiction prevention and education programs for youth athletes prior to high school all the way through college and into professional sports. They should also ensure that athletes and personnel have a safe harbor to seek help for gambling related problems, and qualified personnel available to provide assistance. Sporting organizations should provide mandatory educational briefings to players and team personnel on team/league policy regarding gambling and where to get help for gambling problems. They could also utilize their high-profile opportunities in the media to help send responsible gaming messages to their fans and the public at large.

The media should promote the National Problem Gambling Helpline (800-522-4700) as a public service in every newspaper and media outlet which prints or publicizes betting lines or odds. I'm pleased to report we are in discussions with ESPN around this issue and call on their competitors to follow their lead. I'm also pleased to announce our Safer Sports Betting Initiative (SSBI). The initial SSBI goal is to raise awareness of potential gambling addiction-related problems and suggested responsible gambling solutions among states, leagues, gambling operators and other stakeholders over the next three months.

Problem gambling is an important public health concern, characterized by increasing preoccupation with and loss of control over gambling, restlessness or irritability when attempting to stop gambling, and/or continued gambling despite serious negative consequences. For the District, that means approximately 5,000 pathological and 10,000 adult problem gamblers plus at least 5,000 at-risk youth. The estimated social cost to families and communities from gambling-related bankruptcy, divorce, crime and job loss is estimated at \$15 million in the District of Columbia, mainly in criminal justice and healthcare costs. Problem gamblers also have high rates of co-occurring substance abuse and mental health disorders, including smoking, alcohol use and abuse, drug use and abuse, depression and suicidal behavior.

We appreciate the DC Lottery support of the National Problem Gambling Helpline (800.522.4700), which receives approximately 2,500 calls per year from the District, in spite of the lack of promotion and referral resources for callers.

In our 2012 testimony on i-poker we suggested the Department of Health:

- designate a senior staffer to be responsible for problem gambling issues;
- add brief gambling screens to intake/assessment and data tracking systems;
- add gambling participation & problem symptom questions to existing surveillance, monitoring and survey efforts;
- develop D.C.-specific basic materials on gambling addiction;

- develop a plan to train all DOH behavioral health counselors in basic screening, assessment, treatment & referral;
- identify counselors with prerequisite education and certification to receive advanced training with goal to achieve national certification and become trainers.

These recommendations, if implemented, will help establish at least a rudimentary problem gambling safety net prior to the onset of sports betting.

NCPG is neutral on legalized gambling, and therefore does not take a position on B22-944. Our primary goal is to advocate for services to prevent D.C. residents from developing gambling problems and to ensure services are available to treat those who develop this devastating disorder. Comprehensive problem gambling and responsible gaming programs are critical if the District wishes to minimize the harm and thus maximize the benefits from legalized gambling.

There will be a small but significant portion of gamblers who experience negative consequences as a result of sports betting. Together with all stakeholders who will profit from sports betting our challenge is to implement measures to reduce that harm as much as possible even as sports gambling expands across the nation.

The historic failure to address this issue costs the city, hurts its most vulnerable citizens and raises significant questions about the ability of the District to responsibly operate current forms of gaming, much less legalized sports betting. Council members have the opportunity to “get it right” by amending this bill to provide funding for problem gambling. The only ethical and economical path is to make sure that the first cut of that new revenue is dedicated to prevent and treat increased gambling problems that are a direct consequence of expanded gambling.

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The National Council on Problem Gambling was founded in 1972 and is neutral on legalized gambling. We serve as the national advocate for programs and services to assist problem gamblers and their families. We improve health and wellness by leading state and national stakeholders in the development of comprehensive policy and programs to reduce the personal, social and economic costs of problem gambling. If you or someone you know has a gambling problem, call or text the National Problem Gambling Helpline at 1-800-522-4700 or visit [www.ncpgambling.org/chat](http://www.ncpgambling.org/chat) for confidential help.