



# Memorandum

**TO:** PUBLIC SAFETY, FINANCE, AND  
STRATEGIC SUPPORT COMMITTEE

**FROM:** Edgardo Garcia

**SUBJECT:** SEE BELOW

**DATE:** September 2, 2020

Approved

*Edgardo Garcia*

Date

*9-10-20*

**SUBJECT: IMPACT OF CARDROOM GAMBLING ON CRIME ANNUAL REPORT**

## RECOMMENDATION

Accept the annual report on the impact of cardroom gambling on crime in the San José metropolitan area for 2019-2020.

## EXECUTIVE SUMMARY

In comparison to the prior fiscal reporting period, there has been a decrease in both “calls for service” and “reported incidents” at Sutter’s Place, dba Bay 101 Casino Cardroom (“Bay 101 Casino”); and a decrease in both “calls for service” and “reported incidents” at Garden City, Inc., dba Casino M8trix (“Casino M8trix”) during the current reporting period of July 1, 2019 through June 30, 2020. Reported incidents involving arrests increased slightly at Bay 101 Casino and decreased at Casino M8trix during the reporting period when compared to the previous reporting period.

In order to determine whether the activity of gambling has had a direct impact on crime in the City, an in-depth investigation must be undertaken into each and every incident listed in this report. This report will not do that. Rather, this report will provide the reader with information relative to the types of incidents that have occurred at each cardroom and attempts to identify those incidents that are gambling in nature (e.g., cheating, underage gambling, etc.) In order to provide a sense of how the cardrooms are operating and whether or not they are complying with the City’s gaming regulations, the Department will provide the Public Safety, Finance and Strategic Support Committee with a “Cardroom Compliance with Title 16 of the San Jose Municipal Code Annual Report” under separate cover.

## **BACKGROUND**

There are two permitted cardrooms operating in the City of San Jose: Bay 101 Casino and Casino M8trix. Subsection (A) of Section 16.04.050 of the San Jose Municipal Code (Code) states, in relevant part: "The Chief of Police shall prepare an Annual Report evaluating the impact of cardroom gambling on crime in the San Jose metropolitan area." This Section of the Code was first codified and adopted by the City Council in 1996 to help the Council understand what, if any, impact gaming activity was having on overall crime in the City. Since then, the Crime Analysis Unit has provided crime statistics for all incidents occurring each year at the cardrooms. However, beginning with fiscal year 2012-2013, a distinction was drawn between crimes that are gaming in nature (crimes occurring at the cardroom premises with a direct nexus to gambling) and those incidents that are not gaming related (incidents that occurred at the cardroom premises with no direct nexus to gambling). Although the Department acknowledges that incidents occurring off cardroom properties could very well be related to gambling (e.g. burglary, robbery, domestic violence) as a result of gambling losses, gambling addictions, and other socioeconomic factors, the Department is unable to tie them directly to any cardroom without information from the complaining parties. As such, incidents occurring off-site will not be reported herein.

## **Crime/Incident Statistics for Bay 101 Casino and Canino M8trix for Fiscal Year 2019-2020**

The San Jose Police Department maintains records of all "calls for service" and "reported incidents." Calls for service are calls that come into the San Jose Police Dispatch Center requesting or requiring dispatch of a patrol unit. Reported incidents are incidents for which a report is generated by a member of the public or a police officer. Not all calls for service result in a reported incident and not all reported incidents result in an arrest. In addition, for a call for service or reported incident to be specifically attributed to a cardroom, the individual cardroom address must be referenced in the dispatch system or noted on the police report as the location of occurrence. Only those statistics which can be directly related to the cardrooms during Fiscal Year 2019-2020 are included in this report.

## **Calls for Service**

**Table 1: GAMBLING CRIMES, CALLS FOR SERVICE**  
**Crimes occurring at the cardroom premises with a direct nexus to gambling.**

	2017-2018		2018-2019		2019-2020	
	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX
<b>CALLS FOR SERVICE</b>						
CHEATING	5	0	0	0	1	0
UNDERAGE GAMING	0	0	0	0	0	0
<b>SUBTOTAL</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>



**Table 2: OTHER INCIDENTS, CALLS FOR SERVICE**  
**Incidents occurring at the cardroom premises with no direct nexus to gambling.**

CALLS FOR SERVICE	2017-2018		2018-2019		2019-2020	
	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX
ASSAULT WITH DEADLY WEAPON	0	0	1	1	1	2
ATTEMPT TO LOCATE	0	0	1	2	0	0
BATTERY	3	8	6	1	6	3
BATTERY & EMS RESPONSE	0	1	0	0	1	0
BRANDISHING/WEAPON	0	0	2	0	0	2
CAR JACKING	1	0	0	0	0	0
CITIZEN FLAG DOWN	0	2	0	0	1	1
CIVIL STANDBY	0	0	0	2	1	0
COUNTERFEIT CURRENCY	48	37	32	46	27	33
CRIMINAL THREATS	1	0	0	2	2	0
DOMESTIC VIOLENCE	0	0	1	1	0	0
DEFRAUDING AN INNKEEPER	3	1	9	0	4	1
DISTURBANCE	18	28	15	22	11	13
DISTURBANCE FAMILY	2	2	0	2	1	3
DISTURBANCE FIGHT	4	3	4	4	1	5
DISTURBANCE UNKNOWN	1	0	1	1	1	2
DISTURBANCE WEAPON	1	0	0	0	0	0
DRUNK IN PUBLIC	0	0	1	0	3	1
DUI	1	12	0	6	0	11
EMBEZZLEMENT	1	0	1	0	0	1
EXTORTION	0	0	0	2	0	0
HIT / RUN (FELONY)	0	0	0	0	0	0
HIT/RUN (MISD)	0	8	4	7	2	11
FIRE DEPARTMENT AID	0	0	2	1	0	2
FOLLOW UP	7	2	1	1	2	2
FOUND PROPERTY	2	0	3	1	1	0
FRAUD / FORGERY	7	6	4	6	1	4
GRAND THEFT	0	0	1	2	0	2
HANDICAPPED PARKING	0	0	1	1	1	0
INFORMATION	8	6	6	4	1	2

Table continues on next page.

**CALLS FOR SERVICE**

	2017-2018		2018-2019		2019-2020	
	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX
MALICIOUS MISCHIEF	5	2	1	1	1	3
MEET THE CITIZEN	3	12	9	13	5	10
MENTALLY DISTURBED	0	0	0	0	0	1
MISSING PERSON, MENTAL Handicap	0	0	0	0	0	0
MISSING PERSON	0	1	0	1	0	1
NARCOTIC VIOLATIONS	0	1	1	1	0	1
PARKING VIOLATION	2	0	0	1	0	0
PAROLE VIOLATION	1	1	0	0	0	0
PATROL CHECK	0	1	1	0	1	2
PHONE YOUR OFFICE	0	0	0	0	0	0
PEDESTRIAN STOP	0	0	0	1	0	0
PERSON DOWN	0	0	1	0	1	0
PETTY THEFT	1	0	3	0	0	0
PREMISE CHECK	0	0	5	3	12	7
RECIEIVING STOLEN PROP.	0	0	0	1	0	0
RECKLESS DRIVING	0	0	0	1	0	3
SEXUAL BATTERY	0	1	0	0	0	2
STAKE OUT	1	0	2	1	0	2
STALKING	0	0	1	0	0	0
STOLEN PLATE	0	0	0	1	0	0
STOLEN VEHICLE	4	3	1	4	0	4
STOLEN VEHICLE RECOVERED	2	2	2	0	0	0
SUSPICIOUS CIRCUMSTANCES	4	6	5	4	2	5
SUSPICIOUS PACKAGE	0	1	0	0	0	0
SUSPICIOUS PERSON	3	4	2	3	2	0
SUSPICIOUS VEHICLE	1	1	0	1	1	1
THEFT	5	14	9	15	7	19
THEFT OF RECYCLABLES	0	0	0	0	0	0
TRAFFIC CONTROL	0	0	1	0	0	0
TRAFFIC HAZARD	0	0	1	0	0	0
TRESPASSING	1	4	1	5	3	9
UNKNOWN CIRCUMSTANCE	0	0	0	0	0	0
VEHICLE ACCIDENT PROPERTY/NON-INJURY	3	4	1	3	4	7
VEHICLE ACCIDENT, UNKNOWN INJURIES	0	0	0	0	1	1
VEHICLE ACCIDENT, AMB DISPATCHED	0	1	0	0	0	0

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CALLS FOR SERVICE	2017-2018		2018-2019		2019-2020	
	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX
VEHICLE BURGLARY	6	3	5	16	9	8
VEHICLE STOP	5	1	8	1	10	3
VEHICLE TAMPERING	0	0	0	0	0	0
VIOLATION OF COURT ORDER	0	0	0	0	0	0
WARRANT / FELONY	0	0	0	0	2	0
WARRANT / MISDEMEANOR	0	0	0	0	0	0
GARBAGE COMPLAINT	0	1	0	0	0	0
ROBBERY	1	1	0	2	1	2
WELFARE CHECK	5	3	2	4	1	4
RESISTING ARREST	0	0	0	1	0	0
ATTEMPT TO CONTACT	0	0	0	0	0	1
ALARM CALL	1	0	0	1	0	0
SEARCH	1	0	0	0	0	0
REFUSAL TO LEAVE PROPERTY	0	0	0	0	1	0
INDECENT EXPOSURE	0	0	0	0	0	1
<b>SUBTOTAL</b>	<b>163</b>	<b>184</b>	<b>158</b>	<b>200</b>	<b>132</b>	<b>198</b>

**Table 3: COMPARISON, CALLS FOR SERVICE**  
**Comparison of total calls for service from 2017-2018 through 2019-2020**

CALLS FOR SERVICE	2017-2018		2018-2019		2019-2020	
	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX
GAMBLING CRIMES	5	0	0	0	1	0
OTHER INCIDENTS	163	184	158	200	132	198
<b>TOTAL</b>	<b>168</b>	<b>184</b>	<b>158</b>	<b>200</b>	<b>133</b>	<b>198</b>

**Figure 1: COMPARISON, CALLS FOR SERVICE**  
**Comparison of total calls for service from 2017-2018 through 2019-2020**  
**Gambling Crimes and Other Incidents**



The above chart shows that for Fiscal Year 2019-2020, Bay 101 Casino experienced a decrease of twenty-five (25) calls for service and Casino M8trix experienced a decrease of two (2) calls for service from the prior fiscal year.

### Reported Incidents

**Table 4: GAMBLING CRIMES, REPORTED INCIDENTS**  
**Crimes occurring at the cardroom premises with a direct nexus to gambling**

REPORTED INCIDENTS	2017-2018		2018-2019		2019-2020	
	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX
CHEATING	1	0	0	0	0	0
UNDERAGE GAMING	0	0	0	0	0	0
<b>SUBTOTAL</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Table 5: OTHER INCIDENTS, REPORTED INCIDENTS**  
**Crimes occurring at the cardroom premises with no direct nexus to gambling**

REPORTED INCIDENTS	2017-2018		2018-2019		2019-2020	
	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX
AGGRAVATED ASSAULT	0	2	3	1	3	4
AUTO BURGLARY	8	4	9	12	5	0
AUTO RECOVERY	0	0	0	0	0	0
AUTO THEFT	1	2	0	4	0	7
AUTO TAMPERING	0	0	3	1	1	0
BATTERY	3	3	3	6	5	2
BURGLARY SHOPLIFT	0	0	1	0	0	0
CHECK OFFENSES	0	0	0	0	0	0
FRAUD BY SCAM/SWINDLE	0	0	1	0	0	0
COUNTERFEIT MONEY	2	1	0	4	2	0
CREDIT CARD FRAUD	1	1	1	1	0	1
CRIMINAL THREATS	0	0	0	2	1	0
DEFRAUD INNKEEPER	0	0	5	0	0	0
DISORDERLY CONDUCT	1	0	0	0	0	0
DISTURBING THE PEACE	0	1	0	2	0	0
DRIVING UNDER THE INFLUENCE	1	1	0	1	0	2
DRUNK IN PUBLIC	1	0	1	0	2	1
EMBEZZLEMENT	1	1	1	1	1	0
FICTICIOUS/ NSF CHECK	0	0	3	3	5	2
FORGERY	2	2	1	3	0	0
GRAND THEFT	0	1	2	5	1	3
HIT & RUN	0	3	3	6	0	7
INFORMATION ONLY	5	11	2	9	1	1
LIQUOR OFFENSES	0	0	0	0	0	0
MENTAL CASES	1	0	0	0	0	1
NARCOTICS	1	0	0	1	0	1
OTHER FELONY	2	4	0	0	0	0
OTHER MISDEMEANOR	7	7	1	0	0	0
PETTY THEFT	4	6	8	10	1	9
PROPERTY LOST OR FOUND	2	10	4	11	8	3
RECEIVING STOLEN PROPERTY	0	1	0	1	0	0
RESIST ARREST	0	0	0	1	0	0

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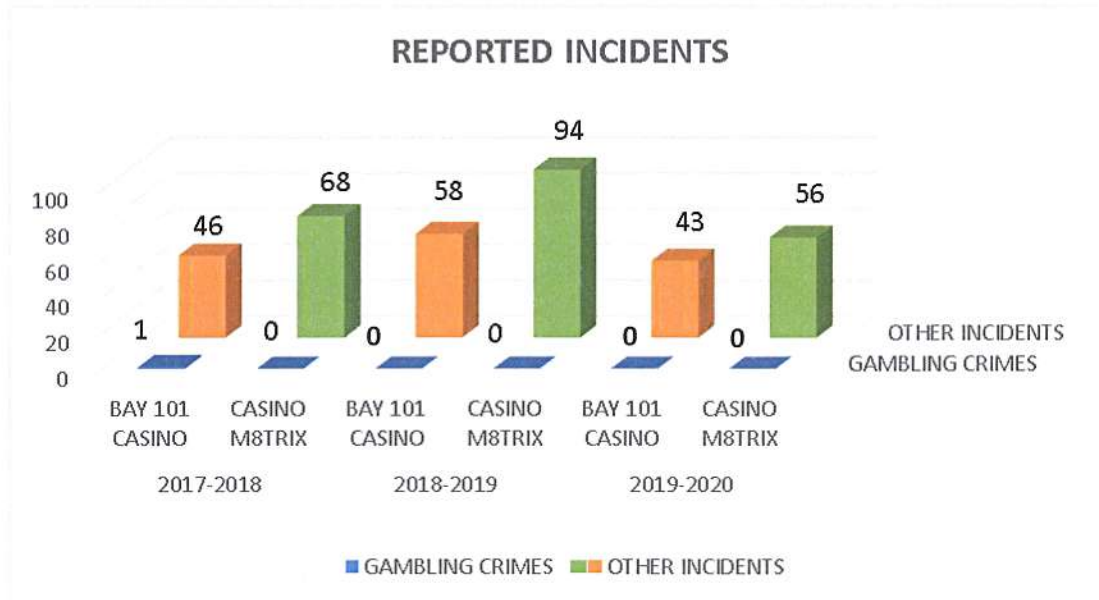
REPORTED INCIDENTS	2017-2018		2018-2019		2019-2020	
	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX
ROBBERY-STRONG ARM	0	1	0	1	0	2
ROBBERY -ARMED	0	1	0	0	0	0
SEX CRIME	0	1	0	0	0	1
STOLEN LICENSE PLATE(S)	0	0	0	1	0	1
STOP INFO ONLY	0	0	0	1	0	2
SUSPICIOUS CIRCUMSTANCES	0	2	3	2	0	0
TRESPASSING	0	0	1	3	1	2
VANDALISM	3	2	2	1	0	1
MISSING ADULT	0	0	0	0	0	1
IDENTITY THEFT	0	0	0	0	0	1
PROSTITUTION	0	0	0	0	0	1
VEHICLE ACCIDENT	0	0	0	0	1	0
MINOR INJURY	0	0	0	0	1	0
GAMBLING	0	0	0	0	1	0
BRANDISHING/WEAPON	0	0	0	0	1	0
PURSE THEFT	0	0	0	0	1	0
COURTESY REPORT	0	0	0	0	1	0
<b>SUBTOTAL</b>	<b>46</b>	<b>68</b>	<b>58</b>	<b>94</b>	<b>43</b>	<b>56</b>

**Table 6: COMPARISON, REPORTED INCIDENTS**  
**Comparison of total reported incidents from Fiscal Years 2017-2018 through 2019-2020**

REPORTED INCIDENTS	2017-2018		2018-2019		2019-2020	
	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX
GAMBLING CRIMES	1	0	0	0	0	0
OTHER INCIDENTS	46	68	58	94	43	56
<b>TOTAL</b>	<b>47</b>	<b>68</b>	<b>58</b>	<b>94</b>	<b>43</b>	<b>56</b>



**Figure 2: COMPARISON, REPORTED INCIDENTS**  
**Comparison of total calls for service from Fiscal Years 2017-2018 through 2019-2020**  
**Gambling Crimes and Other Incidents**



The above chart shows that during Fiscal Year 2019-2020, Bay 101 Casino experienced a decrease of fifteen (15) reported incidents and Casino M8trix experienced a decrease of thirty-eight (38) reported incidents from the prior fiscal year.

#### Reported Incidents Involving Arrests

**Table 7: GAMBLING CRIMES, REPORTED INCIDENTS INVOLVING ARRESTS**  
**Crimes occurring at the cardroom premises with a direct nexus to gambling.**

REPORTED INCIDENTS INVOLVING ARRESTS	2017-2018		2018-2019		2019-2020	
	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX
CHEATING	2	0	0	0	0	0
UNDERAGE GAMBLING	0	0	0	0	0	0
<b>SUBTOTAL</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Table 8: OTHER INCIDENTS, REPORTED INCIDENTS INVOLVING ARRESTS**  
**Crimes occurring at the cardroom premises with no direct nexus to gambling**

REPORTED INCIDENTS INVOLVING ARRESTS	2017-2018		2018-2019		2019-2020	
	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX
ASSAULT W/ DEADLY WEAPON	0	1	1	0	0	0
BURGLARY AUTO	1	0	0	0	0	0
BATTERY	1	2	1	1	2	1
COUNTERFEIT MONEY	0	0	0	1	0	0
CRIMINAL THREATS	0	0	0	0	1	0
DRUNK IN PUBLIC	1	0	1	0	2	1
DRIVING UNDER INFLUENCE	1	1	0	1	0	2
EMBEZZLEMENT	1	0	1	0	0	0
FICTITIOUS NSF CHECK	0	0	0	1	1	0
FORGERY	0	0	1	0	0	0
HIT AND RUN	0	0	1	0	0	0
INFORMATION ONLY	0	0	0	1	0	0
NARCOTICS	0	1	0	1	0	1
PETTY THEFT	1	0	2	0	1	0
RECEIVE STOLEN PROPERTY	0	0	0	1	0	0
RAPE	0	1	0	0	0	0
RESIST ARREST	0	0	0	1	0	0
ROBBERY	0	2	0	0	0	1
TRESPASSING	1	1	1	3	1	2
OTHER	1	2	0	0	0	0
ASSAULT	0	0	0	0	2	2
GAMBLING	0	0	0	0	1	0
BRANDISHING/WEAPON	0	0	0	0	1	0
<b>SUBTOTAL</b>	<b>8</b>	<b>11</b>	<b>9</b>	<b>11</b>	<b>12</b>	<b>10</b>



**Table 9: COMPARISON, REPORTED INCIDENTS INVOLVING ARRESTS**  
**Comparison of total reported incidents from Fiscal Years 2017-2018 through 2019-2020**  
**Gambling Crimes and Other Incidents**

**REPORTED INCIDENTS  
INVOLVING ARRESTS**

GAMBLING CRIMES

OTHER INCIDENTS

2017-2018		2018-2019		2019-2020	
BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX	BAY 101 CASINO	CASINO M8TRIX
2	0	0	0	0	0
8	11	9	11	12	10
<b>TOTALS</b>	<b>10</b>	<b>11</b>	<b>9</b>	<b>11</b>	<b>10</b>

**Figure 3: COMPARISON, REPORTED INCIDENTS WITH ARRESTS MADE**  
**Comparison of total calls for service from Fiscal Years 2017-2018 through 2019-2020**  
**Gambling Crimes and Other Incidents**



Figure 3 shows that in Fiscal Year 2019-2020, that Bay 101 Casino experienced an increase of three (3) arrests and Casino M8trix experienced a decrease of one (1) arrest from the prior fiscal year.

## ANALYSIS

A review of Bay 101 Casino's statistics revealed that during Fiscal Year 2019-2020, there were one hundred and thirty-three (133) calls for service of which one (1) was for a gambling crime. In addition, there were forty-three (43) reported incidents, of which none (0) were for a gambling

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crime. The final analysis shows that there were twelve (12) reported incidents that resulted in arrests being made, with none (0) being a gambling crime.

A review of Casino M8trix's statistics revealed that during Fiscal Year 2019-2020, there were one hundred ninety-eight (198) calls for service, none of which were a gambling crime. In addition, there were fifty-six (56) reported incidents, none of which were a gambling crime. The final analysis shows there were ten (10) reported incidents that resulted in arrests being made, with none (0) being a gambling crime.

### **COORDINATION**

This report was coordinated with the City Attorney's Office.

/s/

EDGARDO GARCIA

Chief of Police

By Acting Chief of Police

DAVE KNOPF

For questions, please contact Kirill Yermanov, Gaming Administrator, in the Division of Gaming Control at 408-794-1474.