



Responsible Gaming in Indian Country

By Hugo Luz dos Santos

The gaming industry has been good to Indian Country. It supports their governments, and in turn, helps sustain Native American communities. It also helps thousands of people from all walks of life employed in hundreds of casinos across the United States. As the industry continues to grow, it is more important than ever to focus on sustaining tribal gaming and, in turn, our communities, through good corporate citizenship—namely, impactful responsible gaming.⁷¹

If one strives to ensure tribal gaming sustainability, a proper responsible gaming code (or program) should be put in motion.

Background

Key Features of Responsible Gaming Code for Indian Country: the much-needed linkage between knowledge creators and end-users—the example of the empiric research gathered in the context of Electronic Gambling Machines (EGMs)

Ideally, a future responsible gambling code in Indian Country should rest upon the voluntary nature of the Nova Scotia Model (Canada); as

such, once play begins, players have the option to ignore the responsible gaming features offered, or to use any or all of the features (namely, “my play limit;” “my account;” “my money limit;” “48-hour cooling-off;” “self-exclusion program with extended duration.”)

Secondly, a future responsible gambling code in Indian Country should be guided by the three underpinning principles of responsible gambling provisions – harm minimization, informed consent and social responsibility and responsiveness, as recognised in the *Queensland Responsible Gambling Strategy* (Australia).

Thirdly, but more importantly, the aforesaid code should rest upon another key underpinning principle of responsible gaming: an interdisciplinary approach to problem gaming.

An interdisciplinary approach is the only feasible way to address both conveniently and effectively the issue of problem gaming in Indian Country or elsewhere. This approach cannot be achieved without a collaborative atmosphere between the knowledge creators (researchers, academics who effortlessly study the social phenomenon of problem gaming) and the end-users (in general, the decision makers in the gambling leisure industry).

Consider the example of Electronic Gaming Machines and their impact on loss chasing behaviour (a core feature of problem gaming): knowledge creators play a pivotal role in this field, by gathering and disseminating their empiric research. Electronic Gambling Machines (EGMs) represent a large part of the gambling leisure industry. It is widely accepted that EGMs are the core of gambling leisure industry, except in the casinos of Macau, where the table games, namely the Baccarat, heavily outweigh Electronic Gambling Machines.

For this reason, the focus of Knowledge Creators has been driven towards the empirical evidence for the differential impact of gambling outcome on behaviour in electronic gambling. Additionally, it is in the context of electronic gambling machines (EGMs) that the bulk of problem gamblers have been found.

The research undertaken in this specific field has achieved a major breakthrough: EGMs are the realm of addictive patterns of gambling behaviour, as EGMs enable and, at some point, enhance, the illusion of control of players about the outcome of the game, according to the studies. Furthermore, EGMs are markedly the domain of the loss-chasing behaviour, the core characteristic of Problem Gambling.

Approximately 13% of EGM gamblers meet diagnostic criteria for problem gambling (PG) which is one of the highest rates among all other forms of gambling. EGMs are interactive, computerised gambling platforms found in many licensed betting offices, casinos, and other leisure facilities. They adopt variable ratio schedules of reinforcement that subject a player to addictive patterns of gambling behaviour. EGMs have been shown in some studies to instil and maintain irrational and superstitious beliefs, as well as to distort concepts of randomness and probability that can contribute to illusions of control. Such features may act to maintain or indeed contribute to the onset of PG behaviours. In addition, EGMs offer high maximum stake and prize sizes, where an individual can bet a small sum on a gambling event and win huge jackpots. In addition, accessibility of EGMs is prevalent, and even inexperienced and leisure gamblers are at risk of increased rate and volume of loss, irrespective of whether they would be classed as PG or not. A rapid speed of play provided by EGMs offers fewer opportunities between bets to break the trancelike dissociative state gamblers experience, as well as less

time to consider their decisions in an informed and controlled manner. The rapid event cycle in EGM play also allows for a high rate and volume of loss, which is allowed to further exacerbate if a gambler engages in loss-chasing behaviour—as stated above, a core characteristic of PG. Loss chasing may not, however, be limited to PGs, and there is potential for the fast-paced characteristic of EGM play to negatively impact many gamblers.²

As seen above, how would this body of empiric research surface if it were not for the invaluable contribution of the knowledge creators? Conversely, how would the gambling leisure industry benefit from this body of evidence if they did not engage successfully with the knowledge creators?

The answer can be easily pointed out: the interaction between knowledge creators and end-users should be strengthened through linkage and exchange, in short through mutual learning, as further discussed below.

Discussion

Tribal Gaming must embrace an *interdisciplinary approach to problem gaming*

As we wrote elsewhere³, the implementation of a responsible gaming model does not override an interdisciplinary approach of problem gaming. On the contrary, the basis of a proper and sound responsible gaming model cannot be successfully applied without an interdisciplinary approach.

In order to embrace such a challenge, a collaborative approach between the knowledge creators (e.g., researchers and academics who effortlessly study problem gambling) and end-users⁴ (e.g., policy makers, gambling industry, regulators, and gamblers) is needed more than ever.

As such, a collaborative problem-solving between knowledge creators and end-users ought to be based not only in a science-based empirical approach, as emphasised by the Reno Model, but, more importantly, be shaped through linkage and exchange of knowledge between both sides of the gambling leisure industry.

As far as an interdisciplinary approach goes, mutual learning in the gaming industry definitely requires the input of a wide range of stakeholders in tribal gaming, as the aforesaid mutual learning has multiple stages such as planning, producing, and applying existing empirical research. Its concrete implementation in practice should not disregard the input of any of the end-

users or decision makers, as culture peculiarities of tribal gaming should not be forsaken or disregarded.

Concisely, an interdisciplinary approach to responsible gaming is a two-way street: researchers produce and gather empirical research and decision makers of Indian gaming leisure industry tend to apply existing or new research in decision-making.

As a result, researchers do not successfully transfer their empirical findings without the input of the decision makers; conversely, decision makers cannot benefit from an evidence-into-practice approach if they do not successfully engage with the researchers. As a consequence, an effective knowledge exchange involves, oftentimes (if not always), the interaction of both sides of the gambling industry, in order to accelerate the benefits of global innovation.

Therefore, knowledge creators and decision makers, as they are planted squarely in the middle of the gambling industry, play a pivotal role both in the creation and implementation of harm minimizing strategies and, ultimately, in the construction of a functional problem gambling model. For this reason, they are the key players of the process of taking knowledge and converting it into practice. They are the protagonists of a strategic framework that intends to bridge the gap between theory and practice and that is mainly the reason this interdisciplinary approach should be embraced in the Indian Country.

Conclusion

The gaming industry has been good for the Indian Country, as the thriving of that leisure industry has brought along the much-needed economic growth to Indian Reservations. Nonetheless, the gaming leisure industry has also brought several social costs to Indian Country, such as problem gaming or excessive gaming. This consideration is no small one.

Problem Gambling is now so ingrained in the culture of the Indian gaming industry as a whole that it will not cease to be a part of the industry anytime in the foreseeable future. As such, harm minimization strategies and a strategic framework to curb problem gaming is now needed more than ever, and their concrete implementation poses a considerable challenge to the Indian gaming leisure industry.

For the sake of long-term sustainability of Indian gaming industry as a whole, such a challenge should be timely embraced and an interdisciplinary approach to problem gaming should be taken into account. ♣



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¹MIKE GOODRICH, “Industry must advocate for Responsible Gaming”, in: *Indian Gaming*, March 2013, (2013), p. 92.

²See, ANDREW HARRIS/ADRIAN PARKE, “Empirical evidence for the differential impact of gambling outcome on behavior in electronic gambling: Implications for harm-minimisation strategies,” in: *Responsible Gaming Review*, April 2015, Vol. 1, No. 2, (2015), pp. 10-11, whose research we have followed very closely in this point.

³See, HUGO LUZ DOS SANTOS, “Responsible Gaming: An Interdisciplinary Model,” in: *Gaming Law Review and Economics*, September Issue, (2016), pp. 1-30, being published, whose remarks we will follow very closely from this point onward.

⁴See TRAVIS SZTAINERT/HYOUN S. (ANDREW) KIM/MICHAEL J.A. WOHL, “Knowledge Translation and exchange in gambling research: A beginners guide,” in: *Responsible Gambling Review*, October 2014, Vol. 1, (2014), pp. 64-74.