

Coalition for Justice in Hawaiian Gardens & Jerusalem

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Hawaiian Gardens members not included because they fear retaliation

www.stopmoskowitz.org

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August 15, 2004

Members of the California State Senate
State Capitol
Sacramento, CA

by fax

Dear Senator:

We are writing to request that you urge the Gambling Control Commission to deny the gambling license application of Irving Moskowitz for the Hawaiian Gardens Casino, which the Commission has scheduled for a vote at its August 19th meeting. The California Gambling Control Act, passed by the Legislature less than a decade ago, is clearly intended to prevent owner-applicants like Moskowitz from taking advantage of small, politically unsophisticated cities like Hawaiian Gardens.

Our Coalition is non-profit organization of Jews, Latinos and others who seek to stop Irving Moskowitz's exploitation of Hawaiian Gardens – and to stop his use of profits from his bingo and casino in that City to finance violent settler groups in Israel. We have absolutely no financial interest in the matter.

Under the California Gambling Control Act, enacted by the state legislature as Business and Professions Code Section 19800 et seq. the Commission has both the duty to, and ample grounds for, denying the license. We have briefly identified those grounds in the text below. For additional details and documentation, please see www.stopmoskowitz.org or call Dan Greenman at 510-559-7733 or Jane Hunter at 202-549-7494.

Distortion of election. In contravention of Gambling Code Section 19980, which expressed the legislature's determination of a “compelling government interest” in the election deciding a jurisdiction's acceptance of card-club gambling being conducted fairly and not distorted by the campaign contributions of a prospective gambling operator with a financial interest in the election's outcome

intent, Irving Moskowitz distorted the Hawaiian Gardens referendum election that allowed for the creation of his casino. Using his personal wealth and proceeds from his bingo, he effected control of the city government and interfered in every phase of the election, using City workers and street-gang "muscle." Subsequently, he commanded the firing of uncooperative city staff and financed the recall of City Council members who opposed his casino.

Corruptive Influence. Gambling Code Section 19980 warns against – and gives the Commission power to act against – the use of gambling revenues to corrupt political officials. For years Irving Moskowitz has used local bingo and gambling revenue to exercise complete control of Hawaiian Gardens' government. The City's 2003 election was canceled when no candidate ventured to oppose Moskowitz's hand-picked City Councilmembers.

Moskowitz used his corruptive influence to commandeer the Hawaiian Gardens Community Redevelopment Agency's entire development budget to develop his casino. He subsequently caused the City itself to take on the Agency's debt, then to finance this debt with a bond issue collateralized with casino revenue taxes. Despite purportedly vast taxable casino revenue, the Moskowitz-controlled City Council has done virtually nothing to ameliorate the City's considerable blight.

Key employees. Many sections of the Gambling Code (among them, Sections 19801, 19910, 19914 and 19920) encompass the legislative intent to strictly regulate key casino employees in order “to protect the public health, safety, and general welfare” of Californians “as an exercise of the police power of the state.” With the most cursory due diligence, Irving Moskowitz would have ascertained the notorious work histories of his manager employees Ron Sarabi and Eric Chen, whose license applications are included in his license application for the Hawaiian Gardens Casino. Sarabi and Chen are now the focal point of an employee class-action lawsuit against the Hawaiian Gardens Casino.

Full disclosure. Section 19865 and other provisions in the Gambling Code make the award of a gambling license contingent on the applicant's full disclosure of all relevant information required by the application form. In numerous significant instances, Irving Moskowitz failed to make the required disclosures. Moskowitz did not disclose numerous lawsuits, some of which concerned his controversial actions in the casino itself, in Hawaiian Gardens, and in the Middle East. Moskowitz failed to disclose his ownership of a business that operated a bingo. Most egregiously, in 1996 Moskowitz secretly negotiated with two other local card clubs a deal that, if consummated, could have made the other clubs undisclosed joint shareholders of the Hawaiian Gardens Casino's stock; that same year, he swore in an affidavit to the California Department of Justice, that he contemplated no partners in his casino. (The Coalition has asked the Commission to

investigate whether the secret deal was consummated and, if it was, whether it is still in force.)

Unsuitable location. Contrary to the requirements of Code Sections 19801, 19824 and 19862, Moskowitz's casino is in an unsuitable location, adjacent to a middle school and very near a park, two churches and a hospital. Moskowitz used his power over the Hawaiian Gardens government to accomplish this inappropriate siting.

Unsuitable character. The California legislature considered the character of an applicant for a gambling license to be important enough to warrant several sections of the Gambling Code, namely Sections 19856, 19857, and 19865. The legislature directed the Commission to consider whether an applicant has a suitable character; the mere absence of a criminal record is insufficient to satisfy the good character requirement. The standard does not warrant the granting of a license to Irving Moskowitz because he has displayed a decided lack of good character. He has financed violent political activities and organizations in Israel. In Hawaiian Gardens, Moskowitz employed known street gang members who used intimidation to help him win the 1995 initiative election. He has used the bingo and other non-profit entities he controls to increase his political clout in Hawaiian Gardens and to reap large profits for himself. He has employed gaming industry managers Ron Sarabi and Eric Chen, despite their disreputable career histories.

To conclude, on Thursday, August 19th at 1 PM, the Gambling Control Commission will hear testimony and vote on the Moskowitz license at 801 Capitol Mall (the Personnel Board Auditorium). We urge you to attend and speak against Irving Moskowitz's license application. With the possibility that Proposition 68 might allow the Hawaiian Gardens Casino to have hundreds of slot machines, defeating the Moskowitz application becomes all the more urgent. If you are unable to attend the meeting, please write to the Commissioners urging them to vote against the license.

Thank you very much for your consideration.

(signed)

Jane Hunter

Haim Dov Beliak, rabbi

Coalition Co-directors