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Editorials

Mass. Lottery vendors look the other way as minors gamble

By The Editorial Board

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UNDER MASSACHUSETTS law, minors under age 18 are not allowed to purchase lottery tickets. But that hasn't stopped them from actually playing lottery games — thanks to lax monitoring and enforcement practices at locations with self-serve instant-ticket vending machines. Two advocacy organizations joined forces to sue Star Market Company after a 14-year-old was able to buy lottery tickets at a couple of Star Market locations by using unattended automatic machines.

Yet the problem is not retailers' alone. The Massachusetts State Lottery Commission has a share of the responsibility in ensuring its games are played responsibly.

Last fall, the 14-year-old son of a Cambridge city councilor was able to buy a Mega Millions ticket and a “\$500 Frenzy” scratch ticket in two Star Market stores. Earlier this month, he bought another one without difficulty at a Stop & Shop in Arlington.

So it seems entirely appropriate that the Public Health Advocacy Institute and the Stop Predatory Gambling Foundation sued Star Market after the company refused to discontinue its unattended use of the vending terminals. These automatic dispensing machines have a lockout mechanism that would require a store employee to unlock them with a remote control and permit the sale once they have confirmed the customer's age. But, by default, the machines are set to unlocked, making them available to underage users. Star Market did not agree to have them operate permanently in lock mode, according to the complainants.

“The problem from the perspective of the retailer is: What's the point of having a vending machine if someone has to unlock it,” said Andrew Reiner, litigation director at PHAI. “But take cigarette vending machines in the '80s and '90s — they are a precedent for what can be done with lottery vending machines.” (The US government prohibits the sale of cigarettes and other tobacco products through vending machines, except in venues where kids under age 18 are not permitted to enter.) The advocacy groups also sent a letter to Stop & Shop demanding action. Massachusetts became the first state to introduce instant lottery tickets about 40 years ago. And it has certainly paid off: The state lottery heavily depends on scratch ticket revenue, which accounts for approximately 70 percent of the lottery's total sales. In fiscal year 2014, residents of the Commonwealth spent a record high of \$3.3 billion on instant lottery tickets.

According to the state lottery, there are about 1,500 instant lottery machines in Massachusetts. Stop & Shop has the most terminals, with a total of about 120, but they are widely available at most major supermarket chains and convenience stores.

It is no secret that the kind of instant gratification that scratch tickets offer is addictive, and there's a solid public policy reason that they're off limits to those under 18 — youths may be at greater risk of getting into problem gambling.

Self-serve lottery machines undermine the law. It's incumbent on the state to protect kids from scratch tickets until they reach 18. In a statement, the commission said it actively reminds its retailers of their responsibility to monitor vending machines to prevent underage use. But that's clearly not enough. The commission also said it "will be seeking out technology that will provide additional age-control features."

The most sensible solution is for the lottery commission to require that its sale agents maintain all terminals permanently locked, and unlocked only after checking the buyer's ID. It should be up to the state agency to correct the irresponsible operation of their self-serve vending machines.