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Reader View: AG should sue over daily fantasy sports

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By Guy Clark

People who should know better have been making irresponsible remarks relative to daily fantasy sports in New Mexico. Kandace Blanchard, former executive director and current secretary of the New Mexico Council on Problem Gambling, has recommended that the state regulate daily fantasy sports. Also, New Mexico Gaming Control Board acting Executive Director Donovan Lieurance says that the board is considering regulating them.

Daily fantasy sports is radically different from the fantasy sports exclusion drafted in the Unlawful Internet Gambling Enforcement Act in 2006. Although Stop Predatory Gambling opposed that exclusion in the act, as it was written it had very little commercial appeal because it was usually a season-long, very low-key social interaction between Internet friends. We then worried that it could eventually lead to full-blown legalized, government-regulated and promoted Internet gambling with casino-style games available on the smartphone, smartpad and clunky desktop computer.

The multibillion-dollar, spectacularly commercialized (how many minutes can you watch an NFL game without being subjected to a DraftKings or FanDuel commercial?) and highly addictive daily fantasy sports are a giant step in that direction.

There was reason to question whether the original fantasy sports exclusion filled all the categories required to fit the definition of gambling, but there is no question that daily fantasy sports does.

Recently, the Nevada gaming board declared that daily fantasy sports is certainly gambling and that it would have to be regulated (and taxed) by the state to be allowed.

One of the most worrisome aspects of this overnight explosion of daily fantasy sports into the digital universe is the appeal that it has to teenagers and young adults.

The gambling trade has been worried about the lack of appeal that slot machines seem to be having with young people, and they had been strategizing about how they can hook the next generation. Daily fantasy sports is the key to setting the hook.

If states combine to legalize and regulate daily fantasy sports, addiction rates among the young (and others) will explode, the state will promote it to gain more revenue outside of raising taxes, and the perfect storm of government sponsored predatory gambling will occur.

The New Mexico Council on Problem Gambling should be ashamed of itself for advocating the expansion of predatory gambling in the state. I guess it may look forward to having many more victims to treat.

The New Mexico Gaming Control Board, which is supposed to look out after the interests of the public rather than just serving the gambling industry, should recommend that state Attorney General Hector Balderas sue DraftKings and FanDuel in state and federal court for breaking state law, which forbids Internet gambling. It is time for the government to get out of the predatory gambling business.

Guy Clark is chairman of Stop Predatory Gambling New Mexico.