



State of New Jersey

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June 3, 2013

Director's Advisory Bulletin: 2013-01

Eyeglasses Capable of Broadcasting Things in Field of Vision to a Computer, Smartphone, Tablet, Eyeglasses or Other Device:

Several parties have expressed concern regarding newly-released eyeglasses which are actually a wireless computer with a webcam and which are capable of instantly broadcasting images in the wearer's field of vision to any other Internet-enabled device. For example, if these eyeglasses were worn during a poker game, they could be used to broadcast a patron's hand to a confederate or otherwise be used in a collusive manner.

Such improper use of the eyeglasses would violate *N.J.S.A. 5:12-113.1* and would be a criminal offense. However, prosecution would require proof beyond a reasonable doubt that the glasses were being used for cheating. Even if the glasses had not been used for cheating, the Director believes their presence at a gaming table would lead to the perception that something untoward could be occurring, thereby undermining public confidence in the integrity of gaming.

From a regulatory standpoint, *N.J.A.C. 13:69C-15.2* requires that any filming or recording within a casino or simulcasting facility be done only after five days' notice has been provided to the Division. Thus, any use of Internet-enabled eyeglasses for filming or recording would require notification to the Division. It would be difficult, if not impossible, to determine whether an individual wearing these glasses is actually filming or recording rendering it impossible to effectively enforce the regulation.



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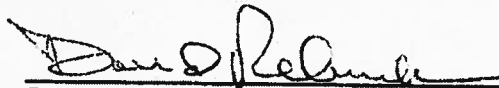
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N.J.A.C. 13:69D-1.11(b)(5)(v) states, in pertinent part, "The security department shall be responsible for the overall security of the establishment including, without limitation, the following.....

(v) the protection of the patrons' and establishment's property from illegal activities."

Accordingly, the Director has interpreted *N.J.S.A. 5:12-113.1*, *N.J.A.C. 13:69D-1.11(b)(5)(v)* and *N.J.A.C. 13:69C-15.2* as **requiring** a casino licensee on its own authority and without further authorization from the Division to ban the use of such glasses in its facility. Each casino shall forbid any patron from wearing such Internet-enabled eyeglasses on its casino floor, simulcasting facility, poker room, or any other location where gaming is occurring. The licensee shall request anyone wearing such glasses to remove them, and shall have the right to evict anyone who refuses to comply. Each casino licensee shall continue to have the obligation to report any actual cheating to the Division and to the New Jersey State Police, as well as any incidents involving the use of Internet-enabled eyeglasses in any area where gaming is conducted.



David Rebuck
Director

Date

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