

Eric Kimbrow killed himself over his gambling debts. Kimbrow's wife sued the Splash Casino, saying that the Casino exploited Kimbrow's weakness for gambling. She says the Casino knew he was a problem gambler, yet let him continue to gamble, cashing his checks even when some of them had bounced. The lawsuit never came to court because the Casino filed for bankruptcy. Arnie Wexler, a consultant to casinos on problem gamblers, said that if the Kimbrow case had come to court it "would have turned this industry upside down." Ms. Kimbrow's attorney, Tom Brockman, built his case by drawing an analogy with state dramshop laws that require bartenders not to serve alcoholic drinks to drunk patrons. Bob Pickus, a general counsel for Trump Hotels and Casinos, criticizes this argument as being "a continuation of people in this society not wanting to take responsibility for themselves."

Should the law hold Casinos responsible for accepting wagers from individuals with gambling problems who have amassed large gambling debts? If so, then in what ways should the law hold casinos responsible, and why? If not, then why not?

MODERATOR'S ANSWER: The law should hold casinos liable in cases such as the one brought by Mr. Kimbrow's wife. In that case she alleged the Splash Casino knew Mr. Kimbrow would have great difficulty repaying his gambling debts, and yet continued to extend him credit. Holding casinos liable in this kind of situation would give them a strong incentive not to extend credit, which, in turn, could prevent situations from arising that drive heavily in debt gamblers to suicidal despair. Whether or not one views such a gambler as primarily responsible for his own plight, it would seem that if a relatively simple measure taken by a casino, such as refusing to extend credit, would prevent deaths by suicide, then the law should provide casinos a strong incentive to adopt that measure.

Case from the March 6, 1997 Intercollegiate Ethics Bowl. Copyright Robert Ladenson, Center for the Study of Ethics at the Illinois Institute of Technology, 1997.