

NEWS RELEASE

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FOR IMMEDIATE RELEASE

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AG ANNOUNCES SUPREME COURT RULING IN GREENE COUNTY

(MONTGOMERY)—The Alabama Supreme Court struck down six illegal orders by Greene County judges and cleared the way for all gambling cases in Greene County to proceed in a 62-page ruling Tuesday.

In its ruling, the Court addressed the State's seizure of gambling machines at Greenetrack and Frontier Bingo in 2011 and the search warrants served Monday at Greenetrack, Frontier Bingo, River's Edge, and Greene Charity Casinos.

The Court vacated and nullified trial Judge Houston Brown's orders from 2011, which had impugned the integrity of state law enforcement officers and ordered the State to return the seized gambling machines. Instead, the Court held that Judge Brown's ruling was "based on an erroneous understanding of the judge's role in the warrant process." (47). "If a mistaken understanding of law is used as a framework to assess the facts presented by the witness, the mistake is the court's, not the witness's." (47).

With respect to the search warrants served on Monday, the Court expressly held that the same rules that apply to "bingo" in every other county in Alabama also apply to Greene County. "[W]e reaffirm today that the game of 'bingo' as that term is used in local constitutional amendments throughout the State is that game 'commonly or traditionally known as bingo,' and that this game is characterized by at least the six elements we identified in Cornerstone." (48).

The Court then held that the State's evidence about machines at casinos in Greene County "allow[s] for no reasonable conclusion other than that probable cause exists for the issuance of the search warrants requested." (55). Quoting its decision from a case involving the VictoryLand Casino in Macon County, the Court explained that "a 'man of reasonable caution' could reach no conclusion other than that there is a 'fair probability' that the machines in question are not the game of bingo and, instead, are slot machines or other gambling devices that are illegal under Alabama law." (55)

"My Office is committed to enforcing the rule of law as defined by the Alabama Supreme Court. Following the Orders of the Supreme Court is not optional," said Attorney General Strange. "We will continue to enforce the law in a consistent manner throughout the State."

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