

**CALIFORNIA GAMBLING CONTROL COMMISSION  
LANGUAGE OF PROPOSED REGULATIONS  
SURVEILLANCE  
CGCC-GCA-2021-0X-R**

**Title 4. Business Regulations.**

**Division 18. California Gambling Control Commission.**

**CHAPTER 7. CONDITIONS OF OPERATION FOR GAMBLING ESTABLISHMENTS.**

**ARTICLE 3. MINIMUM INTERNAL CONTROL STANDARDS (MICS) FOR CARDROOM BUSINESS LICENSEES.**

**12396. Surveillance.**

(a) The policies and procedures for all Tiers must meet or exceed the following standards for surveillance:

(1) Cardroom business licensees must install and maintain, on site in their gambling establishment, a surveillance system, with video recording and closed circuit television (CCTV) monitoring capabilities, to record critical activities related to the cardroom business licensees' gambling operations. The surveillance system must record with reasonable coverage and clarity, at a minimum, the gambling operation, the payment of player drop fees, card values, wagers, game outcomes, the collection of drop boxes, the drop count processes, cage and cashier activities, gambling equipment storage areas, except for furniture storage areas, and the interior of gambling establishment entrances and exits. The video recording equipment must include date and time generators which must display the current date and time of recorded events on videotape or digital recordings. The displayed date and time must not significantly obstruct the view of recorded images. The surveillance system may have remote, off-site access capabilities, but only ancillary to any on-site systems required by this section.

(2) All surveillance recordings must be made in real time mode, or at a speed sufficient to capture and record with reasonable completeness the actions of all individuals being observed, ~~except that any recordings of the gambling establishment parking areas, and the gambling establishment entrances and exits may be recorded in time lapse mode, at a minimum speed of 15 frames per second.~~

(3) All video surveillance cameras must be installed in a manner that prevents them from being intentionally obstructed, tampered with or disabled by patrons or employees, to the extent reasonably possible. All recording and monitoring equipment must be located in secure rooms or areas of the gambling establishment so that access is controlled.

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1 **OPTION 1 – GPAC Text:**

2 (4) The surveillance system operation must be checked daily to ensure that all surveillance equipment  
3 is functioning properly and reasonable efforts must be made to repair or replace malfunctioning  
4 surveillance equipment within 72 hours of the discovery of the malfunctions.  
5

6 **OPTION 2 – Staff Recommended Text:**

7 (4) The surveillance system operation must be checked daily to ensure that all surveillance equipment  
8 is functioning properly and reasonable efforts must be made to repair or replace malfunctioning  
9 surveillance equipment within 72 hours of the discovery of the malfunctions. If at any time, the  
10 surveillance system ceases to be able to record any area of the gambling establishment required to be  
11 recorded in accordance with this Article, that area must be closed until the malfunction is repaired.  
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13 (5) ~~If a~~ digital video recording (DVR), network video recorder, (NVR) or equivalent system will  
14 be utilized, ~~the system must meet~~ meeting the following standards:

15 (A) The DVR/NVR system must have a failure notification system that, at a minimum, provides a  
16 visual notification of any failure in the surveillance system or the DVR/NVR media storage system.

17 (B) The DVR/NVR system must have a media storage system that is configured so that a failure of  
18 any single component will not result in the loss of any data from the media storage system.

19 (C) The DVR/NVR system must have the capability to reproduce or copy all or any portion of the  
20 stored data from the media storage system to a digital video disk (DVD) or a portable digital storage  
21 device.

22 (D) A single DVR/NVR system ~~may~~ must not have more than ~~8~~ eight cameras required by the  
23 standards of this section, unless the DVR/NVR system has an appropriate backup system to ensure that  
24 there is no loss of data in the event of a failure of the primary DVR/NVR system or any single component  
25 of that system.

26 (6) Videotapes or other recording media must be marked or coded to denote the activity recorded.

27 (7) ~~(A)~~ Unless otherwise requested by the Bureau, all recordings must be retained for a minimum of  
28 14 ~~seven~~ complete days of operation, except that recordings that are determined by the Bureau or a law  
29 enforcement agency to be of evidentiary value must be retained for a period specified in writing by the  
30 determining agency. Recordings of any criminal offense subject to reporting pursuant to paragraph (3) of  
31 subsection (a) of Section 12395 must be retained indefinitely, or until the Bureau authorizes their  
32 disposal.

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1 ~~(B) Subsection (f) notwithstanding, the seven day retention period specified in subparagraph (A) must~~  
2 ~~be increased to 14 days no later than June 1, 2013.~~

3 (8)(A) For the purpose of enforcing the provisions of the Act, this division, or Division 3 of Title 11  
4 of the California Code of Regulations, Bureau staff, with the approval of the Chief~~chief~~, may, at any time  
5 during the gambling establishment's actual hours of operation, demand immediate access to the  
6 surveillance room and any area of the gambling establishment where surveillance equipment is installed  
7 or maintained or where surveillance video recordings are stored, and such access must be provided by the  
8 cardroom business licensee or the cardroom business licensee's authorized representative.

9 (B) The Bureau may, pursuant to subparagraph (D) of paragraph (1) of subdivision (a) of section  
10 19827 of the Business and Professions Code, take custody of and remove from the gambling  
11 establishment the original of any video recording, or a copy of any digital recording, required to be made  
12 and maintained pursuant to the Act or this division. Any surveillance video recording that is in the  
13 custody of the Bureau pursuant to this paragraph may be disclosed by the Bureau only when necessary to  
14 administer or enforce the provisions of the Act, this division, or Division 3 of Title 11 of the California  
15 Code of Regulations or when necessary to comply with a court order. Upon reasonable request of the  
16 cardroom business licensee or the cardroom business licensee's authorized representative, a copy of the  
17 recordings must be made and left on the premises if copying equipment is available to enable Bureau staff  
18 to make copies. If copying equipment is not available to Bureau staff, upon reasonable request of the  
19 cardroom business licensee or the cardroom business licensee's authorized representative, a copy of the  
20 recordings will be provided to the cardroom business licensee at the cardroom business licensee's  
21 expense, unless the Bureau expressly waives its costs of providing the copies.

22 i. Digital copies will be a clear representation of the original without significant degradation in  
23 quality.

24 ii. The cardroom business licensee will provide the Bureau with any software necessary to view the  
25 digital copies.

26 (9) Cardroom business licensees must prominently display in a place and manner conspicuous to all  
27 patrons entering and exiting the gambling establishment, a sign containing the following statement  
28 printed in bold lettering of sufficient size to be visible and readable: "All Public Areas, Entrances and  
29 Exits of This Establishment are Subject to Surveillance and Video Recording." The lettering and  
30 background must be of contrasting colors, and the sign must comply in all respects with applicable  
31 signage requirements, if any, of the local jurisdiction.

32 (b) In addition to the requirements of subsection (a), the policies and procedures for Tiers II through  
33 and including V must meet or exceed the following standards for surveillance:

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1 (1) The surveillance system must, ~~at a minimum,~~ have dedicated cameras to monitor and record ~~both~~  
2 ~~the interior and exterior of the gambling establishment~~ entrances and exits with sufficient clarity to afford  
3 reasonable opportunity to identify any person entering and exiting.

4 (2) The surveillance system must have a sufficient number of cameras dedicated to gambling tables to  
5 be capable of viewing and recording, with reasonable coverage and clarity, patrons, dealers, wagers,  
6 cards, and game outcome at each table. For the purposes of this paragraph, an overhead view of patrons  
7 and dealers is acceptable. This paragraph does not apply to demonstration or instructional tables, when  
8 cash or prizes are not being wagered, won or lost.

9 (3) The surveillance system must include an audio recording of, at a minimum, any areas of the  
10 gambling establishment that are used for vault or count room functions.

11 (c) In addition to the requirements of subsections (a) and (b), the policies and procedures for Tiers III  
12 through and including V must include standards for surveillance that require the surveillance system to  
13 include coverage and recording ~~of~~ with sufficient clarity to provide opportunity to obtain a description of  
14 vehicles entering and exiting all adjoining parking areas owned, operated or otherwise controlled by the  
15 cardroom business licensee for use by its patrons.

16 ~~(d) In addition to the requirements of subsections (a), (b) and (c), the policies and procedures for Tier~~  
17 ~~IV must include a requirement that, during all hours of operation, a cardroom owner type licensee or key~~  
18 ~~employee licensee be on duty who has the ability to access live video from surveillance cameras and~~  
19 ~~previous surveillance video recordings.~~

20 ~~(d)(e)~~ In addition to the requirements of subsections (a), (b), and (c) ~~and (d)~~, the policies and  
21 procedures for Tiers IV and V must meet or exceed the following standards for surveillance:

22 (1) Cardroom business licensees must establish a surveillance unit separate and apart from the  
23 security department. The head of the surveillance unit and all surveillance unit personnel must be  
24 independent of the security department and have no other gambling-related duties.

25 (2) Cardroom business licensees must establish and maintain a separate surveillance room that meets  
26 or exceeds the following requirements:

27 (A) The surveillance room must have controlled access through a secured door or doors, which must  
28 be under constant recorded video surveillance.

29 (B) No entrance or exit door of a surveillance room ~~must~~ will be readily observable or accessible  
30 from the gambling operation area.

31 (3) Routine access and entry into the surveillance room must be limited to on-duty employees of the  
32 surveillance unit assigned to monitor gambling operations. Cardroom employee type licensees may be  
33 granted access to the surveillance room for the purpose of performing their duties. Other persons may be

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1 granted limited access to the surveillance room for educational, investigative or maintenance purposes, if  
2 accompanied at all times by a surveillance unit employee.

3 (4) At least one surveillance employee must be present in the surveillance room and actively  
4 monitoring the gambling operations, via the surveillance room equipment, during all hours of operation,  
5 except that the surveillance room may be unattended for no more than a total of one hour during any shift  
6 or eight-hour period to allow for required meal and rest breaks for staff. No controlled gambling may  
7 take place when a surveillance employee is not present and on duty in the gambling establishment,  
8 whether on a break or not.

9 (A) Notwithstanding the provisions of paragraph (4) of subsection (d), a Tier IV cardroom business  
10 licensee may utilize a contingency plan previously approved by the Bureau to use a key or non-key  
11 employee to fulfill this requirement when due to unforeseen exigencies a surveillance employee is  
12 unavailable. The cardroom business licensee must notify the Bureau in writing within five (5) days after  
13 utilizing the contingency option.

14 (5) Count room surveillance must include closed circuit television (CCTV) monitoring and video  
15 recording.

16 (6) Cardroom business licensees must maintain a record of all surveillance activity in the surveillance  
17 room, by surveillance period or shift, in a surveillance activity log. The surveillance activity log entries  
18 must be made by on-duty surveillance personnel and must include, at a minimum, the following:

19 (A) The date and time of commencement of the surveillance period or shift;

20 (B) The printed name(s) of the person(s) conducting the surveillance;

21 (C) The date and time of termination of the surveillance period or shift;

22 (D) A summary of the results of the surveillance, including a notation of the time of recording of any  
23 event, activity, occurrence, process or procedure that was monitored during the surveillance period or  
24 shift, whether the recording or monitoring was required or not;

25 (E) A notation of the time of the discovery or occurrence of any equipment or camera malfunctions  
26 during the surveillance period or shift;

27 (F) A notation of the time of the correction or repair of any equipment or camera malfunctions  
28 occurring during the surveillance period or shift, if corrected or repaired during that period or shift;

29 (G) A notation of the time of the correction or repair of any equipment or camera malfunctions  
30 discovered and noted in a previous surveillance period or shift, if corrected or repaired during the current  
31 period or shift;

32 (H) A notation of the time of occurrence of any medical emergency event or law enforcement event,  
33 including any incident number generated by the responding entity, if available;

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1 (I) A notation of the time(s) of drop box collection occurring during the surveillance period or shift;  
2 (J) A notation of the time of drop count procedure(s) occurring during the surveillance period or shift;  
3 and,

4 (K) A notation of the times of patron disputes occurring during the surveillance period or shift that  
5 requires the intervention of the security department, if any.

6 (7) Each gambling table must have a dedicated camera, meeting the requirements of paragraph (2) of  
7 subsection (a), providing clear surveillance coverage of all controlled gambling at all hours of operation.

8 In addition, one Pan/Tilt/Zoom (PTZ) camera must be installed for every ten or fewer authorized tables  
9 present in any gambling operations area of the gambling establishment. A reasonable attempt must be  
10 made to pan the faces of patrons and dealers for identification at least once per work shift of surveillance  
11 unit employees.

12 Note: Authority cited: Sections 19840, 19841 and 19924, Business and Professions Code. Reference: Sections  
13 19827, 19841, 19922 and 19924, Business and Professions Code.

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