

1 CALIFORNIA GAMBLING CONTROL COMMISSION
2 MODIFIED LANGUAGE OF PROPOSED REGULATIONS
3 SURVEILLANCE
4 CGCC-GCA-2023-01-R
5

6 Title 4. Business Regulations.

7 Division 18. California Gambling Control Commission.

8 CHAPTER 7. CONDITIONS OF OPERATION FOR GAMBLING ESTABLISHMENTS.

9 ARTICLE 3. MINIMUM INTERNAL CONTROL STANDARDS (MICS) FOR CARDROOM BUSINESS
10 LICENSEES.
11

12 12396. Surveillance.

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

15 (1) Cardroom business licensees must install and maintain, on site in their gambling
16 establishment, a surveillance system, with video recording and closed circuit television (CCTV)
17 monitoring capabilities, to record critical activities related to the cardroom business licensees'
18 gambling operations. The surveillance system must record with reasonable coverage and clarity,
19 at a minimum, the gambling operation, including card values, wagers, and game outcomes, the
20 payment of player drop fees, ~~card values, wagers, game outcomes,~~ the collection of drop boxes,
21 the drop count processes, cage and cashier activities, gambling equipment storage areas, except
22 for furniture storage areas, and the interior of gambling establishment entrances and exits. For
23 the purposes of this paragraph, an overhead view of card values, wagers, and game outcomes is
24 acceptable for Tier I licensees. This paragraph does not apply to demonstration or instructional
25 tables, when cash or prizes are not being wagered, won or lost. The video recording equipment
26 must include date and time generators which must display the current date and time of recorded
27 events on videotape or digital recordings. The displayed date and time must not significantly
28 obstruct the view of recorded images. The surveillance system may have remote, off-site access
29 capabilities, but only ancillary to any on-site systems required by this section.

30 (2) All surveillance recordings must be made in real time mode, or at a speed sufficient to
31 capture and record with reasonable completeness the actions of all individuals being observed,
32 ~~except that any recordings of the gambling establishment parking areas, and the gambling~~

Additions shown in underline; deletions shown in ~~strikeout~~.
Modified text shown in double underline; deletions shown in ~~double strikeout~~.

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1 ~~establishment entrances and exits may be recorded in time-lapse mode, at a minimum speed of~~
2 ~~15 frames per second.~~

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

7 (4) The surveillance system operation must be checked daily to ensure that all surveillance
8 equipment is functioning properly and reasonable efforts must be made to repair or replace
9 malfunctioning surveillance equipment within 72 hours of the discovery of the malfunctions.
10 With the exemption of parking lots, if at any time, the surveillance system ceases to be able to
11 record any area of the gambling establishment required to be recorded in accordance with this
12 Article, the cardroom business licensee must take lawful steps to ensure the area is not used for
13 any activity subject to surveillance requirements until the surveillance system is able to record
14 the area. For the purposes of this paragraph, lawful means in accordance with federal, state, and
15 local requirements.

16 (5) ~~If a~~ digital video recording (DVR), network video recorder, (NVR), or equivalent
17 system will be utilized, ~~the system must meet~~ meeting the following standards:

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

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

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

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

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

3 (7)~~(A)~~ Unless otherwise requested by the Bureau, all recordings must be retained for a
4 minimum of 14~~seven~~ complete days of operation, except that recordings that are determined by
5 the Bureau or a law enforcement agency to be of evidentiary value must be retained for a period
6 specified in writing by the determining agency. Recordings of any criminal offense subject to
7 reporting pursuant to paragraph (4) of subsection (a) of Section 12395 must be retained
8 indefinitely, or until the Bureau authorizes their disposal.

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

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

18 (B) The Bureau may, pursuant to subparagraph (D) of paragraph (1) of subdivision (a) of
19 section 19827 of the Business and Professions Code, take custody of and remove from the
20 gambling establishment the original of any video recording, or a copy of any digital recording,
21 required to be made and maintained pursuant to the Act or this division. Any surveillance video
22 recording that is in the custody of the Bureau pursuant to this paragraph may be disclosed by the
23 Bureau only when necessary to administer or enforce the provisions of the Act, this division, or
24 Division 3 of Title 11 of the California Code of Regulations or when necessary to comply with a
25 court order. Upon reasonable request of the cardroom business licensee or the cardroom business
26 licensee's authorized representative, a copy of the recordings must be made and left on the
27 premises if copying equipment is available to enable Bureau staff to make copies. If copying
28 equipment is not available to Bureau staff, upon reasonable request of the cardroom business
29 licensee or the cardroom business licensee's authorized representative, a copy of the recordings

1 will be provided to the cardroom business licensee at the cardroom business licensee's expense,
2 unless the Bureau expressly waives its costs of providing the copies.

3 i. Digital copies will be a clear representation of the original.

4 ii. The cardroom business licensee will provide the Bureau with any software necessary to
5 view the digital copies or in a format that is acceptable to the Bureau.

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

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

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

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

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

24 (c) In addition to the requirements of subsections (a) and (b), the policies and procedures for
25 Tiers III through and including V must include standards for surveillance that require the
26 surveillance system to include coverage and recording ~~of~~ with sufficient clarity to provide
27 opportunity to obtain a description of vehicles, including, to the extent feasible, the license plates
28 of vehicles, entering and exiting all adjoining parking areas owned, operated or otherwise
29 controlled by the cardroom business licensee for use by its patrons.

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

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

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

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

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

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

16 (3) Routine access and entry into the surveillance room must be limited to on-duty employees
17 of the surveillance unit assigned to monitor gambling operations. Cardroom employee type
18 licensees may be granted access to the surveillance room for the purpose of performing their
19 duties. Other persons may be granted limited access to the surveillance room for educational,
20 investigative or maintenance purposes, if accompanied at all times by a surveillance unit
21 employee.

22 (4) At least one surveillance employee must be present in the surveillance room and actively
23 monitoring the gambling operations, via the surveillance room equipment, during all hours of
24 operation, except that the surveillance room may be unattended for no more than a total of one
25 hour during any shift or eight-hour period to allow for required meal and rest breaks for staff.
26 No controlled gambling may take place when a surveillance employee is not present and on duty
27 in the gambling establishment, whether on a break or not. Notwithstanding the foregoing, a Tier
28 IV cardroom business licensee may utilize a contingency plan previously approved by the
29 Bureau to use a cardroom employee type licensee to fulfill the requirements of this paragraph
30 when due to unforeseen exigencies a surveillance employee is unavailable.

1 (A) A request for the Bureau’s review and approval of a contingency plan must be submitted
2 by the Tier IV cardroom business licensee to the Bureau in writing, along with the contingency
3 plan.

4 (B) The contingency plan will be deemed approved if not disapproved by the Bureau in
5 writing within ~~thirty (30)~~ calendar days of receipt of the written request.

6 (C) The cardroom business licensee must notify the Bureau in writing within five ~~(5)~~
7 calendar days after utilizing the contingency option.

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

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

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

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

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

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

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

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

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

28 (H) A notation of the time of occurrence of any medical emergency event or law enforcement
29 event, 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
2 or shift;

3 (J) A notation of the time of drop count procedure(s) occurring during the surveillance period
4 or shift; and,

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

7 (7) Each gambling table must have a dedicated camera, meeting the requirements of
8 paragraph (2) of subsection (a), providing clear surveillance coverage of all controlled gambling
9 at all hours of operation. In addition, one Pan/Tilt/Zoom (PTZ) camera must be installed for
10 every ten or fewer authorized tables present in any gambling operations area of the gambling
11 establishment. A reasonable attempt must be made to pan the faces of patrons and dealers for
12 identification at least once per work shift of surveillance unit employees.

13 Note: Authority cited: Sections 19840, 19841 and 19924, Business and Professions Code. Reference: Sections
14 19827, 19841, 19922 and 19924, Business and Professions Code.

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