

Article 106.-SURVEILLANCE

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112-106-1. Surveillance system. (a) A facility manager or applicant for a facility manager certification shall have a surveillance system before beginning gaming operations. The surveillance system shall include a digital video system capable of the following:

- (1) Instant replay;
- (2) recording by any camera in the system; and
- (3) allowing simultaneous and uninterrupted recording and playback.

(b) The surveillance system shall include a communication system capable of monitoring the gaming facility, including the security department.

(c) The surveillance system shall be connected to all facility alarm systems.

(d) The surveillance system shall include the following features:

- (1) Redundant system drives;
- (2) a backup power supply capable of operating all surveillance equipment during a power outage. The backup power supply shall be tested on a monthly basis;

- (3) backup storage components that will automatically continue or resume recording in the event of failure of any single component of the system, so that the failure of any single component will not result in the loss of any data from the system; and

- (4) automatic restart if a power failure occurs.

(e) The digital video system shall meet the following requirements:

(1) Function as a closed network;

(2) have its access limited to the personnel identified in the surveillance system plan;

(3) be equipped to ensure that any transmissions are encrypted, have a firewall at both ends, and are password-protected;

(4) be equipped with a failure notification system that provides an audible and visual notification of any failure in the surveillance system or the digital video recording storage system;

(5) record all images and audit records on a hard drive;

(6) be locked by the manufacturer to do the following:

(A) Disable the erase and reformat functions; and

(B) prevent access to the system data files; and

(7) be equipped with data encryption or watermarking so that surveillance personnel will be capable of demonstrating in a court of law that the video was not altered or manipulated in any way.

(f) The surveillance system shall include cameras dedicated to monitoring the following with sufficient clarity to identify any person:

(1) The entrances and exits of the gaming facility;

(2) the count rooms;

(3) the vaults;

(4) the surveillance room;

(5) the security rooms; and

(6) all cage areas.

(g) The surveillance system required by this regulation shall be equipped with light-sensitive cameras with lenses of sufficient magnification to allow the operator to read information on an electronic gaming machine reel strip and credit meter and be capable of clandestine monitoring in detail and from various vantage points, including the following:

- (1) The conduct and operation of electronic gaming machines, lottery facility games, and parimutuel wagering;
- (2) the conduct and operation of the cashier's cage, satellite cashier's cages, mutuel lines, count rooms, and vault;
- (3) the collection and count of the electronic gaming bill validator canisters; and
- (4) the movement of cash and any other gaming facility assets.

(h) All cameras shall be equipped with lenses of sufficient magnification capabilities to allow the operator to clearly distinguish the value of the following:

- (1) Chips;
- (2) dice;
- (3) tokens;
- (4) playing cards;
- (5) positions on the roulette wheel; and
- (6) cash and cash equivalents.

(i) The surveillance system shall provide a view of the pit areas and gaming tables capable of clearly identifying the following:

- (1) The dealers;

- (2) the patrons;
- (3) the hands of all participants in a game;
- (4) facial views of all participants in a game;
- (5) all pit personnel;
- (6) the activities of all pit personnel;
- (7) the chip trays;
- (8) the token holders;
- (9) the cash receptacles;
- (10) the tip boxes;
- (11) the dice;
- (12) the shuffle machines;
- (13) the card shoes, which are also called dealing boxes;
- (14) the playing surface of all gaming tables with sufficient clarity to determine

the following:

- (A) All wagers;
- (B) card values; and
- (C) game results; and

(15) roulette tables, which shall be viewed by the surveillance system with color cameras.

(j) The surveillance of the electronic gaming devices shall be capable of providing the following:

- (1) A view of all patrons;

(2) a facial view of all patrons with sufficient clarity to allow identification of each patron;

(3) a view of the electronic gaming device with sufficient clarity to observe the result of the game;

(4) an overall view of the areas around the electronic gaming device;

(5) a view of each bill validator with sufficient clarity to determine bill value and the amount of credit obtained; and

(6) a view of the progressive games, including the incrementation of the progressive jackpot.

(k) All surveillance system display screens shall meet all of the following requirements:

(1) Be equipped with a date and time generator synchronized to a central clock that meets the following requirements:

(A) Is displayed on any of the surveillance system display screens; and

(B) is recorded on all video pictures or digital images;

(2) be capable of recording what is viewed by any camera in the system; and

(3) be of a sufficient number to allow the following:

(A) Simultaneous recording and coverage as required by this article;

(B) off-line playback;

(C) duplication capabilities;

(D) single-channel recorders in the following areas:

(i) Entry and exit turnstiles;

(ii) the main bank and cages;

(iii) table games; and

(iv) count rooms; and

(E) no more than four channels per single unit in all other areas where surveillance is required.

(l) The surveillance system shall be connected to at least one video printer. Each video printer shall be capable of generating clear color copies of the images depicted on the surveillance system display screen or video recording.

(m) The surveillance system shall allow audio recording in any room where the contents of bill validator canisters are counted.

(n) All wiring within the surveillance system shall be tamper-resistant.

(o) The surveillance system shall be linked to the commission's security office with equipment capable of monitoring or directing the view of any system camera.

(p) The commission's director of security shall be notified at least 48 hours in advance of the relocation of any camera on the surveillance system's floor plan.

(Authorized by and implementing K.S.A. 2007 Supp. 74-8772; effective Sept. 26, 2008.)

112-106-2. Surveillance system plan. (a) Each applicant for a facility manager certification shall submit a surveillance system plan to the commission with its initial application or at least 90 days before opening a racetrack gaming facility.

(b) A facility manager shall not commence gaming activities until its surveillance system plan is approved by the commission.

(c) To be approved, the surveillance system plan shall include the following:

(1) A schematic showing the placement of all surveillance equipment;

- (2) a detailed description of the surveillance system and its equipment;
- (3) the policies and procedures for the surveillance department;
- (4) the plans for staffing as required in K.A.R. 112-106-4;
- (5) the monitoring activities for both the gaming area and adjacent areas;
- (6) the monitoring activities for a detention room; and
- (7) a list of the facility manager's personnel that may have access to the surveillance system.

(d) All proposed changes to the surveillance system plan shall be submitted by the facility manager to the commission for approval at least 30 days before the facility manager desires to implement the changes. (Authorized by and implementing K.S.A. 2007 Supp. 74-8772; effective Sept. 26, 2008.)

112-106-3. Surveillance department. (a) Each facility manager shall have a surveillance department that is responsible for the following:

- (1) Detection of cheating, theft, embezzlement, and other illegal activities in the gaming facility;
- (2) detection of the presence in the gaming facility of any person who is required to be excluded pursuant to voluntary or involuntary exclusion;
- (3) detection of persons under age 21 in the gaming areas; and
- (4) clandestine video recording of activities in the facility.

(b) The surveillance department shall be independent of all aspects of the gaming facility operations.

(c) The director of surveillance shall ensure that procedures are created for maintaining the chain of evidence custody of surveillance information that reasonably can be expected to be used in a criminal or regulatory investigation.

(d) Upon request, each facility manager shall provide commission employees with access to its surveillance system and transmissions.

(e) Each member of the surveillance department shall comply with any request made by a commission employee to perform the following:

- (1) Use, as necessary, any surveillance room in the gaming facility;
- (2) display on the monitors in the surveillance room any event capable of being monitored by the surveillance system; and
- (3) make a video recording and, if applicable, audio recording of, and take a still photograph of, any event capable of being monitored by the surveillance system.

(f) The director of surveillance shall notify commission security employees as soon as possible but within 30 minutes of any incident of surveillance equipment failure.

(g) The director of surveillance shall ensure that a reasonable attempt to repair or replace malfunctioning equipment is made within 24 hours. (Authorized by and implementing K.S.A. 2007 Supp. 74-8772; effective Sept. 26, 2008.)

112-106-4. Surveillance department staffing. (a) The surveillance department shall be supervised by a director of surveillance. The director of surveillance shall report directly to the facility manager's board of directors or similar body. The director of surveillance shall not report to or take direction from any authority at or below the level of the general manager.

(b) The personnel of the facility manager's surveillance department shall at all times be employees of the facility manager. The facility manager shall not outsource the surveillance function to any third party.

(c) The surveillance department shall be reasonably staffed, as determined by the commission's director of security, considering the size and layout of the licensed facility and the number of electronic gaming machines and lottery facility games.

(d) No surveillance department employee shall transfer from the surveillance department to another department of a gaming facility, unless at least one year has passed since the surveillance department employee worked in surveillance. The facility manager may request that the commission waive this requirement if the facility manager demonstrates that the surveillance and security systems of the facility manager will not be jeopardized or compromised by the employment of the surveillance employee in the particular position requested.

(e) Each surveillance employee shall be trained in the following:

(1) Surveillance techniques;

(2) the operation of all surveillance equipment;

(3) regulatory requirements;

(4) internal control procedures;

(5) the rules of all available lottery facility games;

(6) the methods of cheating, theft, embezzlement, and other illegal activities in a gaming facility; and

(7) the surveillance department's procedures on handling surveillance evidence.

(Authorized by and implementing K.S.A. 2007 Supp. 74-8772; effective Sept. 26, 2008.)

112-106-5. Surveillance room. (a) Each facility manager shall have a secure surveillance room with reasonable space, as determined by the executive director, to accommodate the required equipment and operator stations.

(b) Each surveillance room shall be located out of the view of the gaming area. The entrances to the surveillance room shall be locked at all times and shall not be accessible to members of the public or non-surveillance employees of the gaming facility.

(c) Commission agents shall have unrestricted access to the surveillance room and all information received or stored by the surveillance system.

(d) Access to the surveillance room shall be limited to surveillance employees of the gaming facility and commission security employees, except that persons with a legitimate need to enter the surveillance room may do so upon receiving approval from the commission's security director.

(1) Each person entering the surveillance room shall sign a surveillance room entry log.

(2) The surveillance room entry log shall meet the following requirements:

(A) Be maintained in the surveillance room by surveillance room personnel;

(B) be maintained in a book with bound numbered pages that cannot readily be removed;

(C) be signed by each person entering the surveillance room, with each entry containing the following:

(i) The date and time of entering the surveillance room;

(ii) the entering person's name and that person's affiliation or department within the gaming facility;

(iii) the reason for entering the surveillance room; and

(iv) the date and time of exiting the surveillance room; and

(D) be retained for at least one year after the date of the last entry. The destruction of the surveillance room entry log shall be approved by the commission's director of security.

(3) The surveillance room entry log shall be made available for inspection by the commission security employees upon demand.

(e) The surveillance room shall be subject to periodic inspection by commission employees to ensure that all of the following conditions are met:

(1) All equipment is working properly.

(2) No camera views are blocked or distorted by improper lighting or obstructions.

(3) All required surveillance capabilities are in place.

(4) All required logs are current and accurate.

(5) There is sufficient staff to protect the integrity of gaming at the facility.

(6) The surveillance room employees are not performing tasks beyond the surveillance operation. (Authorized by and implementing K.S.A. 2007 Supp. 74-8772; effective Sept. 26, 2008.)

112-106-6. Monitoring. (a) The surveillance department employees shall continuously record the transmissions from the cameras used to observe the following locations, persons, activities, and transactions:

(1) The entrances and exits to the following:

(A) The gaming facility;

(B) the count rooms;

(C) the vaults;

(D) the surveillance room;

(E) the security rooms; and

(F) the cage areas;

(2) each transaction conducted at a cashiering location, whether or not that cashiering location services patrons;

(3) the main bank, vault, and satellite cages;

(4) the collection of cash storage boxes from electronic gaming machines;

(5) the count procedures conducted in the count room;

(6) any armored car collection or delivery;

(7) automated bill breaker, gaming voucher redemption, coupon redemption, and jackpot payout machines whenever the machines are opened for replenishment or other servicing; and

(8) any other areas specified in writing by the commission.

(b) The surveillance department employees shall maintain a surveillance log of all surveillance activities in the surveillance room. The log shall be maintained in a book with bound, numbered pages that cannot be readily removed or in an electronic format

with an audit function that prevents modification of information after the information has been entered into the system. The log shall contain the following, at a minimum:

- (1) The date and time of each entry;
- (2) the identity of the employee making the entry;
- (3) a summary of the activity recorded;
- (4) the location of the activity;
- (5) the location of the recorded information; and
- (6) the surveillance department's disposition of the activity.

(c) The surveillance department employees shall record by camera and log the following events when they are known to occur on the property:

- (1) Any activity by players and employees, alone or in concert, that could constitute cheating or stealing;
- (2) any activity that could otherwise be criminal;
- (3) any procedural violation by an employee;
- (4) the detention of persons;
- (5) the treatment of disorderly individuals;
- (6) emergency activities capable of being observed by the surveillance system;
- (7) the presence of persons on the involuntary exclusion list;
- (8) the presence of persons on the self-exclusion list;
- (9) arrests and evictions;
- (10) the treatment of ill or injured patrons;
- (11) the on-site maintenance and repair of any gaming or money handling equipment; and

(12) any jackpot winning of \$1,200 or more.

(d) Surveillance department employees shall record by camera the movement of the following on the gaming facility floor:

- (1) Cash;
- (2) cash equivalents;
- (3) tokens;
- (4) cards;
- (5) chips; or
- (6) dice.

(e) The surveillance department employees shall continuously monitor and record by camera the following:

- (1) Soft count procedures;
- (2) hard count procedures;
- (3) currency collection;
- (4) drop bucket collection; and

(5) the removal of the daily bank deposit from the gaming facility by armored car officers. (Authorized by and implementing K.S.A. 2007 Supp. 74-8772; effective Sept. 26, 2008.)

112-106-7. Retention of surveillance recordings. (a) All recordings depicting the detention or questioning of an individual suspected of procedural errors, regulatory violations, or criminal activity shall be copied and provided to law enforcement agents

upon request. Each recording shall be retained by the facility manager for at least 60 days.

(b) Each recording not specified in subsection (a) shall be retained for at least 30 days. (Authorized by and implementing K.S.A. 2007 Supp. 74-8772; effective Sept. 26, 2008.)