County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE
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DAVID E. JANSSEN
Chief Administrative Officer

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First District

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Second District

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Third District

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Fifth District

April 6, 2006

To: Mayor Michael D. Antonovich
Supervisor Gloria Molina
Supervisor Yvonne Brathwaite Burke
Supervisor Zev Yaroslavsky
Supervisor Don Knabe

From: David E. Janssen
Chief Administrative Officer

Raymond G. Fortner Jr.
County Counsel

IDENTIFICATION BADGES, SHERIFF'S DEPARTMENT — STATUS REPORT

On March 14, 2006, on motion of Supervisor Antonovich, your Board instructed the Chief Administrative Officer (CAO) and County Counsel to report back to the Board within two weeks with the following:

1) Review the existing County Code provisions relative to the issuance of badges and photo identification cards;

2) Review the Sheriff's Department's current practices when issuing badges and Department photo identification cards to civilian volunteers; and

3) Report back with findings and recommendations.

Background

Recently, the media brought to light the activities of an area businessman and others, and their relationships with three southland governmental agencies; the Riverside County Sheriff's Department, the San Bernardino County District Attorney's Office, and the Los Angeles County Sheriff's Department.

The articles, in a variety of publications, cited a number of instances wherein a group of individuals purportedly utilized "badges, identification cards, or other official-looking credentials" ostensibly to curry favors or elicit contributions from the community on behalf of the elected heads of those agencies.

The articles also cited that one of these individuals, Gary Nalbandian, was the leader of the Los Angeles County Sheriff's Department "Homeland Security Support Unit" and that Mr. Nalbandian and others in this unit had been issued Sheriff's Department photo identification cards and official name tags.

Findings

Civilian Volunteer Program

A comprehensive review of the Sheriff's Department Civilian Volunteer Program was undertaken. During the review, the CAO's office met with the Assistant Director of the Civilian Volunteer Program, which lists nearly 5,000 civilian volunteers Department-wide. Sixteen-hundred of these volunteers are assigned to the Sheriff's Department Custody Division alone.

The Sheriff's Department Civilian Volunteer Program is governed by long-standing policy. Comprehensive volunteer policy manuals are distributed Department-wide; not only to volunteers, but to those Sheriff's Department employees designated as Volunteer Coordinators. Additionally, the Director and Assistant Director of the Civilian Volunteer Program conduct annual Department-wide inspections that coincide with official Departmental Command Inspections.

As part of this review, samples of volunteer photo identification cards were examined (Attachment 1). While there are differences, they are essentially subtle and non-distinguishing. For instance, a "Chaplain" card differs from a volunteer assigned to a Sheriff's substation, which differs somewhat from a volunteer card assigned to a member of the community serving on a "Civilian Advisory Committee."

Further review determined that the Civilian Volunteer Program adheres to an application process and a fingerprinting process for all civilian volunteers, and that a "do not hire" list/database is maintained for those who do not meet established hiring guidelines or for those who have been "terminated." The volunteers are not paid employees and they may be separated from the Volunteer Program at the discretion of the Department.

The Sheriff's Department realized in November 2005 that differences in the volunteer photo identification cards could be problematic and embarked on a project to develop a

standardized format. The CAO's office has been informed by the Sheriff's Department that this project is nearing completion. Additionally, the Sheriff's Department is nearing completion on revised policies pertaining to all departmental photo identification cards.

Homeland Security Support Unit

A review of the "Homeland Security Support Unit" was also conducted. This unit and its members are members of the community. Additionally, this unit, as a volunteer civilian advisory group, is organizationally located within the Sheriff's Department Reserve Forces Bureau, much as all other volunteers are similarly assigned to stations, jail facilities, or other locations throughout the Sheriff's Department.

While certain statements have been attributed to the Sheriff, specifically that identification cards were issued to members of the Homeland Security Support Unit, it was determined that the cards identified in this focus were not issued by the Sheriff's Department, but created by Gary Nalbandian and subsequently distributed by him to other members of the group. The cards are laminated, with an accompanying photograph of the bearer on the front. The words "Sheriff's Department Homeland Security Support Unit" are also depicted, along with the name and signature of Sheriff Lee Baca on the front of the card. The words Volunteer Member appear in bold on the front of the card above the word "Position" (Title Held). On the reverse, also emboldened, it is noted that the bearer is a "non-compensated volunteer member of the Homeland Security Unit..." (Attachment 2). They were not approved, nor issued by the Sheriff's Department. Many of the photo identification cards have already been confiscated by the Sheriff's Department and that process continues as of this writing. However, the procedures routinely followed by the department for identification cards issued to its many volunteer programs were not followed.

In discussing potential ramifications of such cards with respect to the County Badge Ordinance and State law with the Sheriff's Department, the CAO's office was advised that the Sheriff's Department had previously undertaken the mission to revise existing policy and guidelines (referenced earlier in this report) when it determined in 2005 that such policy and guidelines should be strengthened. The CAO's office has reviewed a draft copy of those revisions and understands that the Sheriff's Department intends to issue the revisions in the near future.

County Badge Ordinance

The rules and regulations governing the authorization, manufacture and use of badges and identification cards for the County are found in County Code Chapter 5.64, commonly referred to as the County Badge Ordinance.

Pursuant to the Badge Ordinance, "badge" is defined to include, among other things, an identification card. (County Code section 5.64.030) Further, a separate section of the Ordinance relates specifically to the issuance of identification cards by department heads and officers of the County (County Code section 5.64.330). In essence, this section provides that nothing prevents a department head or other officer from issuing an identification card, but requires that any identification cards that are issued must be in conformance with the regulations in the Badge Ordinance that are applicable to the issuance, possession, display, and loss and return of badges. The section is written in general terms of the issuance of the cards, and does not limit its applicability to identification cards for County employees, or exclude the issuance of cards to volunteers. However, the stated purpose and various terms of the Badge Ordinance are broad enough to apply to the issuance of any badge or identification card by a department head or other officer of the County, whether to employees or volunteers.

Section 5.64.140 states "no badge, cap-piece, identification card or lapel insignia shall be issued to or used, worn or carried by any person unless his duties involve the active enforcement of law or unless he performs other public duties which in the judgment of the board of supervisors are such as to require that he do so for purposes of identification (County Code section 5.64.140). Also, the Ordinance requires department heads to maintain a record of the all badges, which we believe is properly read to include identification cards (see County Code section 5.64.030(1)(A)), so as to keep an accurate account of the distribution and control of badges. Among other information, this record is to identify the name of the person to whom the card is issued and the date of issuance (County Code section 5.64.160).

Pursuant to a directive of your Board, in January, 2002, the CAO issued a policy dictating that all County employees are required to wear and properly display their County identification cards. That policy also set the criteria and guidelines aimed at standardizing the form and content of these cards. Under the policy, each department head is required to forward a blank original identification card to the Office of Security Management (OSM) to allow for the compilation of an "officially approved reference guide" depicting all County Department identification cards.

In June, 2004, the CAO, in response to a motion of your Board, reaffirmed this policy to all department heads and emphasized the importance and authority of departments to monitor, control and seek prosecution for abuse of badges and identification cards. It was through these Board motions and policy statements that your Board determined that all County employees are required to be issued and wear identification cards for purposes of section 5.64.140.

As noted, the provisions of section 5.64.140 are broad enough to cover identification cards issued to or carried by any person, including volunteers, and not simply employees. However, as the Ordinance, the Board directives, and the ensuing policies do not specifically reference volunteers and there is an apparent misconception among County departments as to the rules governing the issuance of identification cards to volunteers, the Ordinance and the policies should be revised to clarify this issue.

Additionally, in December, 2005, The CAO conducted a comprehensive review of the County Badge Ordinance and determined that it was antiquated and in need of significant revision.

Recommendations

Therefore, having made the findings stated above, the CAO's office, with the concurrence of County Counsel, makes the following recommendations:

1) That the Office of Security Management continue its review and auditing of all County departments to identify issues which should be addressed through revisions to the Badge Ordinance or the County policies related to badges, including identification cards.

2) That your Board authorize a complete revision of the County Badge Ordinance to be undertaken jointly by the Office of Security Management and the Office of the County Counsel to include issuance of badges to volunteers.

If you have any questions regarding this issue, please contact either one of us or Lieutenant Steven Miller, Office of Security Management, at (213) 893-2069.

DEJ:SRH:SAM:aiv

Attachments

c: Sheriff
Executive Officer, Board of Supervisors

ATTACHMENT 1

COMMUNITY ADVISORY COMMITTEE

Los Angeles County Sheriff's Department

E.L.A. STATION

EXPIRES DEC 2008

LOS ANGELES COUNTY
SHERIFF'S DEPARTMENT

IF FOUND, DROP IN ANY MAILBOX
OR RETURN TO:

LOS ANGELES COUNTY
SHERIFF'S DEPARTMENT
4700 RAMONA BOULEVARD ROOM #144
MONTEREY PARK, CALIFORNIA 91754

RETURN POSTAGE GUARANTEED

VOLUNTEER

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

WEST HOLLYWOOD
V12109

EXPIRES - DEC 2006

PROPERTY OF:
LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
4700 RAMONA BOULEVARD ROOM #155
MONTEREY PARK. CALIFORNIA 91754

THIS CARD IS FOR IDENTIFICATION PURPOSES ONLY. THE HOLDER OF THIS CARD IS NOT AN EMPLOYEE OF THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT. THIS CARD CONFERS NO SPECIAL AUTHORITY OR PRIVILEGES.

CHAPLAIN

Los Angeles County Sheriff's Department

EMPLOYEE SUPPORT SVS

EXPIRES DEC 2008

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

IF FOUND, DROP IN ANY MAILBOX
OR RETURN TO:

LOS ANGELES COUNTY
SHERIFF'S DEPARTMENT
4700 RAMONA BOULEVARD ROOM #144
MONTEREY PARK, CALIFORNIA 91754

~~ATTACHMENT~~ 2

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LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

HOMELAND SECURITY SUPPORT UNIT - REGION I

Date of Birth: 11-10-54 Weight: 190 LBS CDL: U0001785

Height: 6' Eyes: BROWN Hair: BLACK

MICHAEL A. RAAD

Signature of Holder

IS A NON-COMPENSATED VOLUNTEER MEMBER OF THE
HOMELAND SECURITY SUPPORT UNIT, REGION 1
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA

Number 2093

ATTACHMENT 2
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