A Proposal to Establish a Retired Peace Officer Corps (RPOC) within Los Angeles County

CITIZENS' ECONOMY & EFFICIENCY COMMISSION
LOS ANGELES COUNTY
Est. 1964

July 2006

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The purpose of the Commission is to examine any function of county government at the request of the Board of Supervisors, on its own initiative, or as suggested by others and adopted, and to submit recommendations to the Board which will improve local government economy and efficiency, and effectiveness.

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July 28, 2006

The Honorable Michael D. Antonovich
Mayor of Los Angeles County
Kenneth Hahn Hall of Administration, Room 869
Los Angles, CA 90012

Dear Mayor Antonovich,

On a number of occasions in the recent past you have consistently identified the need for our County to maximize its utilization of law enforcement assets, particularly in times of major crisis or social turmoil. This Commission has responded to your concept by reviewing opportunities to increase these resources. The approach that we are proposing is a Retired Peace Officer Corp (RPOC) that can be called to duty during time of crisis, thus, relieving currently serving officers to undertake field operations. In taking this approach, the Commission is proposing to target for recruitment trained, skilled, experienced and dedicated men and women that will become available for administrative duties during times of crisis. The significant advantage of this proposal is to offer the Sheriff a meaningful force multiplier, while offering an exceptional opportunity to retired peace officers to serve their community when they are truly needed.

The Commission has coordinated this proposed program with the Sheriff and has received his concurrence together with his commitment to implement it upon the approval of your Board. Clearly, it is appropriate for the Sheriff to have the final word on the specifics of the program and its implementation, but we feel that the attached proposal adequately details the concept and reviews most of the issues that have been and should be considered in the operation of the program.

The Economy and Efficiency Commission continues to remain available to assist your Board or the Sheriff in advancing any phase of this program.

Regards,

Jaclyn Tilley Hill
Chair

C: Los Angeles County Board of Supervisors
Sheriff Lee Baca

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A PROPOSAL TO ESTABLISH A RETIRED PEACE OFFICER CORPS (RPOC)

"...we should continue to strengthen partnerships between citizens and local law enforcement and work to engage more volunteers in public safety and emergency preparedness."
- President George W. Bush
May 9, 2003

INTRODUCTION

Throughout history, disasters, whether natural or manmade, have taken place—they will continue to occur. During these events, as was dramatically demonstrated in the Katrina disaster, the use of all available local governmental resources can be indispensable to saving life and the maintenance of the social order. Disasters such as Katrina have also demonstrated that local communities cannot rely on outside resources to manage and control a crisis. These resources, even if they exist, may not be able to reach a disaster site or may be required elsewhere where a "higher deployment priority" exists.

Unfortunately for society, it is during these events that those individuals in the greatest need of protection and assistance are those that are put at the most risk. As a result, local government, being ultimately responsible for the welfare of its citizens, is obligated to place its top priority on the utilization of every available resource to mitigate the potentially severe consequences that such an event would have upon each member of the community.

During those times of "normal" law enforcement operations the value of utilizing volunteers, whether they are sworn or non-sworn personnel, has been almost universally recognized. Common sense then dictates that the need for additional assistance will become all the more critical during times of disaster or local emergency as the ability of law enforcement to respond to the extensive demands that will be placed upon them will be quickly overwhelmed. In addition, consideration should be given to the likelihood that some of the volunteers that would be called upon to assist may not possess the extensive law enforcement experience and background that may be necessary to perform the vital duties that would be required.

To effectively execute its responsibility to the public during emergencies and to improve the responsiveness of its law enforcement agencies, local government should consider the potential for utilizing those trained and dedicated men and women who have retired from law enforcement agencies. These individuals have the skills, knowledge and experience to meaningfully contribute to effective law enforcement operations for the duration of a disaster or emergency. These qualifications can be effectively utilized by assigning qualified individuals to pre-designated support and/or administrative positions that are normally occupied by serving officers. This mobilization would not only expand the available force by making active officers available to undertake other critical law enforcement duties within the community, but it would also provide a means through which these individuals could serve their community in times of exceptional need.

In addition to improving the ability of local government to respond effectively to an emergency, the Economy and Efficiency Commission anticipates that the implementation of this proposal would result in meaningful cost savings for the County and/or participating law enforcement agency during an emergency, thus, making funds available for effective expenditure of funds in areas of greatest need. Furthermore, are likely to be added savings resulting from a reduction in force stress and from the increased efficiency resulting from an augmented level of emergency responsiveness.

PROGRAM OBJECTIVES

The following objectives can be achieved when retired peace officers involved in this program make a commitment to the importance of (a) supporting local law enforcement organizations, and (b) the acceptance by participating agencies of the value and benefits that retirees can provide in assisting law enforcement in times of emergency. Specifically, these objectives include:

- Substantially improving the capability of the County's law enforcement agencies to increase the numbers of trained and motivated law enforcement personnel to meet the extraordinary requirements imposed by a natural and/or manmade disaster.

- Fostering the type of cooperation within law enforcement agencies throughout the County that encourages the exchange of ideas and experiences between retirees and the participating agencies.

- Improving the image of law enforcement by communicating good will and cooperation with other jurisdictions and organizations dedicated to the safety and security of County residents.

- Improving the effectiveness and responsiveness of local law enforcement during times of emergency.

- Capitalizing upon the potential for reducing the costs that will be incurred in responding to an emergency, thus, providing additional funds that can be committed to those areas of greatest need.

- Improving the accountability and responsiveness of law enforcement and program participants in meeting the demands of an emergency.

- Providing a vehicle for the continuing education of retired personnel with the objective of ensuring that they maintain their skills and knowledge to effectively respond to an emergency situation

MISSION

The mission of the Retired Peace Officer Corps (RPOC) is to enhance the security, stability, and safety of the residents of Los Angeles County by augmenting the support and/or administrative capabilities of local law enforcement agencies in times of disaster or other local emergencies.

By serving in a support and/or administrative capacity during periods of emergency these individuals will make active duty law enforcement personnel available to more effectively focus on their law enforcement and security missions.

OVERVIEW OF THE PROPOSED RETIRED PEACE OFFICER CORPS (RPOC)

The Sheriff of Los Angeles County would establish an auxiliary unit of retired peace officers within the Department to protect the public safety while responding to emergencies. In managing the personnel participating in the RPOC the Sheriff would be responsible for determining (a) the qualifications for those individuals wishing to participate in this program, (b) the criteria for maintaining an active participation status in the program, and (c) those criteria used to determine whether an individual would be dismissed from the program.

In responding to the needs inherent in organizing structure of the Retired Peace Officer Corps (RPOC) the Sheriff shall be responsible for (a) establishing regulations for the operation of the organization and for the utilization of these personnel by the Sheriff and/or other participating agencies, (b) prescribing administrative procedures, (c) determining the means of accountability and control of the individual participants, (d) establishing the necessary training, (e) identifying the code of conduct for the RPOC members, and (f) ensuring that each volunteer understands the requirements of the program.

The Sheriff shall have the authority to expend any funds that are deemed appropriate to pay any expenses the Department may incur in administering the RPOC. Other than established organizational overhead costs, the members of the RPOC will be required to pay all, or any portion, of the expenses as is determined by the Sheriff to be necessary to ensure the health and safety of these individuals and that meet the needs of the Department.

Each member of the RPOC, in the performance of the member's official duties as identified by the Sheriff and the participating agency, would possess personal immunity in accordance with applicable legislation and current departmental policies that address volunteer participation.

SUGGESTED RETIRED PEACE OFFICER PARTICIPATION CONSIDERATIONS

Eligibility

Individuals would be eligible for membership in the Retired Peace Officer Corp (RPOC) if they have retired in good standing from any law enforcement agency within the State of California and have met any participation certification criteria established by State of California, the Sheriff of Los Angeles County, and/or any participating law enforcement agency with which the volunteer may be affiliated.

Recruitment

The recruitment of individuals to this program will generally be covered in the Los Angeles County Sheriff's Department Volunteer Program Coordinator Manual, Section 3, Recruitment. The development of any unique recruitment strategies would be integrated, to the extent possible, to those strategies that are currently established within this manual. For example, consideration may be given to the utilization of some or all of the following techniques which can be focused on this exclusive population:

- Qualified individuals can be recruited with identified traditional means such as:

  News releases/articles,
  Brochures,
  Announcements,
  Internet based information,
  Presentations/booths at social events, and
  Any and all other means available to the Sheriff.

- Since these individuals are retired and receiving pensions payments, arrangements can be made to include an announcement of this opportunity as part of the any communications concerning their retired pay by working with the agency that makes these payments.

- Specialized announcements can also be made in publications or social groups that have been established to serve this population, such as:

  Magazines,
  Social groups,
  Fraternal groups, and
  Specialized clubs, etc.

- Information on the program can be provided to law enforcement agencies within the County for distribution to those personnel that are about to retire.

- If agencies maintain contact with their personnel, either active or retired, through a newsletter or other such publication, this information can be included in these publications.

- Publicize the program to current employees or on employee bulletin boards encouraging present employees to recommend friends or acquaintances that meet the selection criteria.
- Post on those electronic bulletin boards where there may be a high concentration of individuals that meet the selection criteria.
- Set up a recruitment hotline and keep it updated. When prospective volunteers call the hotline, they would receive a recorded message giving them an explanation of the program, a list possible assignment opportunities and a brief description of the benefits of participation.
- Place ads in publications designed to reach a wide variety of audiences.

Selection Criteria

Retired officers who volunteer for the RPOC will be evaluated by the Sheriff, and, if determined appropriate by the Sheriff, by the members of the RPOC. This evaluation would be based upon the initial eligibility criteria and any additional criteria that are deemed appropriate by the Sheriff. Once selected, each participant would commit to a minimum level of volunteer service, to include an ongoing training requirement that would be established by the Sheriff.

Authority of the Volunteers

If identification cards are to be issued to members of the RPOC, the cards should disclaim that the retiree has any official status with the Sheriff or the participating agency other than those duties that are identified and authorized under the duration of the disaster/emergency which dictates the mobilization of the individual. The language included on this identification card would be dictated by legislation and departmental policy and approved by the appropriate legal counsel. For purposes of illustration, the wording on this document may state something like the following: "This card identifies the individual as a retired police officer and a member of the Retired Peace Officer Corp (RPOC). The bearer is not an officer or agent of any jurisdiction and this identification card does not give the bearer any authority to act on any jurisdictions behalf or to exercise law enforcement authority not specifically authorized." Ultimately any authority granted to these individuals or documentation establishing this authority would be determined by the agency for which he/she volunteers.

Training

The training that is to be required for RPOC participation would be established and conducted in accordance with the requirements established by the Sheriff and/or any other participating agency. This training may incorporate a wide spectrum of possibilities, to include such things as online studies, which have as their objective maximizing the effective utilization of these personnel. RPOC members will be required to attend a minimum number of hours of training each year as established by the Sheriff and/or the participating agency.

Carrying Weapons

Although these individuals would be assigned to administrative and support duties, and it is anticipated that they would not be involved in direct law enforcement activities, an advantage in the utilization of retired officers is their ability to carry weapons.

On July 22, 2004, President George W. Bush signed into effect the Law Enforcement Officers Safety Act of 2004 (Public Law 108-277). This law substantially changes the rights of active and retired sworn law enforcement employees with regard to the carrying of concealed weapons throughout the United States.

This new federal law states:

> "Notwithstanding any other provision of the law of any State or any political subdivision thereof, an individual who is a qualified retired law enforcement officer and who is carrying the identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (b). (18 USC § 926(C) (a))."

By enacting this law, the federal government has effectively overridden state limitations on concealed carry by certain qualified personnel who meet the federal definition of retired law enforcement, as set forth in that section. This Act creates a mechanism by which qualified active-duty and retired law enforcement officers would be permitted to travel interstate with a firearm, subject to certain limitations, provided that officers are carrying their official badges and photographic identification.

For a retired law enforcement officer to qualify for exemption from State laws that prohibit the carrying of concealed firearms, he or she must have retired in good standing; have been qualified by the agency to carry or use a firearm; have been employed at least fifteen years as a law enforcement officer unless forced to retire due to a service-connected disability; have a non-forfeitable right to retirement plan benefits of the law enforcement agency; meet the same State firearms training and qualifications as an active officer; not be prohibited by Federal law from receiving a firearm; and be carrying a photo identification issued by the agency. Amendments were accepted to bar officers or retired police from carrying arms in other jurisdictions if they are under the influence of alcohol or other intoxicating or hallucinatory drug or substance, and to require retired police to have proof they received arms training in the previous year before being permitted to carry concealed weapons.

SUGGESTIONS FOR LAW ENFORCEMENT AGENCY PARTICIPATION

Agency Involvement

Although the Sheriff is the agency with control over an individual's participation in the RPOC, other local law enforcement agencies who wish to participate may identify one or more mobilization assignments to which an individual can be assigned. This assignment can be made based upon the criteria established by the Sheriff, in coordination with the requesting agency. They may include consideration such as, geographic location, specialized training, familiarity with a particular agency, an individual's assignment request, agency need or other relevant factors. In order to be responsive to both the desires of the individuals and to the need of local law enforcement throughout the County and individual may request acceptance by a participating agency in his/her application.

Individual Pre-Assignment

There exist a large number of dedicated and experienced retired officers within the County who could be effectively utilized in various administrative capacities in the event of a major disaster or emergency. Qualified individuals would be eligible to volunteer for recall to active law enforcement service to a predetermined assignment whenever an emergency shall dictate or when the existing law enforcement complement is temporarily insufficient for proper policing of such jurisdiction. As would all assignments in this program, these assignments would function under the rules as prescribed by the Sheriff and/or the participating agency.

The identification of a predetermined assignment process would provide the assigned individual with an improved opportunity to study and acquaint him/herself with the unique requirements and demands of the position that he/she could potentially occupy. It would also provide the participating agency with an opportunity to become familiar with the individual and to acclimate him/her to the culture of the agency.

Based upon the desires of the individual assigned and the needs of the participating agency, the individual could be give opportunities to train or participate in agency activities. These individuals would be both a participant in the Retired Peace Officer Corp and a volunteer member of the agency to which they are while performing their assigned duties.

Activation of the RPOC Volunteer

In response to the September 11, 2001, terrorist attacks and to the natural disasters that have impacted Los Angeles County many retired officers faced the frustration of not being able to assist the community. This desire to serve when the need is greatest is the common motivating factor that these individuals possess.

Under the special circumstances that are present in a disaster situation, it is anticipated that the RPOC would be activated at the direction of the Sheriff. At times of emergency in the jurisdiction of a participating agency and in accordance with policies and procedures established by the Sheriff, an individual(s) volunteer may be activated by the appropriate law enforcement

authority. During activation RPOC members would function under those provisions of the participating agency's existing volunteer program.

Volunteer Supervision

RPOC members would provide law enforcement support and assistance at the request of and under the direction, control, and supervision of established law enforcement officials and designated officers of the participating agency.

Volunteer Pay

Although it is anticipate that since this is a volunteer assignment the retired officer would not be paid for his/her participation, any pay or reimbursement that is provided to the volunteer is at the discretion of the participating agency.

Potential Agency Liability

As previously stated, it is anticipated that the proposed Retired Peace Office Corps would be supplementing active law enforcement activities in a support role, not in active law enforcement activities. Although serving in a support capacity where the risk of injury would be minimized, it is recognized that any potential risk of this service would be assumed by the participating agency. As a member of the RPOC these individuals would be covered for civil liability and indemnification, as would anyone in the participating in an agency's current volunteer program.

It is recognized that the risk in qualification and individual participation are more difficult to manage since the retired officers are not subject to the same daily monitoring that exists with current employees or even to the part-time monitoring of the current reserve force. Impairments or disabilities that would warrant precluding a retiree's participation in the program may well develop outside of the agency's knowledge. In this instance there will be little or no opportunity for an agency to respond to this change in status in a timely fashion. Even with these concerns, there appears to be a sufficient public benefit from the creation of this program to offset those risks that may be incurred.

Volunteer Recognition

Recognition of the contributions of these retirees should be part of the formal and informal operations of the program. By the very nature of the program being proposed retirees may not receive frequent feedback. Thus, during their participation they may begin to wonder if they are serving a purpose and/or if anyone appreciates the services they provide as volunteers. If this situation is allowed to exist it could negatively impact the effectiveness of the program by creating unmotivated participants. It should be emphasized to both management and staff that they should be continually aware of this basic human need and appropriately note when a volunteer has made a contribution to the program or to pass on praise from other individuals and/or organizations. No matter how small, a sincere and spontaneous thank you note to anyone for a job well done is a welcome bit of positive feedback.

The best methods to recognize the contributions of retirees could be, in order of preference:

- Written or verbal acknowledgment of the contribution of the volunteer.
- Media coverage
- Planned and unplanned recognition events
- The presentation of such items as pins, certificates, etc.
- The presentation of awards, gifts, etc.

CONCLUSION

Based upon history two things are clear, (1) disasters and emergencies will continue to occur and (2) it is the responsibility of local government to respond as effectively as possible to mitigate the impact of these disaster and/or emergencies to the residents of their community. The question is not whether trained and qualified retired law enforcement personnel would be a valuable response tool, clearly, they would. The question is how best to mobilize and effectively utilize these personnel. This proposal to create a Retired Peace Officer Corp (RPOC) provides the structure to pre-qualify, select, train, assign and utilize these individuals under the control of the appropriate law enforcement officials. It also provides a program structure to accomplish this pre-occurrence objective at minimal or no cost.

Current events have demonstrably demonstrated the value of the program being proposed to augment existing law enforcement assets. If such a program had been in place during recent disasters it would have saved lives, significantly reduced the devastating impact to both local infrastructure and property, and dramatically increased the efficiency and effectiveness in the emergency response of local government.