

I. INTRODUCTION

- A. Purpose: To establish rules and regulations covering the authorization, issuance, use, possession, loss, theft, sale, manufacture, destruction and return of all official Fire Department badges, cap-pieces, lapel/collar insignias and Department identification cards.
- B. Scope: This instruction applies to all County Fire Department personnel issued Fire Department badges and Department identification cards.
- C. Author: The Deputy Chief of the Administrative Bureau, through the Personnel Services Section, shall be responsible for the origin, content, revision, and annual review of this instruction.
- D. Authority:
 - 1. Los Angeles County Code Chapter 5.64 - The County Badge Ordinance (1960)
 - 2. California Assembly Bill 1153 (March, 2004)
 - 3. House of Representatives Bill H.R. 3402 – Public Law 109-162 Section 1191 of The Violence Against Women and Department of Justice Reauthorization Act of 2005 (January 2006)
- E. **Current Law**
 - 1. **Los Angeles County Code, Chapter 5.64 (The County Badge Ordinance)**, provides for the use of badges, insignias, seals and Department identification cards as follows:
 - a. Departments are required to keep records of all badges and identification cards issued to employees.
 - b. Employees are required to return badges and identification cards whenever they sever their connections with County departments and are to receive written receipts verifying that they returned the badge and/or identification card.
 - c. If badges and/or identification cards are lost or stolen, employees are required to file police reports, provide copies of the police reports to their Departments, and pay for the replacement costs of such badges and identification cards.

- d. Persons may not have in their possession any official badge or identification card of the County or its special districts which has not been issued to them according to the provisions of the applicable ordinance or resolution, or after the right to wear such badge or identification card has been terminated.
- e. No County badges (other than Deputy Sheriff badges) may be issued, except by order of the Chief Administrative Officer.
- f. Restrictions – No badge, cap-piece, identification card or lapel/collar insignia shall be issued to or be used, worn or carried by any person unless their duties involve the active enforcement of the law or unless he/she performs other public duties which in the judgment of the Board of Supervisors are such as to require that he/she do so for purposes of identification. (County Badge Ordinance Section 5.64.140.)
- g. A County badge may be issued to and possessed by only those persons who meet one or more of the criteria listed under County Badge Ordinance Section 5.64.130. The following Sections of this Ordinance apply to the Fire Department:
 - (1) County officers and employees who are required to wear a uniform and whose duties include the enforcement of penal statutes and ordinances a substantial portion of the time.
 - (2) County officers and employees who are peace officers under California Penal Code 830 (Arson Investigators).
 - (3) Persons designated by the Director of Health Services and approved by the Chief Administrative Officer who are assigned to perform hazardous materials management work.

Violation - Any person violating any of the provisions of Sections 5.64.090 or 5.64.130 shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the provisions of Sections 5.64.090 or 5.64.130 shall be punishable by a fine of not more than \$500 or by imprisonment in the County Jail for a period of not more than six months, or by both (County Badge Ordinance Section 5.64.360).

Violation – Any person misusing Departmental identification or insignia items, or causing their loss or damage, shall be subject to disciplinary action.

2. **California Assembly Bill 1153**, (sponsored by Los Angeles County) was enacted on March 5, 2004, under urgency statute allowance to amend existing Section 538(e) of, and add Section 538(g) to, the Penal Code relation to crimes and penalties, to cover badges and associated photographic identification cards used by all government officers in the State of California who act in an official capacity to protect the health, safety, and welfare of the community as follows:
 - a. **Penal Code Section 538(e)** provides that any person who unlawfully misuses the badge or uniform of an officer of a Fire Department or a Deputy State Fire Marshal is guilty of a misdemeanor. Such a crime is punishable by imprisonment in the County Jail for a period of up to one year, by a fine of up to \$2,000, or both imprisonment and fine. Unlawful sale or manufacture of any badge of an officer of a Fire Department or Deputy State Fire Marshal, is a misdemeanor punishable by a fine of up to \$15,000.
 - b. **Penal Code Section 538(g)** provides that it is a misdemeanor for any person other than a State, county, city, special district, or city and county officer or employee, to willfully and unlawfully wear, exhibit, misuse or willfully or unlawfully manufacture, sell, loan, give or transfer identification cards or insignias of a County or a special district officer or employee. Violation of the provision is punishable by a fine of up to \$15,000.
3. **House of Representatives Bill H. R. 3402 – Public Law 109-162 Section 1191 of The Violence Against Women and Department of Justice Reauthorization Act of 2005** was signed into law by President George W. Bush on January 5, 2006, to amend Section 716 of Title 18, United States Code, to provide expanded protections against the misuse of public safety officer uniforms, and for other purposes by protecting the official insignia or uniform which means an article of distinctive clothing or insignia, including a badge, emblem or identification card worn during the performance of official duties and which identifies the wearer as a public agency employee with the authority of any officer or employee of the Federal Government or of a State or local government.

II. RESPONSIBILITY

- A. The Personnel Services Section of the Administrative Bureau is responsible for maintaining and controlling the initial issuance of all official active in-service Fire Department badges, cap-pieces, lapel/collar insignias and identification cards, as well as their re-issuance, repair or destruction per the County Badge Ordinance.

- B. All Personnel to whom a County Fire Department badge and identification card is issued shall keep it in good condition and must immediately notify their supervisor, and must also notify the Badge Control Clerk and/or the I.D. Clerk in the Personnel Services Section within 24 hours upon loss, theft, or damage. A lost or stolen badge or Department identification card must be immediately reported to the law enforcement agency having jurisdiction where the loss or theft occurred. Personnel are responsible for securing all badges and Department identification cards while on or off duty.

If an employee is found negligent, he/she shall be required to pay for the replacement badge or identification card. If the employee is not found negligent, the replacement will be at the Department's expense.

Violation – All employees shall secure and protect Department property, vehicles, equipment, and items of identification against damage or loss and report any damage or loss according to Department procedures. Failure to secure or failure to report the damage or loss in a timely manner may result in disciplinary action.

III. POLICY

A. Department Identification Cards

1. Department Identification Cards shall be issued to all employees of the County of Los Angeles Fire Department by the I.D. Clerk in the Personnel Services Section of the Administrative Bureau. **Identification cards shall be subject to the same regulations as to issuance, possession, display and loss and return that govern badges** (County Badge Ordinance Section 5.64.330).
2. On September 25, 2001, the Board of Supervisors instituted a policy that all County employees are required to wear and properly display their County Department Identification Cards at all times while in any County building. Uniformed, sworn personnel are to have their identification cards in their possession at all times when they are on duty or in uniform, unless an exception is granted.
3. County Department Identification Cards shall contain the seal or graphic of the appropriate badge and designate the Department the employee is employed by, and shall contain a recent photograph of the employee (within five years), full name of the employee, his/her employee number, Departmental title, birth date, height, eye color, hair color, a print of his/her right and left index finger, the signature of the employee and the approving authority, and the date issued.

B. Department Badges

1. Badges are issued for authorized positions to new employees or when an employee transfers or promotes from one position to another. Employees shall obtain the new badge within ten days of the new assignment from Personnel Services. The old badge will be surrendered at the time the new badge is issued. (Ref. V2-C11-S1.)
2. An employee shall not have in his possession any official badge of the County of Los Angeles Fire Department which has not been issued to him/her or possess any such badge after his/her right to wear such badge has been terminated.
3. Any badge within the Fire Department shall be subject to confiscation if worn or displayed by any person other than the true holder, and shall be returned to the true holder only upon his showing that such use was without his consent expressed or implied.
4. The following positions in the Fire Department are authorized to possess a badge per County Badge Ordinance Section 5.64.130:

ITEM	POSITION	BADGE TITLE	BADGE SET
0199	Fire Fighter	Fire Fighter	Large Light Badge, Cap-Piece
0201	Fire Fighter Specialist	Engineer Deputy Fire Warden Fire Prevention Inspector Investigator	Large Light Badge, Cap-Piece Large Light Badge, Cap-Piece Large Light Badge, Cap-Piece Large Light Badge, Flat Wallet
0205	Fire Captain	Captain Captain Investigator	Large Light Badge, Cap-Piece, Insignia Large Light Badge, Cap-Piece, Insignia, Flat Wallet
0208	Battalion Chief	Battalion Fire Chief	Large Light Badge, Large Heavy Badge, Cap-Piece, Insignia, Flat Wallet
0211	Pilot	Pilot	Large Light Badge, Cap-Piece, Insignia
0213	Senior Pilot	Senior Pilot	Large Light Badge, Cap-Piece, Insignia
0217	Assistant Fire Chief	Assistant Fire Chief	Large Light Badge, Large Heavy Badge, Cap-Piece, Insignia, Flat Wallet
0219	Deputy Fire Chief, Emergency Operations	Deputy Fire Chief	Large Light Badge, Large Heavy Badge, Cap-Piece, Insignia, Flat Wallet
0220	Chief Deputy,	Chief Deputy	Large Light Badge, Large Heavy

	Emergency Operations		Badge, Cap-Piece, Insignia, Flat Wallet
0223	County Forester & Fire Warden	Fire Chief	Large Light Badge, Large Heavy Badge, Cap-Piece, Insignia, Flat Wallet
0224	Chief Deputy Business Operations	Chief Deputy	Large Light Badge, Large Heavy Badge, Cap-Piece, Insignia, Flat Wallet
0232	Fire Fighting Const. Equip Operator	Heavy Equipment Operator	Large Light Badge, Cap-Piece
0234	Sr. Fire Fighting Const Equip Oper	Senior Equipment Operator	Large Light Badge, Cap-Piece
0236	Supv. Fire Fighting Const Equip Oper	Supervisor Equipment Operator	Large Light Badge, Cap-Piece, Insignia
0326	Forestry Technician	Forestry Technician	Large Light Badge
0328	Forestry Assistant	Forestry Assistant	Large Light Badge
0331	Deputy Forester	Deputy Forester	Large Light Badge
0335	Assistant Chief, Forestry Division	Assistant Chief Forestry	Large Light Badge, Large Heavy Badge, Cap-Piece, Insignia, Flat Wallet
0336	Chief, Forestry Division	Chief Forestry	Large Light Badge, Large Heavy Badge, Cap-Piece, Insignia, Flat Wallet
2924A	Ocean Lifeguard Specialist	Ocean Lifeguard Specialist	Large Light Badge
2925	Captain Lifeguard Services	Captain Lifeguard	Large Light Badge, Insignia
2926	Rescue Boat Captain	Captain Lifeguard	Large Light Badge, Insignia
2927	Senior Rescue Boat Captain	Senior Captain Lifeguard	Large Light Badge, Insignia
2932	Section Chief, Lifeguard Services	Section Chief Lifeguard	Large Light Badge, Large Heavy Badge, Cap-Piece, Insignia, Flat Wallet
2934	Asst Chief, Lifeguard Services	Assistant Chief Lifeguard	Large Light Badge, Large Heavy Badge, Cap-Piece, Insignia, Flat Wallet
2935	Chief, Lifeguard	Chief Lifeguard	Large Light Badge, Large Heavy

	Services		Badge, Cap-Piece, Insignia, Flat Wallet
4400	Hazardous Materials Specialist I	Deputy Health Officer	Flat Wallet
4401	Hazardous Materials Specialist II	Deputy Health Officer	Flat Wallet
4402	Hazardous Materials Specialist III	Deputy Health Officer	Flat Wallet
4403	Supv. Hazardous Materials Spec	Deputy Health Officer	Flat Wallet
4405	Chief, Health Hazardous Materials	Deputy Health Officer	Flat Wallet
4406	Hazardous Material Control Mgr.	Deputy Health Officer	Flat Wallet
Loan Badge	Medical Director (County Ordinance 5.64.170)	Medical Director	Large Light Badge, Large Heavy Badge, Cap-Piece, Flat Wallet

C. Manufacture of Badges

1. No person shall manufacture, make, sell, design or transfer any official Fire Department badge or identification card without the written authorization of the Chief Administrative Office, Office of Security Management.
2. Pursuant to the County Code, the County of Los Angeles awards a contract to a badge manufacturing company to manufacture all Fire Department badges. Only that manufacturer is authorized by the County's purchasing agent to produce Fire Department badges.

D. Badge and Department Identification Card Return

1. When an employee leaves County service, by resignation, retirement or death, the complete official badge set and identification card shall be returned to the Fire Department's Badge Control Clerk. All official badges and Department identification cards shall remain the property of the County of Los Angeles and shall at no time become the personal property of an individual. (County Badge Ordinance Section 5.64.180.)
2. Upon the return and surrender of any official badge and Department identification card by the person to whom it was issued or by his/her duly

authorized agent, Personnel Services Section shall sign a written receipt (Transfer of Property Form 47) showing that such person has returned his/her official badge and Department identification card (County Badge Ordinance Section 5.64.180).

3. When an employee is suspended for 15 days or more, or pursuant to County Code Rule 18.01, his/her official badge and Department identification card must be returned to the Department's Badge Control Clerk for the duration of the suspension.
4. When an employee is off on leave (e.g., military, family, illness, injury) for more than 90 days, the employee is responsible for surrendering his/her official badge set and Department identification card to his/her supervisor. The supervisor is responsible for returning the official badge set and Department identification card to the Badge Control Clerk for the duration of the leave.
5. Pursuant to the County Code, an employee's accrued benefits may be withheld for up to three months after termination at the County's option, at the discretion of the Department Head, with the approval of the Chief Administrative Officer. This provision may be exercised by Department Heads to encourage employees to return their Department Identification Cards when they are terminating County service (County Code Section 6.24.040).

IV. PROCEDURES

A. Issuance of Department Identification Cards

1. All Fire Department employees shall be issued a Department Identification Card. New employees shall report to the Personnel Services Section to complete the new hire process and obtain a Department Identification Card. Newly promoted employees are required to have a new Department Identification Card for their new position. An updated photograph shall be taken in the Personnel Services Section no later than one week before the scheduled promotional ceremony.
2. All Fire Department employee Identification Cards shall have an expiration date of five (5) years. Each employee is required to report to the Personnel Services Section before the expiration date to be issued a new Department Identification Card and updated photograph.
3. All non-uniformed Fire Department employees are required to wear and properly display their County Department Identification Card while inside all

Department and County facilities. County identifications cards shall be worn visibly on or over an outer garment attached either by clip or lanyard. Only Department approved and issued badge holders and lanyards are permissible.

4. Uniformed personnel are required to have their Department Identification Card in their possession at all times while wearing the work or dress uniform.

B. Lost, Stolen or Damaged Badges

1. Lost, stolen or damaged badges must be reported immediately by the employee to his/her supervisor by completing a Survey Request (Form 41) (Ref. V6-C1-S41) and submitting it through channels to the Department's Badge Control Clerk within 24 hours. A Declaration of Lost Fire Department Issued Badge/Cap-Piece/Identification Card (Form 40) and a Police / Sheriff's Report must accompany Form 41. Damaged badges and all of the other badges in the badge set must be returned before a new badge set can be issued.
2. The employee whose badge is lost or stolen must ensure that a police report is filed immediately with the law enforcement agency having jurisdiction where the loss or theft occurred. The Badge Control Clerk shall issue a new official badge only upon submission of the Police/Sheriff's Report, Survey Request (Form 41) and obtaining a declaration signed by such person under penalty of perjury, stating that their official badge has been lost and cannot be found (County Badge Ordinance 5.64.190).

Violation – **Penal Code Section 148.5(a)** provides that any person who reports to a police officer that a felony or a misdemeanor has been committed, knowing the report to be **false** is guilty of a misdemeanor.

3. The employee must also complete a Security Incident Report that will be available from the Badge Control Clerk prior to receiving a replacement badge. The Security Incident Report must be delivered to the Office of Security Management, 785 Kenneth Hahn Hall of Administration, 500 W. Temple Street, Los Angeles, CA 90012, or sent via fax to (213) 613-0848, no later than the end of the business day following the loss or theft. The Security Incident Report code reference for a lost or stolen badge is J-8.

C. Lost, Stolen or Damaged Department Identification Cards

1. Lost, stolen or damaged Department identification cards must be reported immediately by the employee to their supervisor by completing a Survey Request (Form 41) (Ref. V8-C1-S41) and submitting it through channels to the Department I. D. Clerk within 24 hours. A Declaration of Lost Fire Department Issued Badge / Cap Piece / Identification Card (Form 40) and a

Police/Sheriff's Report must accompany Form 41. Damaged identification cards must be returned for destruction before a new card is issued.

2. The employee whose Department identification card is lost or stolen must ensure that a police report is filed immediately with the law enforcement agency having jurisdiction where the loss or theft occurred. The I. D. Clerk shall issue a new official Department identification card only upon submission of the Police/Sheriff's Report, Survey Request (Form 41) and obtaining a declaration signed by such person under penalty of perjury, stating that their official identification card has been lost or stolen and cannot be found (County Badge Ordinance Section 5.64.190).
3. The employee must also complete a Security Incident Report that will be available from the I. D. Clerk prior to receiving a replacement Department identification card. The Security Incident Report must be delivered to the Office of Security Management, 785 Kenneth Hahn Hall of Administration, 500 W. Temple Street, Los Angeles, CA. 90012 or sent via FAX to (213) 613-0848 no later than the end of the business day following the loss or theft. The Security Incident Report code reference for a lost or stolen Department identification card is J-8.

D. Retirement Badges and Department Identification Cards

1. Any Fire Department employee who is authorized to have a badge issued to him/her, and who subsequently is honorably retired, may possess and carry an official badge which has the word "Retired" plainly shown on the face of the badge. Inscribed on the back of each retirement badge will be the following information:
 - a. The name of the person to whom the badge is issued;
 - b. The date of the entry of such person into County service;
 - c. The date of the retirement of such person from County service.
2. The above retiring employees will also be issued a Department identification card to include in their badge wallet. The badge will be issued at County expense upon the employee's retirement (County Badge Ordinance Section 5.64.250).
3. Retired Fire Department personnel must immediately notify the Personnel Services Section if their official badge or Department identification card is lost or stolen. They must also immediately file a police report with the law enforcement agency having jurisdiction where the loss or theft occurred and forward a copy of the Police/Sheriff's Report to Personnel Services.

4. The County may confiscate any such badge that is used for unlawful purpose (County Badge Ordinance Section 5.64.250).
5. Retiring members, an authorized representative, or family members of a deceased employee, may request a duplicate badge of any previous badges permanently encased in a solid, clear lucite block at least one inch in thickness as a memento. Only those retirees who are authorized to receive an official retirement badge shall be favorably considered. Upon approval of a request, all costs shall be paid by the requestor at the time the order is placed with the Badge Control Clerk of Personnel Services Section.

E. Sworn Personnel Killed in the Line of Duty

1. The family of a deceased employee may request the retention of their badge as a keepsake. The badge shall be permanently encased in block lucite to render the badge unusable for active service. The Badge Control Clerk of the Personnel Services Section will render the badge number "Retired."