

INTRADPARTMENTAL CORRESPONDENCE

March 21, 2019

1.1

TO: The Honorable Board of Police Commissioners

FORM: Chief of Police

SUBJECT: LOS ANGELES POLICE DEPARTMENT 150TH ANNIVERSARY – REQUEST FOR APPROVAL OF COMMEMORATIVE BADGE

RECOMMENDED ACTIONS

1. It is recommended that the Board of Police Commissioners REVIEW the attached Fact Sheet, titled *Proposal for Los Angeles Police Department 150th Anniversary Commemorative Badge*, dated March 13, 2019.
2. It is recommended that the Board of Police Commissioners APPROVE the commemorative badge as outlined therein.

DISCUSSION

In keeping with the Los Angeles Police Department's commitment to celebrate its 150th Anniversary, a committee was established under the guidance of and overseen by the Chief of Staff. The committee's responsibility is to organize a series of Department and Community events to celebrate the Department's history. As such, a proposal for the establishment of a Commemorative Badge in honor of the 150th Anniversary has been presented by way of the above referenced Fact Sheet, which includes but is not limited to: Legal Requirements, Proposed Design, Cost, Risk Mitigation, Commemorative Anniversary Badge precedence, and employee interest.

If additional information regarding this correspondence is required, please contact Captain Gisselle Espinoza, Commanding Officer, Media Relations Division, at (213) 486-5910.

Respectfully,



MICHEL R. MOORE
Chief of Police

Attachments

FACT SHEET

PROPOSAL FOR LOS ANGELES POLICE DEPARTMENT “150TH ANNIVERSARY COMMEMORATIVE BADGE” March 20, 2019

Background. The Los Angeles Police Department will celebrate the 150th Anniversary of its formal establishment which commenced January of 2019. The Department established a committee to organize a series of Department and community events to celebrate the agency’s history. As part of this year-long celebration, a tentative proposal was presented requesting consideration for the establishment of a commemorative badge, suitable for uniform wear by active uniformed Department personnel. The Committee designated specific personnel to research the appropriate viability of such action.

Investigation. Research was conducted to explore the following specific issues related to the badge proposal:

- To verify any legal, legislative or policy requirements that would regulate the Commemorative Badge;
- To propose specific design formats for a uniform quality and compliant badge design;
- To explore cost considerations and appropriate funding;
- To propose appropriate measures to mitigate risk management and liability concerns;
- To determine local, state, and national precedence for such action;
- To determine employee interest, specifically given the financial costs and any developed policy limitations regarding possession, etc.;
- Recommendations for the logistical oversight (receipt of purchase orders from participating officers and issuance of badges); and,
- If appropriate, to introduce a series of proposed course of action to enact such a proposal.

Findings.

Legal Requirements

Committee members contacted Supervising City Attorney Julie Raffish, Police General Council, for guidance on any applicable state or municipal laws which regulate the design, issuance and donning of police badges. State law is the vehicle for government officials to regulate law enforcement badge and identification via ordinance.

A review of the applicable Los Angeles Municipal Code (LAMC) sections revealed a special issue or commemorative badge was permitted by existing law, under the same constraints and restraints of existing badge issuances (e.g. as they apply to promotions, retirement, etc.). Any such commemorative badge would have to display the individual employee’s current rank and a badge number consistent with their regular issued badge (Addendum 1).

Proposed Design

The formal design proposal is based on the original badge issued to the first six police officers on January 4, 1869. Modifications have been made to the 150 year-old design to designate the commemoration (a lower ribbon noting “150th Anniversary”) and to meet the determined legal

requirements, an upper ribbon containing the employee's rank and the center positioned badge number that will match the number of the individual employee's standard issued badge (Addendum 2).

Cost

An inquiry was submitted to Sun Badge of Ontario, California, the current Department badge provider, who provided a cost estimate and production timeline based on the proposed design. Officers who choose to participate would be required to purchase the badge at their own cost, similar to the current flat badge purchase program. The only cost to the Department and City would be the personnel hours required to process and distribute badge orders, and maintain records and badges upon retirement pending their appropriate return. As noted, this process would mirror that which is currently in place for existing issued badges and honorably retired personnel (Addendum 3).

Risk Mitigation

In compliance with standing LAMC requirements and current Department policy, officers shall surrender any purchased commemorative badge at the conclusion of the anniversary period and resume wear of their standard issued badge. The badges will then be returned to participating personnel encased in lucite.

Commemorative and Anniversary Badge Precedence

Law enforcement and fire service badges to commemorate special events have grown in popularity over recent decades, with police department anniversary badges leading the trend.

A review of similar programs throughout California and the United States reveals multiple agencies which have celebrated their community or agencies' history through the wearing of specially designed commemorative badges for a finite period, most frequently a year. Included among these is the Los Angeles County Sheriff's Department, who in 2001 authorized the purchase and wearing of a commemorative badge to recognize the Department's 150th Anniversary. Additional agencies in California who have engaged in similar commemorative badges for uniform wear include:

- San Diego Police Department (125th Anniversary, 2007);
- Sausalito Police Department (125th Anniversary, 2018);
- San Jose Police Department (125th Anniversary, 1999);
- Anaheim Police Department (City's 150th Anniversary, 2007); and,
- Napa Police Department (125th Anniversary, 2000)

Brief open source research has revealed additional agencies throughout the country who have participated in similar anniversary badge programs (Addendum 4).

Other agencies have commemorated significant national events with badges authorized for limited wear. For instance, the Norman, Oklahoma, Police Department designed and wore a

badge for one month (April of 2015) to commemorate the 20th Anniversary of the bombing of the Alfred P. Murrow Federal Building. Similarly, the Pentagon Police Department approved a commemorative September 11th badge to be worn for the year of the 10th Anniversary of the attack in 2011. Finally, multiple agencies throughout the United States have authorized the purchasing and wear of badges commemorating the September 11th attack. These badges are generally permitted to be worn by participating officers for the month of September each year.¹

Employee Interest

Given the voluntary nature and proposed expense to individual personnel, it was important to gauge, as accurately as possible, the support and interest amongst the employee body. Information on the rationale and historical basis for the program, proposed badge design, cost and likely limitations (period of wear and required surrender) was shared with significant number of personnel throughout the Department at roll call settings, as well as spontaneous gatherings and special events, and at the annual Police Protective League Delegates Conference. The proposal received overwhelming support, with officers expressing enthusiastic interest and willingness to make the personal expenditure in order to participate for the permitted period.

Recommendations.

It is recommended that the Board of Police Commissioners approve the Commemorative Badge as follows:

Uniform wear

1. Participating personnel shall be deemed as active uniformed Department personnel, including reserves; and other active Department personnel as approved by the Chief of Police (COP).
2. The Commemorative Badge shall be purchased by participating personnel as described herein.
3. At time of the Commemorative Badge purchase, participating personnel shall also purchase a "lucite kit" to encase the badge at the end of anniversary year – 2019.
4. Participating personnel shall maintain possession of badge between authorized wear dates and shall surrender it at conclusion of Anniversary Year (2019) for encasement in lucite.
5. The Commemorative Badge is authorized for wear during the last quarter of 2019 as designated by the COP. Such occasions may include: specific dates throughout the anniversary year, such as the month that participating personnel are assigned to host their open house, the gala celebration in November 2019, during divisional inspections or designated ceremonial events, and any other dates significant to the Department or individual commands as approved by the COP.

¹ These agencies include police departments in Seattle (WA), Spokane (WA), Austin (TX), Houston (TX), Springfield (MO), Arlington (VA) and San Diego (CA).

6. Only ONE badge for wear may be purchased by participating personnel. Additional lucite encased badges will be available for purchase by participating personnel and sworn retirees.

Additional Commemorative Badge Options

The overwhelming support shown by personnel, both active and retired, indicates a strong interest in the commemorative badge in additional formats. This provides an opportunity for fund raising for worthy organizations such as the Historical Society. The image of the commemorative badge, preferably including rank and personalized badge or serial number, emblazoned on a variety of items (mugs, nameplates, etched acrylic displays, etc.) will likely be easily marketable.

Many agencies that engaged in similar commemorative programs designed a miniature version of the commemorative badge (approximately half size), generally in velvet lined and embossed presentation grade display boxes, available for purchase. It is believed this type of item would be of interest to retired personnel, who likely would not be able to purchase uniform approved badges due to the restrictions posed by the LAMC.

Finally, a related and complimentary lapel pin version of the badge is available for year-round wear by all Department personnel.

Conclusion. The current Los Angeles Police Department badge is recognized world-wide and is a symbol of prestige and honor. A recommendation for its replacement, however brief, is not proposed without recognizing that fact. However, the prestige of today's badge is born of the professional growth and history of our Department – its accomplishments, lessons-learned, and improvements made. A campaign of this nature will further enable our Department to understand our history, better appreciate our roots, professional growth and accomplishments and hopefully encourage our workforce to further the legacy of providing only the finest service to our communities.

ADDENDUM 1

The following sections of the Los Angeles Municipal Code (LAMC) exist specifically to address uniform badges issued to peace officers employed by the City:

- §52.00 LAMC – Definitions
 - (1) “Board” shall mean the Board of Police Commissioners
 - (2) “Official Police Officer’s Badge” shall mean badges of the sizes, types and designs last approved by resolution of the Board adopted subsequent to January 1, 1940 for the use of Regular Police Officers and Reserve Police Officers. Each badge shall bear on the face thereof the title or rank of the person to whom it was issued. All badges of each title or rank shall be consecutively numbered and the numbers shall appear on the face of each badge. Where a Regular or Reserve Police Officer possesses more than one Official Police Officer’s Badge, those badges shall bear the same badge number.

- §52.01 LAMC – Issuance of Badges

No Board or member thereof, or officer or employee of the City of Los Angeles shall:

 - (a) Issue any special Police Officer’s badge, civilian badge or any official police officer’s badge except to persons lawfully entitled thereto under the provisions of this code.

- §52.14 LAMC – Police Badges – Proper Issuance

Official police officer’s badges shall be issued only by the Board and the same shall be issued only after official action is taken by the Board authorizing the issuance of the same.

- §52.15 LAMC – Official Police Officer’s Badge – To Whom Issued

The Board may issue Official Police Officer Badges to each Regular Police Officer or Reserve Police Officer. Neither the Board nor any other officer or employee of the City shall issue any Official Police Officer Badge to any person not a Regular Police Officer or Reserve Police Officer.

- §52.23 LAMC – Police and Civilian Badges – Manufacture Of
 - A. No person shall manufacture, make sell, design, or transfer any official police officer’s badge, civilian badge, or special police officer’s badge without the written authorization of the Board thereof; such person may deliver such badges only to the Board, and may manufacture only the number of badges authorized by the Board. Nothing in this section shall be construed as affecting the manner in which contracts for the purchase of badges by the City shall be let, as provided in Section 380 of the Charter.
 - B. No person shall manufacture, make sell, design, or transfer any badge, star, shield, miniature, ring, charm or insignia, regardless of size, shape or design, which has on it the words “Los Angeles Police” or Los Angeles Detective,” whether used separately, together, or in a combination with any other words

indicating a connection with the Los Angeles Police Department, or which is identical in design with or which resembles or may be mistaken for, the design of the official police officer's badge, civilian badge, or special police officer's badge, except as provided for in subsection A thereof.

- §52.25 LAMC – Police and Civilian Badges and News Media Identification Cards – Return Of

All official police officer's badges, civilian badges, and news media identification cards shall be the property of the City of Los Angeles, and shall at no time become the personal property of any individual. When any person shall sever his connection with the Police Department, or shall retire on pension, it shall be his duty to return his official police officer's badge or civilian badge to the Board.

- §52.27.1 LAMC – Retired Officers – Authorized Badges

(b) **Retirement. (Amended by Ord. No. 181,594, Eff. 4/10/11.)** Pursuant to California Penal Code Section 538d, Subsection (d), the Board of Police Commissioners is authorized to issue a badge to any regular sworn police officer who is honorably retired, which that retired officer may carry. The badge shall be especially adopted or approved for this specific purpose by the Board.

1. The badge shall contain the words "Honorably Retired", clearly visible in capital letters, blue in color, on a ribbon to be permanently affixed to the badge directly above the scroll containing the rank of the officer. This badge shall be known as the "Retired Officer's Badge."

- §52.27.3 LAMC – Promotion – Authorized Badges.

(a) Notwithstanding any other provision of this article, a Regular Police Officer or Reserve Police Officer may purchase and retain any badge lawfully issued to him or her upon promotion to a different rank, provided that upon purchase, the Board shall cause such badges to be encased, which will effectively preclude the improper use of such badges.

The referenced Penal Code Section, §538d, Subsection (d), is as follows:

(1) The head of an agency that employs peace officers, as defined in Sections 830.1 and 830.2, is authorized to issue identification in the form of a badge, insignia, emblem, device, label, certificate, card, or writing that clearly states that the person has honorably retired following service as a peace officer from that agency. The identification authorized pursuant to this subdivision is separate and distinct from the identification authorized by Article 2 (commencing with Section 25450) of Chapter 2 of Division 5 of Title 4 of Part 6.¹

(2) If the head of an agency issues a badge to an honorably retired peace officer that is not affixed to plaque or other memento commemorating the retiree's service for the agency, the words "Honorably Retired" shall be clearly visible above, underneath, or on the badge itself.

¹ This portion of the Penal Code is in reference to the concealed weapons exemption permitted for honorably retired peace officers.

ADDENDUM 2

Presented by



SUN BADGE COMPANY

to

Los Angeles Police Department



<i>Project name:</i> Los Angeles Police Department		<i>Requested by:</i>		<i>Drawing #</i> 3506	<i>Revision Letter:</i> A
<i>product description:</i> Custom Badge		<i>Color:</i> Silhoac	<i>Color Enamel:</i> Black	<i>Version:</i> Color	
<i>Gauge:</i>	<i>Height:</i> 3"	<i>Wide:</i> 3"	<i>Graphic Artist:</i> 		

ADDENDUM 3



SUN BADGE COMPANY

2248 S. Baker Avenue, Ontario CA 91761

TEL: (909) 930-1444 FAX: (909) 930-1443

www.sunbadgeco.com

September 7, 2018

Sergeant Arturo Ramos
LAPD
77th Street Division

Telephone #: (323) 786-5000
Email: 33071@lapd.online

Dear Sgt. Ramos:

<u>ITEM</u>	<u>PRICE</u>
150 th Anniversary Badge	\$67.75 Ea.
150 th Anniversary Challenge Coin	\$6.00 Ea.
150 th Anniversary Miniature	\$4.00 Ea.
150 th Anniversary Badge Set	\$87.75 Ea.
• Plus Tax and Shipping	
Artwork	No Charge
Production Sample	No Charge

TERMS AND CONDITIONS OF SALE:

- * PAYMENT -Net(30) Thirty Days
- * Delivery Eight to Ten Weeks.
- * Pricing - Pricing firm for Thirty (30) days
- * Plus Shipping and Handling
- * Dies - Nontransferable ownership rights.
- * All Badges Are Manufactured in the USA

Sgt. Ramos, on behalf of the entire Sun Badge Company team we look forward to the opportunity to produce your custom badges. Should you have any further questions or concerns please feel free to call on me. You can reach me at (909) 930-1444.

Sincerely,

Ben Dawson
Vice President

Manufacturer of custom Badges for Law Enforcement, Fire Departments, and Security Agencies.

ADDENDUM 4

A brief search of open source information revealed the following agencies have engaged in the development and approved uniform wear of commemorative badges for significant Department or City anniversaries.

- Las Vegas (NV) Metropolitan Police Department (40th Anniversary, 2018)
- Henderson (NV) Police Department (50th Anniversary, 2003)
- Saint Louis (MO) County Police (50th Anniversary, 2005)
- Kansas City (MO) Police Department (140th Anniversary, 2014)
- Albany (NY) Police Department (150th Anniversary, 2010)
- Virginia Beach (VA) Police Department (50th Anniversary, 2013)
- Columbus (OH) Police Department (200th Anniversary, 2016)
- Bend (OR) Police Department (100th Anniversary, 2005)
- Nashville (TN) Police Department (City's 50th Anniversary, 2014)
- Charlotte (NC) Police Department (150th Anniversary, 2015)
- Boise (ID) Police Department (150th Anniversary, 2013)
- Minneapolis (MN) Police Department (150th Anniversary, 2017)
- Champaign (IL) Police Department (100th Anniversary, 2011)
- Annapolis (MD) Police Department (150th Anniversary, 2017)
- Fort Worth (TX) Police Department (100th Anniversary, 2012)
- San Antonio (TX) Police Department (City's 300th Anniversary, 2018)
- Pasadena (TX) Police Department (80th Anniversary, 2017)
- Wichita (KS) Police Department (125th Anniversary, 2015)
- Cheyenne (WY) Police Department (150th Anniversary, 2017)
- Providence (RI) Police Department (150th Anniversary, 2014)
- Alabama State Troopers (75th Anniversary, 2010)
- Nevada Highway Patrol (100th Anniversary, 2008)
- Indiana State Police (75th Anniversary, 2008)
- Alaska State Troopers (100th Anniversary, 2009)