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# Summary of Identification Badge Control at the San Mateo County Hall of Justice

## A Vulnerable Security System

### Issue

Are adequate measures used by San Mateo County to control identification badges and access to the Hall of Justice?

### Summary

The 2005-2006 San Mateo County Civil Grand Jury (prior Grand Jury) identified a facility security issue at the County Courthouse involving the failure to deactivate a former employee's identification badge and communicated its concern (without a formal investigation) to the County Manager's Office. In January 2006, the prior Grand Jury received a response from the County Building Security Work Group (BSWG) indicating that it would investigate the issue, and the BSWG provided a detailed explanation of current policy regarding the issuance and control of identification badges.

The Grand Jury has investigated the initial issue and reviewed the current badge control procedures. The results of the investigation indicate that the Hall of Justice badge security program is generally effective; however, some enhancements are suggested. The Grand Jury recommends several procedural changes to improve facility security.



# Identification Badge Control at the San Mateo County Hall of Justice

## A Vulnerable Security System

### Issue

Are adequate measures used by San Mateo County to control identification badges and access to the Hall of Justice?

### Background

Upon entering the Hall of Justice, the general public and their belongings are processed through a metal detector and then further scrutinized by security. This is a Sheriff's Department responsibility, but is contracted out to a private security firm. All County employees, as well as other groups, including attorneys, members of the press, contract workers, etc., are issued photo ID badges, which contain an electronic device capable of storing information related to that person. By using this badge individuals can enter separate automated employee entrances and not be subject to any security screening. In addition, badges of employees who require access to certain other County facilities, e.g., the several courthouses, can be programmed with access codes for those buildings.

The phrase "identification badge" or "employee ID badge" is one that will be understood by the general public, and is therefore used in the title of this report. San Mateo County refers to these badges as "cardkeys," and that term may also be found in this report.

The San Mateo Civil Grand Jury (Grand Jury) initiated this investigation when a former grand juror, also an ex-County employee and still in possession of an employee badge, was able to enter the Hall of Justice through the employee entrance. The County Manager's Office indicated that the security lapse resulted from a "data input error" and had been corrected. In addition, the County Building Security Work Group (BSWG) issued a detailed response. The BSWG is composed of members of several County departments, including the Sheriff, County Manager and Information Services

Department (ISD), and meets on an as-needed basis to set facility security policy. The written response from the BSWG detailed the current badge control procedures and provided information on the five groups of individuals who require ready access to the Hall of Justice: County employees, members of the press, attorneys, vendors, and “others,” which includes boards, commissions, grand jurors and other persons requiring access for specific terms.

## **Investigation**

The Grand Jury interviewed representatives of the BSWG and was provided a copy of the County Administrative memorandum B-20, *Building Security Policy and Court Security Plan*, which has not yet been approved by the County or the court. This policy identifies all groups that are authorized to have badges.

To test the security system, the Grand Jury compared a list from the Health Services Department of all badge holders who have terminated employment with the County since January 1, 2006 with a list provided by the ISD of all individuals who had a current (as of August 10, 2006) identification badge that allowed access to the Hall of Justice.

The Grand Jury interviewed the Deputy Sheriff in charge of court security and reviewed the Hall of Justice security plan with him.

## **Findings**

### County Employees:

Approximately 60 employees with Hall of Justice access have terminated employment since January 2006. Comparison of the list of these employees with the list of currently active badges shows that six of them (10%) still had active badges allowing ready access to the Hall of Justice.

County policy requires that employees return their badge at the time of termination but the policy is not always enforced. Individual departments and the Employee Services Department both forward lists of terminated employees to ISD every month. ISD is then responsible for disabling the badges. An employee terminated early in any monthly reporting cycle may not be identified to ISD until the end of that month.

ISD reports that the above procedure is currently being revised to improve its badge tracking process.

### Members of the Press:

Selected members of the press are issued badges by the County Manager’s Office after it consults with their respective editors. These press badges are valid for up to twelve

months and are automatically invalidated at the end of each calendar year. The press badges allow access to the pressroom in the Hall of Justice through a secured exterior entrance. Once in the pressroom, the reporters have access to the Hall of Justice through an interior door.

#### Attorneys:

Attorneys in good standing with the San Mateo County Bar Association for a period of two years may be issued badges, which remain active during this time period as long as their membership in the Bar is maintained. Attorneys from other counties appearing before the courts in the Hall of Justice may also obtain badges, which may have active status for years even if they are not used. The BSWG is currently considering a one-year time limit on these badges.

The Grand Jury confirmed that attorneys and their legal teams occasionally bypass the Hall of Justice security station by sharing a single badge and entering via the employee entrance. This practice is stopped when observed by security personnel.

#### Vendors:

Vendor badges are issued annually and expire on the earlier of December 31<sup>st</sup> or completion of the vendor's access requirement. Vendors are not permitted to enter the Hall of Justice through either the Public or the badge access doors, but can enter using other shipping and receiving entrances. If a work crew is involved, a badge is provided only to the supervisor of the crew and not to each crew member. Facility security is, therefore, dependent upon the hiring and supervision practices of the vendor. Vendors working after hours must be supervised.

#### Other:

Members of special groups, such as grand juries, commissions and boards, are issued badges which are automatically invalidated at the end of their term of service.

The procedures discussed above have been in place for several months; however, at the time of this report, they have not been formally adopted by the County or the Court, or included in the County Administrative Memorandum B-20, *Building Security Policy and Court Security Plan*.

## **Conclusions**

Access to the Hall of Justice must strike a balance between security issues and convenient access by the public and to County employees. The Hall of Justice is a multi-functional facility, housing several County administrative departments in addition to the Courts. While the County wants to present an open environment to members of the public who have routine business at the various administrative departments, the courts require a more

secure environment. The current badge control system is an attempt to satisfy both requirements and is less than ideal for either.

Badge-holders entering the Hall of Justice through one of the unmonitored entrances are not required to present their badges to a security guard. There is no procedure in place to insure that badges are used only by the person to whom they were issued. The Jury was told that some persons have been seen using their badges to admit others through the employee entrance.

Employee badges are not always recovered or invalidated in a timely manner, nor is ISD notified immediately to cancel the badges of terminated employees.

Vendor badges are issued only to a supervisor, not to all members of work crews, allowing individuals that have not been screened to enter the facility.

The issuance and control of identification badges is a critical element in the overall administration of security at the County Hall of Justice. The Hall of Justice is a particularly sensitive environment and even minor improvements in security may help avoid potentially dangerous situations.

## **Recommendations**

The Grand Jury recommends the Board of Supervisors and the Sheriff consider the following:

1. Adopt procedures to insure that occasional and unannounced spot checks are conducted at all badge controlled access points to verify that each badge belongs to the user of that badge.
2. Adopt procedures to insure that the badge of every terminated employee is returned to the County and deactivated immediately upon termination.
3. Re-examine the policies of issuing badges that are valid for more than twelve months and of allowing unused badges to remain valid.
4. Re-examine the policy of allowing work crews access to the Hall of Justice without vetting each member of the crew.
5. Formalize and adopt County Administrative Memorandum B-20, *Building Security Policy and Court Security Plan*.



**COUNTY OF SAN MATEO**  
**Inter-Departmental Correspondence**

County Manager's Office

**DATE:** December 22, 2006  
**BOARD MEETING DATE:** January 9, 2007  
**SPECIAL NOTICE:** None  
**VOTE REQUIRED:** None

**TO:** Honorable Board of Supervisors  
**FROM:** John L. Maltbie, County Manager  
**SUBJECT:** 2006-07 Grand Jury Response

**Recommendation**

Accept this report containing the County's responses to the following 2006-07 Grand Jury reports: Pandemic Influenza Preparedness at the San Mateo County Women's Correctional Facility and Badge Control at the San Mateo County Hall of Justice.

**VISION ALIGNMENT:**

**Commitment:** Responsive, effective and collaborative government.

**Goal 20:** Government decisions are based on careful consideration of future impact, rather than temporary relief or immediate gain.

This activity contributes to the goal by ensuring that all Grand Jury findings and recommendations are thoroughly reviewed by the appropriate County departments and that, when appropriate, process improvements are made to improve the quality and efficiency of services provided to the public and other agencies.

**Discussion**

The County is mandated to respond to the Grand Jury within 90 days from the date that reports are filed with the County Clerk and Elected Officials are mandated to respond within 60 days. It is also the County's policy to provide periodic updates to the Board and the Grand Jury on the progress of past Grand Jury recommendations requiring ongoing or further action. To that end, attached is the County's response to the Grand Jury reports on Pandemic Influenza Preparedness at the San Mateo County Women's Correctional Facility and Badge Control at the San Mateo County Hall of Justice issued October 12, 2006.

## **Pandemic Influenza Preparedness at the San Mateo County Women's Correctional Facility**

### **Findings:**

Staff is in general agreement with the Grand Jury's findings.

### **Recommendations:**

**The Board of Supervisors should:**

**2.1 Ensure that the needs assessment report for the new Women's Facility to be prepared by the consulting firm, DMJM H&N, adequately addresses the logistics and space planning needed to combat a contagious disease outbreak.**

**Response:** Concur. The needs assessment for the new Women's Correctional Facility will include consideration of pandemic flu preparedness requirements.

**2.2 Support and participate in the planning sessions among the Sheriff's Department, Health Department and the Court; establish timelines with realistic deadlines for formalizing a detailed plan for dealing with a pandemic flu outbreak.**

**Response:** Concur. The Sheriff's Office, Health Department, and the Court have held a series of meetings to prepare a planned Pandemic Flu response, including a potential outbreak occurring in one of the Sheriff's secure facilities. A draft plan has been prepared. The team is currently developing a final plan that is due to be completed in March 2007. A Pandemic Flu exercise is being planned for May 2007, so that the plans of the County and other community partners can be rehearsed and assessed to identify any gaps in coverage.

**2.3 Revisit the 2006-07 preliminary budget allocation for the Sheriff's Department and Correctional Health Services to consider (a) whether it can support the hiring of additional nurses to reduce the need to transport inmates to the Maguire Facility/hospital or (b) whether the salaries of additional personnel can be offset by savings in transportation costs and overtime expenses.**

**Response:** Concur. Nurse staffing levels at the Women's Correctional Facility will be reviewed as part of the FY 2007-08 budget development for the Sheriff's Office and Correctional Services Division of the Health Department.

## **Badge Control at the San Mateo County Hall of Justice**

### **Findings:**

Staff is in general agreement with the Grand Jury's findings, however, there are some minor clarifications that should be noted, as follows:

- In the first sentence of the Background, it reads, **“Upon entering the Hall of Justice, the general public and their belongings are processed through a metal detector and then further scrutinized by security.”** It should be noted that any carry-in items such as handbags, brief cases, boxes, etc. are screened through an x-ray machine.
- The first sentence of the Investigation reads, **“The Grand Jury interviewed representatives of the BSWG (Building Security Work Group) and was provided a copy of the County Administrative Memorandum B-20, Building Security Policy and Court Security Plan, which has not yet been approved by the County or the Court.”** Administrative Memorandum B-20 was formally adopted on August 12, 1998; however, it is currently out of date and needs to be updated.
- The second sentence of the Findings, under sub-header Attorneys reads, **“Attorneys from other counties appearing before the courts in the Hall of Justice may also obtain badges, which may have active status for years even if they are not used.”** Only attorneys in good standing with the San Mateo County Bar Association for a period of at least two years may be issued badges. It is true that on one occasion visiting attorneys for a high-profile case were issued cardkeys, but those cardkeys were terminated immediately following completion of the trial.

### **Recommendations:**

**The Board of Supervisors should:**

**1. Adopt procedures to insure that occasional and unannounced spot checks are conducted at all badge controlled access points to verify that each badge belongs to the user of that badge.**

**Response:** Concur. The Sheriff's Countywide Security Unit will be tasked with the responsibility of conducting spot checks by the un-intrusive use of cardkey computer monitors. The results of these spot checks will be documented and forwarded to the Captain of Courts, Custody and Security Services and will be shared with the BSWG in order to identify and address security concerns in the future.

**2. Adopt procedures to insure that the badge of every terminated employee is returned to the County and deactivated immediately upon termination.**



**Response:** Concur. If an employee is terminated for cause, ISD or the San Mateo Medical Center (depending on the employee's assignment) will deactivate the employee's cardkey and notify the Sheriff's Countywide Security Unit. Routine resignations are handled through a termination report, which is generated after each payroll. The report is sent to the County's Cardkey Administrator at ISD. The cardkeys are deactivated for all employees on the termination report. The Medical Center's Cardkey Administrator is notified by e-mail from the various Unit Managers that an employee has terminated and immediately deactivates that employee's cardkey. The result is that the cardkeys, cancelled electronically, will no longer activate the door mechanisms. These processes have been in place for some time but need to be formally adopted in County Administrative Memorandum B-20.

The issue of the employees returning their cardkeys is a more complicated issue, as some employees feel that the cardkey is their personal property and fail to return them upon termination. The Sheriff's Office will work with the BSWG to develop a countywide procedure that will ensure that every effort is made to retrieve employee cardkeys upon termination from County service.

**3. Re-examine the policies of issuing badges that are valid for more than twelve months and of allowing unused badges to remain valid.**

**Response:** Disagree. Setting annual termination dates for County employees and members of the Bar Association would create an undue burden on cardkey administration and could have significant impacts on building operations. This past year the County initiated a process whereby departments are required to review a report of all their employees that have cardkey access to the Hall of Justice and verify that the employees are still employed by the County and that their level of access is appropriate. The County's Health Department has already completed such a review and a review by the Human Services Agency is currently underway. The plan is that all departments would perform a comprehensive review at least once a year. Though in place, this process still needs to be formally adopted in County Administrative Memorandum B-20. The BSWG will also approach the Bar Association about conducting a review of all member attorneys who possess active cardkeys.

**4. Re-examine the policy of allowing work crews access to the Hall of Justice without vetting each member of the crew.**

**Response:** Disagree. It would cause significant workload to do backgrounds on all contract workers. Also, the policy would effectively eliminate the County's use of contractors that provide rehabilitation services, such as Delancey Street Movers. It should be noted that Public Works and/or County department staff are required to have at least one employee on hand when vendors/contractors are accessing any County building after hours to ensure that workers remain in the authorized areas.

**5. Formalize and adopt County Administrative Memorandum B-20, *Building Security and Court Security Plan*.**

**Response:** Concur. Although County Administrative Memorandum B-20 was formally adopted in 1998, it needs to be updated. An interdepartmental work group will be established in early 2007 to begin a comprehensive review and update of all County Administrative Memoranda. Administrative Memorandum B-20 will be a high priority item. The County will notify the Grand Jury once B-20 has been updated and adopted.



ADDRESS ALL COMMUNICATIONS TO THE SHERIFF

December 4, 2006

Honorable John L. Grandsaert  
Judge of the Superior Court  
Hall of Justice  
400 County Center: 2<sup>nd</sup> Floor  
Redwood City, CA 94063-1655

**Re: Grand Jury Report: Summary of Identification Badge Control at the San Mateo County Hall of Justice**

Dear Judge Grandsaert:

Please find the Sheriff's response to the aforementioned Grand Jury report below. The Sheriff's Office appreciates the Grand Jury's efforts in reviewing Court security issues and welcomes the opportunity to respond to the findings and recommendations.

The Sheriff's Office, as a department representative on the Building Security Work Group (BSWG), will defer comment on the Findings to the BSWG, which will be forthcoming from the County Manager's Office in January 2007.

**Recommendations:**

The Grand Jury recommends the Board of Supervisors and the Sheriff considers the following:

**1. Adopt procedures to insure that occasional and unannounced spot checks are conducted at all badge controlled access points to verify that each badge belongs to the user of that badge.**

**Response:**

Concur. The Sheriff's County-Wide Security Unit will be tasked with that responsibility. The results of these spot checks will be documented and forwarded to the Captain of Courts, Custody and Security Services and will be shared with the BSWG in order to detect and address security concerns in the future.

**2. Adopt procedures to insure that the badge of every terminated employee is returned to the County and deactivated immediately upon termination.**

**Response:**

Concur. There are two issues. Currently ISD or San Mateo Medical Center (depending upon the employees assignment) deactivates the cardkey and immediately notifies the Sheriff's County-Wide Security Unit if the termination is not a routine resignation. Additionally, a termination report, which is generated after each payroll, is sent to the County's Cardkey Administrator at ISD. The cardkeys are deactivated for all employees on the termination report. The Medical Center's Cardkey Administrator receives an e-mail from the various Unit Managers that an employee has terminated and immediately deactivates that employee's cardkey. In either case, the result is that the cardkey, cancelled electronically, will no longer activate the door mechanisms. This is an informal process already in place, but needs to be formally adopted in County Administrative Memorandum B-20.

The issue of the employee returning the cardkey is the second and more complicated issue, as some employees, through out the County, feel that the cardkey is their personal property and fail to return those cardkeys to the County. The Sheriff's Office will work with the BSWG to develop a countywide procedure that will assure that an employee will return the cardkey to their department, upon leaving the employment of San Mateo County. However, regardless of whether or not the cardkeys are confiscated, they will no longer activate card readers once they've been deactivated.

**3. Re-examine the policies of issuing badges that are valid for more than twelve months and of allowing unused badges to remain valid.**

**Response:**

Disagree. Yearly cardkey termination dates would create an undue burden and backlog of entry denial with ISD/SMMC and each county department who utilizes card-key access. This past year we initiated a process whereby departments are required to review a report of all their employees who have cardkey access and verify that the employees are still employed by the County and that their access is appropriate. This process still needs to be formally adopted in County Administrative Memorandum B-20. We further recommend that the Bar Association go through a similar review with the attorneys. Discussions with the Bar Association would be initiated through the BSWG.

Vendors, various Boards and Commissions and press do go through this process.

**4. Re-examine the policy of allowing work crews access to the Hall of Justice without vetting each member of the crew.**

**Response:**

Disagree. There are sub-contractors whose employees are in recovery, such as Delancey Street Movers and would fail a background. We feel this issue is access and work area containment. When work is conducted it is the County's requirement to have a county employee present, whether from Public Works, purchasing or the affected department to assure that the workers remain in the authorized area.

**5. Formalize and adopt County Administrative Memorandum B-20, *Building Security Policy and Court Security Plan*.**

**Response:**

Concur. Although County Administrative Memorandum B-20 was formally adopted in 1998, it should be updated and the Sheriff's Office will actively participate in that process and will make it a priority.

Sincerely,

Don Horsley, Sheriff

cc: The Honorable Board of Supervisors  
Grand Jury website