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FIRE CHIEF

October 7, 2019

BOARD OF FIRE COMMISSIONERS  
FILE NO. 19-131

TO: Board of Fire Commissioners

FROM: *RMT* Ralph M. Terrazas, Fire Chief

SUBJECT: DEPARTMENT RESPONSE TO INDEPENDENT ASSESSOR AUDIT-  
2018 ANNUAL REVIEW OF LAFD'S HANDLING OF COMPLAINTS OF  
MISCONDUCT

|               |                                   |   |                                    |
|---------------|-----------------------------------|---|------------------------------------|
| FINAL ACTION: | <input type="checkbox"/> Approved | <input type="checkbox"/> Approved w/Corrections | <input type="checkbox"/> Withdrawn |
|               | <input type="checkbox"/> Denied   | <input type="checkbox"/> Received & Filed       | <input type="checkbox"/> Other     |

### SUMMARY

As directed by the Board of Fire Commissioners, the Los Angeles Fire Department (LAFD) is providing a response to the Audit conducted by the Office of the Independent Assessor (OIA) of a 2018 Annual Review of LAFD's Handling of Complaints of Misconduct.

### RECOMMENDATION

That the Board:  
Receive and file.

### FISCAL IMPACT

There is no anticipated fiscal impact.

### DISCUSSION

The OIA conducted a year-end review audit of discipline cases filed and closed in the LAFD's Complaint Tracking System (CTS) in 2018. The audit includes an assessment of settlement agreements between members and the Department which included Education Based Discipline (EBD) and a review of the status of cases pending a hearing before a Board of Rights (BOR).

During the course of the audit, the Department and the OIA worked collaboratively to identify challenges and develop solutions that exist within the Department's disciplinary process.

In the audit, the OIA made five recommendations to the Department. The Department concurs with the five recommendations made by the OIA, and has already worked to address the five recommendations, in full or in part.

### **The Assessor's 5 Recommendations**

In the audit, the Independent Assessor made the following five recommendations. The Department's responses are memorialized below.

#### **1. The First Recommendation**

*The OIA recommends that the Department pursue avenues of accountability for maintaining/improving the high quality of care provided to patients, including but not limited to, Firestat, enhancements to Target Solutions (the Department's on-line training program), and monitoring by staff in the geographic bureaus. The Department should also continue to develop a policy and procedure for EMS Bureau to uniformly and centrally track issues and concerns related to emergency medical care and treatment of patients that have not previously been captured.*

The Department concurs with the OIA recommendation and is currently seeking to make enhancements to the Firestat review process to include the review of EMS related issues with monitoring by the four geographic bureaus.

Additionally, the Department intends to work with the Department's Information Technology Bureau to augment Target Solutions (*the Departments on-line training program*) to ensure EMS training is completed, tracked and to provide an automatic notification to the EMS Bureau regarding delivery of training of members as well as identification of members who have not been assigned and/or completed required EMS policy training.

While the enhancements and a creation of a centralized tracking system are difficult to achieve given the current technology, the Department continues to make efforts to address the OIA's recommendation.

#### **2. The Second Recommendation**

*The OIA continues to recommend that the Department revise the current policies and procedures for reporting lost or stolen equipment to reflect the Department's priorities and include a timeline for reporting the loss or theft. The revisions should be submitted to the BOFC for review and approval. □*

The Department concurs with the OIA and is currently making the necessary modifications to the existing policy and procedures to reflect the current practice and to ensure they align-with the Firefighter Bill of Rights (FBOR). The Department also intends to confer with the City Attorney's Office and other Department stakeholders

regarding the recommendation to establish a timeline for reporting the loss or theft of equipment.

### **3. The Third Recommendation**

*The OIA recommends the Department continue to reduce the number of complaint categories to bring uniformity and consistency to the CTS process.*

The Department concurs with the OIA and, as noted in the audit report, the Department continues to work with the OIA to establish and implement additional internal written policies, which enunciate protocols for reducing the number of complaint categories.

### **4. The Fourth Recommendation**

*On October 18, 2016, the BOFC requested the Department draft and present a guideline outlining a reasonable time period by which all cases pending a hearing before a BOR are to commence. On March 19, 2019, the BOFC again requested that the Department present this guideline. The OIA continues to recommend the Department create this guideline and present it to the BOFC for review and approval. □*

The Department concurs with the recommendation and is currently developing a policy, which will establish a reasonable time guideline for convening a Board of Rights hearing.<sup>1</sup>

### **5. The Fifth Recommendation**

*The OIA recommends that the Department develop a strategy for reducing the number of lost equipment cases and incidents leading to allegations of discourtesy.*

The Department concurs with the recommendation made by the OIA to develop a strategy to reduce the number of lost equipment cases. In addition to making modifications to the existing policy and procedures to reflect new guidelines and alignment with FBOR, the Department intends to elicit feedback from Department stakeholders and the OIA, in order to be fully responsive to this recommendation.

Additionally, the Department concurs with the recommendation to reduce the number of incidents that lead to allegations of discourtesy, and in an effort to address this issue, in September 2019, the Department began a community mediation pilot program (Community Mediation Partnership, CMP) with the Office of the City Attorney to reduce the number of complaints involving allegations of discourtesy.

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<sup>1</sup> The OIA's recommendation and the Department's response are consistent with the recommendation made by the Board of Commissioners on October 18, 2016.

**CONCLUSION**

The Department concurs with the recommendations made in the OIA audit. As part of the Department's ongoing policy reform efforts, the Department is responsive to the OIA's current recommendations.

Board report prepared by Stephen L. Gutierrez, Commander, Professional Standards Division and Cynthia Hernandez, Chief Special Investigator, Professional Standards Division.