



LOS ANGELES FIRE DEPARTMENT

RALPH M. TERRAZAS
FIRE CHIEF

November 8, 2019

BOARD OF FIRE COMMISSIONERS FILE NO. 19-142
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TO: Board of Fire Commissioners

FROM:  Ralph M. Terrazas, Fire Chief

SUBJECT: FIREFIGHTER OATH OF OFFICE AMENDMENT

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 Withdrawn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

The Americans United for Separation of Church and State (AUSCS) is a non-profit special interest organization that advocates for absolute separation of church and state. On July 26, 2019, AUSCS mailed the Los Angeles Fire Department a letter criticizing certain practices, it finds adverse to the Establishment Clause. The Department has evaluated the "Firefighter Oath of Office" contained within the Rules and Regulations and, following discussion with representatives of the City Attorney's Office, determined that it requires modification in order to be consistent with the Establishment Clause of the First Amendment to the United States Constitution.

RECOMMENDATION

That the Board:

- Approve language changes to the "Firefighter Oath of Office," and rename it the "Firefighter Affirmation."

DISCUSSION

The First Amendment's Establishment Clause prohibits the government from making any law "respecting an establishment of religion." This clause not only forbids the government from establishing an official religion, but also prohibits government actions that unduly favor one religion over another, or which favor religion over non-religion and vice versa.

The Department has determined that providing an affirmation as a substitute for taking an oath, and removing the concluding phrase will not only create consistency between the Department and other City entities relative to the provision of an oath, but also ensure that the ceremonial practice serves to encourage inclusivity.

FISCAL IMPACT

There is no fiscal impact to the Department's budget associated with this report.

CONCLUSION

For the forgoing reasons, the Department requests that the Board approve the proposed modifications to the Firefighter's Oath.

Board report prepared by Deputy Chief Graham Everett, Administration Bureau.

Attachment

Existing verbiage:

FIREFIGHTER OATH OF OFFICE

I do solemnly **swear** that I will support **this** Constitution of the United States of America and **that** of the State of California; that I will obey the Laws and Ordinances of the City of Los Angeles, familiarize myself with and be obedient to the Rules and Regulations and orders of the Los Angeles Fire Department, and faithfully serve the City of Los Angeles in the discharge of my duties as a firefighter to the best of my knowledge and ability, **so help me God.**

Proposed modified verbiage:

FIREFIGHTER AFFIRMATION

I do solemnly affirm that I will support the Constitution of the United States of America and the Constitution of the State of California; that I will obey the Laws and Ordinances of the City of Los Angeles, familiarize myself with and be obedient to the Rules and Regulations and orders of the Los Angeles Fire Department, and faithfully serve the City of Los Angeles in the discharge of my duties as a firefighter to the best of my knowledge and ability.