




RALPH M. TERRAZAS
FIRE CHIEF

September 7, 2021

BOARD OF FIRE COMMISSIONERS
FILE NO. 21-079

TO: Board of Fire Commissioners

FROM:  Ralph M. Terrazas, Fire Chief

SUBJECT: PROFESSIONAL STANDARDS DIVISION SUBSTANCE ABUSE
RELATED CASES

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 Withdrawn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 or Department) is responding to its request to provide Professional Standards Division (PSD) data for all substance related (alcohol and drug) complaints. The report includes data from the last ten years, from July 1, 2011 through July 1, 2021.

RECOMMENDATION

That the Board:
Receive and file.

DISCUSSION

The data in this report is based on several different searches that were run in the Complaint Tracking System (CTS) to capture substance abuse related cases from July 1, 2011 through July 1, 2021. Once the cases were identified, each member who was named as a subject was examined in the Human Capital Application to identify their gender and ethnicity. Additionally, PSD examined the resolution of each case and whether the conduct occurred on duty or off duty.

The ten-year data includes 96 cases broken down by:

- Gender
- Ethnicity
- Resolution
- On-Duty or Off-Duty

Of the 95 cases identified, there were five (5) female subjects and 90 male subjects.

The breakdown of subjects by ethnicity is as follows:

- Caucasian – 44 (46%)
- Hispanic – 41 (43%)
- Black – 8 (9%)
- Filipino – 1 (1%)
- American Indian – 1 (1%)

There are six potential resolutions for investigations completed at PSD.

Sustained: Allegations are supported by sufficient evidence to conclude they are true, and an appropriate Departmental action was/will be imposed.

- 69 of the 95 cases identified were Sustained (73%).

Sustained, Non-punitive: Investigation indicates that the incident occurred, however it did not result in discipline against the member.

- Two (2) of the 95 cases identified were Sustained, Non-punitive (2%).

Not Sustained: Insufficient evidence to either prove or disprove the allegations.

- 11 of the 95 cases identified were Not Sustained (12%).

Non-Disciplinary: Investigation indicates that the incident relates to the following categories: Alternative Complaint Resolution/Complaint Withdrawn or Retracted/Demonstrably False/Filed with Another Agency/Member Not Involved/Not Misconduct/Policy or Procedure/Referred to Another Bureau, Department, Agency.

- Three (3) of the 95 cases identified were found to be Non-Disciplinary (3%).

Unfounded: Investigation indicates that the allegations are false.

- Four (4) of the 95 cases identified were Unfounded (4%).

Out of Statute: The applicable statute of limitations under the California Government Code and/or the City Charter has expired and the Department is legally unable to impose disciplinary action

- One (1) of the 95 cases identified were closed Out of Statute (1%).

Five (5) of the 95 cases identified in this report are still open and under active investigation (5%).

The breakdown of on-duty vs off-duty conduct is as follows:

- On-Duty – 19 (20%)
- Off-Duty – 76 (80%)

The level of discipline served is adjudicated based on the pre-established LAFD penalty guidelines. The procedures outlined in the City Charter, provide the authority given to the Department to suspend or terminate a member's employment. In some cases, the Department may enter into a settlement agreement on substance abuse or related cases. With the concurrence of both parties, the agreement serves as a "last chance" contract and the member is held accountable to uphold the requirements. If a preponderance of evidence exists that a breach of contract occurred, the Department

will consult with the City Attorney's Office to determine whether or not the offense is terminable. If termination of employment is the recommended action, the Department will convene a Board of Rights as required by the Charter. On occasion, members have decided to resign their position, prior to the hearing.

PSD works very closely with the Los Angeles Police Department (LAPD) and surrounding law enforcement agencies when a criminal element of the investigation is identified. Several of the substance related cases are referred to PSD by LAPD or the arresting agency. When PSD is made aware of a complaint or act involving criminal conduct prior to law enforcement's knowledge, those cases are referred immediately to LAPD and/or the jurisdictional law enforcement agency.

Another agency that PSD works collaboratively with upon notification of alcohol or drug related complaints is the Department of Health Services (DHS). PSD refers alcohol/drug related complaints to DHS (specifically complaints of on-duty misconduct or complaints with a criminal component) if mandated by Reference 214. These cases are referred to DHS as they may affect a members' Paramedic or Emergency Medical Technician licensure. Alcohol or drug related driving infractions will also be investigated by the Department of Motor Vehicles for potential suspension or revocation of a members' driver's license.

CONCLUSION

In conclusion, the Professional Standards Division conducts a thorough investigation into all alcohol and drug related complaints. When appropriate criteria are met, alternative forms of discipline are utilized to modify behaviors and many of these cases conclude with settlement agreements between the member and the Department.

Board report prepared by Assistant Chief Kristina Kepner, and Chief Special Investigator Cynthia I. Hernandez, Professional Standards Division.

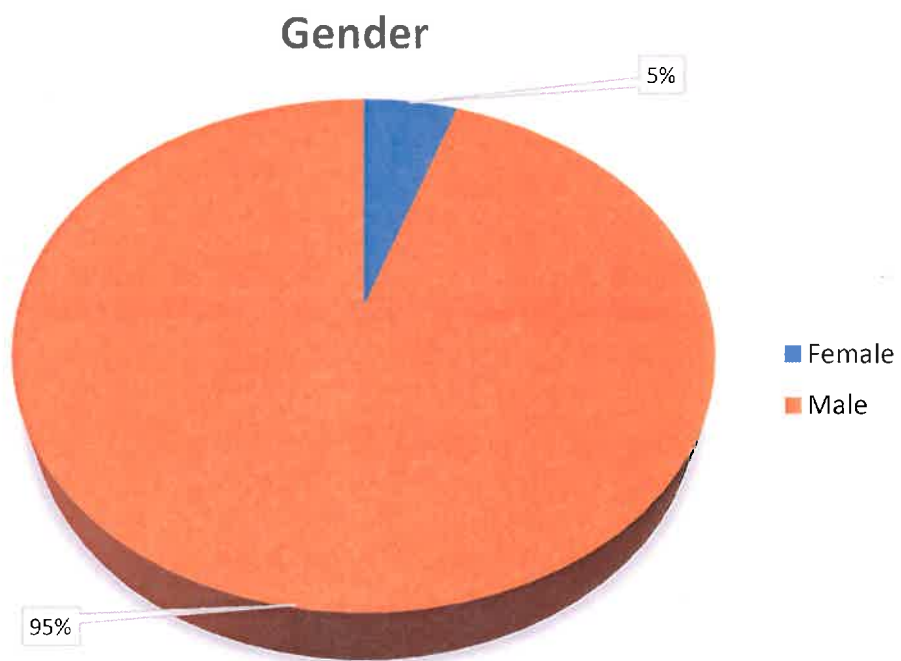
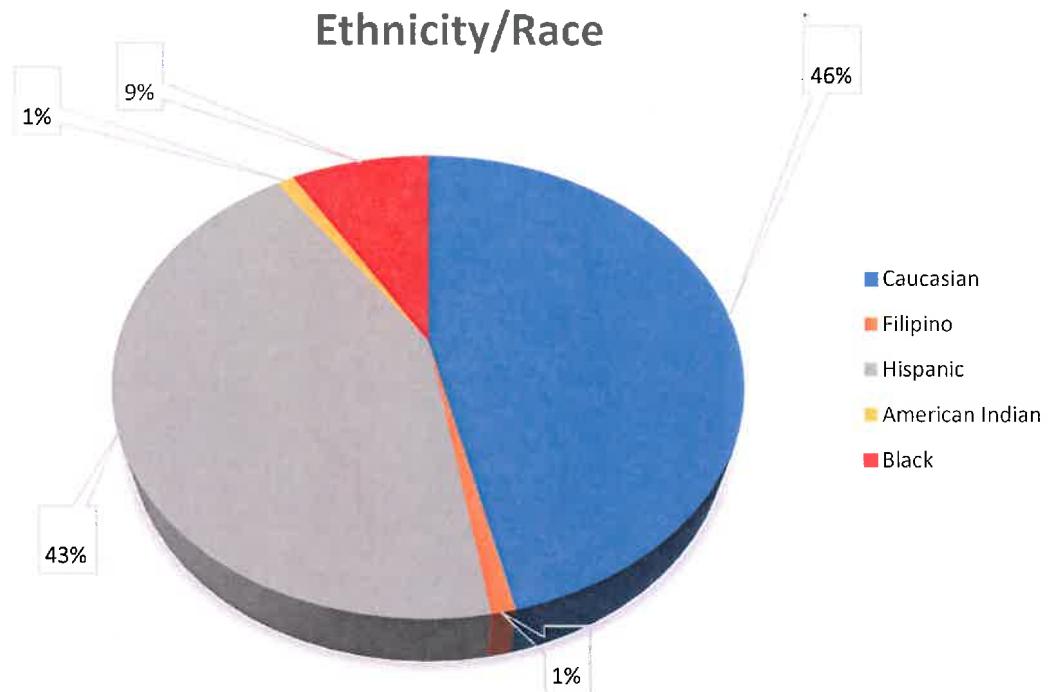
Attachment

Date of Incident	Gender	Ethnicity/Race	Resolution	On Duty/Off Duty
7/1/2011	Male	Hispanic	Out of Statute	Off
7/14/2011	Male	Caucasian	Sustained	Off
7/31/2011	Male	Hispanic	Sustained	Off
8/27/2011	Male	Caucasian	Sustained	Off
8/28/2011	Male	Hispanic	Sustained	On
9/11/2011	Male	Caucasian	Sustained	On
12/2/2011	Male	Caucasian	Sustained	Off
12/4/2011	Male	Hispanic	Sustained	Off
12/17/2011	Male	Caucasian	Sustained	Off
12/24/2011	Male	Hispanic	Sustained	Off
1/5/2012	Male	Caucasian	Not-sustained	Off
1/6/2012	Male	Hispanic	Sustained	Off
5/9/2012	Male	Black	Not-sustained	On
7/28/2012	Male	Hispanic	Sustained	Off
8/5/2012	Male	Black	Sustained	Off
8/12/2012	Male	Caucasian	Sustained	Off
8/30/2012	Female	Hispanic	Sustained, Non-punitive	Off
9/12/2012	Male	Caucasian	Not-sustained	Off
11/20/2012	Male	Hispanic	Non-Disciplinary	On
12/4/2012	Male	Caucasian	Sustained	Off
12/20/2012	Male	Caucasian	Sustained	Off
1/10/2013	Male	Hispanic	Sustained	Off
1/29/2013	Male	Hispanic	Sustained	Off
3/30/2013	Male	Caucasian	Sustained	Off
4/7/2013	Male	Hispanic	Sustained	On
6/17/2013	Male	Black	Not-sustained	Off
6/19/2013	Male	Hispanic	Sustained	Off
6/21/2013	Male	Caucasian	Sustained	Off
9/8/2013	Male	Hispanic	Sustained	Off
10/14/2013	Male	Caucasian	Sustained	Off
11/4/2013	Male	Hispanic	Not-sustained	On

Date of Incident	Gender	Ethnicity/Race	Resolution	On Duty/Off Duty
11/7/2013	Male	Caucasian	Sustained, Non-punitive	On
1/21/2014	Male	Hispanic	Unfounded	Off
2/8/2014	Male	Caucasian	Sustained	Off
4/13/2014	Male	Hispanic	Sustained	Off
4/25/2014	Male	Hispanic	Sustained	Off
8/26/2014	Male	Hispanic	Sustained	Off
8/30/2014	Male	Caucasian	Sustained	Off
9/24/2014	Male	Caucasian	Unfounded	Off
10/8/2014	Male	Caucasian	Sustained	On
11/7/2014	Male	Caucasian	Sustained	Off
12/21/2014	Male	Caucasian	Sustained	On
4/6/2015	Male	Caucasian	Not-sustained	Off
6/10/2015	Male	Caucasian	Sustained	Off
7/20/2015	Male	Caucasian	Sustained	Off
8/21/2015	Female	Hispanic	Unfounded	Off
9/8/2015	Male	Caucasian	Unfounded	Off
11/6/2015	Male	Hispanic	Sustained	Off
1/10/2016	Male	Hispanic	Not-sustained	Off
1/14/2016	Male	Hispanic	Sustained	Off
3/20/2016	Male	Caucasian	Sustained	Off
3/29/2016	Male	Caucasian	Sustained	Off
3/31/2016	Male	Caucasian	Sustained	On
5/15/2016	Male	Caucasian	Sustained	On
8/24/2016	Male	Caucasian	Sustained	On
11/1/2016	Male	Hispanic	Not-sustained	Off
12/6/2016	Male	Caucasian	Sustained	Off
2/27/2017	Male	Hispanic	Sustained	Off
3/10/2017	Male	Hispanic	Sustained	Off
6/17/2017	Male	Hispanic	Sustained	Off
7/2/2017	Male	Hispanic	Sustained	Off
7/19/2017	Male	Caucasian	Sustained	Off

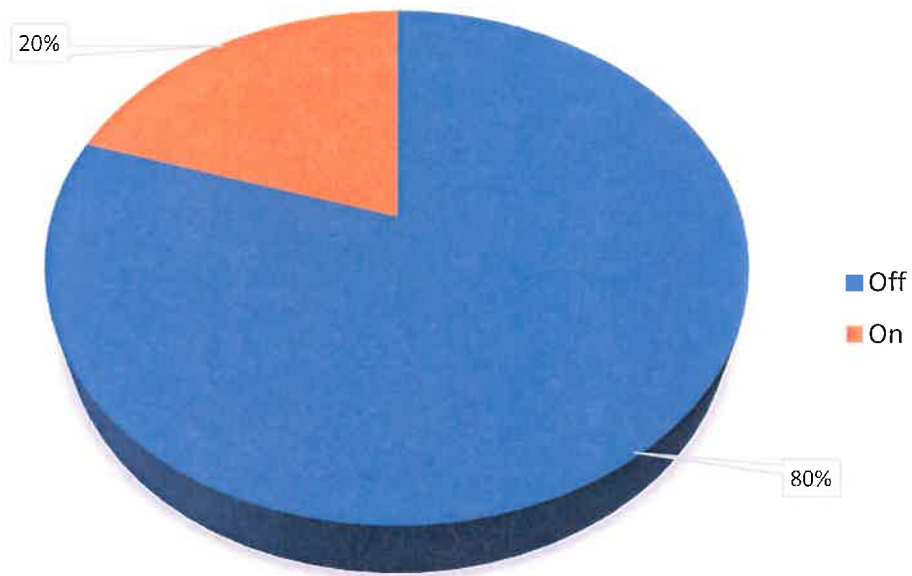
Date of Incident	Gender	Ethnicity/Race	Resolution	On Duty/Off Duty
9/17/2017	Male	Caucasian	Sustained	Off
10/29/2017	Female	Hispanic	Sustained	Off
12/30/2017	Male	Caucasian	Sustained	Off
1/15/2018	Male	Hispanic	Sustained	Off
1/28/2018	Male	Black	Sustained	Off
2/10/2018	Male	Caucasian	Sustained	Off
2/17/2018	Male	Caucasian	Sustained	Off
3/4/2018	Male	Black	Not-sustained	Off
3/19/2018	Male	Hispanic	Sustained	Off
4/14/2018	Male	Black	Sustained	Off
9/25/2018	Male	Caucasian	Sustained	Off
9/25/2018	Male	Caucasian	Sustained	On
9/26/2018	Male	Hispanic	Sustained	Off
10/21/2018	Male	Hispanic	Sustained	Off
2/3/2019	Female	Hispanic	Sustained	Off
2/13/2019	Female	Hispanic	Not-sustained	On
3/14/2019	Male	Black	Not-sustained	On
3/17/2019	Male	Hispanic	Non-disciplinary	Off
3/28/2019	Male	Caucasian	Sustained	On
4/11/2019	Male	Hispanic	Sustained	Off
6/8/2019	Male	Hispanic	Sustained	Off
7/31/2019	Male	Filipino	Sustained	On
10/19/2019	Male	Caucasian	Sustained	Off
1/26/2020	Male	Hispanic	Sustained	Off
2/1/2020	Male	Black	Sustained	On
2/18/2020	Male	Caucasian	Non-Disciplinary	On
4/24/2020	Male	Caucasian	Sustained	Off
5/10/2020	Male	American Indian	Sustained	Off
10/25/2020	Male	Caucasian	Open	Off
3/17/2021	Male	Hispanic	Open	Off
4/9/2021	Male	Hispanic	Open	Off
4/25/2021	Male	Caucasian	Open	Off
6/4/2021	Male	Caucasian	Open	Off

Breakdown by Ethnicity/Race and Gender



Breakdown by Occurrence and Case Resolution

On Duty vs Off Duty



Resolution

