

May 7, 2024

LOS ANGELES FIRE DEPARTMENT



KRISTIN M. CROWLEY
FIRE CHIEF

April 22, 2024

BOARD OF FIRE COMMISSIONERS
FILE NO. 24-044

TO: Board of Fire Commissioners

FROM: *KC* Kristin M. Crowley, Fire Chief

SUBJECT: RESPONSE TO THE INDEPENDENT ASSESSOR'S REPORT ON THE
HANDLING OF SEXUAL HARASSMENT COMPLAINT
INVESTIGATIONS

FINAL ACTION: Approved Approved w/Corrections Withdrawn
 Denied Received & Filed Other

SUMMARY

As directed by the Board of Fire Commissioners (BOFC), the Los Angeles Fire Department (LAFD) is providing a response to the Independent Assessors report on the Los Angeles Fire Department's Handling of Sexual Harassment Complaint Investigations. This report includes action items that have been implemented and are currently being worked on by the Equity and Human Resources (EHR) Bureau, the Professional Standards Division (PSD) and the Training and Support Bureau (TSB) in response to the Independent Assessors recommendations.

RECOMMENDATION

The Board:
Receive and file.

DISCUSSION

On November 21, 2023, the Los Angeles Board of Fire Commissioners (BOFC) directed the Department to provide a written response to the Office of the Independent Assessors (OIA) report on the Los Angeles Fire Department's Handling of Sexual Harassment Complaint Investigations (BOFC File No. BFC 23-122). In this report, the OIA found:

- A. Misconduct is not reported because complainants and witnesses fear retribution, witnesses do not want to get involved, or members are discouraged from reporting.
- B. Supervisors are not held accountable for failing to stop or prevent misconduct.

- C. Conflicts are not effectively managed.
- D. Women are held to a higher standard.
- E. Racist and sexist comments were made without censure.
- F. Case reviews revealed shortcomings in investigations.
- G. Fire Stations are not treated like workplaces, rather “houses” or homes, and members are considered “family.”
- H. Newer members, women, and members of color were disproportionately impacted.

The OIA review identified commonalities from 10 cases that supported their findings and made the following recommendations:

1. The Fire Chief must create an environment in which everyone takes responsibility for creating an inclusive workplace where reporting is honored as a Department priority, and targets and reporters are protected from any and all retribution.
2. Supervisors must be held accountable for creating a harassment and discrimination-free workplace. This must include zero tolerance for racist and sexist comments. Supervisors must receive training to effectively manage conflict, and prevent and stop inappropriate conduct.
3. Investigators must receive additional training especially related to investigating disparate treatment allegations, and cases in which multiple allegations are made between a few members.
4. The Department must instill in members an understanding that the Department is a workplace, not a home or a family, where all related rules, laws, policies, and procedures apply. This should begin with language such as “Fire Station” rather than “Fire House,” and “Assignment” rather than “House.”

During the BOFC meeting on November 21, 2023, the Fire Chief listed her priorities:

1. Operational Readiness, our ability to respond to calls
2. Firefighter Safety, Health, and our members overall well-being
3. Workplace Environment, strategic diversity, equity and inclusion

The Fire Chief has acknowledged the work environment as a key priority as identified in Goal number two (2) and Goal number three (3) of the Strategic Plan.

Goal 2: Promote a safe, healthy, and progressive work environment that effectively manages personal and organizational risk.

Goal 3: Commit to an organization that embraces diversity, equity and inclusion.

The Department continues to maintain zero tolerance towards hazing, harassment, bullying, and discrimination of any kind. Since the OIA's audit of complaint investigations from 2018 and 2019, the LAFD has been working towards addressing the identified issues and applying the recommendations. This includes the establishment of the Equity and Human Resources Bureau, which works collaboratively with the Professional Standards Division and the Training and Support Bureau to address work environment issues. The EHR Bureau is also using the Deloitte LAFD Organization & Training Assessment, the Diversity and Inclusion in Emergency Management (I-DIEM) recommendations, and the findings from the 2022 Los Angeles Citywide Workplace Climate Assessment to address the issues identified in the OIA report.

The LAFD has implemented the following actions since receiving the findings of the OIA audit:

1. The EHR Bureau is currently writing a Workplace Equity Policy specifically for the unique working environment of the LAFD. The Department recognizes that a tailored workplace equity policy for the LAFD is essential in addressing the specific challenges and requirements of the firefighting profession and is committed to ensuring a fair and inclusive work environment for all of its members.
2. Provided Workplace Environment Leadership Training (WELT) to all the members participating in the Captain promotional process, Engineers, Apparatus Operators, Captains, Chief Officers, and Supervisors of civilian personnel. This training specifically addressed workplace environment, reporting misconduct, emphasizing the importance of confidentiality, and was aimed at promoting a professional work environment. The online WELT training will be followed by a Train the Trainer course for all members that is scheduled for April and May 2024. A survey is currently being developed to measure the effectiveness and impact of the training that was provided. The metrics obtained from the survey will help the EHR Bureau and TSB measure the success of the training program and identify areas for improvement prior to the delivery of the Train the Trainer portion.
3. TSB has proposed a buildout of a tiered Cohort Leadership Development series that aims to provide leadership training and mentoring to all members from the newest recruit to recently appointed Chief Officers. The courses are designed to be delivered progressively, following a lifelong leadership development approach

in order to systematically ensure individual members leadership development as they navigate through their career into various positions and ranks. The training will consist of a combination of both in-person and on-line training.

4. PSD has selected a Chief Special Investigator with a law background who has experience conducting and reviewing Police Department Equal Employment Opportunity (EEO) workplace investigations. His knowledge and experience in dealing with EEO issues will allow him to provide "in-house" EEO training to the Department's PSD Investigators.
5. PSD is currently working with an outside vendor, Spruce, to develop an entirely new complaint management system. This new system, scheduled to be completed in June, 2024, will allow PSD to compile better data related to EEO cases will help identify trends, audit cases and allow PSD to review their investigations in order to develop areas for improvement.
6. PSD recognizes that they are not up to date with the most current EEO investigative training. In addition to selecting a Chief Special Investigator who is committed to providing "in-house" EEO training to the thirteen civilian investigators and the five sworn Advocates (LAFD Captains), PSD has collaborated with the Office of Workplace Equity to gather a list of potential vendors who specialize in EEO training and are familiar with the most current legal issues. This training will provide PSD investigators with the most up-to-date training and best practices for conducting internal investigations.
7. The EHR Bureau has begun sending out employee surveys. The most recent survey distributed in March 2024, assessed the current work environment for sworn and civilian female LAFD employees. This anonymous survey will allow employees to provide honest feedback on their experience and perceptions in a confidential manner.
8. The EHR Bureau and TSB will continue to provide training and education programs for all employees that are aimed at creating a more inclusive and equitable workplace. The department will measure success by evaluating the participation rates in training programs and assessing the impact they have on employee attitudes and behaviors.

CONCLUSION

The Department will continue to examine and update LAFD policies and procedures when it comes to maintaining a positive work environment. We will continue to work with LAFD Stakeholders, provide thoughtful and effective training, create employee work groups, specialized teams, and systems with the purposeful intent of addressing hazing, harassment, bullying, discrimination and any other EEO issues impacting the LAFD work environment. The LAFD is committed to providing every employee a sense of inclusion and self-worth, which leads to a more productive employee and a thriving Department. By assessing the nature of EEO complaints, collecting data, and actively addressing any issues that arise, the LAFD will be able to work towards creating a more diverse, equitable, and inclusive organization.

Report prepared by Deputy Chief Jaime E. Moore, Equity and Human Resources Bureau.