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THE STATE

Fire Station Pranks or Harassment?

Practical jokes are part of LAFD's culture, but a black firefighter who ate dog food sees racism.

By Lisa Richardson
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When tales of racist behavior, hazing and harassment in the Los Angeles Fire Department are recounted, the Tennie Pierce story usually comes first.

Some of Pierce's fellow firefighters at Station 5 in Westchester sneaked dog food into his spaghetti dinner and watched him eat it — an incident that officials have called prime illustration of how harassment is entrenched within the department.

A recent audit of the Fire Department, widely considered one of the best in the nation, found rampant racism, sexual harassment and hazing.

FOR THE RECORD:

Firefighter harassment — A front-page article Saturday about alleged racial harassment in the Los Angeles Fire Department mischaracterized a quote from Tennie Pierce, a black firefighter. When Pierce said, "Outrageous incidents like this seem only to happen to African American and female firefighters," he was referring only to an incident that happened to him, in which firefighters slipped dog food into his dinner and watched him eat it. The article incorrectly said he was also referring to another incident, in which a white firefighter left a rat in black firefighter Gary Alexander's locker.

Fire officials, including Chief William Bamattre, acknowledge that the personnel problems are real. But they say that what lies behind them are major shifts in mission and makeup the agency is undergoing, rather than inherent bigotry.

To Pierce, the only African American firefighter working that shift at the station, the 2004 incident was clearly racist.

"I think it was done to demoralize me," said Pierce, who stands 6 feet 5. "How could 10 people sit up there and let a man eat dog food and not stop him? Not one person?"

Last November, Pierce, 50, filed suit against the department and three firefighters: a captain who allegedly purchased the dog food, another captain who reportedly knew about the dog food but did nothing to stop Pierce from eating it and the firefighter who is accused of mixing it into his pasta and serving it to him.

The city attorney's office, which is representing two of the three defendants, declined to discuss the case.

"We're going to litigate the case aggressively, and beyond that we're not going to comment," said spokesman John Diamond.

The third firefighter, Jorge Arevalo, was playing a "good-natured prank" on Pierce, said his attorney, John G. Yslas, adding: "Neither his actions nor anyone's actions from the city were in any way motivated by race."

The audit found that 87% of the department's African Americans who responded to a survey had either experienced or witnessed discrimination on the job. Pierce and others in the department say that practical jokes and pranks are rampant in the service's culture, but that those aimed at blacks often have a mean edge.

The audit, sought by City Controller Laura Chick and conducted by Sjoberg Evashenk Consulting of Sacramento, consisted of 34 questions focusing on morale, discrimination, hazing, discipline and management vision.

The survey was sent to a total of 1,811 new recruits, minorities and female firefighters, 430 of whom responded.

The findings, reported in January, are not a representative sampling of the department's 3,800 firefighters, because the survey targeted only certain groups. But the department's brass, the firefighters' union and the groups representing black, Latino and female firefighters agree that the results are on the mark.

"We do have a problem," Bamattre said in a recent interview. "The fire service in general has been very resistant to change, and while I do think we've made progress in some areas, I don't dispute the findings; they are valid."

The department is more diverse than it was when Bamattre became chief 10 years ago. In part because of a 1974 consent decree mandating increased minority hiring, it is now 47% nonwhite. The decree was dropped in 2001 after diversity goals were reached.

Similar progress has not been made with female firefighters, who constitute 2.7% of the force, down from 2.9% a decade ago. Nearly 80% of women responding to the survey said they either knew of or had experienced sexual harassment, with white women reporting the highest rate, about 49%.

Before the audit results were released, Bamattre began holding one-on-one meetings with each of the 102 female firefighters. In private they have been telling him they are being harassed but have not reported it for fear of retaliation, he said.

D'Lisa Davies, 52, a recruiter for the department, sees a determination to keep women out.

Most recently, she recruited a female Black Hawk helicopter pilot from the Army to fly for the department.

"First they said her blood pressure was too low," Davies said in an interview, adding that after the pilot passed two stress tests, she was told she would have to pay for two more before being cleared.

"I mean, come on, she's in the military," Davies said. "She has to pass an exam every six months in order to be able to fly."

Capt. Darnell Wade, who heads recruiting, disagreed with Davies' assertion that women are deliberately kept out.

"Our numbers are low, but I think we've made tremendous strides in terms of trying to let people know this is a job we would like women to participate in," he said.

Genie Harrison, an attorney representing Pierce and several other veteran firefighters, said the department has female firefighters who have been "exposed to pornography at work, who wake up to find a man getting into their bed at night at the station, who find a dildo in their locker, who find their restroom floor covered in urine, or who are the victims of an attempted sexual assault at work."

The auditors also found that punishments for violations are inconsistent, with 75% of the firefighters surveyed saying discipline in the department's 103 stations is arbitrary and unfair.

Firefighter Brenda Lee, 37, contends in a lawsuit that she has been suspended for the last 14 months without pay, allegedly because her captain told her a rookie said she had given him a mean look and bumped his shoulder.

Meanwhile, the firefighter who put dog food into Pierce's dinner was sidelined for three days, while the two captains who watched were ordered to take a month off without pay, according to Pierce's lawsuit.

Fire Department officials declined to comment on the suit.

Firefighter Brian Brooks, 41, was given 60 days off without pay for arguing with a civilian and with Brooks' captain; a chief who slapped the face of one of his firefighters received a few days off without pay, according to union Secretary Michael McCosker.

And, the audit found, no officers were disciplined after a rookie was killed in 2004 when the department's safety rules were ignored and an engine ran over her as it backed up.

The problems "are rooted in the utter and complete failure of the department to enforce policies against discrimination," said Harrison, Pierce's attorney.

Jerry Thomas, a black captain who retired last year after 31 years with the department, said he has seen a disparity in punishments meted out to minorities that amounts to a pattern of discrimination.

Whereas black and female firefighters often receive written reprimands that are permanent, whites are given a type of notice can be removed from a personnel file after six months of good behavior, he said.

Exacerbating the problem of gauging discrimination is a code of silence born from a fear of retaliation, Thomas said.

Despite the discrimination found by the audit, firefighters have rarely sued. According to the city attorney's office, firefighters who filed discrimination suits in the last five years received a total of \$1.1 million in settlements. By contrast, the city paid \$45.2 million for similar complaints by police officers.

The audit's findings echo a study of discrimination and harassment at the Fire Department more than a decade ago.

In 1995, an audit by the Personnel Department determined that women and minorities had been frozen out of top positions for the previous 20 years and in some cases forced out of the department. Chief Donald O. Manning ultimately resigned.

The environment then was such that racial slurs were not only accepted but at times even defended by the brass. In 1994, firefighter Brooks, who received the 60-day suspension in an unrelated matter, formally complained that his captain had referred to a civilian as a "black bitch." Then-Battalion Cmdr. Terrance Manning, the chief's son, issued a memo dissecting the phrase to support its use.

"The term 'black' is an accepted term to identify African American individuals as referenced in Book of

Supervisor's Guide to Affirmative Action published by the city of Los Angeles Personnel Department," he wrote in the memo obtained by The Times. "The word 'bitch' is defined in Webster's Ninth New College Dictionary as: 1. a female dog 2. a lewd or immoral woman 3. something that is highly objectionable or offensive." Capt. Hernandez is a religious, family man with very high morals, so it is reasonable to assume that he was referring to Webster's definition."

Manning could not be reached for comment.

There is strong disagreement about why such well-documented problems haven't been stamped out.

To union President Patrick McCosker, the problem starts at the Drill Tower, the department's training center near Dodger Stadium, where recruits undergo a grueling 17-week course and must score 70% on most exercises to graduate.

McCosker said Bamattre has permitted a few unqualified candidates to pass through, creating widespread resentment and distrust of rookies' abilities.

"The resentment boils to the surface as racism or sexism," McCosker said. "Then the criticism doesn't become 'that substandard rookie,' it becomes that 'substandard black rookie or that substandard woman.'"

The audit recommended that Bamattre stop giving borderline candidates a chance to complete probation and join the force.

Bamattre disagreed that failing recruits make it onto the job. Of 45 recruits he accepted for training over Drill Tower opposition in half a dozen years, 25 ultimately passed probation and went on to become firefighters. Most of the 45, he added, were white. Had he not given them a chance, those successful rookies would have been screened out.

The real problem, he said, is that the department has undergone a sea change in both its mission and makeup in a short period.

Today, about 80% of the workload is medical, not fire-related, Bamattre said, and the higher level of education and skills sought by the department reflect that shift. At the same time, he said, the department has hired more than 1,000 firefighters in six years and there are generational differences between veterans and rookies that cause tension, regardless of race or gender.

To Thomas, the 31-year veteran, neither training at the Drill Tower nor the internal changes explain the decades of discrimination and harassment that he witnessed and that the two audits found. Discrimination is rife, he said, because it is tolerated.

"It's a lack of leadership on the part of the chief and the command staff," Thomas said.

Not all black firefighters believe that the Tennie Pierce case was racially motivated or that incidents they have faced are anything more than bad behavior. When a white firefighter left a rat to fester in Gary Alexander's locker, believing he had snitched on him, Alexander, who is black, was furious. But he does not believe the incident was racially motivated.

"In a case like mine, was that racism? No, I don't think so," he said. "It was just stupid.

"This is a great job; you work with some of the best people in the world," he said. "But you cannot imagine the level of stupidity in the Fire Department. But that's mostly what it is, I think, stupidity — stupidity and buddyism."

Pierce has a different take on his case and Alexander's: "Outrageous incidents like this seem only to happen to African American and female firefighters."

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(INFOBOX BELOW)

Women in ranks

While the Los Angeles Fire Department has become more diverse in the last 10 years, the proportion of female firefighters lags behind other cities.

By race

1995

African American: 11.3%

Hispanic: 23.6%

Caucasian: 60.5%

Asian: 3.6%

Other or multiracial: 1.0%

2005

African American: 12.0%

Hispanic: 29.3%

Caucasian: 52.6%

Asian: 4.6%

Other or multiracial: 1.5%

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By gender (2005)

Percentage of female firefighters in various city fire departments

Minneapolis: 17%

Madison, Wis.: 15%

San Francisco: 15%

Boulder, Colo.: 14%

Miami Dade County, Fla.: 14%

Los Angeles: 3%

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Sources: Sjoberg Evashenk Consulting, Women in the Fire Service Inc.

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