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POINTS WEST

Taxpayers may eat it in the dog food debacle

It may turn out to be the most expensive can of dog food in history.

Tennie Pierce, an African American Los Angeles Fire Department veteran who was secretly fed the chow by colleagues two years ago, will get \$2.7 million if the settlement of a lawsuit against the city is allowed to stand.

But if Los Angeles Mayor Antonio Villaraigosa's veto means the case goes to trial, who knows? The price might drop, but it could go way, way up, with taxpayers footing the bill.

After focusing of late on the antics of the L.A. County Board of Supervisors, I felt remiss for ignoring the daily dramas at L.A. City Hall.

So on Tuesday, I dropped in to have a peek. The debate centered on one question:

Was the dog food stunt an act of racism?

Three African American council members had no doubt that it was, especially given the notorious history of the Los Angeles Fire Department, whose own chief has talked about how his department's good old boys can make life difficult for women and minorities.

But three white council members insisted the dog food incident was a stupid prank without racial intent.

"The Fire Department and its leadership are a disgrace," said Councilman Bill Rosendahl, but he added that he wasn't convinced the dog food incident was racially motivated.

I'll admit the point is debatable. But regardless of how it plays out, there's plenty about this case that's hard to swallow.

For starters, what's with a fire department that seems to think the movie "Animal House" was a training film?

Chief William Bamattre was brought in 10 years ago to "cut the crap," as Councilman Herb Wesson called the hazing, stunts and discrimination on Tuesday. Will it take another 10, with the antics of a few tarnishing the reputation of those who handle a difficult job with courage and professionalism?

And another thing: It's hard to have much confidence in City Atty. Rocky Delgadillo's ability to cut a deal that's in our interest. This is the man who recently pushed a sweetheart lawsuit settlement that would allow illegal billboards to get permits, and this comes five years after Rocky got \$424,000 in free billboard space for his campaign. And Rocky, you'll recall, is the hero who was going around calling himself a college football All-American, but forgot to say it happened in a dream.

But having said that, his office laid out the dog food case for the City Council, informed them of the risk involved in going to trial and recommended the \$2.7-million settlement. I don't know exactly how he arrived at that robust figure, but the council quickly took the deal, approving it by a vote of 11-1.

Next came a radio talk show campaign trashing the vote, with rabble-rousing hosts John & Ken posting photos of Tennie Pierce participating in hazing activities himself years ago. The radio duo urged listeners to send dog food to the City Council.

Seems to me there's a difference between hazing someone who was a willing participant — as Pierce seemed to be doing — and sneaking Alpo into someone's spaghetti. But what do I know?

After the talk show hosts started barking, Villaraigosa jumped in to veto the deal, sticking it to Delgadillo, who probably wasn't on his Christmas list anyway.

Who knew the mayor had time to listen to John & Ken? I see where he's hiring three new people for his press corps, so maybe he'll have people doing nothing but monitoring radio shows from now on to make sure he gets high marks from the

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L.A. dog food case is difficult to swallow

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peanut gallery.

Meanwhile, Delgadillo's office said the evidence of Pierce's hazing incident wasn't new at all, and that in fact, the City Council had been made aware of it before voting 11-1 for the settlement. So why did some council members sound surprised?

Jack Weiss did such a flip, I'm surprised he didn't break his back. He voted for the settlement, tried to round up support to keep it in place even after the photos became public, and then fell into the mayor's lap when Antonio vetoed the deal. As my colleague Steve Hymon wondered, could it have something to do with Weiss wanting Villaraigosa's support in a 2009 run for city attorney?

Lots of drama at City Hall these days; very few heroes.

And more than a few of our fearless leaders may have missed a salient point or two regarding the \$2.7-million settlement.

Tuesday's debate centered almost exclusively on whether Tennie Pierce was the victim of racial discrimination. But his attorney, Genie Harrison, told me the case is three-pronged, alleging in addition to racism that the incident inflicted emotional pain and suffering, and that when Pierce complained, he was retaliated against.

And Delgadillo's office told me that Pierce "could in fact win in court without having to prove he was a victim of racial harassment." Although winning on all three counts might not have been so hard, given the fact that City Controller Laura Chick said earlier this year that in an audit

of the department, 87% of black firefighters said they had witnessed or experienced discrimination.

"It's an open and shut case," Harrison said, telling me that as much as she'd like to see the settlement stand, she relishes the thought of having a day in court. At trial, she said, she'd set out to prove that the incident was downplayed and covered up internally, that Pierce was further harassed, and that he was ultimately ostracized for standing up to the department.

If only the nitwits who started this whole thing were dealt with as harshly. Two captains involved in the incident got a month off without pay, and the guy who put the dog food in Pierce's spaghetti got a slap on the wrist — three days off without pay. Those of us who live in Los Angeles, meanwhile, will be paying through the nose for their bone-headedness.

Councilwoman Jan Perry came over to me at one point in the meeting Tuesday and said that until firefighters lose their jobs over actions like these, the culture won't change fast enough.

We'll find out today if Villaraigosa's veto holds or if the City Council overturns it and the settlement stands. The betting at City Hall has Villaraigosa prevailing, so we better hope he knows what he's doing. Otherwise, \$2.7 million for that can of dog food could end up looking like a bargain.

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