

FIRE DEPARTMENT OF NEW YORK

TESTIMONY
OF

Chief Robert Byrnes
Chief Fire Marshal

BEFORE
THE COMMITTEE
ON
FIRE AND CRIMINAL JUSTICE SERVICES

December 17, 2008

Introduction

Good morning Chairman Martinez and Council Members. My name is Robert Byrnes and I am the Chief Fire Marshal of the New York City Fire Department (FDNY). Thank you for the opportunity to speak with you today to offer our support for Intro 884, which seeks to ban the sale or distribution of novelty lighters in New York City.

As you may know, the FDNY's Bureau of Fire Investigation (BFI) investigates the cause and origin of all suspicious fires, multiple alarm fires, and all fires with fatalities or serious injuries within New York City. We also perform criminal investigations into all arson fires and fire-related crimes.

Intro 884 defines novelty lighters as "a mechanical or electrical device ... that is designed to appear to be a toy, feature a flashing light or make musical sounds." Unfortunately, a toy-like lighter can attract a child's interest. When children play with the lighters, they endanger themselves and the safety of others since this play often leads to burns to the child or the ignition of a fire. The smaller novelty lighters are also choking hazards.

We see the effects of child-started fires every year. The 2008 inter-agency Child Fatality Review Team determined that, between 2001 and 2006, 85 percent of child fire deaths were accidental with one quarter of them caused by a child playing with matches or a lighter. These devices are the leading single ignition source for fires resulting in child deaths in New York City. In 2007 alone, 71 juveniles were involved in fire play in New York City, causing 19 serious injuries and two fatalities.

To the extent we can bring these numbers down by enacting laws to address juvenile fire-starters, we support this bill.

We also believe that the violations and penalties provision adequately addresses the seriousness of this activity.

For these reasons we support this bill. However, from our discussions with several agencies, we know that there are some remaining concerns about the bill that we would be happy to work with the Council to resolve. First, we believe the Department of Consumer Affairs should have the responsibility for enforcement rather than the Department of Health and Mental Hygiene. Second, we do not think the bill should provide for a warning rather than a fine for violations occurring within the first 30 days following enactment of the law. Finally, we look forward to working with the Council to ensure that the definition of “novelty lighter” adequately describes all the varied types of lighters this bill seeks to prohibit.

Thank you for the opportunity to speak with you today, I would be happy to take any questions at this time.

FIRE DEPARTMENT OF NEW YORK

TESTIMONY
OF

Chief Robert Sweeney

BEFORE
THE COMMITTEE
ON
FIRE AND CRIMINAL JUSTICE SERVICES

December 17, 2008

Introduction

Good afternoon Chairman Martinez and Council Members. My name is Robert Sweeney, and I am the Assistant Chief of Operations of the New York City Fire Department. With me today is Lieutenant Anthony Mancuso, the head of our Fire Safety Education Unit, and Jean O'Shea, the Executive Director of the FDNY Foundation, our not-for-profit organization that helps us so tremendously with our fire safety education efforts.

Thank you for the opportunity to speak with you today about the many fire safety education programs offered by the FDNY.

FDNY Fire Safety Education

Fire safety education is an essential mission of the New York City Fire Department. Some may think we only fight fires, and respond to medical and other emergencies. But, as a major municipal fire department, it is absolutely our mission to *prevent* fires. We do this through inspectional work. And we do all we can to educate the public about safeguarding themselves, their homes, their property, their family, friends and neighbors from fire and other hazards.

The FDNY has a dedicated Fire Safety Education Unit that offers many community-based outreach programs to provide fire safety education. Our offerings include videos, lectures, educational entertainment for children and fire safety demonstrations. We offer our literature in many languages, including English, Arabic, Chinese, Korean, Russian, Spanish, Italian, Urdu and Yiddish.

The FDNY Foundation is the official not-for-profit organization of the FDNY. The Foundation assists the Fire Department by raising funds for the Department's fire

safety programs and assisting us in educating, informing and involving the public in protecting life and property. The Foundation's important mission can involve securing grants that are not available to the Department directly. Last year, for example, the FDNY Foundation secured a \$1 million grant to educate the public on the importance of having working smoke alarms with working batteries in every home. This year alone, the Foundation has been instrumental in raising more than \$3 million for necessary equipment and training.

Our Fire Safety Education Unit is augmented by a group of retired firefighters who use fire safety videos, literature and exhibits such as our mobile fire safety vehicle, which we demonstrated outside, to discuss common fire hazards, installation and maintenance of smoke alarms and critical evacuation skills. We also distribute literature on burn prevention and first aid. Our fire safety speaking engagements are structured to accommodate all ages and learning abilities. Often, we send firefighters in turnout gear to schools to conduct demonstrations for young children.

Our mobile fire safety vehicle is used most often at schools, street fairs and large community events. In case you didn't get a chance to see it outside, the fire safety vehicle is a scaled-down version of a house on a trailer that uses theatrical smoke to simulate real-life fire conditions. This allows participants to practice effective fire evacuation techniques in a realistic setting. It is also an excellent tool for teaching the importance of having a fire escape plan from your house or apartment. We also have a smaller mobile safety house and a stationary "Hazards House" that we bring to events.

In addition to our regularly scheduled school and community events, when a community experiences a serious fire, especially one resulting in a civilian fire fatality,

our Fire Safety Response Team immediately reaches out to that neighborhood. Those communities will become acutely aware of the dangers of fire, and concerned about fire prevention, right after they have experienced such a tragedy. We address the contributing factors to the fire -- for example, a missing smoke alarm or someone smoking in bed -- and explain the various measures that can be taken to prevent such incidents from happening in the future. In the immediate aftermath of the tragic Bronx fire in March 2007 that took the lives of ten people, our Fire Safety Education Unit conducted numerous community presentations in mosques and other locations, and blanketed that neighborhood and others throughout the City to distribute almost 150,000 smoke detector batteries -- contributed by the Foundation.

Holidays

Throughout the year, and especially during the holidays, our message -- first, last and always -- is safety. If you understand the fire hazards in your home, you can limit the risk to yourself, your family, your neighbors and first responders. During the holidays and winter months, we see a variety of things in the home of concern to us -- Christmas trees, wrapping paper, candles and space heaters. That's why we are happy to attend today's hearing at this time to help get the word out about holiday and wintertime fire safety.

According to the U.S. Fire Administration, nearly 47,000 fires occur nationally each year during the holidays, claiming more than 500 lives, causing more than 2,200 injuries and costing \$554 million in property damage.

As I just said, of great concern during the winter, when temperatures drop, is the use of portable heating devices. Heating equipment is the leading cause of home fires

from December through February. We urge anyone using these heaters to make sure they take the necessary precautions to ensure a safe, warm home. These measures include pulling all furniture and other combustible items at least three feet away from any heating devices. We also caution that users of space heaters to use them for a limited time, never use extension cords or units with frayed or damaged cords, and to always unplug the unit when not in use. In response to statistics that show faulty or damaged electrical cords have been the leading cause of fires in the past two years, we developed an electrical safety bulletin that we now distribute to the public.

With the ever-increasing use of candles in and around the home, especially at this time of year, we continue to warn all New Yorkers about the hidden dangers of candle use. It is extremely important to use proper precautionary measures when using candles. These include:

- Never leave a lit candle unattended
- Never leave a child or pet alone with a lit candle or any open flame
- Never use candles near curtains, bedding or cabinets
- Never spray an aerosol can near an open flame
- Make sure candles sit properly in holders on flat surfaces

While people use candles for many reasons, we do recommend that they consider using flameless ones.

In 2007, a 43 percent increase in presentations and information sessions for the public may have contributed to an 81 percent drop in fatalities due to candle fires and a 50 percent drop in fatalities due to children playing with matches.

Throughout the year, we caution homeowners to test their smoke alarms and carbon monoxide detectors monthly. We know how dangerous fire and smoke can be,

but Carbon Monoxide is a silent killer: it is a tasteless, odorless, invisible gas, which is absorbed by the human body 200 times faster than oxygen. If inhaled, it will cause someone to fall into a deep sleep and possibly cause death. Gas fireplaces, stoves, barbecues and furnaces, as well as cars, propane appliances and any other device that produces a flame produce carbon monoxide.

Holiday Tips

We have many pieces of literature for the Committee and any members of the public here today. As you will see, our materials include holiday safety tips about the selection, care, location, decoration and disposal of Christmas trees.

We also had a recent campaign with the actress Keri Russell where we urged the public to:

- Carefully inspect electrical decorations to avoid using cracked sockets, frayed or bare wires and loose connections.
- Position your tree at least three feet away from any heat source and make sure it doesn't block a doorway or exit.
- Connect no more than three miniature light strings together. Light strings with larger, screw-in bulbs should have no more than 50 bulbs connected.
- Turn off electrical lights, decorations and space heaters before leaving home or going to bed.
- Use the holiday season to establish a fire escape plan with your family.
- Never run electrical cords under carpets, rugs or heavy items, or bunch them up behind a hot appliance or radiator.

Children

We were also asked to speak today about our work to educate children about fire safety in New York City. This work is so important. Home fires are one of the top five

causes of injury-related deaths for children and the leading cause of injury-related death for children between the ages of 1 and 9. More than 50 percent of fire-related injuries (burns, smoke-inhalation) to children in this age group are caused by their inability to properly respond to a fire threat. Most fires that result in child fatalities are started by unsupervised children.

Because of this, our educators visit schools throughout the City daily. With the support of the "Fire Zone on the Road," we reach out to elementary schools to remind them of the importance and availability of fire safety education. Our fire safety educators use a classroom-to-classroom methodology -- rather than a full school assembly -- so children can have direct interaction with the educators. To date in 2008, we have visited 762 elementary schools, making presentations to more than 60,000 children ages 5 to 11.

The local firehouse is an ideal venue to promote fire prevention and safety to the community. Schools and other children's groups visit firehouses citywide. Additionally, communities often request a fire company to participate in community-based outdoor event, such as street fairs. These "Operation Sidewalk" visits not only strengthen the relationship between the local fire company and the community, they foster a commitment to reduce fires and fire fatalities. From January through November 2008, firehouses citywide hosted 548 visiting student groups and participated in 362 Operation Sidewalk events.

Allstate Insurance Company recently awarded a \$25,000 grant through the FDNY Foundation for the creation of Firehouse Safety Presentation kits. This initiative provides each firehouse with a Fire Safety Presentation Kit to help Firefighters expand their current in-house education program.

We also conduct a Teacher's Training Program, an innovative initiative that is based on the idea that our teachers can effectively teach fire safety education to their students. We work with the Department of Education to organize teacher-training sessions that familiarize teachers with student-oriented, fire-safety education. We provide them, and familiarize them with, our literature on basic fire safety.

The FDNY Foundation operates the Fire Zone in Rockefeller Center, a state-of-the-art fire-safety learning center. There, children and adults can learn about the power of fire, climb on a real fire truck, try on bunker gear, meet a firefighter, feel a "hot" door and learn to crawl through a smoke-filled hallway. We provide visitors with materials to take home to learn about eliminating fire hazards in their home and creating an escape plan for their home.

Our Fire Safety Educators are available for fire safety demonstrations or lectures at schools or community events. We encourage the public to call (718) 281-3870 during business hours to schedule a presentation.

Finally, in the past seven years the City has experienced the lowest number of civilian fire fatalities in history. We know our prevention work is contributing to this success. But even one fire fatality is too many and we will continue to do everything possible, using all available resources, to educate the public on how to stay safe.

Again, thank you for the opportunity to speak with you today. I would be happy to answer any questions you might have at this time.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

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Name: _____

Address: Jean O'Shea

I represent: Executive Director

Address: FDNY Foundation

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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Date: _____

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Name: Robert Byrnes

Address: Chief Fire Marshal

I represent: _____

FDNY

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Appearance Card

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Name: Robert Sweeney

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I represent: Assistant Chief of Operations

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FDNY

Please complete this card and return to the Sergeant-at-Arms

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Appearance Card

I intend to appear and speak on Int. No. 884 Res. No. _____

in favor in opposition

Date: 12/17/08

(PLEASE PRINT)

Name: KEVIN COENEN

Address: 16 South Street Newcanst N.J.

I represent: Voice of the people

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Name: Lt. Edward P. Boles

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Date: _____

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Name: _____

Address: Lt. Anthony Mancuso

I represent: FDNY

Address: Fire Safety Education

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