



The Crusade Against

Fire Deaths

Exposing Fire Regulatory Corruption for Over 50 Years

For evil to flourish, it only requires
good men to do nothing.
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For more than fifty years Richard Patton, fire protection engineer, has battled a corrupt fire regulatory system to provide real solutions to the fire problem. The primary reason for most fire deaths in America is a fire code system structured, not to reduce fire, but rather to profit from fire. Tens of thousands of dead and horribly burned children have been the result.

June 4, 2015



Monica Miller, Special Agent
FBI Field Office
4500 Orange Grove Avenue
Sacramento, CA 95841

Subject: FRAUDULENT SMOKE DETECTORS KILL TENS OF THOUSANDS OF CHILDREN

Dear Special Agent Miller

I enclose a copy of a letter from Francine M. Gross of the FBI Financial Crimes Section. Ms. Gross claims that my original communication with the FBI, Washington DC did not include adequate evidence of a criminal conspiracy. Ms. Gross suggested that if I have more complete and convincing evidence of a fraud that I should provide that information to you.

A defective and often deadly type of "smoke" detector has been marketed into approximately 90 million U.S. homes. Tens of thousands of wrongful fire deaths have been the result. A major reason for the success of the marketing of the flawed device was that the makers of the devices deliberately and consistently advertised false performance claims that convinced fire officials that the device could detect smoke under conditions where it could not. Further, as a professional engineer, I say that Underwriters' Laboratories (UL) tested the devices improperly, thus allowing its UL Logo to be affixed to defective devices. Further, I claim that UL knowingly and intentionally rigged and falsified federally financed field fire tests to conceal the dangers associated with the ionization devices. Because of performance lies disseminated by the manufacturers and falsified testing and lies disseminated by UL, fire officials were deceived nationally. Then, having been deceived, many fire officials promoted legislation that mandated the purchasing of the defective devices.

As a result of this dishonesty by the manufacturers and the cooperation of UL, flawed and dangerous warning devices were sold into approximately 90 million U.S. homes and millions more overseas. Both the makers of the so-called smoke detectors and the test laboratory that falsified the fire tests profited from this conspiracy. I believe that since this scheme initiated on or before 1965 there have been at least 80 thousand fire deaths resulting from "failures to warn" by this inadequate warning device. Deaths due to "failures to warn" would include fire or smoke conditions where the device failed completely to sound a warning, or the warning was delayed so long that the opportunities to escape or to quickly terminate the early small fire were lost. I include evidence that confirms that the device is flawed and dangerous and that in reality it is a "smoke" detector that is not capable of detecting real (visible) smoke. It was first sold as a "Product of Combustion" (POC)

detector. Presumably, after UL helped dignify the lies, the makers decided to rename it a smoke detector to improve sales.

I will distribute a copy of this letter to others including several attorneys that have sued smoke detector manufacturers for wrongful deaths. **I will ask others to also provide you with documentation of this criminal conspiracy, especially including the falsified fire testing by Underwriters' Laboratories (UL).** I am including with this letter further information relative the improper activities by the **National Fire Protection Association (NFPA)** as related to this criminal conspiracy that defrauded the public.

There is some urgency to an investigation into this fraud for two reasons. First, the evidence of the criminal conspiracy is much more complete and more widely disseminated today than in the past; therefore there is more than adequate evidence available to justify prompt action. . Secondly, each week approximately 150 children are killed or injured by house fires and nearly all the deaths result from delayed discovery (no adequate warning). I say this because, if promptly alerted when the fire or smoke first initiates, there nearly always is adequate time to escape or to terminate the still controllable early fire condition. The early fire is like a tiger cub, it cannot yet kill and it is easy to kill it. But give it time to grow and it becomes very deadly and very difficult to kill. Evidence of a criminal conspiracy is listed below.

1. **FALSE PERFORMANCE CLAIMS FOR 16 YEARS:** I enclose four of the ads that appeared within the NFPA *Fire Journal* that claim that the ionization type so-called smoke detector will warn of a fire **even before smoke or flames appear**. Similar ads ran within the Fire Journal from 1965 into 1980.
2. **THE DOG AND PONY SHOW:** In addition to falsely advertising the performance characteristics of the ionization device, the manufacturers created what would be termed by many as a "dog and pony show" to convince fire officials nationally that the devices being sold were super-fast to detect a fire and provide a warning. A rep came to my office in N.Y. City during the late 1960s, alerted the office to a demonstration and hung an ionization device from the drop ceiling. Then he emptied a waste basket into another one, asked for two sheets of carbon paper (used for making copies of letters) and put the crumpled up carbon paper in the empty waste basket. He then lit the carbon paper. Holding the basket slightly below the so-called smoke detector and about two feet away, he began counting loudly, 10, 9, 8, 7, 6, 5 . . . Before he reached 1 the ionization device was screaming. With a smug look on his face he began bragging about the incredible speed of the detection. I interrupted him. I said you guys are claiming that the device will detect a **smoldering** type fire before you can see the smoke. Let's put some rags over there in the corner and I'll lay a lighted cigarette on them. Then let's see if it sounds before we can see the smoke. He said not a further word, took down the detector and hurried out of the office. Later I found out that burning carbon paper created the perfect "stuff" to activate the device. The manufacturers also hired firefighters to sell the devices in uniform on their off days. Soon they had fire chiefs helping to promote the phony so-called smoke detectors and soliciting legislators to create laws to require them in homes.
3. **DEVICE FAILS TO DETECT SMOKE FROM A SMOLDERING FIRE:** My report, *Dunes Tests 2 and 10 – Typical Smoldering Fire Test*, reveal that under real fire conditions the delay in responding to smoke from a smoldering type fire will often be in excess of an hour. When comparing the actual performance with the claimed performance it is clear that for

16 years the makers of the ionization devices lied to the fire officials with full page dishonest ads within the *Fire Journal* of the NFPA. That alone justifies an investigation by the FBI.

4. **FEDERAL FIRE TESTING WAS FALSIFIED:** I am enclosing a copy of my, *Engineering Analysis of the Indiana Dunes Tests* report. This document contains proofs that UL engineers, including Richard Bukowski, falsified the fire test program and lied about the performances of the ionization devices. Bukowski hid the failures of the ionization device and also lied about the performances of the heat detectors apparently to eliminate from the code a competing type of fire detector. This dishonest rigging of a federal test program again "certified" an often deadly device as being adequate to warn of fire in the home where children would be at risk.
5. **UL KNEW THE TESTING WAS INADEQUATE:** An extract from the September 25, 1977 issue of Business Week is enclosed. This 1977 report contains proofs that UL was well aware of the serious and often deadly flaws of the device that was being "certified" as a reliable smoke detector. Mr. George Saunders, referred to as the UL Managing Engineer, freely admitted that the testing of the ionization device was inadequate. Mr. Saunders reported that the flawed testing procedures would be corrected, but corrections never occurred. Mr. Richard G. Bright, a fire protection engineer and federal senior research engineer also confirmed the testing at UL was flawed. Donald Steel, a smoke detector expert, stated that the ionization device's performance claims (as per the makers of the devices) would be valid only if the device was, as he put it, 6 inches from the open fire. Also he cited actual fire tests where the occupants of a room had to exit when smoke reached 4% (light obscuration per foot). But Richard Bright reported that the UL fire tests allowed the smoke to rise to as high as 27% when passing the testing. (Actually Bright was incorrect, the UL tests allowed smoke to go as 37%, about 9 times the 4% limit recommended by Don Steel.) Despite the UL managing engineer's revelation that the testing was grossly inadequate UL continued to deceive the public by "certifying" a dangerous device as reliable.
6. **FAILURE TO WARN OF THE FLAMING FIRE:** An extract from a 1986 report entitled, *The Ionization Smoke Detector and Smoke Aging* is included in this complaint. This report by Worcester Polytechnic Institute (WPI), the Boston Fire Department and the fire marshal of Yale University explained in engineering terminology why the ionization device cannot detect real (visible) smoke from a smoldering fire or aged smoke from a flaming fire. The extract from this report discusses the 1986 Prudential Building fire in Boston. The fire involved the entire 14th floor of this 52 story building. The elevator doors were damaged and smoke rose up that shafts and thick smoke passed by ionization devices in the elevator lobbies on floors 43, 44, 45, 48, 49, 50, 51, and 52. But none of them sounded during a two hour exposure. After the fire was out all the detectors that failed to operate during the fire tested satisfactory. This case illustrates that when smoke from a hot fire cools the atomic sized aerosols (that can cause the ionization device to sound) agglomerate and become too large and too few to cause the ionization device to sound. I believe UL had an absolute legal obligation to warn the public regarding the smoke conditions that will fail to trip the ionization device because when the device fails to warn sometimes people die.
7. **THE SMOKE DETECTOR THAT CANNOT DETECT SMOKE:** The above mentioned report by WPI and others explained why the ionization device is unable to detect real (visible) smoke produced by a smoldering (low heat) fire or "aged" (cool) smoke from a hot