

Brian A. Crawford
Asst. to the Fire Chief
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"Ability is what you are capable of doing.
Motivation determines what you do.
Attitude determines how well you do it."

Visit our web site at www.shreveportfire.org

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>>> <JGRoutley@aol.com> 5/1/2008 >>>

I need to give everyone an update on where we stand as of today...and allow for some thinking in preparation for our conference call.

I had approximately 3 hours of telephone conversation with the city attorney and their outside counsel (Sandy Senn). They are quite concerned (to put it mildly) that we are planning to express a team opinion —

It is the opinion of the City of Charleston Fire Service Enhancement and Review Team that lives of nine firefighters would not have been lost at the Sofa Super Store if operations had been conducted in accordance with widely accepted fire service principles and practices.

They are taking the position that our contractual mandate does not allow us to express an opinion on cause or responsibility...we were only asked to identify facts and make recommendations to improve the fire department.

This is going to be a confrontational issue if we insist on making the above statement. I told them that I would discuss it with the rest of the team in our conference call on Friday evening. I also told them that I am personally prepared to take a stand on the issue — if the rest of the team members are in agreement — If that means the City of Charleston will not allow our report to be released, then it is going to be up to them to explain why to the public, the families and the firefighters.

The conversation ended with them planning to take the issue to the mayor. They were asking why the city should release this report when ATF, NIOSH and NIST are not ready to release their reports...which I took as a threat. I am prepared to let them stop us from releasing the report next week and I am equally prepared to tell anyone who asks why it is not being released. The question is whether the rest of the team feels the same way.

This could become a major issue or it might just blow over and go away. I need to know where everyone else stands before I stake our collective reputations on a confrontation.

Please let me know what you think when we talk tomorrow.

Gordon

The thoroughness of these reviews varies widely, depending on the make-up of the committee, Osborne said.

Some city-level reviews are diligent and thorough; others lack critical self-analysis and miss many problems later highlighted by federal investigations.

"It depends who is chosen and if you have people who are open-minded," Osborne said. "Sometimes you'll look at (federal and city reports) next to each other and say, 'Were they looking at the same fire?'"

I will let you draw your own conclusions after reading the article, however it appears to add substance to Denny's concerns. The general reaction among several individuals here at Firehouse Expo (who did not know of my potential involvement) was predictably sarcastic regarding the probability that a self-investigation strategy would produce any useful results.

I don't have to tell you that this mission is exceptionally significant and important. We have an opportunity to make a very significant contribution — and a risk of negative consequences, both personally and professionally. Please think about it very seriously while we see what happens in the next couple of days. When we have a clear vision of the situation, each of us will have to make a decision.

One of the points that has to be discussed is potential litigation and liability. There is a very high probability that this situation will result in litigation and, if we become involved, we are likely to be called upon to testify at some point. We will need written assurance that our time and all resulting expenses would be covered by the City in that eventuality. We also need to be sure that the City will provide us with protection from any personal liability resulting from our efforts. Those provisions have to be part of any agreement.

At this point I am still tentatively scheduled to go to Charleston next week to discuss the ground rules and to do some recon and project planning. That plan might change.

I promise to update you as soon as I have more solid information. Thanks for volunteering to be part of this project. Let's see what happens next...

Gordon

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Subj: **Re: Important Update**
Date: 5/02/08 09:40:59 Eastern Daylight Time
From: Brian.Crawford@ci.shreveport.la.us
To: JGRoutley@aol.com, kevin.roche@earthlink.net, peter.piringer@montgomerycountymd.gov, tesendelbach@msn.com, LynbrookFD379@yahoo.com

Gordon,

I stand firmly with you on this one with one cheviot. It is very difficult to speak in absolutes ("would not have" in the statement) - even in this case. That is to say in psychological circles that if a situation presented itself 100 times, 100 times the same result(s) would occur - It is absolute. I don't think we can say that in this case. The fact remains, even if remote, that had widely accepted fire service principles and practices been in place, a firefighter's life is always at risk, because as the report states, it is inherently a dangerous job and (a) firefighter(s) lives may have still been lost, ex. Prince William County. That being said, the language of the "*lives of nine firefighters would not have been lost*," is an absolute statement and one that leaves no room for variable circumstances that occur on almost every fire and emergency scene. My suggestion is the following revision of the statement:

"It is the opinion of the City of Charleston Fire Service Enhancement and Review Team that the potential for loss of life at the Sofa Super Store could have been greatly minimized if operations had been conducted in accordance with widely accepted fire service principles and practices."

With this statement, I stand firmly with you that it is included in the report and we either hold the report, deliver it to the city and they can explain why they have it and are not releasing it, or resign and dissolve the panel. There is nothing in our contract that says we are the releasing agent of the report to the public or for that matter it will be released to the public at all. I believe that this statement in the report is an "identifiable fact" and an overall educated and cognitive conclusion reached by the evidence and information that was discovered in the course of the investigation.

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Subj: Re: Important Update
Date: 5/02/08 19:38:40 Eastern Daylight Time
From: lynbrookfd379@yahoo.com
To: kevin.roche@earthlink.net, JGRoutley@aol.com, LynbrookFD379@yahoo.com, Brian.Crawford@ci.shreveport.la.us, tesendelbach@msn.com, Peter.Piringer@montgomerycountymd.gov

This report must be direct with no softening.

Mike

Chief Michael D. Chlaramonte CFO, MIFireE

Remember: Everyone goes home.

For whoever exalts himself will be humbled, and the one who humbles himself will be exalted. - Luke 18:14

----- Original Message -----

From: Kevin Roche <kevin.roche@earthlink.net>
To: JGRoutley@aol.com; LynbrookFD379@yahoo.com; Brian Crawford <Brian.Crawford@ci.shreveport.la.us>; tesendelbach@msn.com; "Piringer, Peter" <Peter.Piringer@montgomerycountymd.gov>
Sent: Friday, May 2, 2008 12:39:39 AM
Subject: RE: Important Update

JGR – I believe that if we keep the chronology and the analysis essentially as-is, and do a listing of factors in the outcome of the fire, the position that we took as an opinion will be obvious to anyone.

I think that you did an outstanding job of identifying what went wrong. I am not opposed to bending a little on one sentence to get this over with for the fire department and the families.

I actually thought that you put that section in as a red herring to draw attention.

I have stated that I would rather be fired than put out a softball report. Even without the one line that they are objecting to, this is by no means a coverup or softball report.

Once the report is published, we can all express our opinions if we choose.

Sorry about the "reply to all" but I could not stop myself...

Kevin

From: JGRoutley@aol.com [mailto:JGRoutley@aol.com]
Sent: Thursday, May 01, 2008 9:26 PM
To: kevin.roche@earthlink.net ; LynbrookFD379@yahoo.com; tesendelbach@msn.com; peter.piringer@montgomerycountymd.gov; Brian.Crawford@ci.shreveport.la.us
Subject: Important Update

Subj: RE: Important Update
Date: 5/02/08 07:28:38 Eastern Daylight Time
From: tesendelbach@msn.com
To: kevin.roche@earthlink.net, jgroutley@aol.com, lynbrookfd379@yahoo.com, brian.crawford@ci.shreveport.la.us, peter.piringer@montgomerycountymd.gov

Gordon:

Is this the only item they are questioning or is this just the beginning?

I understand the concern over this statement, but I'm more concerned with their defensive posture towards the panel. I'm not willing to support any form of cover-up or white wash regarding fault and/or responsibility. If the contract specifically states that we are not allowed to state our opinions, I'd suggest we consider how this can be rephrased to "recommend" the same. This is simply an attorney doing a play on words, this statement alone suggests absolute liability on behalf of the City (liability they can't defend - 6 person independent panel hired by them stated...).

While no one can prove with "absolute" certainty (including us) that our recommendations (any of them including the installation of sprinklers) would or would not have prevented this incident and/or the related deaths, most would agree with the obvious. I would suggest we consider rewording this in the form of a recommendation such as, The Post Incident Assessment Enhancement and Review Team recommends that the Charleston Fire Department adopt/implement the aforementioned nationally recognized standards and industry best practices in order to prevent similar such incidents in the future.

I make this recommendation assuming that the balance of this report provides enough detailed information that any "reasonable" citizen or trained professional can see the obvious...if nationally recognized standards and/or industry best practices were followed this incident and the subsequent deaths would not have occurred.

TESendelbach

From: kevin.roche@earthlink.net
To: JGRoutley@aol.com; LynbrookFD379@yahoo.com; Brian.Crawford@ci.shreveport.la.us; tesendelbach@msn.com; Peter.Piringer@montgomerycountymd.gov
Subject: RE: Important Update
Date: Thu, 1 May 2008 21:39:39 -0700

JGR – I believe that if we keep the chronology and the analysis essentially as-is, and do a listing of factors in the outcome of the fire, the position that we took as an opinion will be obvious to anyone.

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Kevin

From: JGRoutley@aol.com [mailto:JGRoutley@aol.com]

November 26, 2008 AOL: JGRoutley