



September 18, 2024

Testimony of Daniel Flynn, Chief Fire Marshal, FDNY
City Council Oversight Hearing: Search & Rescue and Fire Investigation Procedures

Good morning Chair Ariola and members of the Fire & Emergency Management Committee.

My name is Daniel Flynn and I am the Chief Fire Marshal at the New York City Fire Department. I am joined by Malcolm Moore, Chief of Special Operations, and Deputy Commissioner Don Nguyen, General Counsel for the FDNY. Thank you for the opportunity today to discuss Search & Rescue and Fire Investigation procedures.

The concept of search and rescue plays out in multiple ways for the Fire Department. Upon arriving at a fire, firefighters conduct searches to locate individuals and remove them to safety. We train to surmount any challenge and overcome any obstacle to rescue individuals in peril. Sometimes this is as straightforward as locating a conscious individual and assisting the person to make his or her way out. Sometimes it means identifying an unconscious or immobile individual and working to physically remove them from danger. Depending on the nature of the location and the evolving conditions of the fire, performing a rescue may involve complicated maneuvers such as a rope rescue from a window or rooftop.

Special Operations Command also includes other units that are involved in search and rescue. Marine Operations commands a fleet of 32 boats of various sizes to patrol and respond to emergencies in the waters around New York City and, when circumstances dictate, incidents across the region, including along the coast and up the Hudson River. Rescues range from minor incidents involving small craft that have run out of gas to large-scale incidents such as the Miracle on the Hudson, during which members of the FDNY Marine Unit assisted in evacuating passengers from a commercial jet that had landed in the river.

SOC also contains the Robotics Unit. As committee members will remember from our hearing and demonstration earlier this year, the Robotics Unit provides responders with exceptional visual and situational awareness using drones and aerial, naval, and ground-based robotic devices.

Bureau of Fire Investigation

Fire investigation procedures are carried out by the Bureau of Fire Investigation (BFI). Fire Marshals are law enforcement officers who identify and examine evidence at fire scenes to determine the cause and origin of a fire. They analyze and interpret laboratory results. They conduct interviews of witnesses and potential suspects, and the conclusion of their investigation of incendiary incidents often includes an arrest of a suspect or suspects. A critical element of the job is preparing and swearing out affidavits to obtain subpoenas and serving those subpoenas upon witnesses so that they can gather evidence necessary to carry out an investigation. Fire

In a major emergency, the K-9 unit responds with one or more canine teams to locate potential victims. The dogs can be extremely valuable in locating victims in need of rescue in collapse incidents. Currently, the Department operates three K-9 teams. Dog handlers are highly trained and observant. They send the canines into circumstances only when they are comfortable with the level of risk to the dog. The canines receive regular veterinarian visits and care.

Thank you again for the opportunity to testify about the incredible work performed by the members of the Special Operations Command and the Bureau of Fire Investigation. We are proud of way that they keep our city safe. I would be happy to take your questions at this time.



JUMAANE D. WILLIAMS

**STATEMENT OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS
TO THE NEW YORK CITY COUNCIL COMMITTEE ON FIRE AND EMERGENCY
MANAGEMENT
September 18, 2024**

Good Morning,

My name is Jumaane D. Williams and I am the Public Advocate for the City of New York. Thank you to Chair Ariola, and members of the Committee on Fire and Emergency Management for holding this hearing.

I want to extend my appreciation to the brave FDNY firefighters, FDNY EMS workers, and all first responders who risk their lives everyday protecting New Yorkers. First responders are exposed to tremendous dangers during search and rescue operations, and both the Council and the administration must support first responders in the city's budget. FDNY EMS workers are a key feature of rescue operations, assisting deep burn wounds and trauma victims, but still are paid significantly less than other first responders. Low wages have made it much harder to retain EMT staff, impacting their ability to be first responders.

FDNY's EMS attrition has resulted in the highest waiting times for an ambulance since the start of the COVID pandemic, with the week of Memorial Day having an "average of 12.81 minutes to respond to life-threatening medical emergencies"¹. The status quo of extended wait times is unacceptable. Every second can be the difference between life and death during a medical emergency, especially during time-sensitive search and rescue operations. It is in the best interest of New York City to support EMT first responders by achieving pay parity between FDNY EMS and FDNY firefighters.

It is also just as important to target the spread of fires, such that there is less of a need for search and rescue operations. On February 2, 2024, Fire Commissioner Kavanaugh announced that lithium batteries are now a leading cause of fires. Lithium ion battery fires are difficult to contain and the fire can spread very quickly, putting civilians and firefighters in danger. The FDNY, the Mayor's Office and the collective New York City Council all acknowledge how lithium ion battery fires are a significant challenge for New Yorkers safety, and have passed life-saving legislation such as restricting the sale and use of reconditioned batteries.

¹<https://gothamist.com/news/wait-time-for-ambulances-in-nyc-is-the-longest-since-the-start-of-covid-19#comments>



JUMAANE D. WILLIAMS

At the most recent annual FDNY Search and Rescue Field Medicine Symposium, the department reviewed lithium ion battery fires and the effective strategies for combating these fires. And yet, more must be done to reduce the frequency of lithium ion battery fires, to educate the public about the dangers of these batteries, and how to safely recharge and store the batteries. In policy discussions, we must include a key technology that the city can invest in to reduce the spread of lithium ion battery fires, which is fire retardant storage cases. These inexpensive storage cases protect batteries during the charging process when batteries are most vulnerable to overheating and exploding. Fire retardant bags only cost about \$20. With the purchasing power of New York City, buying these bags in bulk will cost roughly \$500,000 to provide a lifesaving tool to the 65,000 delivery workers citywide driving e-bikes for their livelihood. Also, the City must create outdoor charging stations throughout the city for NYers to use thereby reducing the number of fires since it will reduce the need to charge batteries indoors. We must take immediate action to make New York City safer, and providing riders with both safe charging opportunities and storage equipment is among the most direct ways we can act.

[REDACTED]

From: Connolly Joseph <jconnolly@ufanyc.org>
Sent: Friday, September 20, 2024 11:08 AM
To: Testimony
Subject: [EXTERNAL] Fire Committee Hearing 9/18

[REDACTED]

New York City Fire Marshals play a critical role in investigating the causes of fires, including determining whether fires were accidental or deliberately set. Increasing manpower and setting minimum staffing levels for fire marshals could enhance their ability to effectively manage investigations, reduce response times, and improve overall public safety. Given the high density and complexity of NYC, under-staffing can lead to slower investigations and prolonged risks, particularly in a city where fire hazards are prevalent.

Advocating for higher staffing levels could be based on several factors:

1. **Rising Fire Incidents:** With an increasing number of residential and commercial buildings, the workload for fire marshals has grown. Ensuring adequate staffing would help keep up with these demands.
2. **Safety of Fire Marshals:** More fire marshals can spread the workload evenly and prevent burnout or fatigue, which could affect the quality of investigations.
3. **Public Safety Concerns:** Quicker investigations can help prevent future fires, especially in cases involving arson, where immediate action is needed to catch perpetrators.
4. **Complexity of Investigations:** Larger and more complex fires, especially those in high-rise buildings or involving hazardous materials, require a higher number of experienced fire marshals on-site.
5. **Supporting Firefighters:** The quicker fire marshals can determine causes, the faster they can help fire departments improve safety protocols and strategies for prevention.

Minimum Staffing, higher head count and more bases would be ideal. 20 years ago BFI had bases in each borough, and a head count about 450. Today we operate with 2 bases citywide and 110 fire marshals ... safety of our members is at risk because of cost. There should be a base in each borough and 2 catching teams per base and an aide/driver for the Supervising Fire Marshal. I am always available to speak further on this.

Respectfully,

Joseph S. Connolly
UFA Fire Marshal Representative
IAFF Local 94
FDNY, Fire Marshal

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THE CITY OF NEW YORK**

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