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'We buried guys because of' faulty radios

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WITH ONLY a few minutes of oxygen left in his air tank, Leon Phipps was on his knees, trapped in a smoke-filled bedroom that would be his grave unless he could get help.

Phipps grew weaker as the smoke thickened. The veteran firefighter screamed for help as he squeezed the emergency panic button on his Motorola radio, which was supposed to give him an open line on all radios at the scene.

He heard nothing. Moments later, he passed out.

Phipps made it out of the smoldering West Philly rowhouse alive - but permanently disabled - on the night of April 12, 2004, because another firefighter heard an alarm sound on his air tank. No one at the scene heard his radio pleas.

On Aug. 20, 2004, Capt. John Taylor and firefighter Rey Rubio found themselves similarly trapped and low on oxygen in a smoldering Port Richmond basement.

Taylor tried to call for help on three occasions that night to no avail. They both died of asphyxiation.

Had Taylor's radio been functioning properly, both men would likely be alive, according to a lawsuit filed in 2006 by relatives of Taylor and Rubio against Motorola. The case, filed in Common Pleas Court, asks for compensation in "excess of \$50,000," for each man's family.

Union officials say they are convinced that both incidents show that the city's \$62 million Motorola digital radio system is flawed, unsafe and unreliable in emergency situations.

"The fact of the matter is that we've buried people because of that radio system," said Dave Kearney, a firefighter and recording secretary for the firefighters' union.

"I would say our members still have problems with reliability on the fire grounds. Unfortunately, a lot of people in the Fire Department have become apathetic to the point where they think it'll never be fixed."

Firefighters complained of problems with Motorola's multimillion-dollar digital-radio system almost immediately after the city began using it in 2002.

When City Council hearings were held two years later to examine problems with the system, fire officials gave dozens of examples in which firefighters experienced dead spots and excessive busy signals during emergencies.

Critics of the system noted that the city's old analog-radio system allowed firefighters to have direct radio-to-radio communication at fire scenes, while Motorola's complex digital system transmitted signals through a central network that could break down.

Phipps' case was the first case to show how a faulty radio system can be life-threatening, Kearney said.

Though he did make it out of the burning house, Phipps suffered second-degree burns in his lungs and esophagus and was in a coma for three days. He retired from the Fire Department last October, having spent the past several years working at the Fireman's Hall Museum in Old City.

Motorola settled with Phipps last year after he filed a civil lawsuit against the company, said Joel S. Rosen, Phipps' attorney.

Terms of the settlement were not disclosed.

And several months after Phipps' incident, Motorola reprogrammed the tricky toggle knob on firefighters' radios that contributed to Phipps' communication problems. The toggle knob put him on an unencrypted channel while everyone else at the scene was on an encrypted channel, Kearney said.

Terms of the settlement prevent Phipps from talking specifically about the radio system, but he recalled the terror.

On April 12, 2004, Phipps was working at Ladder 24, headquartered on 61st Street near Wharton, when he was called to a house fire on 66th Street near Lebanon Avenue shortly after midnight.

By the time Phipps got to the scene, firefighters from Engine 54 were there, dousing the house with water.

"Everybody has a job to do," said Phipps, 57. "In that case, my job was to do search and rescue, so I was up on the second floor in the back bedroom.

"You couldn't see the hand in front of your face, so I was just feeling around the perimeter of the room.

"When I didn't find anybody, I tried to get out. I went to the next room and the door closed behind me. The smoke was so bad, I couldn't find the door."

He tried to find a way out.

"As far as panic," he said, "well, that came in when I ran out of air."

Phipps reportedly twice called for help on his radio to no avail.

The third time he called for help, he clicked the radio's emergency button, which was supposed to send a distress signal to the Fire Department's dispatch center and also give him a clear signal to all radios at the scene for 10 seconds.

"This is Ladder 24," Phipps reportedly screamed. "I'm on the second-floor back bedroom. I'm trapped! I'm in deep trouble!"

He collapsed when his oxygen supply ran out. The air tank sounded an alarm, which was heard by a firefighter on the first floor who came to Phipps' rescue.

"He went into survival mode, pushed that emergency button and called for a mayday," Kearney said.

"Firefighters who were blocks and miles away and happened to be on the right channel heard him, but people on the fire grounds didn't."

Phipps said he woke up in a hospital three days later, shocked at his condition.

"I couldn't talk because I had a tube down my throat," he said. "I couldn't see because my eyes were burnt."

Doctors told him that the damage caused by the second-degree burns in his lungs would be permanent.

"Basically, I'm as good as I'm going to get," Phipps said with a heavy sigh.

"I can't do anything physical without getting completely wiped out. And I have post-traumatic- stress syndrome, which I'm still seeing a psychologist for."

Yet he's grateful to be alive, particularly knowing what happened to Taylor and Rubio months later.

Taylor, 53, and Rubio, 42, were both working at Engine 28, on Ontario near Miller, when they were called to a one-alarm fire at Daniel Brough's house on Belgrade Street near Westmoreland.

Brough had been using fans and hot lamps to grow marijuana in his basement closet. Fire officials said that the fire started in faulty lamp wires and spread quickly.

Rubio carried a hose to the basement and Taylor followed.

According to the lawsuit, this is what happened:

Rubio's airpack sounded a warning, letting him know that he would run out of air in five minutes. Taylor attempted to transmit a message at 8:17 p.m., but the system recorded an unreadable transmission.

A minute later, Taylor pressed the emergency button on his radio, and was supposed to have 10 seconds of clear air on all radios at the scene to broadcast his cries for help.

But the radio didn't function. An "emergency signal was received by the system" but Taylor's "words were not heard by other firefighters at the scene."

"There were three partial maydays from Taylor's radio, and 127 failed transmissions at the scene that night," Kearney added. "Firefighters wasted valuable time trying to determine if the emergency signal was legitimate or not."

Rubio suffocated at the bottom of the basement steps and became wedged in the narrow space. Before firefighters could remove Rubio, Taylor's air supply ran out. He suffocated as well.

"If the Motorola radio system had functioned properly, Capt. Taylor could have communicated with other firefighters . . . and they would have come to assist before Rubio collapsed," the lawsuit states.

"In that event, Capt. Taylor and firefighter Rubio would have suffered no injuries or adverse affects whatsoever."

Brough was sentenced in 2005 to 15 months to four years in prison on manslaughter charges in both firefighters' deaths.

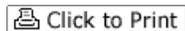
"I always go back to a mantra: keep it simple," Kearney said recently while working at Taylor and Rubio's Port Richmond firehouse.

"We needed a system that could work in a worst-case scenario," he said. "Sixty-two million dollars later, we're using a system that's unreliable for fire ground communications.

"Like I said, we buried guys because of it." *

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