

Written Testimony for 6/13/19
“Keeping Kids and Consumers Safe from Dangerous Products”
Crystal Ellis

Hello, my name is Crystal Ellis. I am an elementary educator, mom, and child safety advocate, representing Parents Against Tip-Overs, an organization of families like mine who have lost a child to furniture tip-over. I want to begin by saying thank you to each one of you for allowing me the opportunity to speak today.

Today is a very difficult day for me. Today would be my son, Camden Ellis' 7th birthday. Tragically, he was killed five years ago, on Father's Day, in a furniture tip-over incident. His 3-drawer dresser, just 30 ¾" tall, fell, as he tried to reach inside to get to his clothes, trapping his neck between the drawers and suffocating him. He was unable to cry for help, and we did not hear it fall. His father found him, when he went to get him up for breakfast. I can still hear my husband's screams. After trying my best to revive him with CPR, and four days in a coma at Seattle Children's, we had to say good-bye, donating his organs to hopefully save another family from our fate.

At the time, I thought this was a freak accident and I had no idea that this was a danger in my home. When I discovered that he was not only the 7th child to die because of the negligence of this particular manufacturer, without a recall, but that children were dying at the rate of one every 10 days from furniture tip-overs, I was absolutely devastated.

How was this possible? I had taken multiple getting ready for baby classes, had put up baby gates, outlet covers, cabinet locks, and had our car seat professionally installed as a first-time parent. None of the professional educators, health care providers, mom group leaders, or other parents had ever told me about the risk of dresser tip-overs killing my son. I know that there are many other parents in this country that also have no idea that their dresser is a risk in their home. They assume, as I did, that any product that is sold to consumers in the United States of America has been vetted and tested by their government and would not be sold if it could kill us.

One death every 10 days is a crisis that needs to be immediately addressed. It has already been 5 years since the death of my son, over 14 years since the death of Kim Amato's daughter, Megan Beck, the earliest death in our group, and not enough has been done to keep children safe today. Since Meghan's death, 254 more have died. I believe a mandatory standard that takes into account real world use by a child with dynamic testing would have saved my son and literally tens of thousands of children every year from injuries and death.

We need the STURDY Act for many reasons. The first is the lack of progress in working with manufacturers to get them to do the right thing. Consumers advocates and parents have been trying for almost two decades to strengthen the standard. Since the creation of this ASTM sub-committee, 19 years ago, there has been no significant change in the statistics. Manufacturers know how to solve this problem right now, by engineering the tip-overs right out of the design. PAT members continue to attend meetings and task groups, ready to dive into improving the standard, but, by multiple accounts and measures this ASTM sub-committee, F15.42, is one of

the most contentious sub-committees overseen by ASTM. They have stalled for years on seriously and effectively addressing the furniture tip-over issue. They keep saying they need more data. Their data is our dead and injured children. There are 542 known deaths from 2000-2017, and an average of 75 ER visits a day due to tip-overs. We do not need more data.

Even with the devastating statistics we already have, we also know the data is underreported, as the statistics are only those reported to the CPSC. Most consumers and health care professionals do not know what the CPSC is, or that it even exists, or the importance of reporting incidents of faulty products to them. Every dresser that falls, at the reported rate of one ER visit every 17 minutes, has the potential to be a death or a life-altering injury. Even with the chairman of the CPSC strongly urging these manufacturers to stop stalling and take immediate steps to increase the standard, there were still dozens of negative votes at the last ballot.

Some manufacturer members of the ASTM sub-committee have argued that we should make the current voluntary standard mandatory, but we know the current standard is not strong enough. Proof of this exists, in the Ikea Hemnes dresser, which currently meets voluntary tip-over standards, yet was responsible for the death of two-year-old Conner DeLong in Florida, and was seen in a viral video falling on two year old twin brothers in Utah, both in 2017. We are also concerned that the creation of a mandatory standard from the current, weak voluntary standard, will make it much more difficult to make the standard strong enough to protect consumers.

Secondly, the CPSC, even though they have expressed that tip-overs are their highest priority this year, are still not using every tool available to them, including rulemaking 104 and recalling every dresser that does not meet the current, weak voluntary standard.

Also, from participating in on the ASTM meeting on May 10th, I strongly feel that the manufacturers are not afraid of repercussions from the CPSC and appear content to wait and see if Congress forces them to do the right thing, because that's likely the only way they will. Between their small budget and their hands being tied by the limitations from Section 6b of the Consumer Product Safety Act, the manufacturers know they have time to stall. Time that will result in more deaths of children. How many more dead children will take to compel those in power to stop this crisis?

Today, Parents Against Tip-overs is here to be a voice for our children who needlessly lost their lives to this 100% preventable issue. A voice for parents who are home today acting as full-time caregivers for their children who survived a tip-over incident but have been left with devastating life-altering injuries. And a voice for parents who cannot find theirs because they are overwhelmed by the darkness of grief and sadness that we have all, unfortunately, experienced.

Lastly, I'd like to make it clear that furniture tip-over is not a partisan issue. I assure you; furniture falls on Republican and Democratic children equally. It falls on children from both wealthy and poor families, those who live in both urban and rural communities, babies, toddlers, and even adults sometimes. The only common denominator in a furniture tip-over is unstable furniture. And the only way to stop it is to force manufacturers to adhere to a strong and effective mandatory furniture safety standard, which the STURDY Act would do, and likely the only thing that WILL stop tip-overs.

Thank you again for allowing me to speak today and I hope you will join me in protecting the children and families in this country, by supporting and passing the STURDY Act and being part of the solution to stop tip-overs.