

**TESTIMONY OF LYNNETTE HUDSON
BEFORE
SUBCOMMITTEE ON COAST GUARD AND MARITIME
TRANSPORTATION**

**"CRUISE SHIP SECURITY PRACTICES AND
PROCEDURES"**

**HEARING SCHEDULED
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Statement of Lynnette Hudson - Bear, Delaware

Hello, I would like to start by thanking Chairman Cummings and the entire Subcommittee for inviting me to testify today concerning Cruise Ship Security Practices and Procedures. I would also like to take this opportunity to personally thank my Congressman, Mike Castle, for his continual support of legislation to protect Americans on cruise ships. Today, I have been provided with a unique opportunity to share my experiences surrounding the death of my father on board a cruise ship. I hope that my testimony will bring to light the necessity of viable safety practices and procedures to eliminate or at least minimize death, injuries and crimes at sea. I am here today on behalf of my father, Richard Liffriage, who died on March 23, 2006 while taking what he believed to be a safe and enjoyable vacation on the Star Princess. In addition, I am also representing the International Cruise Victims Association (ICV), which is an organization formed by grieving family members and victims who have unfortunately experienced preventable tragedies while on cruise ships.

Before I explain the events of that fateful day in March 2006, that changed my life forever, I would be remiss if I did not tell you about my father. Richard Liffriage was a devoted husband, father, grandfather and great-grandfather. After 20 years of honorable military service, he retired from the United States Air Force. His Air Force career allowed him to travel to places he might not have otherwise seen such as France, Germany and England. He proudly served his country in the Vietnam and Korean wars. After retiring from the Air Force, my father ironically worked for the Federal Emergency Management Agency (FEMA) for a number of years. He subsequently retired and relocated to Locust Grove, GA, to realize his life long dream of retiring in a stable environment while enjoying the company of his family and friends. My father was a dedicated and committed member of the Masons. The Masons are the oldest and largest world wide fraternity dedicated to the brotherhood of man.

On March 19, 2006, my father, his wife, Victoria, and two other couples boarded the Star Princess at Fort Lauderdale, Florida. The three couples planned the seven day cruise to celebrate their collective birthdays. My father had just turned 72 years old eight days prior to their departure. This was his first cruise and he anticipated relaxing and enjoying the company of his wife and close friends. However, during the early morning hours on March 23, 2006, a fire erupted on the eleventh floor deck area of the cruise ship, which then quickly spread to the upper decks severely damaging approximately 79 cabins. This rapidly moving fire produced a black thick smoke, which was later determined to be the by product of combustible materials used in the partitions and balconies. It took an unconscionable hour and a half to extinguish this on board fire which was later determined to have started as a result of a smoldering cigarette discarded on the balcony of a stateroom.

It was difficult to piece together the actual events specifically as they relate to my father on that terrible morning. The information that was relayed to our family was that my father and Victoria were awakened by faint sounds of an alarm and static over the intercom. Victoria got up to determine the cause of the commotion. Upon opening the room door, she noticed a crew member

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knocking on a door across the hall. The crew member did not say anything to her. Victoria then heard one of her traveling companions yelling, "the ship is on fire, the ship is on fire; everyone get out!" Victoria relayed this information to my father and they proceeded to evacuate. While evacuating, they thoughtfully grabbed wet towels to be used as an aid to them in safely escaping the fire. Meanwhile, the thick black toxic smoke began to fill the corridors and seep under the doorway of their cabin.

Once they opened their cabin door, they were unable to see due to dark smoke filled hallway. To escape, they proceeded to crawl on their hands and knees with the wet towels around their faces for protection. Remembering that there was an emergency exit located close to their cabin, they began crawling in that direction. My father was leading the way with Victoria holding on to his T-shirt. They were able to reach the emergency exit door, but could see flames coming from the other side of the door. The corridor continued to fill with smoke and their visibility was zero. Emergency lighting was not visible nor were there any emergency response teams there to assist them.

As the two tried to crawl towards another escape route, the ship shifted which caused Victoria to be thrown to the opposite side of the corridor. Victoria attempted to make her way back to my father but could not locate him. She was unable to call out his name as the smoke began to fill in her lungs. As she tried to reach out for my father, she heard him say, "Vicky, don't let me die." Unfortunately, she was unable to express reassurance to her husband (my father), but she frantically continued to try to locate him in the dark. Despite her tenacious effort, Victoria wasn't able to locate by father. She began to go in and out of consciousness. Thankfully, there were other passengers to assist her in exiting this chaotic area. It was unclear at that time if my father had made it out of the corridor safely. However, as it would soon be painfully discovered, my father was not successful in escaping this enormous on board fire. My father's lifeless body was found inside the corridor on deck 12 outside a stateroom.

Victoria was taken to a muster station where she sat shivering and unattended for an extended period of time. Victoria was told at that time that all passengers were accounted for. When she specifically asked about my father, she was told he was in another muster station.

Approximately nine hours after the start of the fire, I received a heartbreaking phone call from my brother, Phil. He was calling to tell me that there had been a fire onboard the ship and Dad did not make it. Phil had been contact by Victoria, who was being treated for smoke inhalation at a local Jamaican hospital. How could this be? My father was on a luxury cruise with his wife and friends. I felt like my life came crashing to an end. I fainted after hearing the news. When I came to, I was surrounded by my co-workers. After telling them what happened, some of them were already aware of the ship's fire. Someone printed a CNN.com story that said cruise line officials reported my father's cause of death as a "heart attack." That same article provided a toll free phone number for family members of passengers to contact for more information.

I called the toll free number several times, but the cruise line representatives told me that they

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were not able to release any information to me. I felt frantic. It was not until I became irate that the representative attempt to assist me. I learned at that time that Princess Cruises had my contact information on file. I was provided with the phone number for the local hospital where Victoria was being treated. After speaking with Victoria, she asked if Princess Cruise line ever contacted me as I was listed as my father's emergency contact person.

In an effort to accommodate the surviving passengers, Princess Cruise line offered a full refund and 25% discount on a future cruise. They also paid to transport travelers home and for lodging during that transition. It is clear that Princess Cruise line made a genuine effort to accommodate those surviving passengers that were inconvenienced by the fire; however, Princess Cruise line would not commit to paying the cost to send my father home. They acted like his death was unrelated to the fire.

Prior to an autopsy being performed, Princess Cruise line repeatedly and erroneously released information to the media that father died because of a "heart attack." An autopsy was performed by the local medical examiner on March 24, 2006, and the official cause of death was determined to be due to smoke inhalation. Even after the autopsy was completed, Princess Cruise line never issued a statement that listed the correct and official cause of my father's death. Six days after the cruise ship fire, there had been no contact from Princess Cruise line. My father's body was still in Jamaica being held up by red tape. It was not until seven days after this tragic fire, that my father's body was sent home.

My father's death raises larger issues for all of us to consider. Contrary to what the cruise lines suggest, fires present one of the greatest threats to cruise ship safety at sea. For example, in an article entitled "Cruise Ship Fires" written by John Nicholson in the National Fire Protection Association Journal (NFPA), he reports that with bigger and bigger ships being built, the potential for disaster due to ship fires is high, particularly with cruising becoming an increasing popular option for a family vacation.

My father's death was due to a cigarette being flicked overboard (hardly unexpected) which landed on a towel or clothing left on the balcony or the balcony furniture which was combustible. The fire was fueled by the highly combustible material used for partitions on the balconies. Some of the cruise lines replaced the partitions which were obviously fire hazards. However, according to a September 13, 2006, Wall Street Journal article, only 36 ships were being "fixed." The Cruise Line International Association (CLIA) has a total of 24 cruise ship companies with hundreds of cruise ships. Some of the cruise lines have not taken steps to eliminate the danger. The low number of ships being "fixed" reflects that the danger of a fire still exists.

Some of the cruise lines have tried to address the problem by implementing restrictions where passengers can smoke or by implementing "no-smoking" policies. The cruise lines acknowledge that these policies do not work. The practical matter is that each day thousands of passengers still stand by the rails flicking their cigarettes "into the sea." In reality, hundreds of cigarettes are being

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whipped down into the balconies, where they can be fanned by the wind as the cruise ships sail along at 15 to 20 knots. If the cigarettes come into contact with a towel, the fire can smolder and eventually erupt into a fire. The passengers who sail on the ships do not know which ships have been retrofitted and which ones still have the same type of dangerous partitions and lack balcony smoke/heat detectors and sprinklers. Is this information available to the public? Will CLIA provide it?

Victoria and I met with Princess Cruise line representatives in May of 2007, to find out what changes, if any, had been made to insure that this type of tragedy does not occur again. We were advised that Princess Cruise line retrofitted their balconies with external sprinklers and smoke detectors. This is a responsible first step to protect passengers, and we were encouraged to learn this information. However, we know that other cruise lines have not taken these steps and that CLIA will not do anything to force them to. We are concerned that it is just a matter of time before another fire occurs.

This is the reason why I joined the ICV, and our family formed a non-profit organization called the "Richard Liffride Foundation." The foundation was formed to enhance fire safety and regulations on cruise ships. We also created a website, at www.RichardLiffride.com, to educate the public regarding this danger. By using my father's life as a story, we hope that another family does not experience a similar devastating loss.

The cruise line industry is largely self-regulated and it suffers no real consequences for failing to have comprehensive safety regulations or for not responding quickly in emergency situations. I realize that victims of crime on the cruise ships also experience the same frustrations when cruise lines do not have adequate precautions to protect them from crimes or when they fail to timely and accurately report the crimes. It is important that the ICV continue to act as a watch dog over the cruise lines. We are here asking Congress to enact legislation so that passengers can be safe and the cruise industry can be held accountable when cruise lines act irresponsibly.

During the March 2007 subcommittee hearing, Chairman Cummings made it clear that the cruise lines and the victims need to work together to develop solutions to the current problems facing cruise passengers. Following the hearing, the President of the ICV, Ken Carver, made the initial attempt to schedule a meeting with CLIA. We all knew that Mr. Carver's invitation to the past president of the cruise line trade organization was never accepted or even responded to. The purpose of this renewed effort to meet was to discuss the ICV's 10 point plan and other suggestions and to review CLIA's comments regarding each point. The meeting was not held until July 26, 2007, in Washington, DC. As a Board Member of the ICV, I felt that the process to bring CLIA to the table to seriously discuss issues took too long. Many suggestions were made at the meeting regarding how the cruise industry could improve in areas of safety. Although there was some acknowledgment by CLIA that the ICV recommendations were "good ideas," there was no commitment by CLIA to anything in particular and certainly no agreement to legislation. No follow up meeting was scheduled despite our requests.

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On August 13 and 14, 2007, CLIA held a meeting where they flew certain victims to Miami and paid for them to stay in hotels and took them out to dinner and so forth. There was no agenda provided by CLIA for the meeting. CLIA solicited primarily victims from the ICV, but told them that their legal representatives were not welcome. CLIA also stated that the media was not welcome. At the end of the meeting, CLIA wanted to form an "advisory committee" where they would pick the members themselves. It is unclear why CLIA wants to have a separate "advisory committee" when there is already an organization formed, ICV, which consists of over 200 members and friends. Our collective "advice" is substantial and the result of years of hard work. Why does CLIA want a hand picked "advisory committee," to be wined and dined again in Miami?

I am concerned that there has been no true progress made since the last hearing. If the cruise industry has committed to changes, they have not shared them with the ICV. Are we going to hear of changes at the hearing for the first time? Our ten point program was presented to the industry over a year ago. Where is the cruise industry's written commitment to specific changes?

This is why it is imperative that legislation be enacted. The cruise industry needs an agency to regulate them. CLIA tells us that by the year 2010, twenty million passengers will sail on CLIA cruise ships. Visions of these passengers flicking their cigarette butts over the rails as unsuspecting passenger are asleep in their cabins, with no fire detectors or sprinklers outside on the balconies, instantly comes to mind. I am sure that the current cruise crime victims fear for the millions of new unsuspecting passengers. Undoubtedly, we will continue to see an increase in the number of crimes and victims while vacationing on cruise ships.

Apparently, the cruise industry is content with a 95-96% satisfaction rate of cruise ships returning safely without incidents. This statement was made by Anita Dunham-Potter on CNBC's "On the Money," which left me with the empty feeling that the cruise industry still "doesn't get it." There are many far too many tragic stories that fall into the remaining 4-5%. When the total number of cruise passengers reaches twenty million a year, this 4-5% turns into 800,000 to 1,000,000 passengers. How many of these passengers will be "dissatisfied" because they are a victim of a crime or a ship fire, or a relative of a missing family member left with no answers?

Please help us enact legislation to protect passengers on cruise ships and hold them accountable when they flaunt reasonable and civilized standard of conduct.

The following are my conclusions regarding my father's cruise, which led to his death and caused injury to his wife:

Where the Cruise Line Failed in this Tragedy

- Operating a cruise ship with highly combustible furniture and balcony partitions, with no smoke or heat sensors on the balconies, and failing to have appropriately well trained

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rescue personnel who could have saved my father after he collapsed in the hallway.

- Not notifying the emergency contact person or any family member.
- Never contacting the family to advise them of the facts surrounding my father's death.
- Failing to commit to pay for the cost of sending my father home.
- Prematurely releasing to the media my father's cause of death as being a "heart attack."
- Improperly releasing my father's medical information.
- Releasing my father's name to the media prior to any family member being notified of his death.

Not only did Princess Cruise line release private information about my father without the family's permission, it provided false medical information to the media which did not relate his death to the fire that killed him.

It was not until October 2006 that our family learned the details surrounding the cause of the fire and the events that led to our father's death. The fire was investigated by the Maritime Accident Investigation Branch (MAIB) which submitted a 52 page report. During the course of the investigation, the MAIB was made aware of six fires on the balconies of cruise ships during which either plastic chairs or beach towels had caught on fire. Following the fire onboard the Star Princess, a passenger reported that a discarded cigarette had landed on one of the plastic chairs on his balcony and left a burn mark.

Here are some of the areas identified in the MAIB report that contributed to the death of my father:

- The balconies' polycarbonate partitions, polyurethane deck tiles, and the plastic furniture were highly combustible and produced large quantities of very thick black smoke when burned.
- The glass in the doors between the staterooms and balconies were neither fire rated to meet with the requirements of an "A" class division, nor self-closing.
- The balconies crossed main zone fire boundaries, both horizontally and vertically without structural or thermal barriers at the zone or deck boundaries.
- No fire detection or fire suppression systems were fitted on the balconies.
- Access between the balconies was impeded where the keys to the doors in the balcony partitions were not readily available.

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- The alleyway doors have a self-closing mechanism. These mechanisms are simultaneously activated when the fire alarm is activated. Some doors were propped open with a wooden wedge. This allowed smoke to reach internal alleyways and accommodation spaces through staterooms via open balcony doors.
- The section leader did not have the master key for certain staterooms which required him to bang on the doors. The section leader was unable to contact the zone commander to inform him about the master key because the telephone lines were busy. This prevented the section leader from informing his zone commander that he had been unable to check the staterooms on the port side of zone 3.
- The ship's medical emergency number was 911. The number was monitored at the customer services desk, which was manned 24 hours per day. The customer services desk was not manned after the crew alert signal was sounded.
- The engine fire party consisted of six members. Five of the party dressed in fire fighting suits and collected their Breathing Apparatus (BA). A sixth member of the BA party had difficulty dressing because his fire suit was too small, and did not collect his BA or the remaining helmet, which contained a thermal imaging camera (TIC). None of the party wanted to wear this helmet because it was considered to be too heavy and cumbersome.
- The primary language used on most of the radio transmissions was English, although Italian was occasional used between the staff captain and the staff engineer, and the staff engineer and some of his team.
- The probability that passengers were still trapped in zone 3 on deck 12 only became fully apparent when the staff engineer recovered two other passengers (who survived) from the forward end of the alleyway. The engine fire party did not leave its fire locker on deck 4 until about 0324, and proceeded to deck 12 via deck 11 then deck 14. The engine fire party would not have arrived on deck 12, zone 3 until about 0335. By this time, the casualties had been in the alleyway for at least 15 minutes.

It is clear that changes need to be made in the areas of fire safety training, emergency response and in the protocol of handling emergency situations. Without these changes, this type of tragedy will likely occur again.

What Changes Need to be Made

- Smoking needs to be banned or restricted to certain areas of the ship, and enforced.
- Emergency Escape Breathing Devices (EEBD) need to be available for passengers and not only crew members. At least two EEBDs in each cabin on the ships. These devices are economical, and would have saved my dad's life.
- The Death on the High Seas Act needs to be amended to allow recovery for the natural grief and sadness of the surviving family members and the pre-death pain and suffering of my father,
- Fire and security training should be conducted regularly.

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- Fire safety instructions should be included in the initial muster drill.
- Fire safety instructions should be placed on the back of the door in each cabin.
- The emergency number should not be unattended or go unanswered at any time during an emergency.
- In an emergency, the first point of contact should be the person listed on the passengers' information sheet.
- The cruise industry should require crew members to attend sensitivity training.
- A team should be formed to assist families during and after a crime or tragedy has occurred on the ship. This team should be the point of contact for the families and should include counselors.

In closing, thank you very much for conducting this important meeting, and listening to my concerns and the comments of others who have been invited here today.