



The Great Chicago Fire at 150.

The great Chicago fire happened 150 years ago on October 8, 1871. A great deal has been written about this fire and although it is reported that there were many lessons learned, that is apparently not the case.

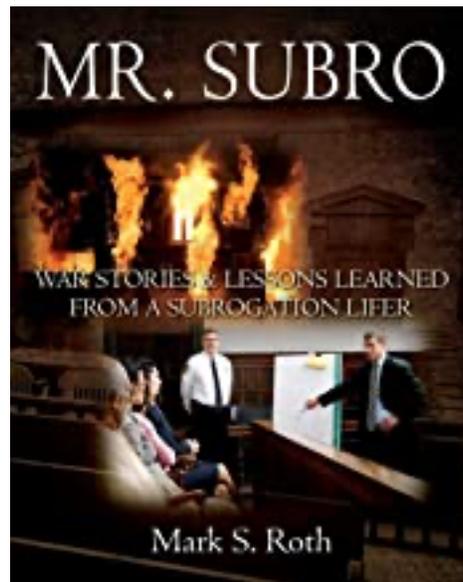
According to eyewitnesses, the fire did start in the O'Leary's barn, but nobody really knows if one of their five cows kicked over a lantern. That seems unlikely. The fire is credited with improving fire safety codes, but that did not help the 600 people who died in the Iroquois Theater fire more than 50 years later. That fire did result in changed building codes and enforcement.

<https://www.smithsonianmag.com/history/how-theater-blaze-killed-hundreds-forever-changed-way-we-approach-fire-safety-180969315/>

One delightful irony is that the Chicago fire department chose the site of the O'Leary farm for their fire Academy in 1961.

An in-depth look at the fire at 150 was published in the Chicago Sun-Times on October 8. A link to the article is here.

https://chicago.suntimes.com/2021/10/8/22673310/chicago-fire-150-anniversary-oleary-mary-todd-lincoln-sheridan-grant-park-steinberg?utm_source=join1440&utm_medium=email



Mr. Subro: War Stories & Lessons Learned from a Subrogation Lifer

A retired lawyer friend gave me a copy of this new book written by a partner with Cozen O'Connor, my friend's former law firm. It is a delightful exploration of the art of subrogation, getting money back for insurance companies who have paid hundreds of thousands or millions of dollars to their insureds, from the people responsible for the loss, which is usually a fire. Subrogation is a major underpinning of our profession. It represents the bulk of the cases that I worked on in the 1990s.

There are 20 cases described in the book, and the author, Mark Roth, *names names* and for each case, adds a section on "lessons learned." Here are a few:

"If you have integrity, nothing else matters. If you don't have integrity nothing else matters."

“As Abraham Lincoln explained, “give me six hours to chop down a tree and I will spend the first four sharpening the ax.”

“If a picture is worth a thousand words, a graphic, such as a timeline, is worth millions of dollars.”

“Hire the best, not the cheapest experts — it will pay off in the long run.”

“Your client's version of the case never gets better after the first time they tell it to you.”

“It’s what you learn after you know it all that counts.”

“I could practice another 40 years and never see another fire case which turns on a burnt giraffe year.”

“If you've never lost a trial, you are not trying enough cases.”

“If all you want is everything, the case will never settle.”

“Never let your client or customer tell you how to do your job.”

“The goal of every contingency attorney is to maximize recovery and minimize legal time and expense.”

“Agitating opposing counsel and making litigation more contentious will not make your case better.”

Mr. Roth has had an interesting career and manages to communicate the fun and the lessons learned in this short but entertaining book. I wish he had learned to say “origin and cause” instead of “cause and origin,” but that’s lawyers for you. Mr. Roth is an excellent writer and the lessons learned apply to fire investigators as well as litigators.

All royalties are being donated to the Los Angeles Fire Department Widows, Orphans & Disabled Firefighters Fund

https://www.amazon.com/s?k=Mr.+Subro&i=stripbooks&ref=nb_sb_noss_2

To Be Good Prosecutors, Prosecutors Need Good Defenders.

My good friend James Doyle writes about the necessity for good defenders as well as good prosecutors. He argues that good defenders help make good prosecutors.

It is, after all, the wolves who keep the caribou herd strong. The link to the Crime Report article is here.

<https://thecrimereport.org/2021/10/11/collaborative-justice-in-the-courtroom-a-proposal/>

Ernest Ray Willis, 1945-2021

We bid a fond farewell to Ernest Ray Willis, who passed away earlier this year. The case of Texas versus Willis was one of two reviewed in 2006 by the Arson Review Committee in a report commissioned by the Innocence Project. The other case was the more famous case of Cameron Todd Willingham. Both men were convicted based on nearly the same (unfortunately bogus) evidence. That report is available here.

<https://app.box.com/s/jo9ln143hjpcosmo3d0t>

Michael Hall, writing in Texas Monthly, described how he and “Ernie” had planned to write a book together, but never quite got around to it. It is an interesting article in that just about everybody else who had been in prison for 17 years, particularly on death row, would have a large supply of bitterness to deal with. That was not the case with Ernie. The link to the article is here.

<https://www.texasmonthly.com/news-politics/texas-tried-kill-ernest-willis-still-had-living-to-do/>

Mr. Willis’ story is also told on the National Registry of Exonerations website, available here.

<https://www.law.umich.edu/special/exoneration/Pages/casedetail.aspx?caseid=3755>



Han Tak Lee released from custody after 23 years

Han Tak Lee, 1936-2021

On June 8, Han Tak Lee, a Korean immigrant who served 23 years for an arson-homicide that he did not commit, passed away in a New York nursing home after a two-year battle with colon cancer. Mr. Lee's story is one that I got involved in about two years after his conviction. I had learned about his conviction from a colleague who had been contacted by *60 Minutes*. The producer was interested in doing a piece on this then-questionable conviction until he actually got to meet Mr. Lee and decided he was not telegenic enough. I was so incensed by the BS (bad science) used by the prosecution that I contacted his appellate lawyer and offered to work for him *pro bono*. Mr. Lee's lawyer told me that there was no need to work for free – they had plenty of money. It turns out that money was not the problem – justice was.

I worked on the case for many years, finally becoming so exasperated in 1999 that I went public with the details in *The Fire and Arson Investigator*. A link to the story, entitled "A Calculated Arson," as well as much of my file from the case is at this link.

<https://app.box.com/s/k1tsw3sa96zvjq35qj>

It turns out that the district attorney had ignored a *pro se* appeal from Mr. Lee for *six years* until Mr. Lee finally got a lawyer who managed to get the DA to respond. The litigation went on interminably in both state and federal court.

It was the gross abuse of science in this case that caused me to research the history and development of fire myths and led me to conclude that there was a lot of “toxic” literature out there. I eventually wrote up my story about toxic texts in a symposium sponsored by the American Association for the Advancement of Science (AAAS). A link to that paper, entitled “Pernicious, Pervasive, and Persistent Literature in Fire Investigation” can be found at www.firescientist.com/about-john.

Mr. Lee was finally released from custody in 2014, so he had a few good years, but unlike Ernie Willis, Mr. Lee could not forgive the people who stole 23 years from him. His story is written up in the National Registry of Exonerations at this link.

<https://www.law.umich.edu/special/exoneration/Pages/casedetail.aspx?caseid=4820>

One good thing that came out of this ordeal was the publication of the final order for his release written by Federal Magistrate Martin Carlson. If ever there was a decision that could be described as “poetic justice,” it is this decision, which begins as follows:

“‘Slow and painful has been man’s progress from magic to law.’ This proverb, inscribed at the University of Pennsylvania Law school on the statute of Hseih-Chai, a mythological Chinese beast who was endowed with the faculty of discerning the guilty is a fitting metaphor for both the progress of the law and the history of this case. The law is the means by which fragile, frail, imperfect persons and institutions seek greater perfection and justice through the search for the truth. But the search for the truth is not always easy, and the path to the truth is not always clear. Sometimes we find that truth eludes us. Sometimes, with the benefit of insight gained over time we learn what was once regarded as truth is myth, and what was once accepted as science is superstition. So it is in this case. A link to Judge Carlson’s well-reasoned opinion, entitled “Final Ruling in Han Tak Lee.pdf” can be found in my file on the case, located here.

<https://app.box.com/s/k1tsw3sa96zvvnq35qj>

Case Study: I've Run Out of Material

This is usually the place where I discuss an interesting case that I have been working on, and although I have several cases on my desk that are both interesting and instructive, they are still in litigation, so I can't share the details. Maybe someday.

As I approach my 70th birthday, I have decided that putting out this newsletter every quarter requires more time and energy than I want to spend. I want to spend more time teaching and focusing on more important things like checking off places on my bucket list, and spending time with my grandchildren. It has been fun doing first a monthly, then a quarterly newsletter, and there are now 25 issues that can be accessed at www.firescientist.com. Many of the case studies still offer timely lessons.

In early September, I was contacted by a researcher working on a grant from NIJ, who told me that as he researched wrongful convictions in arson cases, my name "kept popping up." He was particularly interested in cases involving questionable laboratory analyses, so I compiled a file containing my files on 16 cases that I had helped to get overturned. That file can be found here. <https://app.box.com/s/k3omb7ynv9iz1bof213tffq7vodgvo07>

If you go to either of the National Registry of Exonerations links provided in this newsletter, you will see a link to "Other Arson Cases." Their case count is now up to 79.

Signing off for now.

*Scientific Protocols for Fire Investigation, Third Edition Recognized as
One of the Best Forensic Science Books of All Time!*



I'm pleased to announce that my book, "*Scientific Protocols for Fire Investigation*, Third Edition (Protocols in Forensic Science)," made it onto

[BookAuthority's Best Forensic Science Books of All Time](#)

Reviews of the Third Edition from Amazon.com

Dr. Craig Beyler:

[A Must-Read Book for All Fire and Explosion Investigators](#)

Scientific Protocols for Fire Investigation is a must-read for every fire and explosion investigator. John Lentini is an experienced and highly regarded fire investigator and chemist. Importantly, he is also a great writer. His use of a combination of direct explanation and case studies is very effective. Through this approach, he keeps the reader's attention and brings points home more than once. His approach to writing allows the reader to think they discovered the concepts he amplifies through case studies, firmly cementing the concepts for the reader. It's a book you will keep on your desktop.

Steve Carman:

[A Must Have \(and Must Read\) for Fire Investigators](#)

The 3rd edition of *Scientific Protocols for Fire Investigation* is most certainly a book that professional fire investigators and those seeking a more complete understanding of the science of fire investigation should have in their library. John Lentini has presented an up-to-date digest of the science and practices at the center of our profession. In recent years, the importance of understanding the role of ventilation in structure fires has gained much attention. In this book John offers readers an easy-to-read synopsis of this science and an explanation of how and why it must be at the forefront of every investigator's mind particularly when investigating fully involved structure fires.

The advancement of NFPA 921 in the last twenty years has moved our profession in a positive direction. This book takes that progression even further towards an even more thorough approach to the practice of this important forensic science.

Steve Riggs:

[Best Edition Yet](#)

I would highly recommend this edition to anyone who wants to expand their knowledge in the area of fire investigations. I have the first and second editions, but this edition is absolutely the best of all. This is a great edition to add to your personal library.

Wayne Chapdelaine:

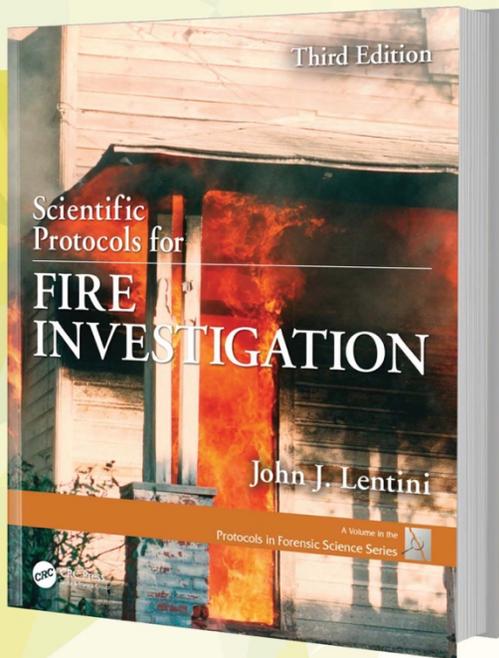
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- New sections on Li-ion Batteries, CSST, MOVs, and electronics
- Contains the knowledge base you need to meet the requirements of NFPA 1033

**SAVE
20%**



The book is intended for those individuals who have recently entered the field of fire investigation, and those more experienced investigators who recognize their obligation to keep up with new knowledge. In addition, insurance professionals who hire fire investigators will find this an invaluable resource. Insurance companies have sustained significant losses by hiring investigators who are not qualified, resulting in cases being settled or lost at a cost of millions. Insurance adjusters and investigators will learn to recognize quality fire investigations and those that are not up to today's standards. Lastly, this book is for the many attorneys who litigate fire cases.

Learn more at
www.firescientist.com

What your colleagues are saying:

This book should be required reading for all professional fire investigators and those seeking to broaden their knowledge of the field.

--Steve Carman, Carman Fire Investigations, Grass Valley, CA

Lentini's brilliant monograph gives us a giant leg up in approaching the challenges of fire investigation.

--Bernard Cuzzillo, Fire Protection Engineer, Berkley CA

The enhanced Third Edition must be found on the bookshelves of any educated fire investigator.

--Douglas J. Carpenter, Principal Engineer, Combustion Science & Engineering, Inc., Columbia MD

The Fire Fighter's Bookstore is offering a 20% discount off the publisher's list price. (\$79.16 + shipping). Go to:

https://www.firebooks.com/products/scientific-protocols-for-fire-investigation-3rd-edition?_pos=8&_sid=3b6cfbbf2&_ss=r

For information about setting up a **3-day course at your facility** that uses the book as a "handout," contact me directly at scientific.fire@yahoo.com