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Written Testimony before the U.S. Senate Special Committee for Aging

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Chairman Casey, Ranking Member Scott, and members of the Special Committee on Aging, thank you for allowing me to share my story with you today. My name is Janet McGee, and I'm a mom from Minnesota.

When I was 20 years old, I graduated from the University of Minnesota with my degree in mortuary science. I served families for many years as a mortician. You might imagine the schedule of night calls, embalmings, night and weekend funerals. When the call schedule became too much for me, a single mom at the time, I decided to change careers to create a more consistent and stable lifestyle for my son. I started working at a Fortune 500 company, worked my way through attaining my MBA, and grew a whole new career. By 2016, I finally had what I had always wanted: a stable career, a balanced life, a husband, and a precious new child, Ted, who was born in 2014. Life was finally good.

On Sunday, February 14, 2016, I put Teddy down for a nap while the rest of our family went about our quiet Sunday afternoon. I was checking on him every 15-20 minutes, waiting for him to finally fall asleep. When I didn't hear him after a while, and I went into his room to confirm he had finally drifted off. What I saw next is something I cannot unsee. Ted wasn't in his bed, and the dresser in his bedroom had fallen forward. In a panic I screamed for someone to call 911, somehow stood the dresser back up, and started digging through a pile of drawers and clothes. My dear 22-month-old son, Ted, was at the bottom of the pile. His face was purple, he had blood coming out of his nose and mouth and his feet were starting to feel cold. I started CPR immediately while my 11-year-old son, the same one I had worked so hard to create a better life for, ran into the room, saw Ted in this state and called 911. Despite being near his room this whole time, I didn't hear his dresser fall, and I couldn't understand how this happened.

The paramedics got Ted to the hospital and while they found a faint heartbeat, there was simply nothing more that could be done. Ted died that day, about 4 hours after I found him, from what I came to know as a furniture tip-over incident. Being a former mortician, I put on his last diaper, dressed him, put on his Thomas the Train shoes that lit up, and placed him in his casket at the funeral home. His shoes would never light up again. All I could think was that I should be planning his second birthday party, not his funeral.

While I thought Ted's death was a completely isolated incident, I learned shortly after his death that he was not alone. His dresser didn't meet the safety standard for clothing storage units, and worse yet, it didn't have to because it's a voluntary standard. Thousands of children, adults, and seniors are sent to the ER every year from tip-over related incidents. And sadly, over 570 people have died from tip-overs in

the last 2 decades. According to the Consumer Product Safety Commission, 82% of these fatalities were children and 14% were seniors.

In 2018, I helped form a national parent coalition called Parents Against Tip-overs, which is comprised of parents from across the nation who have all lost their children to tip-overs. Each one of us thought our child was the only one this had happened to, and each one of us learned shortly after their death that they weren't. While you are hearing my story today, I hope you can understand my voice is one of many. Today, I represent the parents out there who cannot bring themselves to speak publicly about their tip-over incident or have been shamed, sometimes publicly, by others to believe they somehow are responsible for their child's death. I represent all the parents out there who are now full-time caregivers for their child because of brain trauma or loss of oxygen caused by a tip-over. I represent adults who are helping to care for their elderly parents due to medical issues stemming from a tip-over.

While the ASTM F15.42 subcommittee that sets the safety standard for clothing storage units has been in existence for over 2 decades, very little has changed with the way these units are tested. This safety standard remains voluntary, not mandatory. The testing does not account for real world use scenarios, such as multiple drawers being open at once or the unit being used on a carpeted surface. Additionally, it does not test for drawers being loaded with clothing and does not account for the dynamic force a child might put on a dresser while they yank out drawers to get dressed.

So today I come before you to ask for your support in passing the STURDY Act. This piece of legislation would require these gaps between real world use and current testing to be accounted for and would finally make this safety standard mandatory. It would give power back to the CPSC to do what it was designed to do, which is protect the public from unreasonable risks of injury or death associated with consumer products, especially when the standards setting process has proven to be insufficient.

We are on a race against the clock to get more stable clothing storage units on the market. Since my son died in 2016, 52 more people that we know of have been killed by a tip-over. And this, unfortunately, will continue to happen until clothing storage units can be designed inherently stable following the passage of the STURDY Act. After years of hard work, all stakeholders are finally in agreement on STURDY language. We've done the leg work for you. Now I urge you to offer your full support for this life-saving bill.

Thank you for hearing my testimony today.