



'She Died in My Arms': A Mother's Mission for Safe Pools

ABC News Investigation Finds Dangerous Drains Across the Country

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Despite a new federal law that takes effect later this year, an ABC News undercover investigation found many hotels and public pools across the country have yet to install safety drain covers and shut-off valves designed to prevent children from being trapped underwater by the powerful suction of pool filter systems.

Many of the drain covers inspected by ABC News in pools across the country are "death traps," according to Paul Pennington, spokesman for the Pool Safety Consortium, an industry group, and president of a company that manufactures anti-entrapment systems.

In December 2007, Congress passed the Virginia Graeme Baker Pool & Spa Safety Act to provide basic safety standards for the nation's public pools. However, ABC News found that the drains of nearly three-quarters of sampled public pools throughout the country are still not safe. The new legislation requires all public pools to install the devices by December 20 or face fines up to \$1.3 million.



A new pool safety law is named after Virginia Graeme Baker, the granddaughter of former Secretary of State James Baker

(Courtesy Nancy Baker)

The new law is named after Virginia Graeme Baker, the granddaughter of former Secretary of State James Baker, and was pushed through Congress after her death in 2002.

The 7-year old girl died in the arms of her mother, after sitting on the underwater floor drain of a hot tub connected to a friend's pool.

"I kept pulling at her, never understanding what was holding her down and I couldn't pull her off," said her mother, Nancy Baker. "I opened my eyes underwater and there aren't words to describe what this is like," she said.

The suction pressure holding her daughter down was later estimated at 700 pounds, she said.

"I really wish it wasn't my daughter. But when she died it moved from the back pages of the newspaper to the front pages of the newspaper," Baker said.

Baker told ABC News it took all the political clout of her distinguished father-in-law and five years of lobbying effort to overcome pool industry resistance to a law requiring dome-shaped drain covers and pump valve releases. The dome shape prevents a child's body from creating a kind of vacuum seal.

Bill Weber, the president of Association of Pool and Spa Professionals (APSP), said that the APSP "worked very hard in support of" the passage of the Graeme Baker Act "from the very beginning."

But Baker said the group did nothing to help get the law passed and she was outraged when Weber asked her "if she was happy" after the vote in Congress.

In a letter to Weber, Baker said he showed "a degree of ignorance and insensitivity regarding the circumstances which had me in that room in the first place. My involvement in this issue began with my drowned daughter in my arms and wherever this ends, it will never, ever be a 'happy' result."

Weber responded by saying that his organization has extended its support to the Baker family by helping to ensure the law's implementation.

With only five months left before public pools must install the new devices, an ABC News investigation found few public pools or motels in compliance.

ABC News and our affiliates, WFTV in Orlando, KGO in San Francisco and KGTV in San Diego, found that sixteen of twenty-three hotel pools across the country would not be compliant with the Graeme Baker Act's safety standards.

Some instances were particularly dangerous. In the New York area, interns at the ABC News Investigative Unit found only three of nine motels checked had installed the new drains.

At one Holiday Inn in New Jersey, the interns found a hot tub's drain cover not screwed in, exposing the power of its suction pipe, easily sucking in the hair of a wig that was placed next to it.

The Holiday Inn manager said he was unaware of the problem until told by ABC News. He said he immediately installed the kind of drain cover required under the new federal law.

In San Francisco, reporters with our affiliate KGO spot checked nine motels chosen at random and found none with the new safer drain covers.

WFTV in Orlando found a spa drain cover that, according to a local safety expert, creates a dangerous vortex effect that could cause drowning.

KGTV in San Diego found a spa drain capable of sucking objects through the drain cover itself.

Finally, in Milwaukee, Wisconsin, an ABC News intern discovered what experts say is a hazardous drain cover in a municipal wading pool that could trap children.

Joseph Roszak, of the Milwaukee County Parks Aquatics Department, says that because Milwaukee's pools have a multi-drain system and do not have a full reverse flow, the drains are compliant with state regulations.

He added that the Milwaukee County Parks' pools are thoroughly inspected each year by both the Department of Natural Resources and the Department of Neighborhood Services and are compliant with current regulations.

While experts acknowledge that the pool in Milwaukee, along with some of the other drains examined by ABC News, are compliant with standards established before the Graeme Baker Act was passed, they say the drains are still dangerous and will be illegal in only a few months when the act takes effect.

"What could easily happen is kids' hair could be pulled all the way down," says Pennington who believes that come December, "if the federal government finds that pool it will be shut down."

Few understand the danger posed by covered pool drains. Most pool drains across the country have some sort of cover, however, some drain covers are unsafe. Flat drain covers, which ABC News' investigation found to be widespread, threaten death or injury in two ways.

First, they make it easy for swimmers to have hair or fingers sucked into drains.

Second, if the surface of a flat drain cover is covered completely by a swimmer or other object, the result is a debilitating suction effect that traps swimmers to the drain itself.

The vacuum effect is powerful enough to hold swimmers, especially children, to the bottom of the pool. In some cases the power of the vacuum reaches over five hundred pounds. In one

particularly horrific instance, four adult men were unable to pull a young girl from the grasp of a deadly drain. Swimmers can die from drowning or evisceration in just seconds.

The Graeme Baker Act requires that all public pools be outfitted with such domed drain covers or very large flat drains. According to Paul Pennington, the advantage of either type of drain is that it makes it much harder for a swimmer to create the dangerous vacuum effect. A domed drain cover is not only "the kind of drain cover that is required" by the new law, but says Pennington, "you should want to put it in."

[Click here to read the Consumer Product Safety Commission's guidelines for how public pool operators can make their pools compliant with the Baker Act.](#)

Faulty pool drains have caused the reported deaths of over fifty swimmers since the 1980s, but experts suspect that there have been many more unreported entrapment deaths in that time.

When the Graeme Baker standards come into effect in December, experts say it is unlikely that the majority of public pools throughout the country will have already upgraded their drains to meet federal requirements.

"You're playing with fire," said Nancy Baker when told of the ABC News findings. "Save a child's life. Would you really want this on your conscience?"

The new law does not cover private backyard pools but Baker says she expects pool service companies to take the lead and install the safety devices on backyard pools they also service.

John Calhoun, Kenya Chanél, Tully McLoughlin, and Davita Scarlett, interns at the Brian Ross investigative unit, contributed to this report.

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