

July 15, 2003

Mr. Douglass B. Lampe
Office of General Counsel
Ford Motor Company
The American Road
Dearborn, MI 48126

Re: Ford Crown Victoria Police Interceptors

Dear Mr. Lampe:

Independent crash testing commissioned by the City of Dallas shows that the Ford Crown Victoria Police Interceptor fails the 75 mph crash standard which Ford has stated is the appropriate measure of police vehicle rear impact safety. Our testing further raises serious questions as to whether the "trunk pack" may be actually detrimental to fuel tank survivability and may actually increase the risk of burn injury.

In Ford's letter of May 2003 to law enforcement customers, Ford stated:

"Ford is committed to the 75 mph crash test, with no fuel tank punctures, ... To acknowledge this commitment and encourage future initiatives, Ford suggests that you consider adding a requirement to your new vehicle bid specifications that highway patrol vehicles must pass a 75 mph rear impact crash test without a fuel tank puncture."

Notwithstanding this statement, our tests reveal that the CVPI, when loaded with police equipment, or equipped with a trunk pack, will not pass such a 75 mph crash test. And in fact, Ford has not crash tested the 2003-4 vehicles, with their revised rear suspension, to the 75 mph test standard, with or without the trunk pack.

Ford has never crash tested the vehicle with usual police equipment in the trunk (as requested by Arizona Attorney General Napolitano in March 2002), or with the new "trunk pack." In my letter to Mr. Ford of May 29, I informed Ford that, due to Ford's failure to perform high speed crash testing on the newly released "trunk pack," the City of Dallas would do so, and would publicly release the results. Ford was invited to participate in the testing, but declined.

Our testing was conducted on July 10 and 11, 2003, under the supervision of Mark Arndt, an engineering consultant on these issues to the City of Dallas and the Attorney General of Missouri, among others.

Because of the importance of these test results, we are taking the unusual step of releasing the preliminary results even before our engineer has completed his analysis. While these preliminary results are incomplete, they clearly show:

- (1) The vehicle clearly fails the 75 mph crash test with normal police equipment in the trunk;
- (2) The vehicle clearly fails the 75 mph crash test with the addition of the “trunk pack” and no police equipment in the trunk; comparison with Ford’s testing of August 2002, indicates that addition of the trunk pack increases the danger of major fuel spillage;
- (3) The vehicle clearly fails the 75 mph crash test with the use of a “trunk pack” to contain normal police equipment.

Three tests were conducted, all at a nominal impact speed of 75 mph with a Taurus bullet vehicle impacting a Ford Crown Victoria Police Interceptor which had been fitted with the shields released by Ford as part of its “optional upgrade” kit; in each test, the impact was biased to the left side of the CVPI with a 50% overlap; the fuel tank of the CVPI was filled to 95% refill capacity with Stoddard solvent. In these respects, the test parameters were those used by Ford in its high speed testing in August 2002.

In Test No. 1, the trunk of the vehicle was packed with a variety of equipment frequently carried by law enforcement vehicles, as previously requested by General Napolitano. The packing was designed to include equipment which has been found to penetrate fuel tanks from the rear in recent events.

The test resulted in 4 punctures of the fuel tank with substantial leakage; the vehicle failed the 75 mph crash test.

Thus, the vehicle, when loaded with normal police equipment in the trunk, fails the 75 mph crash test standard accepted by Ford.

In Test No. 2, the vehicle was equipped with a trunk pack, and was loaded with 200 lbs of sandbags in the trunk. This test loaded the vehicle as did Ford in its August crash

testing, with the addition of the use of the trunk pack. No other equipment was loaded into the trunk.

The test resulted in major leakage due to a split along-side the seam weld across the top of the tank. The split is estimated to be more than 1 inch wide and 2-3 feet long. A video of leakage from the tank after the vehicle came to rest is included. Leakage continued through the openings in the tank for a substantial period of time following impact, and the split along-side the seam left a permanent opening in the tank. The tank has not yet been removed from the test vehicle, and further details are not yet available.

This test produced far more leakage than Ford's August 2003 testing, and left a substantial and permanent opening in the tank, in contrast to the August test in which the tank was not punctured. In other words, installation of the new trunk pack resulted in worse performance, and clear failure of the 75 mph test.

This test raises the most serious questions as to whether the trunk pack increases the risk of fire death to police officers.

As you know, Ford fuel system engineer Randy Pearce, in his deposition of February 2003, expressed concern that increasing the rigidity of the rear wall behind the tank could potentially be counterproductive by restricting the ability of the fuel tank to flow and deform in a crash.¹ This test raises concerns that the trunk pack is counterproductive to the survival of the tank, perhaps for the same reasons that engineer Pearce expressed in February.

Test No. 3 loaded a trunk pack in the rear of the vehicle with the same police equipment as in Test No. 1, loaded in the same manner except as change was required by the presence of the trunk pack.

The test resulted in apparent punctures of the tank with substantial leakage. The tank has not yet been removed from the test vehicle, and further details are not yet available.

This test shows that the vehicle, using Ford's new trunk pack, fails the 75 mph test standard.

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In all three tests, the optional upgrade shields appear to have performed successfully to prevent punctures of the fuel tanks by suspension components.

We have learned, through our counsel, that the 2003 and the 2004 CVPIs have not, in fact, been crash tested at 75 mph. We have learned that no CVPI equipped with a trunk pack has been crash tested by Ford. We have learned that Ford has internally documented that changes in the design of the vehicle for the 2003 model year required re-certification of rear impact fuel system integrity, but that no 75 mph crash test was performed.

Additionally, evidence developed through depositions shows that Ford has not established internal directives to meet the 75 mph crash test standard, nor a program or budget to do so, nor a budget to crash test to assure compliance.

We urge you to publicly confirm whether such a program has been established in writing by Ford, and whether such crash testing has been conducted.

As I stated in my letter of May 29, the City of Dallas is committed to full public disclosure of the testing and its results. The information enclosed in this letter provides basic information on the test modes and results. Mr. Arndt has not yet fully completed disassembly, examination and analysis of the vehicles. When that information is developed, it will be made available to Ford and the public. Ford is invited to assign engineers to participate with Mr. Arndt in the examination of the vehicles.

In my previous letter, I invited Ford to join with the City of Dallas to work together with the objective of providing the maximum practicable measure of safety to our law enforcement officers. I re-extend that invitation. You may communicate on this subject through our outside counsel. I have also instructed our outside counsel to convey this information to the Attorneys General who are members of the NAAG Task Force on CVPI Fuel System Integrity and other interested law enforcement officials.

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Our objective is to assure the safety of our officers, and we hope to work with you cooperatively toward that goal.

Very truly yours,

Madeleine B. Johnson
City Attorney

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