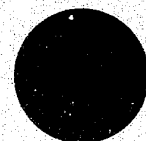
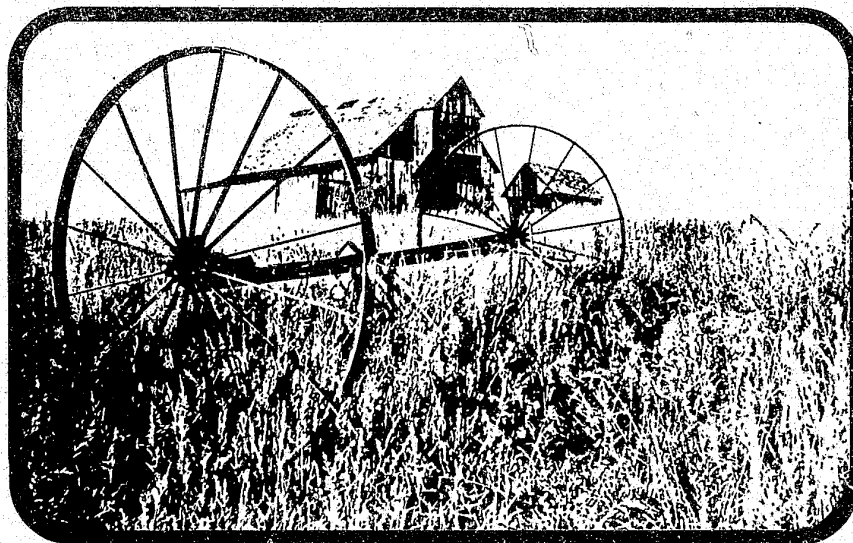


FA-67/July, 1985



Rural Arson Control Needs and Assessment Study



108002



Federal Emergency Management Agency
United States Fire Administration



Volumes I & II

**U.S. Department of Justice
National Institute of Justice**

108002

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Federal Emergency Management Agency

108002

RURAL ARSON CONTROL STUDY

FINAL REPORT

Volume I

Prepared for

FEDERAL EMERGENCY MANAGEMENT AGENCY

UNITED STATES FIRE ADMINISTRATION

BY

INTERNATIONAL ASSOCIATION OF FIRE CHIEFS
EMW-83-K-1451

NCJRS

NOV 13 1987

ACQUISITIONS

This report has been prepared for the U.S. Fire Administration, Federal Emergency Management Agency (FEMA) under FEMA Cooperative Agreement number EMW-83-K-1451. All interpretations and opinions expressed are those of the authors and do not necessarily reflect the views of the government or the International Association of Fire Chiefs.

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INTRODUCTION

Since 1978, the U.S. Fire Administration has been the focal point for Federal arson control programs. In this capacity, the USFA has provided technical assistance, resource materials, and training programs to state and local authorities. As part of this ongoing effort, the USFA and the International Association of Fire Chiefs have entered into a cooperative agreement to evaluate rural arson control needs and to develop strategies for responding to them.

In order to develop a clear picture of the specific requirements of the rural arson control system, the IAFC conducted in-depth case studies of these systems in four rural counties. This project has involved extensive interviews with fire, law-enforcement, and prosecutorial officials. The culmination of this effort in each community was a "nominal group process" meeting at which all elements of the community arson control system were represented. Attendees were asked to identify and rank specific needs of their own organizations. These needs assessments were discussed by the group and, by the end of the meeting, were either rejected or included in a list on which consensus could be reached.

IAFC staff reviewed the raw consensus statements to merge or eliminate duplicates. The twenty three statements of need in this document represent less than half the original number.

Arson control experts with special experience in rural arson problems were selected to review these statements. We also asked that they evaluate and comment on all of the needs statements in this document. The objective was to elicit ideas about the validity of the statements, comments on possible solution options, and about other needs which were not included.

Project findings can be summarized as follows:

- o Rural Arson control efforts are hindered by constraints and requirements specific to rural areas.
- o Many challenges to the capability of rural fire departments to cope with arson detection and control are, in reality, connected to much more deep seated problems of the fire service in general and the volunteer fire service in particular. For example, the whole issue of information sharing can be illustrated with examples of how rural fire departments are not operating with the best information about rural arson control strategies and techniques.

- o To improve arson control in rural areas, special initiatives across a wide range of issue areas are indicated.
- o The United States Fire Administration both directly through its anti-arson efforts and indirectly through its other fire departments can improve rural arson control.
- o The United States Fire Administration can perhaps achieve the maximum leverage of its funds by packaging and disseminating specific field proven solution strategies and alternatives which have not received wide dissemination.
- o The greater use of law enforcement resources, insurance industry resources, and community-based volunteers can and should be brought to bear more effectively on the arson control problems facing rural areas. Concentrated efforts to make increased use of resources that exist outside the fire service in both the public and private sector perhaps offer the greatest opportunities for directing anti-arson effort.

The general and more specific findings that follow contain no startling revelations. Rather, they reinforce the findings and the common sense judgments of most current observers in this field. This interim report provides a framework for looking at how existing solution strategies could be more effectively harnessed. A subsequent final report will both identify more solution strategies and outline a plan based on the consensus of experts in the field of rural arson for future USFA initiatives.

Volume I of this report consists of twenty three mini-chapters, each of which is divided into four parts:

- o A statement of need;
- o A discussion of the statement of need;
- o A tally of the number of arson control experts who agreed or disagreed with the statement;
- o Brief discussion of existing programs around the country that address all or part of this need.

Volume II of this report is intended as a reference supplement for USFA personnel. It consists of three sections, the first of which corresponds to Volume I. In this volume, however, each of the twenty three needs statements consists of five parts:

- o A statement of need;
- o A discussion of the statement of need;

- o A tally of the number of arson control experts who agreed or disagreed with the statement;
- o Comments by arson control experts on the statements of need;
- o Comments and recommendations by arson control experts on programs in which they have been involved, or of which they are aware, that address all or part of this need.

Appendices A and B of Volume II contain, respectively, additional comments from arson control experts and an overview of field work conducted in the first phase of the project.

ARSON AWARENESS AMONG FIRE FIGHTERS

Need Statement:

Need to raise the level of awareness among fire fighters about their role in arson prevention, detection, and investigation.

Discussion:

Some respondents noted that arson does not rank as a high priority among fire fighters. Other subjects, such as hazardous materials, are a much greater concern. In some jurisdictions the desire was expressed for a training program that would orient fire fighters to the importance of their contribution to arson control.

Three of the four counties had recent experience with the problem of fire fighters themselves becoming fire setters and felt that such a training program could help to deter this behavior.

Arson Control Expert Concurrence

Agree 23

Disagree 1

Solution Options:

Develop either a training program or program components (such as audio-visual materials), designed with the needs of the volunteer fire service in mind, that could be integrated into the regular training schedule. Such materials would have to be divided into blocks of one or two hours each to accommodate the normal training pattern of volunteer departments.

Spotlight local fire and arson investigation experience in locally-delivered arson awareness courses for firefighters.

Enact local or state legislation that requires investigators to be summoned when cause cannot be definitely established as accidental.

One community highlights arson awareness in its annual report by specifically enumerating the responsibilities of the fire chief. Determining fire cause is specifically given as one of these responsibilities.

CAUSE DETERMINATION AND FIRE SUPPRESSION

Need Statement:

Initial cause determination should be an integral part of fire suppression.

Discussion:

It is by no means a universally accepted tenet among rural fire departments that initial cause determination is a prime responsibility. While many progressive departments recognize the importance of cause determination to arson control, fire prevention, and public education. Some rural departments still define their role strictly as fire suppression. Because of the diversity of positions on this point, rural fire departments observed during the course of this study ranged from departments with specially trained and highly motivated investigative teams to departments with no interest in even performing the most perfunctory cause determination.

To encourage rural fire departments to take as active a role in cause determination as local resources allow and local conditions require will take additional efforts at the national and state level.

Arson Control Expert Concurrence

Agree 20

Disagree 4

Solution Options:

Develop a set of model procedures that fire departments could adopt to guide their actions at a fire scene. For example, these might include the proper method for roping off a scene, rules for control of smoking materials on the fire ground, or recording the license numbers of spectators' vehicles;

Use of "fire-police" for crowd control and protection of the scene.

By Pennsylvania law, fire chiefs must sign certifications of acceptance of responsibility. Clearly mandating fire departments to discharge this responsibility provides a formal basis for this activity. Other steps (including as a last resort, a range of sanctions) should also be available to state authorities to ensure that this responsibility is carried out. Formal mechanisms that spell out responsibilities need to be augmented by a variety of reinforcements. Reinforcements could include the appointment of a county fire marshal or administrator to monitor this responsibility, making cause determination a part of every training program for promotional qualification, and making reporting of suspicious fires to the appropriate enforcement agency mandatory.

- o The "Arson Control Guide for Volunteer Fire Departments" (FA-51 January 1981) is an excellent resource document that deserves far wider dissemination. Reprinting this guide (and perhaps preparing a low-cost pamphlet to advertise its features) appear warranted.
- o Distribution of the "Arson Control Guide for Volunteer Fire Departments" might be suitable for distribution through Regional Fire Representative Offices to newly-appointed/elected fire chiefs in rural areas.

FIRE OFFICERS IN ARSON CONTROL

Need Statement:

Upgrade the capability of fire officers to contribute to the arson control process.

Discussion:

Fire officers of rural departments would be more motivated to contribute to arson control if they were given training and some basic reference materials.

Rural departments must rely on a number of personnel to perform the chief officer role at the fireground.

Many of these officers may not have received sufficient training nor have had enough experience to correctly judge the cause of a fire.

Officers in rural departments need to be motivated if they are to be expected to carry out sound cause determination practices.

Arson Control Expert Concurrence

Agree 23 Disagree 1

Solution Options:

Minnesota Statute 299F.051 provides for \$35.00 per day plus expenses to volunteers for time spent in attending fire investigation training courses, when they attend with a law enforcement officer from their community.

Exemplary performance certificates. State agencies could contribute to improved cause determination performance by recognizing outstanding contributions of fire officers to arson case development. Recognition could range from a departmental letter of commendation to a monetary award.

Direct feedback may, however, be all the motivation that many fire officers need. Recognizing contributors by phone calls or at a monthly fireman's meeting are two ways that might provide incentives to increase arson detection awareness among fire officers.

Arson control awareness can be promoted through a number of avenues. It needs to be soundly based in state statutes. Therefore state laws should clearly assign the responsibility for fire cause determination and reporting. Fire officers might be provided with a digest or outline of their responsibilities in cause determination and reporting.

States and/or locales that establish qualification requirements for fire officers should include fire cause determination proficiency as a critical area.

FIRE SCENE PHOTOGRAPHY BY FIRE DEPARTMENTS

Need Statement:

Fire departments should have the capability to photograph the incident, fire growth, suspected area of origin, and any evidence found at the scene.

Discussion:

Rural fire department personnel are in a position to greatly assist investigators by gathering photographic evidence at a fire scene. Initiation of evidence gathering by fire fighters and fire officers can, in part, compensate for non-availability of an investigator (due to staff shortage, distance problems, etc.). This would at a minimum require:

- availability of appropriate (low cost, easy to use and maintain) equipment;
- training in proper fire scene photography techniques;
- integration of this practice into the investigative process; and
- assigning the responsibility to one or more persons to ensure this capability is available.

Arson Control Expert Concurrence

Agree 24 Disagree -0-

Solution Options:

Compact cameras designed for underwater use have been used in fire incidents with some success. They are rugged, water-proof, designed for use by someone wearing gloves, and modestly priced.

One jurisdiction uses videotape equipment to record fire growth.

Rural departments might be aided by a list of cameras that other fire departments have found suitable (Rehobeth Beach, Delaware uses a Minolta Camera that is both shock and water resistant.

State or federal agencies could negotiate guaranteed purchase price contracts with vendors for several types of field proven cameras. This service would help departments find the most suitable equipment at a low price.

CONTROL OF ARSON SCENE

Need Statement:

Strengthening is needed in rights and procedures for scene control, chain of custody, and searches.

Discussion:

The effect of the U.S. Supreme Court decision: Michigan vs. Clifford has been to complicate cause and origin investigation. This ruling reinforces the need to obtain the owner's written consent (stating that the consent was given voluntarily, without coercion, and that the individual understood that it did not have to be granted.)

A second action that needs to be taken is to begin the investigation before the engines leave. Warrantless re-entry after control of the fire scene is relinquished is discouraged by this decision. In the absence of some reason related to fire safety or the owner's written consent an administrative warrant is needed to investigate the cause of the fire once fire suppression and control activities cease. The administrative warrant secured to determine cause should not be construed as permitting a wholesale search of the property. Once the cause is determined, the administrative search should end and any broader investigation should be done after a criminal search warrant has been obtained. This means interrupting the search, securing the scene, swearing out an affidavit, and obtaining a criminal warrant.

Standard procedures such as starting at the area of least damage and working toward the area of greatest damage will need to be both rewritten on paper and reformed in practice.

The practical implications of this new ruling will make it more difficult for both fire officers and investigators to complete a fire scene investigation. Michigan vs. Clifford illustrates the increasing need to keep fire officials abreast of legal developments that affect fire cause practices.

In rural areas obtaining a search warrant can mean delays of several hours before investigation of the scene can begin, a drive of many miles for the investigator, and possible loss of scene custody.

Arson Control Expert Concurrence

Agree 23

Disagree 1

Solution Options:

Efforts should be made through the U.S. Fire Administration's contract with the ABA to publicize this and other landmark decisions.

Develop procedures for rapidly securing a search warrant.

Klamath County, Oregon's Arson Strike Force has developed procedures for control of scene as follows:

- When members of an on-scene fire service encounter a fire of a suspicious nature (the Strike Force does some arson recognition training), they alert the Strike Force through their dispatch center.
- Dispatch alerts four members (cause determination investigators) of the Strike Force's investigative unit.
- Fire fighters maintain control of the scene until an investigator arrives but do not proceed with investigation.

The organizers of a pilot arson strike force in Northeast Oklahoma have found that an attorney on the team is useful to advise investigators on evidence, subpoenas, consent to search forms, etc.

NFIRS REPORTING ACCURACY

Need Statement:

There is a need to improve fire cause data reporting on National Fire Incident Reporting System forms.

Discussion:

In none of the jurisdictions surveyed was there observed a systematic method for updating NFIRS reporting forms. At present, a fire officer, upon alerting a state investigator, designates the fire cause as either undetermined or suspicious. The fire department then forwards these data to the appropriate collection agency without obtaining an update from the investigator. The state fire marshal may determine cause but not update or arrange to update the initial report.

This can then result in arson incidents being under-reported in rural areas. This, in turn, can affect the amounts of resources allocated at all levels of government to rural arson control.

Arson Control Expert Concurrence

Agree 24 Disagree 0

Solution Options:

Revise NFIRS materials to ensure that guidelines are suggested to strengthen reporting practices. (This might be accomplished through the National Fire Information Council.) A revised 902 form could be submitted to the originating fire department as well as to the state NFIRS unit.

- Maryland's Fire Marshal's Office has an instructor on staff (actually, a staff person assigned to instruct) whose role is to teach fire fighters the proper method for filling out Fire Incident Reporting System forms.
- One proposal for simplifying NFIRS reporting on fire cause is to substitute the following set of questions for the present coding formats:

- o Has a cause for the fire been determined?
___ Yes ___ No
- o If yes, state the cause _____ or
cause code _____.
- o If no cause has been determined, what is the
current status?_____

This change merits consideration by the appropriate
NFPA 901 committee and by the NFIC.

FIRE FIGHTER TRAINING

Need Statement:

Options for fire fighter training that will maximize/optimize their effective contribution to arson control.

Discussion:

All of the jurisdictions/agencies contacted referred to improved fire fighter training as a factor that could significantly contribute to arson control. All ranked it high. Recent arson control studies suggest that up to three quarters of all fire fighters have never received arson control training. A relatively high turnover rate for fire fighters is a chronic problem in many volunteer fire departments. Maintaining arson detection skills among "back step" fire fighters will likely prove a recalcitrant problem. Making such training a part of basic training appears to be the surest means to ensure this training is received.

Topic areas suggested for this training included:

- arson recognition
- preservation of evidence (or the scene)
- chain of custody
- motivating fire fighters to be concerned with fire cause
- training time commitment (problematic for volunteers)
- realistic training

Arson Control Expert Concurrence

Agree 24 Disagree 0

Solution Options:

New York State, Department of State, Office of Fire Prevention and Control offers a training program, "Fire Behavior and Arson Awareness," directed at line fire fighters. The course is 12 hours long and is given in the fire fighter's own community. About 12,000 fire fighters have been trained since 1979. The Indiana State Fire Marshall's office has presented a 12-hour "cause and origin" arson detection class

to about 7,000 of the state's fire fighters over the past 10 years. This class applies against a training requirement of at least seven hours per year.

The Ontario (Canada) Provincial Fire Marshall's Office has recently embarked on a training program for rural fire fighters. The program is based on one that has been conducted for urban fire fighters for more than a decade; however, it has been re-formatted for presentation on two consecutive week-ends.

Oklahoma, which pays for fire service training, has developed arson-related programs for fire fighters. Special attention has been given to the needs of volunteer fire fighters by:

- Training of fire fighters in a 12 hour arson recognition course (primarily for volunteers). This has apparently resulted in an increase in convictions out of rural departments;
- Making use of existing videotape capability;
- Redesigning courses so that they can be taught on weekends and in the evening.

INVESTIGATIVE STAFF WORKLOAD

Need Statement:

Role conflicts, travel time, lack of backup staff, etc. cause periodic overextension of investigative personnel.

Discussion:

This was identified as a problem both through interviews and through the "nominal group process" workshops. Guidelines have not been developed to govern investigative workload. Additional duties imposed on investigators can seriously eat into time available for investigative activities. For example, inspecting nursing homes is a revenue producer for state governments. Accordingly, state fire marshals who also perform double duty as fire investigators and inspectors frequently encounter pressure to meet their nursing home inspection quota.

This problem may be eased somewhat if a recent drop in arson and fire incidence continues. It may also improve through increases in state investigative resources, or by assumption by local investigators of more follow-up responsibility.

Distances that must be travelled also pose a problem. Even in a small state with a relatively large number of investigators relative to size of population, arrival of a trained investigator frequently takes one to one-and-one-half hours.

Arson Control Expert Concurrence

Agree 24 Disagree 0

Solution Options:

- Alternative working relationships such as having local law enforcement agencies assume a greater role in investigative activities;
- Assign investigators to full-time investigative duties;
- Increase manpower through measures such as insurance premium surcharges;

- Assign more investigators;
- Reduce the number of investigations conducted;
- Triage cases better;
- Make more efficient use of in-house manpower.

The various interagency programs discussed above may successfully address this problem.

State and local officials concerned about investigators' workloads would benefit from a brief report that laid out alternative strategies to cope with excessive investigator workloads.

INVESTIGATIVE STAFF SHORTAGE

Need Statement:

Rural jurisdictions, especially in states where state agencies (Fire Marshall, State Police) supply investigators, are subject to staff shortages that can adversely affect case management capacity.

Discussion:

Three of the four case study jurisdictions cite one or more problems arising from a shortage of trained arson investigators. This may lead to:

- slow response time by investigators;
- large portion of investigator's time spent in transit;
- time conflicts when a single investigator must cover more than one territory;
- shortage of time for liaison with fire fighters;
- incorrect or inadequate reporting of fire statistics;
- role conflict (where investigators also do inspections and certifications).

Arson Control Expert Concurrence

Agree 24

Disagree 0

Solution Options:

New York State, Department of State, Office of Fire Prevention and Control has adopted an approach to arson investigation that emphasizes maximum development of local capability. This approach provides investigative training and services to local investigative teams. The result has been a substantial increase in the number of trained arson investigators available in rural areas.

Wayne County, New York, which has a team trained under the above system, uses the following approach:

When a local Fire Chief calls out the investigating team, two fire volunteers and one law enforcement investigator respond. The county has an evidence collection van but investigative team members carry evidence collection kits in their cars. The Wayne County, New York program uses five volunteer investigators from fire services (Wayne County has several volunteer fire departments) and three from the Sheriff's Department (force size is about 20 Deputies). Fire service investigators are responsible for taking samples and photographs; sheriff's deputies are responsible for interviewing and report writing. State Police also participate in some parts of the county (where they have substations), replacing Sheriff's Deputies.

The arson task force concept remains one of the best mechanisms to overcome interagency communication barriers. Similar but less formal organizational approaches have produced improved inter-agency cooperation and coordination. The Southern Ohio Fire Investigators Association and the Santa Barbara (California) County Arson Investigator's Association are two examples of professional interest groups that meet regularly around a training and intelligence sharing format.

The "lessons learned" by these and similar associations could be gathered and distilled to promote their successful development in other rural areas.

The Oklahoma Association of Arson Investigators has recently established an "Arson Task Force" that furnishes teams of experienced investigators to communities in the Northeast part of the state. Teams are drawn from a pool of volunteers and are provided at no cost to the requesting jurisdiction.

Klamath County, Oregon's "Arson Strike Force" provides teams of experienced, working cause and origin personnel to determine cause and gather evidence at suspected arson incidents. These teams act as a screening mechanism for the Oregon State Police Arson Unit which is responsible for investigation of incendiary fires.

The Central Virginia Regional Arson Investigation Squad has 65 trained law enforcement officers available on call to respond to any arson incident in a two county, 10 jurisdiction area.

The New Jersey Attorney-General's Office has assisted the formation of 16 county-wide arson investigative units. Rural counties lacking either the demand or resources are exploring the possibility of forming multi-jurisdictional units.

State firemen's and fire chiefs' associations could provide state-wide leadership to obtain additional resources if motivated. In Delaware it has been reported that such an effort resulted in the establishment of regional offices with more manpower assigned to perform investigations.

INVESTIGATIVE SKILLS

Need Statement:

Arson investigator training programs need to stress skills development in areas other than fire cause determination.

Discussion:

Skills in conducting criminal investigations are of special importance to arson investigators in rural areas who must often work alone.

Some of the areas where improved skills were sought by investigators contacted in the four study areas included:

- interrogation/interview technique;
- report writing;
- evidence collection.

Investigators cited high caseloads, lack of agency support, and non-availability of local training sites as barriers to obtaining additional training in these areas.

Arson Control Expert Concurrence

Agree 24

Disagree 0

Solution Options:

At least one state requires arson investigators to complete 40 Continuing Education Units every 3 years. No systematic analysis of state arson investigator training requirements has ever been made. Information of this nature would help local and state agencies to review their own requirements and determine if additional training requirements were warranted.

INVESTIGATIVE EQUIPMENT

Need Statement:

Investigator performance is directly affected by the availability of appropriate investigative equipment and supplies.

Discussion:

In two of the four sites surveyed, the state investigators were not provided with even basic investigative equipment. Some examples are: hand-me-down cars, cars too small to transport basic investigative equipment, and state agencies not issuing even simple hand tools. Such devices as hydrocarbon detectors were simply not provided to individual investigators.

The direct impact of this lack of support for investigators is to hinder them in the normal performance of their duties. Indirectly, it undermines morale.

Current literature in the field of arson investigation reveals a number of suggested basic equipment and supplies listings. State and local officials might find it easier to justify expenditures to meet a minimum equipment listing if one nationally-recognized standard were adopted and publicized.

Arson Control Expert Concurrence

Agree 24 Disagree 0

Solution Options:

State and local investigative agencies should be made aware of the Anti-Arson Funding Guidelines pamphlet produced by the insurance industry. Agencies that exhausted normal budgetary channels might find local and state insurance organizations willing to make grants for investigative equipment.

REGIONAL ARSON UNITS

Need Statement:

Program for focussing arson control resources in areas with a high arson rate.

Discussion:

Multijurisdictional or regional arson investigative units have demonstrated their utility to address a number of problems encountered in the case studies. One barrier to their more widespread use is lack of publicity on and details about such arrangements, therefore, a model program or guide for setting up and operating a regional, interagency arson unit appears needed. Such a unit would bring to bear local, state, and perhaps Federal and private resources for a finite period to deal with problem areas.

Arson Control Expert Concurrence

Agree 22 Disagree 1

No Comment 1

Solution Options:

Ventura County, California and Memphis-Sully County, Tennessee, among others, have established county-wide units. The Regional Arson Investigation Squad of Central Virginia is an example of a multi-county program. The Michigan State Police have established a state-wide Strike Force program. These have proven successful in periods of high arson incidence.

The Klamath County, Oregon Arson Strike Force (ASF) operates under a formal charter with oversight from the County's Arson Task Force (an advisory group composed of fire chiefs, police chiefs, county council members, etc.).

The ASF has one representative from each participating fire service and law-enforcement agency in the County. These are the persons who have assigned responsibility for arson detection/investigation within those agencies; they are field workers rather than managers.

Apart from oversight by the Klamath County Arson Task Force, the Strike/Force runs itself. They conduct monthly meetings that incorporate training and review or update of information from pervious sessions.

The ASF currently has approximately 15 members about half of whom are experienced fire cause investigators. Insurance company participation is encouraged but is limited to an advisory capacity and to provision of training and equipment. (An active insurance company role would be conflict of interest.)

The Strike Force uses both paid and non-paid, fire and police personnel. Participation is voluntary, but the individual participant must pass evaluation by membership of the Strike Force. Participation, as stated above, is limited to those within the agency who are already responsible for fire cause investigation.

The ASF is an extension of inter and intra-jurisdictional (inter-agency) mutual aid agreements that existed prior to its formation. This is noteworthy since it is simply a new use of an established concept. As such, it already had a regulatory basis for its existence. Thus, it is possible that this approach could be readily applied in other parts of the country within the scope of existing authority bases.

In Northeastern Oklahoma, a regional arson program was implemented in the late spring of 1984. Referred to as an "Arson Task Force" the program makes use of strike force type teams to assist arson investigators in Notheastern Oklahoma. The program is strictly volunteer with teams composed of fire fighters, police, media people, and an attorney. Currently, the task force has enough volunteers for 4 or 5 teams.

Assistance is provided at no cost to the receiving jurisdiction. The program requests but does not demand reimbursement for such things as film and evidence cans. Planners are currently assessing a funding scheme that would be based on insurance company subscriptions.

The program currently has a van with equipment and is trying to arrange another. They also have been able to obtain some complimentary investigative equipment from manufacturers who want to have their products displayed and/or tested in the field. One fire dept provides support for the van and supplies the driver (in-kind donation).

Another program approach that has been implemented successfully is the fire prevention cooperative. The concept entails formation of a joint business/government organization made up of representatives of firms and agencies concerned with fire prevention in the target area. It is a multi-level, inter-jurisdictional approach that emphasizes increased public awareness as a means of preventing man-caused fires.

The first such program we are aware of is the Rogue Valley, Oregon, Fire Prevention Cooperative. Formed in 1976, the coop has served as a model for similar programs in the Pacific Northwest and elsewhere. There are currently 16 such coops in the northwest (principally in forested areas) and two in Oklahoma. Similar programs have been attempted in Arkansas and Alabama with limited success.

All of the coops encountered thus far have been in forested areas where wild-land fires are a particular problem. In practice, they are used to reduce both wild-land and structural man-caused fires, whether incendiary or accidental.

LIAISON WITH LAW ENFORCEMENT AGENCIES

Need Statement:

Arson investigators need to cultivate and maintain good working relations with other community law enforcement personnel.

Discussion:

In rural areas in particular, arson investigators must rely on the resources of other agencies for support services (crime scene technician, polygraphs, access to professional journals, legal decisions, intelligence sources, etc.). This requires that they develop and maintain good relations with agencies that have these resources.

By maintaining effective working relationships with law enforcement agencies in the area, fire investigators can have access to this information at the least cost to the public. The benefits of being forced to fall back on another agencies resources may have the beneficial effect of forcing better working relationships. For example, in two instances state investigators figuratively camped out in another agency's office space (in one case a state police barracks, in another a fire departments headquarters.) The resulting working relationships were strengthened.

Arson Control Expert Concurrence

Agree 24 Disagree -0-

Solution Options:

Investigators consulted during field interviews suggested the following as helpful:

- Crediting the "collar" to a police agency;
- Ensuring that the media spotlight other agencies that have contributed to a successful investigation;
- Sending christmas cards;

- Receiving training outside ones own discipline (fire classes for law enforcement officers and vice versa);
- Exchanging intelligence.

IMPROVE ACCURACY IN UNIFORM CRIME REPORTS

Need Statement:

Greater accuracy and uniformity is needed in the completion of Uniform Crime Report forms.

Discussion:

Agencies often unknowingly misreport arson data to the UCR system. Many factors contribute to this situation. Among those observed were state and local law enforcement agencies failing to work out agreed procedures for reporting arson incidents, volunteer fire departments failing to report incidents of arson to a state or local law enforcement agency, and local law enforcement agencies only tallying those arson incidents in which an officer filed an initial complaint. It must be realized that as arson is reported on a special form, it is frequently assigned to personnel outside the normal UCR reporting system. These individuals may have none of the expensive training, reference materials, or editing checks that those responsible for UCR reporting may have. If improved occurrence in UCR reporting of rural arson incidents is desired, special efforts will be needed. Regrettably, UCR reporting practices nationally are still far from ideal. Rural areas face special problems in complete and accurate reporting. Not surprisingly, therefore, reporting of rural arson incidents are especially problematic.

Arson Control Expert Concurrence

Agree 24 Disagree -0-

No Comment 2

Solution Options:

Simplify and make UCR reporting categories identical with NFIRS property classes.

Revise and expand UCR guidance materials to give specific guidance on how to correctly score problematical incidents.

Such guidance should stress the pay off to departments in accurately reporting findings. State agencies should consider developing incentives to improve reporting compliance. Ensure also that each reporting agency has been provided with a copy of the guidance document.

Provide training (including periodic refreshers) to those who fill out UCR forms.

Require certification for those completing UCR reports.

"TOTAL BURN" SYNDROME

Need Statement:

A single investigator with an already heavy workload does not have the time or the physical capability to dig out a building when it is "on the ground."

Discussion:

A rural arson investigator is frequently confronted with the task of culling evidence from the remains of a structure that is largely or totally destroyed. (Indeed, fire damage in rural areas runs at least three times urban rates, according to the best available information.) State investigators therefore need to have ready access to additional manpower and, sometimes, heavy equipment to thoroughly determine cause in these instances. Investigators in two of the four sites stated that they encountered practical difficulties when they approached volunteer fire departments for manpower needed to dig down through the rubble to the expected area of origin. This often means that in the absence of some strong indication of arson the investigator, lacking the resources to move and examine debris, will perform only a perfunctory investigation.

Given that arson appears to be most frequent in economically depressed areas, one can justifiably ask how jurisdictions that are already money-short will be able to fund the necessary labor for competent investigations.

Arson Control Expert Concurrence

Agree 24

Disagree -0-

Solution Options:

National Advisory Committee members suggested that investigators canvass local resources for heavy equipment needs. Sources they cited included county and town public works, emergency management agencies, utility companies, and the private sector. ("Bobcats" or small end loaders were particularly valuable in certain applications.)

Manpower, when needed, was believed to be available from fire departments, if requested in advance, in most instances.

PROSECUTION/COURTS

Need Statement:

An effective arson control program requires effective prosecution of arson cases.

Discussion:

There was general agreement among the study's four working groups that successful prosecution of arson cases is more difficult than for other major crimes. A variety of problems were cited as reasons for this:

- cases must be proven twice, first to show that a crime has been committed, second to show the accused was/were responsible;
- public apathy toward arson, particularly arson for profit in economically depressed areas;
- fire fighter inexperience with investigative needs may lead to inadequate preservation of evidence or breaks in the chain of custody;
- complexity of cases and arson law;
- prosecutor inexperience with arson law;
- low probability of conviction; and
- uncompensated court appearance cause hardship for volunteer fire fighters and affect their willingness to appear as witnesses.

Arson Control Expert Concurrence

Agree 24

Disagree 0

Solution Options:

The Florida State Fire Marshall's office has an attorney on staff whose function is to assist with preparation of arson cases and, if necessary, to prosecute them. Florida enacted a

new, simplified arson law in 1979; this has increased prosecutors' willingness to take on arson cases.

Klamath County, Oregon's "Arson Strike Force" uses a team of four experienced cause and origin investigators at each suspected arson. This permits quick response and improves the (quality/reliability) of evidence. This has increased the confidence of prosecutors in the quality of cases they get.

The Northeastern Oklahoma arson strike force has an attorney experienced with arson as a member.. His participation improves the quality of case reports and other supporting documentation, thereby increasing the likelihood of effective prosecution.

In New Jersey the states' attorney general sought out cases that local prosecutors regarded as marginal. By successfully prosecuting the majority of these cases, the attorney general encouraged more aggressive local prosecution of subsequent arson cases.

One state has offered a three hour training course to local prosecutors. States attorney generals could offer special arson seminars to local prosecutors in conjunction with other professional meetings and training opportunities.

PROSECUTION OF JUVENILES

Need Statement:

Counselling of juvenile fire setters in rural areas.

Discussion:

Rural areas face particular problems in providing counselling to juvenile fire setters. In many rural counties, demand for service is not likely to warrant setting up separate counselling programs. Regional counselling programs offer a possible alternative but face, in their own right, a number of problems such as travel problems.

Arson Control Expert Concurrence

Agree 24

Disagree -0-

Solution Options:

The Missoula, Montana Rural Fire District has recently begun implementation of a rural version of San Francisco, California's "Fire Hawk" program for juvenile fire setters.

Regional mental health centers may, if properly approached and utilized, prove an effective resource.

Information could be gathered on examples of successful counselling programs for juvenile fire setters and other alternative efforts (community service, restitution, arbitration panels, etc.).

Use of the "Learn Not To Burn" program in schools in Southeastern Oklahoma has shown success.

INSURANCE INDUSTRY SUPPORT

Need Statement:

Active support from the insurance industry would enhance rural arson control efforts.

Discussion:

Insurance industry support could enhance local arson control efforts through their financial resources.

In general, experience indicates that insurance organizations are receptive to requests for funding, especially when the request is for equipment and the proposal is well documented and presented.

This support appears to be more forthcoming when insurers, adjusters, and others are represented in local arson task forces or arson investigation associations.

Arson Control Expert Concurrence

Agree 24

Disagree -0-

Solution Options:

The Northeastern Oklahoma Arson Strike Force is currently exploring options for insurance industry donations to provide investigative equipment such as hydrocarbon detectors as well as for consumables (film, evidence cans, etc.) used in strike force investigations.

Fire investigators and fire departments should be made aware of the program guidelines published by the insurance industry that recommend criteria for local and state insurance associations consider in making anti-arson grants.

The U.S. Fire Administration might include a special section in forthcoming editions of the Arson Resource Directory on securing insurance industry grants. Further, the Arson Resource Center could maintain a supply of the anti-arson grant guidelines.

INSURANCE INDUSTRY COOPERATION

Need Statement:

Improve cooperation between fire service and insurance industry arson control efforts.

Discussion:

There is a general perception among the sites studied that insurance industry practices contribute to the arson problem in rural areas by overinsuring properties, and are too quick to pay off claims even when they occur under suspicious circumstances. Fire service, law enforcement, and state fire marshal personnel would benefit from better communication. As a general rule there appeared to be scant regard for the problems of other actors in the systems. For instance, fire service personnel maintained that in many cases properties had highly inflated valuations placed on them. Insurers did not attempt to assess the values claimed by the insured. These critics wanted insurers to inspect the property or otherwise satisfy themselves as to the value of the property. Insurers, on the other hand, pointed out that the time required to check up on the values claimed would increase costs and cut into their selling opportunities.

Arson Control Expert Concurrence

Agree 23

Disagree -1-

Solution Options:

A modest study could document guidelines that had been developed in rural areas that spelled out how fire departments and insurers could lessen the likelihood that properties could be overvalued and that claims were paid promptly, but not before investigation eliminated insureds as targets of the investigation.

One state has recently introduced legislation barring mortgage holders from requiring insurance premiums covering the full mortgage amount to the extent that the mortgage covers property value. This provision would tend to eliminate this source of over insurance now.

Insurors in high risk areas should be encouraged to use the Two-Part Insurance Application Form that industry agents developed to discourage arson-for-profit.

Insurors, underwriters, adjustors and their counterparts should develop better working procedures that deter or detect arson fraud schemes. Examples of such arrangements should be gathered and then disseminated through such channels as the Arson Resource Center.

Local and state investigators should be familiar with document search techniques so that they can identify insurors through public records.

CASE FEEDBACK

Need Statement:

Timely feedback to fire departments about cases in their areas.

Discussion:

It was widely acknowledged among participating fire officers and investigators that prompt feedback about case progress and disposition helps to maintain fire department interest in arson. This has a synergistic effect in that it can lead to better information from fire service personnel to the fire investigator.

Requirements for such a solution would entail quick and efficient notification to contributing fire departments of the disposition and status of cases in which they have an interest.

This is sound in concept but, as some investigators interviewed pointed out, difficult in practice due to the time requirement it imposes. Another consideration is that any information provided not compromise an ongoing investigation or violate privacy standards.

Arson Control Expert Concurrence

Agree 23

Disagree -1-

Solution Options:

One option that has proven effective in several settings involves state fire marshals announcing case clearances and corrections at meetings of the county firemen's and county fire chiefs' associations. This allowed the fire marshal to credit individuals and departments in a public setting but without revealing sensitive information.

INTER-AGENCY COMMUNICATION

Need Statement:

Improved communication among elements of the arson control system is needed to enhance cooperation.

Discussion:

Fire officers almost without exception believed that prosecutors failed to pursue cases vigorously enough to obtain convictions and appropriate punishments. Fire officers and fire fighters said this dimmed their interest in going the extra mile to detect arson and preserve evidence. It is hard to see how it can be expected for volunteer fire fighters to take the extra time and effort to detect arson, preserve the scene, and delay their return to their beds, jobs, or families if the rest of the system does not recognize their efforts, reward them (if by no other way than praise), and reinforce these efforts by feeding back information on:

- case status;
- case disposition.

For example, fire investigators often find it difficult to convince volunteer fire fighters that plea bargaining is a necessary part of the criminal justice system. And in many instances, fire investigators disagree with the way a prosecutor handles a case. A prosecutor's decision to allow reduced charges or sentences may not be understood by fire fighters or investigators. This in turn can harm their morale and undermine arson control efforts.

Arson Control Expert Concurrence

Agree 23

Disagree -0-

No Comment -1-

Solution Options:

Produce a simple guide that state fire marshalls or state fire training systems could use to increase awareness among all concerned parties. Such a guide would outline the workings of

the state's criminal justice system. The guide might explain, for example, what factors play a major role in a prosecutor's decision to pursue a case and how to do so. It might also suggest ways in which local fire organizations could organize feedback networks to monitor the disposition of arson cases and make comments to prosecutors.

COMBAT PUBLIC APATHY TOWARD ARSON

Need Statement:

Public apathy toward arson and arsonists hampers arson control efforts in rural areas.

Discussion:

Fire service personnel repeatedly made reference to public apathy as a major hindrance to their arson control efforts. The principal complaint was that people in rural areas see arson as a minor crime and one that they are unlikely to be victims of. Indeed, some forms of arson may not be regarded as a crime at all. For example: in rural areas of the South it has been common practice for generations to burn woods and brush to clear land and to control insect and snake populations.

One prosecutor pointed out that juries are unlikely to mete out stiff punishment for an offense they do not regard as a serious one. He noted that "ripping-off" an insurance company (by arson) is regarded in much the same way as cheating on income taxes: publicly condemned but secretly applauded.

Arson Control Expert Concurrence

Agree 23

Disagree -1-

Solution Options:

At least one insurance company has undertaken a media campaign to publicize the cost of arson to the public. Similar campaigns have been undertaken by public or quasi-public organizations (notably fire prevention cooperatives) with good effect.

Oklahoma has instituted an arson hotline with an "800" telephone number. Funded with insurance company money, and run by the state Arson Advisory Council, it pays \$50 and up for tips. One promotional technique, in addition to the usual brochures, newspaper, radio ads, etc., is the printing and distribution of "business cards" with hotline information.

PUBLIC EDUCATION/AWARENESS

Need Statement: Increasing public awareness of the cost of arson to the community and of its status as a serious criminal offense.

Discussion: Each of the four work groups saw merit in educating the public and combatting public apathy about arson. However, none felt that they had the resources to produce their own public information/education materials. They stated a need for material that could be used directly or easily adapted to local needs. Benefits that could be derived are:

- Direct public support for arson control efforts (e.g., prosecution);
- A decrease in the number of set fires;
- Increased public willingness to provide information through tip lines; and,
- Increased level of support from other agencies (e.g., from law enforcement, elected officials).

Arson Control Expert Concurrence

Agree 24

Disagree -0-

Solution Options:

Work with community volunteer programs to ensure that arson is understood to be a rural problem as well as an urban one. The Southeast Oklahoma Fire Prevention Association, a fire prevention co-op formed in 1978, uses public education and information about arson as key elements of its program. Most successful has been a 1982 public information film produced in an area with a high rate of incendiary fires. Using local funds and with local citizens as actors, the film has greatly increased public awareness of and support for arson control measures. The effort also includes a "Learn Not To Burn" program for juveniles through the school system. This has resulted in a 33% reduction in incendiary fires in the first three years of operation.

The Florida Fire Marshall's office makes a special effort to publicize the stiff penalties for arson under the state's arson law. Publicity is also given to prosecutions and convictions.

The Klamath County, Oregon Arson Strike Force has had good cooperation from media in publicizing its efforts. Perhaps because of this, few trials result from the Strike Force program. The well-publicized efforts the Strike Force may increase willingness of defendants to plead guilty to a lesser charge due to a perceived likelihood of conviction.

The Indiana Fire Marshall's office operates an arson hotline using a toll-free phone number. The phone number, together with information on the program, is regularly broadcast on radio and TV stations around the state as a public service announcement.

Neighborhood Watch programs might be approached to assist in anti-arson and arson awareness activities.

Community Volunteer Fire Safety program grantees might be asked to promote anti-arson activities. Rural areas with high arson rates could be targeted for funding in the demonstration phase of the project.

RURAL ARSON CONTROL STUDY

FINAL REPORT

Volume II

Prepared for

FEDERAL EMERGENCY MANAGEMENT AGENCY

UNITED STATES FIRE ADMINISTRATION

BY

INTERNATIONAL ASSOCIATION OF FIRE CHIEFS
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INTRODUCTION

Since 1978, the U.S. Fire Administration has been the focal point for Federal arson control programs. In this capacity, the USFA has provided technical assistance, resource materials, and training programs to state and local authorities. As part of this ongoing effort, the USFA and the International Association of Fire Chiefs have entered into a multi-year, cooperative agreement to evaluate rural arson control needs and to develop strategies for responding to them.

In order to develop a clear picture of the specific requirements of the rural arson control system, the IAFC has been conducting in-depth case studies of these systems in four rural counties. This has involved extensive interviews with fire, law-enforcement, and prosecutorial officials. The culmination of this effort in each community was a "nominal group process" meeting at which all elements of the community arson control system were represented. Attendees were asked to identify and rank specific needs of their own organizations. These were discussed by the group and, by the end of the meeting, were either rejected or included in a list on which consensus could be reached.

IAFC staff reviewed the raw consensus statements from the four jurisdictions to merge or eliminate duplicates. The twenty three statements of need in this document represent less than half the original number. (Appendix to this volume contains the needs-statements from the four case study counties. They are in the order in which they were ranked by workshop participants.)

Arson control experts with special experience in rural arson problems were selected to review and comment on these statements. We asked that they carefully evaluate and comment on all of the needs statements in this document. The objective was to elicit ideas about the validity of the statements, comments on possible solution options, and about other needs that are not included here.

Volume I of this report consists of twenty three mini-chapters, each of which is divided into four parts:

- o A statement of need
- o A discussion of the statement of need
- o A tally of the number of arson control experts who agreed or disagreed with the statement

- o A brief discussion of existing programs around the country that address all or part of this need.

Volume II of this report is intended as a reference supplement for USFA personnel. The body of this supplement consists of twenty three sub-sections, which correspond to those in Volume I. In this volume, however, each of the twenty three needs statements consists of five parts:

- o A statement of need
- o A discussion of the statement of need
- o A tally of the number of arson control experts who agreed or disagreed with the statement
- o Comments by arson control experts on the statements of need
- o Comments and recommendations by arson control experts on programs in which they have been involved or of which they are aware that address all or part of this need.

Appendices A and B to Volume II contain, respectively, additional comments from some of the arson control experts reviewed the needs statements and an overview of results of field work conducted in the first phase of the project.

ARSON AWARENESS AMONG FIRE FIGHTERS

Need Statement:

Need to raise the level of awareness among fire fighters about their role in arson prevention, detection, and investigation.

Discussion:

Some respondents noted that arson does not rank as a high priority among fire fighters. Other subjects, such as hazardous materials, are a much greater concern. In more than one jurisdiction the desire was expressed for a training program that would orient fire fighters to the importance of their contribution to arson control.

Three of the four counties had recent experience with the problem of fire fighters themselves becoming fire setters and felt that such a training program could help to deter this behavior.

-
1. Is this a valid statement?

Agree 23

Disagree 1

Comments:

Unfortunately, most fire fighters in the volunteer fire service are only involved in the suppression phase.

More detailed fire scene investigations are needed.

Firefighters take the attitude that insurance companies will cover the losses so arson awareness is unappreciated and ignored.

Fire chiefs and fire officers should fight fires, but must also enforce laws and ordinances.

Currently, staff and line officers have reason to show little interest. They are instructed that arson is a crime and therefore should be handled by the police department.

2. Do you know of any approaches that have been used successfully or not, to address this problem?

The North Carolina Department of Insurance Fire & Rescue Division offers a course which provides information on cause and origin determination and scene preservation.

The Wisconsin chapter of the IAAI conducts mini-seminars in rural counties. Contact: Joe Murray, Department of Justice, Arson Bureau, Madison, WI, 53707.

If possible, return initial crews to the scene to view findings so they become aware of procedures used by investigators who determine the conclusions. This usually can be done "in service."

An arson awareness program of 10 one-hour slide presentations was conducted for the York County Fire Chiefs and Firefighters Association. Contact: Trooper Boyle of the PA State Police Department.

Robert James of the Clark County Fire Department (707 E. Desert Inn Road, Las Vegas, NV, 89109. Home phone, (702)739-6072), Capt. Bill Kolar, and Investigator Lance Ryness of our department have, through the Nevada state chapter of the IAAI, put this course in a video tape format. If rural areas could use this as a training film, it would certainly produce a high degree of training saturation.

The NPPA has a slide presentation titled "Fire-fighter's Responsibility in Arson Detection."

-
3. Do you have suggestions or solutions of your own to share?

The importance of initial cause determination DURING fire suppression needs to be stressed.

Initiate a "Fire Fighter Awards Program" for those who achieve "high marks" in Arson Investigation.

It is essential that we have better screening methods to prevent the hiring of fire setters as firefighters. Group support from within the department could help a fireman feel worthwhile and needed, and might prevent a good one from going bad.

CAUSE DETERMINATION AND FIRE SUPPRESSION

Need Statement:

Initial cause determination should be an integral part of fire suppression.

Discussion:

It is by no means a universally accepted tenet among rural fire departments that initial cause determination is a prime responsibility. While many progressive departments recognize the importance of cause determination to arson control, fire prevention, and public education; some rural departments still define their role strictly as fire suppression. Because of the diversity of positions on this point, rural fire departments observed during the course of this study ranged from departments with specially trained, and highly motivated investigative teams to departments with no interest in even performing the most perfunctory cause determination.

To encourage rural fire departments to take as active a role in cause determination as local resources allow and local conditions require will take additional efforts at the national and state level.

-
1. Is this a valid statement?

Agree 20

Disagree 4

Comments:

South Carolina law requires each fire chief to make a fire report on every fire.

Arson detection is most important. Involvement with many fires and extensive training is necessary for accurate cause determination.

Training from qualified arson investigators.

In many cases, police departments act as spokesmen in small rural areas in spite of their lack of involvement in the actual incident.

2. Do you know of any approaches that have been used successfully or not, to address this problem?

(Please give brief description and person to contact.)

The sheriff's office and fire Marshal's office are promoting cause determination in Wayne County, MI. Both offices are available for assistance to fire departments upon request.

Under Wisconsin Law, 165.55, the fire chief is charged with responsibility to investigate the fire. If crime is determined, it then becomes a police department function. The fire chief has the initial responsibility.

Require reporting of all fires and causes to a central state agency, such as the state fire marshal's office. Kansas uses this method, and it has improved the quality of reporting. In turn, cause determinations have increased. Contact: Edward C. Redmon, State Fire Marshal and Max Thomas, University of Kansas.

South Carolina law requires that every arson fire be reported.

A program on arson for local fire departments has been presented in the state of West Virginia by the Bureau of Alcohol, Tobacco, and Firearms. Contact: John C. Spidell, Resident Agent in Charge, 550 Egan Square, Suite 204, Charleston, WV, 25301.

3. Do you have suggestions or solutions of your own to share?

Each department should maintain constant training programs utilizing assistance from state agencies,

colleges, manufacturers of fire detection apparatus, insurance companies, etc.

Nevada tried to separate those who are Fire Scene Examination Experts (origin & cause), and Arson Detection personnel. This is to be incorporated in our certification program.

I have developed micro-computer software to aid as an additional teaching tool and resource base. This has been well received by both new and old investigators. Contact: Robert James, 707 East Desert Inn Road, Las Vegas, NV, 89109, (702)739-6072

In our county, a task force, headed by the fire chief, was created. It is made up of individuals representing each department having the responsibility for determining fire cause.

Local fire training academies and state fire marshal's offices should prepare programs in their jurisdictions that address this subject.

FIRE OFFICERS IN ARSON CONTROL

Need Statement:

Upgrade the capability of fire officers to contribute to the arson control process.

Discussion:

Fire officers with rural departments could better contribute to arson control and would be more motivated to do so if they were given training and some basic reference materials.

Rural departments must rely on a number of personnel to perform the chief officer role at the fireground.

Many of these officers may not have received sufficient training or enough experience to correctly judge the cause of a fire.

Officers in rural departments need to be motivated if they are to be expected to fully carry out sound cause determination practices.

1. Is this a valid statement?

Agree 23 Disagree 1

Comments:

Better training should be provided at the local level.

The fire officer should be able to make initial cause determinations.

Motivation would increase if the conviction rate among arson cases is increased.

The department chief should allocate funds for upgrading the training of their officers.

-
2. Do you know of any approaches that have been used successfully or not, to address this problem?

We need programs directed towards the specific needs of chief officers. Assistance with expenses would enable more chief officers to attend conferences, meetings and programs which they must often do at their own expense.

Cause determination could be assigned to certain officer ranks.

The South Carolina State Fire Marshal's Office has just started an arson control program. It calls for its agents to help train rural fire departments. For more information, contact Rick Corley, SC State Fire Marshal's Office.

We provide individualized line officers training, utilizing a training guide that we developed from guidelines provided in a manual from the National Fire Academy. The manual is the student text that the academy provides.

-
3. Do you have suggestions or solutions of your own to share?

A sense of commitment is needed. If an individual desires the responsibility of a line officer, then awareness is needed so the officer will be able to determine the cause of the fire.

If an officer is provided initial and follow-up training, he will feel that his performance is important and appreciated.

The National Fire Academy could be of more assistance.

District Attorneys should push harder to indict arsonists. Fire fighters feel that their efforts at investigation are ignored by local District Attorneys because of the difficulty of prosecuting arson cases.

Training on the subject of arson at the local level, as well as by the U.S.F.A., should be a prerequisite for appointment as an officer. The officer should have demonstrated involvement regarding the arson problem.

Lost work time and personal expense of court appearances is a problem for volunteers; perhaps insurance companies could reimburse volunteers to help defray their personal expenses.

FIRE SCENE PHOTOGRAPHY BY FIRE DEPARTMENTS

Need Statement:

Fire departments should have the capability to photograph the incident, fire growth, suspected area of origin, and any evidence found at the scene.

Discussion:

Rural fire department personnel are in a position to greatly assist investigators by gathering photographic evidence at a fire scene. Initiation of evidence gathering by fire fighters and fire officers can, in part, compensate for non-availability of an investigator (due to staff shortage, distance problems, etc.). This would at a minimum require:

- availability of appropriate (low cost, easy to use and maintain) equipment;
- training in proper fire scene photography techniques;
- integration of this practice into the investigative process; and,
- assigning the responsibility to one or more persons to ensure this capability when needed, is available.

1. Is this a valid statement?

Agree 24

Disagree -0-

Comments:

Firefighters usually know where the heaviest concentration of fire occurred.

There could be a problem in knowing what physical evidence to collect. Photographs would be very helpful by creating a convincing presentation, especially when the conviction of an arsonist is the goal.

Fire departments should have the capability to photograph fire growth in a suspect area of origin as well as any evidence found at the scene. This should be expanded to include photographing the surroundings and personnel at the scene. Obviously, this could be easily done and is something I suggest when training and teaching arson programs to rural departments. A small "Instamatic" camera, which is very inexpensive and easy to operate, can be placed on fire apparatus and used by any member of a department. However, a few specified department photographers would also be of benefit.

Fire departments generally like to have pictures of the emergency scene for future training, company records and general interest. Many departments have "camera buffs." These individuals are already experienced in the use of cameras. With some additional training, they could be able to take adequate fire scene photos.

-
2. Do you know of any approaches that have been used successfully or not, to address this problem?

The Delaware State Fire School includes fire scene photography in their curriculum.

In some rural areas, one photographer may take pictures for different departments with the expenses being divided among the departments. They could have a number of photographers on call to cover different incidents for several departments.

Massachusetts has had courses conducted by state police in forensic photography, with a concentration on arson.

We have had positive results by sharing one photography investigative team. Contact: Capt. Joe Wehner, P.O. Box 26, New Berlin, WI, 53151.

We have three men trained to operate department-owned equipment (Racine, WI, Fire Department).

If a particular fire company couldn't afford the necessary equipment, perhaps the Police Department's equipment could be used.

Our department has an overabundance of photographers who have their own equipment. The department has provided training for them in arson photography. Film and developing is paid for by the department.

Lumberton, North Carolina, City Fire Department has a full-time photographer on the payroll.

Photo equipment should be carried on apparatus and be used as soon as personnel can be spared from fire fighting duties.

-
3. Do you have suggestions or solutions of your own to share?

Train motor pump operators to utilize the camera equipment once they have set up. They could take the exterior shots showing fire progress, suppression personnel and the crowd.

At the very least, an inexpensive camera should be carried in each pumper to enable the officer-in-charge to photograph the fire scene.

CONTROL OF ARSON SCENE

Need Statement:

Strengthening is needed in rights and procedures for scene control, chain of custody, and searches.

Discussion:

The effect of the U.S. Supreme Court decision: Michigan vs. Clifford has been to complicate cause and origin investigation. This ruling reinforces the need to obtain the owners written consent (stating that the consent was given voluntarily, without coercion, and that the individual understood that it did not have to be granted.)

A second action that needs to be taken is to begin the investigation before the engines leave. Warrantless re-entry after control of the fire scene is relinquished is discouraged by this decision. This means that in the absence of some reason related to fire safety or owner's written consent an administrative warrant is needed to investigate the cause of the fire once fire suppression and control activities cease. Further, the administrative warrant secured to determine cause should not be construed as permitting a wholesale search of the property. Once the cause is determined, the administrative search should end and any broader investigation should be done after a criminal search warrant has been obtained. This means interrupting the search, securing the scene, swearing out an affidavit, and obtaining a criminal warrant.

Standard procedures such as starting at the area of least damage and working toward the area of greatest damage will need to be both rewritten on paper and reformed in practice.

The practical implications of this new ruling will make it more difficult for both fire officers and investigators to complete a fire scene investigation. Michigan vs. Clifford illustrates the increasing need to keep fire officials abreast of legal developments that affect fire cause practices.

In rural areas this can result in delays of several hours, a drive of many miles for the investigator, and possible loss of scene custody.

1. Is this a valid statement?

Agree 23

Disagree -1-

Comments:

The IAFC must do a better job keeping the service aware of all legal decisions affecting the fire service.

Early scene investigation is important as well as consent to search. Michigan vs. Clifford, in our state's legal opinion, refers to the problem of when the search or cause & origin was done, not how it was done.

All rural departments need to adopt SOPs so that they fall in the legal spectrum during investigations.

It seems to me that your panel has concluded that we have been hindered by recent Supreme Court decisions pertaining to searches. the questions imply that the problem lies with the Supreme Court. I do not disagree with that; however, I do agree with the statement that strengthening is needed.

This area of information should be given priority when instruction is given on cause determination.

2. Do you know of any approaches that have been used successfully or not, to address this problem?

(Please give brief description and person to contact.)

Make use of the local District Attorney's office. In our particular case, this proved to be beneficial for the officer, firemen and the attorneys themselves.

The word "teamwork" is very important, especially when applied to rural departments. They need cooperation from local law enforcement agencies who are trained in proper search procedures. I feel that good working relations between these agencies is of the utmost importance assuring consistent search and seizure or any other areas affecting investigation of the crime itself.

The most successful approach we use is to conduct the fire investigation immediately after fire suppression as a part of salvage and overhaul. If it is going to take more than 2 or 3 hours, a consent to search or a search warrant is acquired. Our team usually can do a complete fire scene investigation, including photography, evidence collection, cause and origin determination on an average residence in 1 to 2 hours. We accomplish this by using the team concept.

All our investigators have law enforcement backgrounds with investigative experience. It would be an unusual situation if they entered a fire scene without a permission to search, even with the fire department present.

Through our district attorney's office, we have developed a form for Administrative Inspection Warrants which is kept with our investigative vehicle. The form can be hand-written and merely needs the signature of a court commissioner. Criminal search warrants still require a circuit court judge to sign.

-
3. Do you have suggestions or solutions of your own to share?

Utilize police to the fullest extent. Have blank copies of administrative warrants on scene with equipment. Fill in the "blank" type of form.

We should publicize and educate the chiefs, in particular, regarding any new [Supreme Court] decisions and inform them how to work effectively within their parameters to carry out their jobs.

Design a comprehensive investigation sheet; perhaps, fill in the blanks, for all departments. Have a central information collection agency.

We have implemented a consent to enter form which is the first item covered when the owner/occupant is contacted. If the occupant or owner has started to board up the structure or seal it up, it is the responsibility of the investigator to obtain a signed consent form or a search warrant before entering.

We should try to encourage legislation that would legalize investigations as long as the property is secured. The right to enter would not be returned to the owner/occupant until that time when a cause and origin has been determined (the time span could vary depending on extent of fire damage and size of loss). The "securing" part is necessary.

Our department used the permission to search form prior to the Michigan vs. Tyler and Michigan vs. Clifford. The Supreme Court decision has had little or no effect on our department and we do use the search warrant when we deem it necessary.

We (Lynn, MA, Fire Department) do not release property until a comprehensive on-scene investigation has been completed. We do this even if it requires leaving a company on the scene overhauling or preventing rekindle for several hours. This could be difficult in rural and volunteer departments.

In this county, all fires of suspicious origin are investigated by trained investigators. Fire units stay on the scene until these investigators arrive on the scene. The investigators make the decision as to the need for additional personnel at the scene.

NFIRS REPORTING ACCURACY

Need Statement:

There is a need to improve fire cause data reporting on National Fire Incident Reporting System forms.

Discussion:

In none of the jurisdictions surveyed was there observed a systematic method for updating NFIRS reporting forms. As matters stand now, a fire officer, upon alerting a state investigator, designates the fire cause as either undetermined or suspicious. The fire department then forwards these data to the appropriate collection agency without obtaining an update from the investigator. The state fire marshal may determine cause but not update or arrange to update the initial report. This can then result in arson incidents being under-reported in rural areas. This, in turn, can affect the amounts of resources allocated at all levels of government to rural arson control.

-
1. Is this a valid statement?

Agree 24

Disagree -0-

Comments:

NFIRS reports have been very helpful.

I do not know of any areas where this approach is being used or is of benefit to anyone. There have been several attempts at instituting reporting systems both here in North Carolina and nationally, I have not seen any effective program currently in use. I think this has contributed to the lack of arson incident reporting in several previous surveys done by the federal government.

-
2. Do you know of any approaches that have been used successfully or not, to address this problem?

(Please give brief description and person to contact.)

Separate into two reports:

1. Fire Reporting of Incident
2. Cause and Origin Report.

We have an excellent working relationship with our state fire marshal's department. Contact: Carl McNorton, KS State Fire Marshal's Department, Topeka, KS.

We have just acquired a computer for our department to compile fire data. As of now, we do not utilize the reporting form due to lack of manpower in compiling the necessary information.

Under-reporting in many municipalities is wide spread. It is precipitated by lack of communication between the fire and police departments. In our area, the police officers file the Uniform Crime Reports (UCR) If they are not informed that the incident may have involved arson, that portion of the question remains unreported.

Arson reporting should be the exclusive responsibility of the fire department. I know of police departments classifying minor arson incidents as criminal mischief. For the police, this eliminates the processing of extensive paperwork and more complicated prosecution procedures.

South Carolina has just changed to a computerized reporting system in a concerted effort to efficiently obtain comprehensive reports.

-
3. Do you have suggestions or solutions of your own to share?

For those who use NFIRS or similar formats, a computer system would enable logging of discrepancies which would then be available at the touch of a button.

Sufficient personnel are needed to monitor reports and provide feedback to the reporting agencies. Otherwise, if nothing is heard, the reporting agency will feel that their reports are correct.

A national standardized reporting system may be the best procedure.

An addition could be a block on the form stating "referred to." Once this block is filled in with the name and/or department, the report could be followed up by any national personnel.

FIRE FIGHTER TRAINING

Need Statement:

Options for fire fighter training that will maximize/optimize their effective contribution to arson control.

Discussion:

All of the jurisdictions/agencies contacted referred to improved fire fighter training as a factor that could significantly contribute to arson control. All ranked it high. Recent arson control studies suggest that up to three quarters of all fire fighters have never received arson control training. A relatively high turnover rate for fire fighters is a chronic problem in many volunteer fire departments. Maintaining arson detection skills among "back step" fire fighters will likely prove a recalcitrant problem. Making such training a part of basic training appears to be the surest means to ensure this training is received.

Topic areas suggested for this training included:

- arson recognition
- preservation of evidence (or the scene)
- chain of custody
- motivating fire fighters to be concerned with fire cause
- training time commitment (problematic for volunteers)
- realistic training

1. Is this a valid statement?

Agree 24

Disagree -0-

Comments:

I feel that fire officers and command personnel should proper arson training comparable to that given police.

If we first implement arson detection, then we will be able to make a true evaluation of its worth in arson control.

In Pennsylvania, this will have to be approached at the state level where the Fire Fighting I curriculum is established.

At the very minimum, yearly training is necessary for all firefighters.

-
2. Do you know of any approaches that have been used successfully or not, to address this problem?

(Please give brief description and person to contact.)

Our investigators spend most of their time training fire service personnel in cause & origin determination.

The Delaware State Fire Marshal's Office and Delaware State Fire School have done work in fire fighter arson recognition.

-
3. Do you have suggestions or solutions of your own to share?

Training: both "on the job/in service" and scholastic training should be intensified and required. Keep all fire fighters abreast of new developments and have the work load compatible with their rank and duties. Too many "back step fire fighters" feel left out and lose interest in the arson problem. Keep everyone involved.

In our department, the high turnover rate among volunteers creates a training problem.

Local technical institutes could provide this training.

It should be mandatory that **before** a man can become a firefighter, he have training and that includes all of the above.

Training seminars are currently being conducted on a regional (multi-county) level in North Carolina but are not coordinated statewide. Some are very fine I believe they would be better if they were controlled and mandated by some parent agency.

As a training exercise, set up controlled fire and arson scenes for firefighters to study and dig into. This will help to keep their interest up and help them retain what they learn.

Firemanship I training courses should include instruction on Basic Arson Recognition and Cause and Origin.

INVESTIGATIVE STAFF WORKLOAD

Need Statement:

Role conflicts, travel time, lack of backup staff, etc. cause periodic overextension of investigative personnel.

Discussion:

This was identified as a problem both through interviews and through the "nominal group process" workshops. Guidelines have not been developed to govern investigative workload. Additional duties imposed on investigators can seriously eat into time available for investigative activities. For example, inspecting nursing homes is a revenue producer for state governments. Accordingly, state fire marshals who also perform double duty as fire investigators and inspectors frequently encounter pressure to meet their nursing home inspection quota.

This problem may be eased somewhat if a recent drop in arson and fire incidence continues. It may also improve through increases in state investigative resources, or by assumption by local investigators of more follow-up responsibility.

Distances that must be travelled also pose a problem. Even in a small state with a relatively large number of investigators relative to size of population, arrival of a trained investigator frequently takes one to one-and-one-half hours.

1. Is this a valid statement?

Agree 24

Disagree -0-

Comments:

There is no patent solution to this problem. Arson investigations have, without exception, received very poor funding from investigative agencies on the state, local and Federal levels. One of the reasons for this is that the fire service has no strong parent agency. I believe that states with strong fire marshals' offices place more emphasis on fire and arson problems at a state level.

This role conflict may be true in some areas; however, in Pennsylvania, the Department of Labor and Industry is responsible for routine building inspections, leaving fire investigation to the state fire marshals.

I feel that doing a thorough job requires more than periodic overextension. Doing the job right requires full-time commitment.

-
2. Do you know of any approaches that have been used successfully or not, to address this problem?

(Please give brief description and person to contact.)

Assign investigators and inspectors on a regional basis.

Contact: Ed C. Redmon, Fire Marshal
Kansas Fire Marshal Department
Topeka, KS

We have no separate unit for investigations within our department. We rely on the County Sheriff's Department for in-depth situations.

Contact: C.C.F.D. Fire Investigation Division
Las Vegas, NV
(702876-2698)

In this state, the decision is made by local fire officials on whether additional investigators are needed.

The County Sheriff's Department has appointed an arson investigator with interests and training in this area of investigation. This investigator is allowed to mainly investigate fires and has fewer assignments to other cases.

Follow-up on investigations is our problem even though we have developed a 15-day tickler system where each assignment and/or incident is reviewed. This continues for at least a three months, after which time, the case can be closed.

New Jersey is pursuing the County Task Force Concept. It is not complete but it seems to be working well in Atlantic County.

Our department is currently operating on year 2 of a 15-year master plan which was developed to keep up with the rapid growth of our department and area. Year 6 calls for an assistant to our fire marshal who currently is in charge of inspections, investigations and fire prevention. In year 11, we call for another assistant. One will do inspections and the other investigations. Our fire marshal is currently over-worked. The assistance he gets is through our volunteer program mentioned previously.

-
3. Do you have suggestions or solutions of your own to share?

Lobby for legislation. Fact: in some states, there are more environmental protection officers and game wardens than fire investigators.

A local task force, equipped and trained, is the solution to travel time and availability. Local investigators have intimate knowledge of the immediate area.

Our jurisdiction is only 13.2 square miles (Racine, WI), so we do not have a distance factor.

If we feel that a fire resulted from suspicious origins, we notify the fire marshal's office regarding our opinion; however, they generally do not respond since we have our own investigative division. We utilize the fire marshal's office only for subpoena

power and fire marshal hearings. On rare occasions the fire marshal has been asked to assist in investigation. We can depend on them to arrive the day of our request.

Job descriptions should be precisely defined. One Task Force member should be familiar with all "tasks" of the arson team for effective and efficient coordination. On-scene tasks should be separated and defined. This would be an efficient use of personnel.

We (Topeka, KS) have two separate divisions, Investigations and Inspections, with a chief over each department who answers only to the fire marshal.

INVESTIGATIVE STAFF SHORTAGE

Need Statement:

Rural jurisdictions, especially in states where state agencies (Fire Marshall, State Police) supply investigators, are subject to staff shortages that can adversely affect case management capacity.

Discussion:

Three of the four case study jurisdictions cite one or more problems arising from a shortage of trained arson investigators. This may lead to:

- slow response time by investigators;
- large portion of investigator's time spent in transit;
- time conflicts when a single investigator must cover more than one territory;
- shortage of time for liaison with fire fighters;
- incorrect or inadequate reporting of fire statistics;
- role conflict (where investigators also do inspections and certifications).

1. Is this a valid statement?

Agree 24

Disagree -0-

Comments:

In this community, the State Police Fire Marshal will generally only respond Monday through Friday, 8 to 5.

When state agencies supply investigative personnel, their lack of political clout may create problems. Better support of the state fire marshals' offices and other state agencies that send support personnel to investigate fire-related crimes by paid and volunteer

departments would be helpful. Personnel shortages and a lack of investigative experience on the part of investigators is another hindrance. The lack of support for the arson programs by management personnel in the fire departments is another. Educating top officials in the fire departments could help in solving this problem.

Even though most of the state investigators my state have received training, their capabilities are not much better than those of the average fire fighter.

-
2. Do you know of any approaches that have been used successfully or not, to address this problem?

(Please give brief description and person to contact.)

Our local staff (Lynn, MA) initiates the site investigation, identifies witnesses and prepares a portfolio of pertinent information.

Our (Topeka, KS) investigators work out of their homes. To be able to do this, we must make sure that we have a distribution of investigators throughout the state. Because this is not always possible, we sometimes have a response time problem. The efficiency of our investigations is sometimes hampered by a lack of manpower, especially when requests for investigations come in several at a time.

In my area, when an investigator responds in a timely manner, we take note, and let him know his effort is appreciated.

The state of South Carolina has just started an arson control program under the State Fire Marshal's office. The primary purpose of this program is to investigate suspicious fires for rural fire departments.

-
3. Do you have suggestions or solutions of your own to share?

We shouldn't overlook utilization of local insurance investigation teams.

I have witnessed a lack of cooperation between local law enforcement personnel and the fire marshal's office. Law enforcement officers seem to feel that arson is impossible to prove. The fire departments must have expert arson investigation teams.

INVESTIGATIVE SKILLS

Need Statement:

Arson investigator training programs need to stress skills-development in areas other than fire cause determination.

Discussion:

Skills in conducting criminal investigations are of special importance to arson investigators in rural areas who must often work alone.

Some of the areas where improved skills were sought by investigators contacted in the four study areas included:

- interrogation/interview technique;
- report writing;
- evidence collection.

Investigators cited high caseloads, lack of agency support, and non-availability of local training sites as barriers to obtaining additional training in these areas.

1. Is this a valid statement?

Agree 24

Disagree -0-

Comments:

Training seminars are the most effective way to train fire personnel in the methodology of interviews, collection and preservation of evidence and the writing of reports.

Annual professional development seminars help update arson investigators on all pertinent developments, both technical and legal.

Arson training should develop skills and development in areas other than fire cause determination.

2. Do you know of any approaches that have been used successfully or not, to address this problem?

(Please give brief description and person to contact.)

Training in interviewing is mostly learned by experience. I know of no textbook that can teach this.

Contact: Ed C. Redmon, State Fire Marshal
Topeka, KS

We have conducted programs on the subject of arson that were presented by attorneys covering case preparation and investigative experts covering interviewing techniques and report writing. We use the York College of Pennsylvania for these sessions.

Yearly arson seminars are given in our state to help investigators improve their skills.

Contact: Dennis Caudle
Department of Public Safety
737 Loudon Avenue
Dunedin, FL 33528

3. Do you have suggestions or solutions of your own to share?

We are hampered by a lack of material and supplies. I do not feel it is the lack of funding that is hurting us. There is a lack of research and development on techniques of investigation. This is one area where the federal government could help us. Studies need to be conducted to determine the needs of fire and arson investigators and how we can develop additional equipment and instrumentation that would assist in the evaluation of fires, ie., cause and origin.

Using the Police-Fire Team concept, proper interviewing can be done. If it should ever become necessary, the firefighter would be able to conduct a competent interview.

Investigative agencies' budgets should include funding for the attendance of seminars and continuing education, etc.

The Nevada Arson Seminar provides training in this area. The ATF "Arson for Profit" course in Glynco, GA, is another good source.

INVESTIGATIVE EQUIPMENT

Need Statement:

Investigator performance is directly affected by the availability of appropriate investigative equipment and supplies.

Discussion:

In two of the four sites surveyed, the state investigators were not provided with even basic investigative equipment. Some examples are: hand-me-down cars, cars too small to transport basic investigative equipment, and state agencies not issuing even simple hand tools. Such devices as hydrocarbon detectors were simply not provided to individual investigators.

The direct impact of this lack of support for investigators is to hinder them in the normal performance of their duties. Indirectly, it undermines morale.

Current literature in the field of arson investigation reveals a number of suggested basic equipment and supplies listings. State and local officials might find it easier to justify expenditures to meet a minimum equipment listing if one nationally-recognized standard was adopted and publicized.

-
1. Is this a valid statement?

Agree 24

Disagree -0-

Comments:

The International Association of Fire Chiefs Arson Committee and International Association of Arson Investigators should author a national standard.

Too often, neither the investigator nor the fire department has adequate equipment to conduct an investigation. In other cases, the fire apparatus leaves the fire scene and the investigator is minus the equipment.

Most county fire marshals do not have the financial resources to buy their own equipment and many county governments do not provide it.

The St. Johns Fire Department, Johns Island, SC has acquired various equipment through insurance companies. This has been possible because of an established working relationship.

-
2. Do you know of any approaches that have been used successfully or not, to address this problem?

Our Chief was getting rid of an old emergency squad vehicle. As it was, we had equipment divided among four vehicles. We obtained the emergency squad vehicle, and by making the whole task a community project, we completely equipped the unit and educated the community about its importance and how it would assist in protecting them.

Police have technical equipment at their disposal.

Public service groups (Rotary, Lions, etc.) could donate equipment.

Ed C. Redmon, Kansas State Fire Marshal, Topeka, KS, has a successful program in effect.

Some fire marshals in West Virginia have sought assistance from local fire departments and insurance companies regarding budgetary problems.

-
3. Do you have suggestions or solutions of your own to share?

Acquire equipment through the task force concept. If all county departments participated, they might be able to acquire equipment through county grants.

If a national standard could be developed for certain kinds of equipment, a central supply point could be designated. There would be lower unit cost on many items, and bulk purchasing would be possible.

Investigative organizations should coordinate with local and state fire fighters associations, budget increases and equipment acquisitions.

REGIONAL ARSON UNITS

Need Statement:

Program for focusing arson control resources in areas with a high arson rate.

Discussion:

Multijurisdictional or regional arson investigative units have demonstrated their utility to address a number of problems encountered in the case studies. One barrier to their more widespread use is lack of publicity on and details about such arrangements, therefore, a model program or guide for setting up and operating a regional, interagency arson unit appears needed. Such a unit would bring to bear local, state, and perhaps Federal and private resources for a finite period to deal with problem areas.

1. Is this a valid statement?

Agree 22 Disagree 2

Comments:

Enough success stories exist to provide data for an effective universal system.

The arson investigative units should be kept on a local jurisdictional level but could share information with other areas.

State response teams are needed. We could select from various statewide/local agencies to establish a state level response team that could be utilized during events where manpower is needed.

-
2. Do you know of any approaches that have been used successfully or not, to address this problem?

Contact: Captain Mike Patterson
South Nevada Regional Arson Task Force
(702)876-2698

Contact: Winston Salem, NC
Forsyth County, NC

The Racine County Intergovernmental Arson Control Unit has developed the authority, through publicity, to address the problem of arson. This authority was approved by the county board under resolution.

Contact: Ed C. Redmon
Kansas State Fire Marshal
Topeka, KS

-
3. Do you have suggestions or solutions of your own to share?

The Racine Intergovernmental Arson Control Unit is made up of two representatives from the fire department and two from the law enforcement agency of every community. Each member must have the specific assignment for investigations. Utility companies are also involved. The unit has received grants through the county government. Funds are distributed equally by the purchase of items needed by each department. Approval by a county-wide organization is a criteria for receiving grants since it represents a larger number of citizens.

LIAISON WITH LAW ENFORCEMENT AGENCIES

Need Statement:

Arson investigators need to cultivate and maintain good working relations with other community law enforcement personnel.

Discussion:

In rural areas in particular, arson investigators must rely on the resources of other agencies for support services (crime scene technician, polygraph, access to professional journals, legal decisions, intelligence sources, etc.). This requires that they develop and maintain good relations with agencies that have these resources.

By maintaining effective working relationships with law enforcement agencies in the area, fire investigators can have access to this information at the least cost to the public. The benefits of being forced to fall back on another agencies resources may have the beneficial effect of forcing better working relationships. For example, in two instances state investigators figuratively camped out in another agency's office space (in one case a state police barracks, in another a fire departments headquarters.) The resulting working relationships were strengthened.

-
1. Is this a valid statement?

Agree 24

Disagree -0-

Comments:

All agencies have budget problems. A working relationship with law enforcement personnel could help alleviate this problem.

Our investigators find that no police are assigned strictly to arson investigation.

Good working relationships with insurance adjusters would help.

-
2. Do you know of any approaches that have been used successfully or not, to address this problem?

(Please give brief description and person to contact.)

In our investigative unit, we have two polygraph examiners and one certified hypnotist. We have access to intelligence information and have an attorney in our office.

A number of "informal agreements" involving the State Fire Marshal's office and the Delaware State Police have resulted in successful apprehension of arsonists.

Contact: J. Benjamin Roy
Fire Marshal
State of Delaware

In Pinellas County, Florida, we started an organization called PARCO (Pinellas Arson Co-Op), with members from law enforcement, fire departments, insurance companies and attorneys. Contact: Dennis Caudle.

-
3. Do you have suggestions or solutions of your own to share?

Use regional associations to circulate useful data.

Once a month, all fire investigation reports and names obtained during those investigations are compiled in the county sheriff's office. This information is then available to any investigator in the county.

Fire departments should invite the crime scene technician to their meetings.

IMPROVE ACCURACY IN UNIFORM CRIME REPORTS

Need Statement:

Greater accuracy and uniformity is needed in the completion of Uniform Crime Report forms.

Discussion:

Agencies often unknowingly misreport arson data to the UCR system. Many factors contribute to this situation. Among those observed were state and local law enforcement agencies failing to work out agreed procedures for reporting arson incidents, volunteer fire departments failing to report incidents of arson to a state or local law enforcement agency, and local law enforcement agencies only tallying those arson incidents in which an officer filed an initial complaint. It must be realized that as arson is reported on a special form, it is frequently assigned to personnel outside the normal UCR reporting system. These individuals may have none of the expensive training, reference materials, or editing checks that those responsible for UCR reporting may have. If improved occurrence in UCR reporting of rural arson incidents is desired, special efforts will be needed. Regrettably, UCR reporting practices nationally are still far from ideal. Rural areas face special problems in complete and accurate reporting. Not surprisingly, therefore, reporting of rural arson incidents are especially problematic.

1. Is this a valid statement?

Agree 22

Disagree -2-

Comments:

Could the system be made more simple? Arson reports could be included in the regular system.

My guess is that less than 50% of rural arson incidents find their way into the UCR reports.

I am most concerned about the training and education for stopping what we already know is a rampant crime. As methods of detection and investigation improve, so will reporting.

2. No comments received.

3. No comments received.

"TOTAL BURN" SYNDROME

Need Statement:

A single investigator with an already heavy workload does not have the time or the physical capability to dig out a building when it is "on the ground."

Discussion:

Not infrequently, a rural arson investigator is confronted with the task of culling evidence from the remains of a structure that is largely or totally destroyed. (Indeed, by the very nature of rural fire protection, damage runs at least three times urban rates, according to the best available information.) State investigators therefore need to have ready access to additional manpower and, sometimes, heavy equipment to thoroughly determine cause in these instances. Investigators in two of the four sites stated that they encountered practical difficulties when they approached volunteer fire departments for manpower needed to dig down through the rubble to the expected area of origin. This often means that in the absence of some strong indication of arson the investigator, lacking the resources to move and examine debris, perform only a perfunctory investigation.

Given that arson appears to be most frequent in economically depressed areas, one can justifiably ask how jurisdictions that are already money-short will be able to fund the necessary labor for competent investigations.

-
1. Is this a valid statement?

Agree 23

Disagree -1-

Comments:

Contracting with local heavy equipment owners may help.

One approach to the financing of problem investigations would be to involve the insurance investigators. Their willingness to help, though, might depend on the size of the loss.

Insurance investigators can sometimes help with this problem, however, it is sometimes difficult for them to work too closely with fire or police because of possible conflict of interest problems.

PROSECUTION/COURTS

Need Statement:

An effective arson control program requires effective prosecution of arson cases.

Discussion:

There was general agreement among the study's four working groups that successful prosecution of arson cases is more difficult than for other major crimes. A variety of problems were cited as reasons for this:

- cases must be proven twice, first to show that a crime has been committed, second to show the accused was/were responsible;
- public apathy toward arson, particularly arson for profit in economically depressed areas;
- fire fighter inexperience with investigative needs may lead to inadequate preservation of evidence or breaks in the chain of custody;
- complexity of cases and arson law;
- prosecutor inexperience with arson law;
- low probability of conviction; and,
- uncompensated court appearance cause hardship for volunteer fire fighters.

1. Is this a valid statement?

Agree 24

Disagree -0-

Comments:

Prosecutors should advise the court that volunteers will be called as witnesses and if at all possible there should be an avoidance of delay for those individuals that are uncompensated.

Many of our prosecutors are given arson cases even though they have never worked on an arson case. This makes prosecution very difficult.

Get the prosecuting attorney's office involved in the fire scene. Get them involved in arson seminars.

We have advanced instruction programs to address the preparation and prosecution of cases. A public awareness program carried out by the fire department could help erase public apathy.

"As the prosecution goes, so goes the case."

-
2. Do you know of any approaches that have been used successfully or not, to address this problem?

(Please give brief description and person to contact.)

Contact: John Wawerna, esq.
Las Vegas, NV

John was a former Deputy District Attorney. He was a key person in the operation and effectiveness of our task force:

With John - 45% arrest rate & 98% conviction rate.

After John - 17 to 25% arrest rate & 45% conviction rate.

If one prosecutor is assigned all arson cases, he will gain the experience needed to successfully prosecute well developed arson cases to conviction.

-
3. No comments received.

PROSECUTION OF JUVENILES

Need Statement:

Counseling of juvenile fire setters in rural areas.

Discussion:

Rural areas face particular problems in providing counseling to juvenile fire setters. In a many rural counties, demand for service is not likely to warrant setting up separate counseling programs. Regional counseling programs offer a possible alternative but face, in their own right, a number of problems such as travel problems.

1. Is this a valid statement?

Agree 24

Disagree -0-

Comments:

Historically and statistically rural areas have fewer family/juvinile problems.

2. Do you know of any approaches that have been used successfully or not, to address this problem?

(Please give brief description and person to contact.)

Obtain counselling for juveniles for anything after the first offense, particularly if they are under the age of reason.

NFPA's Learn Not to Burn program for school children.

I have used a juvenile therapy program to deal with young fire setters. The juvenile was taken to fire stations to meet fire fighters and talk with them.

Contact: George Williams
1030 Wywelham Drive
York, PA 17403

3. Do you have suggestions or solutions of your own to share?

A program can be started in the schools and other organizations such as Boy Scouts, Girl Scouts, Future Farmers of America, 4-H, etc. to stress the need for fire safety.

Counseling should be done but without using fear tactics (such as shouting or showing pictures of burned victims). Simply saying "you've been a bad child," and letting them go without taking any corrective action is a serious mistake.

Make the child write a report about why he/she wanted to start the fire, what could have happened and what did happen. Talk about it in joint counseling sessions with other children.

We need a list of other agencies which have juvenile services available

When it is suspected that juvenile fire setting is a problem in a particular geographic location, any task force organized to combat the problem should include counselors and local individuals charged with the handling of youth problems.

The North Carolina Department of Insurance introduced a fire safety program to fifth grade students in two schools as a pilot program. If this program is incorporated into the school system, a section on arson could be added.

It would be beneficial if elementary teachers had training that would alert them to children who are exhibiting potential fire setting behavior.

INSURANCE INDUSTRY SUPPORT

Need Statement:

Active support from the insurance industry would enhance rural arson control efforts.

Discussion:

Insurance industry support could enhance local arson control efforts through their financial resources.

In general, experience indicates that insurance organizations are receptive to requests for funding, especially when the request is for equipment and the proposal is well documented and presented.

This support appears to be more forthcoming when insurers, adjusters, and others are represented in local arson task forces or arson investigation associations.

-
1. Is this a valid statement?

Agree 24

Disagree -0-

Comments:

Insurance industry support seems to be increasing.

-
2. Do you know of any approaches that have been used successfully or not, to address this problem?

(Please give brief description and person to contact.)

Factory Mutual has been most helpful.

State Farm Ins. Co., Aetna, and others have investigators, programs, pamphlets and access to labs that help rural fire departments in their battle with arson.

The International Association of Arson Investigators has been beneficial in this area.

Contact: Robert E. May, Executive Secretary

3. Do you have suggestions or solutions of your own to share?

The insurance industry can give financial support, or the fire investigator can request of the adjuster, assistance through the insurance company in the overall investigation and evaluation of the fire cause.

Insurers must continue to stress to their own people the importance of working and cooperating with local officials responsible for arson investigation. Cavalier attitudes on the part of insurance company investigators will only harm the overall fight against arson.

Insurance companies make payments too quickly.

The Wisconsin chapter of the International Association of Arson Investigators has a sustaining membership program. Monies collected are used for training and education.

Contact: Paul Odegaard, Claims specialist
American Family Insurance Company
3099 E. Washington Ave.
P.O. Box 7430
Madison, WI 53707

INSURANCE INDUSTRY COOPERATION

Need Statement:

Improve cooperation between fire service and insurance industry arson control efforts.

Discussion:

There is a general perception among the sites studied that insurance industry practices contribute to the arson problem in rural areas by overinsuring properties, and are too quick to pay off claims even when they occur under suspicious circumstances. Fire service, law enforcement, and state fire marshal personnel would benefit from better communication. As a general rule there appeared to be scant regard for the problems of other actors in the systems. For instance, fire service personnel maintained that in many cases properties had highly inflated valuations placed on them. Insurers did not attempt to assess the values claimed by the insured. These critics wanted insurers to inspect the property or otherwise satisfy themselves as to the value of the property. Insurers, on the other hand, pointed out that the time required to check up on the values claimed would increase costs and cut into their selling opportunities.

1. Is this a valid statement?

Agree 23

Disagree -1-

Comments:

Insurance companies, because they are established as profit-making businesses, will sometimes have a different agenda in an arson case than a law enforcement agency. Therefore, it will be very difficult to cooperate effectively in some situations. A better understanding of each others job and problems will shed light on why certain decisions are made.

In my area, insurance companies often cooperate by sending in their own investigators and by withholding payment of claims pending completion of the investigation.

The state laws protecting insurance companies that delay payment of claims in cases under investigation have helped a great deal with this problem.

-
2. Do you know of any approaches that have been used successfully or not, to address this problem?

(Please give brief description and person to contact.)

Insurance claims in the state of Wisconsin must begin 30 days after receipt of a proof of loss. The insured has sixty days to file. This is not a sufficient amount of time to obtain enough evidence for prosecution or to obtain a criminal warrant.

The problem appears to be communications. The International Association of Arson Investigators, as well as many state joint arson committees, seek to improve relations between various disciplines.

-
3. Do you have suggestions or solutions of your own to share?

A **profile** of high risk case common characteristics should be determined and acted upon by insurance companies.

I believe state statutes must be changed to allow a grace period, particularly if the insurance company has learned that an investigation may be near completion, which might involve the insured.

In many cases, we have never heard from insurance companies. Rather, we have had to chase after them to request that they withhold payment of claims until we can confer with them. They sometimes make themselves scarce.

The insurance adjuster should contact local law enforcement investigators as to the cause before paying claims. I have had several fires that were arson (no suspects) but payments were made in less than a week without any contact with my department as to cause. After speaking with the adjuster at a later date, no more had been done.

If arson-for-profit is to be reduced, the insurance industry **must** insure at actual market value and not at inflated valuations.

CASE FEEDBACK

Need Statement:

Timely feedback to fire departments about cases in their areas.

Discussion:

It was widely acknowledged among participating fire officers and investigators that prompt feedback about case progress and disposition helps to maintain fire department interest in arson. This has a synergistic effect in that it can lead to better information from fire service personnel to the fire investigator.

Requirements for such a solution would entail quick and efficient notification to contributing fire departments of the disposition and status of cases in which they have an interest.

This is sound in concept but, as some investigators interviewed pointed out, difficult in practice due to the time requirement it imposes. Another consideration is that any information provided not compromise an ongoing investigation or violate privacy standards.

-
1. Is this a valid statement?

Agree 23

Disagree -1-

Comments:

It would improve morale among fire service personnel to know that their investigation work paid off.

Work load of investigators and prosecutors, and delays of months before a verdict on a case is reached could interfere with this.

-
2. Do you know of any approaches that have been used successfully or not, to address this problem?

(Please give brief description and person to contact.)

The Delaware State Fire Marshal's office routinely provides local fire chiefs with feed-back on pending cases.

In this area, progress report meetings are generally held by the police department to evaluate the current status of investigations. This enables assigned investigators to contribute their information while avoiding duplication of effort. Generally this occurs once a week; however, we usually report only on major cases.

-
3. Do you have suggestions or solutions of your own to share?

The District Attorney's office has implemented a program called the Victim-Witness Office which feeds us information on the current status of a criminal proceeding. We, in turn, distribute this information to our personnel by memo.

Fire Marshals in local jurisdictions should be in attendance at all fire fighters association meetings to comment on and answer questions regarding pending investigations, policies, etc.

INTER-AGENCY COMMUNICATION

Need Statement:

Improved communication among elements of the arson control system is needed to enhance cooperation.

Discussion:

Fire officers almost without exception believed that prosecutors failed to pursue cases vigorously enough to obtain convictions and appropriate punishments. Fire officers and fire fighters said this dimmed their interest in going the extra mile to detect arson and preserve evidence. It is hard to see how it can be expected for volunteer fire fighters to take the extra time and effort to detect arson, preserve the scene, and delay their return to their beds, jobs, or families if the rest of the system does not recognize their efforts, reward them (if by no other way than praise), and reinforce these efforts by feeding back information on case status and case disposition.

For example, fire investigators often find it difficult to convince volunteer fire fighters that plea bargaining is a necessary part of the criminal justice system. And in many instances, fire investigators disagree with the way a prosecutor handles a case. A prosecutor's decision to allow reduced charges or sentences may not be understood by fire fighters or investigators. This in turn can harm their morale and undermine arson control efforts.

-
1. Is this a valid statement?

Agree 23

Disagree -1-

Comments:

It is not the duty of the fire service to try and run the prosecutor's office. Normally, a case is handled with reduced charges according to the situation at hand. The evidence, as well as the case load being a determining factor regarding the amount of time to be spent on a case.

The reasoning behind plea bargaining should be explained to rank & file fire fighters. The expertise of a prosecutor is most likely not recognized by fire fighters because they are totally unfamiliar with the techniques involved. Many times concessions must be made by the prosecutor in order to obtain a confession. This is particularly useful when the case evidence is mostly circumstantial. **Arson is still the most difficult crime to prosecute.**

2. Do you know of any approaches that have been used successfully or not, to address this problem?

(Please give brief description and person to contact.)

Plea bargaining does occur. The arson charge is sometimes changed to criminal destruction of property, which is a different felony class. This charge eliminates and/or removes the stigma as to how the destruction occurred.

3. Do you have suggestions or solutions of your own to share?

Who says that plea bargaining is a necessary part of the criminal justice system? It has become so because of apathy on the part of the judicial system. I side with the fire fighter. We should educate the courts.

State fire training academies should include courses in this area in their advanced fire officer training curriculum. They should be conducted by prosecutors familiar with the handling of criminal arson cases. A civil attorney skilled in the defense of insurance company arson cases should be also involved.

I feel that the arson laws should be changed. Not necessarily away from arson, but to broaden the scope of the law to include arson of a lesser offense. An example is to include arson of an occupied building. We can only use the statute of endangering safety with conduct regardless of life. This is usually traded off in hopes of keeping the arson charge.

Even though we may not always agree with the prosecutor, it is up to his discretion how to plead the cases. Inadequate evidence for a conviction can bring on plea bargaining.

We (Clark County F.D., Las Vegas, NV) have had many success stories in this area--human nature stories. Stroke, don't find fault.

COMBAT PUBLIC APATHY TOWARD ARSON

Need Statement:

Public apathy toward arson and arsonists hampers arson control efforts in rural areas.

Discussion:

Fire service personnel repeatedly made reference to public apathy as a major hindrance to their arson control efforts. The principal complaint was that people in rural areas see arson as a minor crime and one that they are unlikely to be victims of. Indeed, some forms of arson may not be regarded as a crime at all. For example: in rural areas of the South it has been common practice for generations to burn woods and brush to clear land and to control insect and snake populations.

One prosecutor pointed out that juries are unlikely to mete out stiff punishment for an offense they do not regard as a serious one. He noted that "ripping-off" an insurance company (by arson) is regarded in much the same way as cheating on income taxes: publicly condemned but secretly applauded.

-
1. Is this a valid statement?

Agree 24

Disagree -0-

Comments:

Recent anti-arson campaigns by insurance companies are helping people realize that they are paying for arson through their premiums. TV shows like 60 Minutes' version of "America is [sic.] Burning" are excellent reinforcement of this. Making the people aware of the problem through public communications is how it will be solved.

Let us deal with the evidence we gather, and make sure it is thorough. Present it, and have a good case. Juries will find the suspect guilty if the evidence is presented in the proper manner.

I do not believe that the public views the damage done by arson with apathy. Nor do I agree that the majority enjoys seeing the insurance companies ripped off.

-
2. Do you know of any approaches that have been used successfully or not, to address this problem?
- (Please give brief description and person to contact.)

Public education programs directed at the cost of arson to a community, with emphasis on how arson affects the individual, should be developed in areas that have traditionally had a high incidence of arson. Prosecutors and insurance company defense attorneys should be schooled in the proper selection of juries for arson cases.

Insurance companies need to inform the public that they are paying for arson. When a rate increase is meted out, a small bulletin should be included in billing stating that, in part, the increase was due to the increased arson incidents.

Contact: Capt. Mike Patterson
CCFD
Las Vegas, NV (702)876-2698

Advertise a hot line number and a statement assuring that the caller would remain anonymous.

Take advantage of Crime Watch/Neighborhood Watch programs. People could be informed of things to watch for, such as suspicious persons, actions, etc.

3. Do you have suggestions or solutions of your own to share?

A working relationship with the news media would be an advantage.

Use TV spot ads with recognizable celebrities whose image would command respect.

PUBLIC EDUCATION/AWARENESS

Need Statement: Increasing public awareness of the cost of arson to the community and of its status as a serious criminal offense.

Discussion: Each of the four work groups saw merit in educating the public and combatting public apathy about arson. However, none felt that they had the resources to produce their own public information/education materials. They stated a need for material that could be used directly or easily adapted to local needs. Benefits that could be derived are:

- Direct public support for arson control efforts (e.g., prosecution);
- A decrease in the number of set fires;
- Increased public willingness to provide information through tip lines; and,
- Increased level of support from other agencies (e.g., from law enforcement, elected officials).

1. Is this a valid statement?

Agree 24

Disagree -0-

Comments:

The largest impact will have to be made through the insurance industry. They are the ones who will save money by reducing the number of arsons.

A phase of our arson program (Racine, WI), involves public knowledge as to the problem. We have an arson hot line, advertising on radio and telecable by our D.A. for public support in supplying information. We run daily advertisements in local papers about the hot line.

-
2. Do you know of any approaches that have been used successfully or not, to address this problem?

(Please give brief description and person to contact.)

Develop a reward system for tipsters. Print the phone number on shopping bags.

The Delaware chapter of the IAAI and Delaware Crime Stoppers Inc., have joined forces with an anti-arson campaign using the existing crime stoppers state wide tip line.

Contact: Sam McKeeman
Delaware Crime Stoppers Inc.
Carvel Office Building, 4th Floor
820 N. French Street
Wilmington, DE 19801

-
3. Do you have suggestions or solutions of your own to share?

Many insurance companies have available public awareness educational films. Factory Mutual is constantly addressing the problem. Volunteer Firemens' insurance Service is also very involved in public awareness programs.

Federal money should be applied in support of the public awareness programs.

Appendix A

IAFC/USFA RURAL ARSON CONTROL PROJECT

NATIONAL ADVISORY COMMITTEE

CONCLUDING COMMENTS

IAFC/USFA RURAL ARSON CONTROL PROJECT

NATIONAL ADVISORY COMMITTEE

CONCLUDING COMMENTS

Stephen P. Austin
State Farm Fire And Casualty
Box 5070
Wilmington, DE 19808

Many rural areas have predominantly volunteer fire services. The failure of these fire departments to properly impact on the arson problems results in my estimation from poor political organization due to ineffectual or non-existent local and state fire fighter associations.

In most states, volunteer fire fighters make up a sizeable voting block; however, most are unorganized. Active state fire fighters' associations can employ lobbyists that can impact on budgetary considerations for funding of arson related programs. The first priority should be the proper staffing, training and equipping of those agencies charged with fire investigation within a particular state.

A nucleus of well trained fire investigators that are strategically located throughout a jurisdiction will influence the level of arson recognition by fire departments, fire fighter and officer training and public arson awareness by working with local fire fighter organizations, other law enforcement agencies and those individuals from the public and private sectors interested in public fire safety education.

Without a strong state fire fighters' association and cooperation from the head of the fire investigative agency, such as the State Fire Marshal, there can be no cohesive task force within a community or state to fight arson.

Multi-agency organizations such as the International Association of Arson Investigators can be particularly helpful in providing a forum for increased communications for various groups interested in arson control as well as providing some level of training for local fire fighters and officers.

William S. Jones, Lt. Investigator
Investigative Division
Racine Fire Department
810 8th Street
Racine, WI 53403

I feel rural problems are similar to urban; however, I am sure they deal more with manpower shortages.

I believe one way to get around that situation is by the formation of a county-wide task force, calling on local talent within the task force when such a manpower shortage occurs and to do so under the existing mutual aid agreements that many departments have with each other.

The police need to take an active role by making evidence technicians available at the fire scene who can take the photographs and package evidence that has been turned over to them.

Overall, it is a matter of knowing your limitations and becoming involved.

Captain Robert James
2382 Hacienda
Las Vegas, NV 89119

I feel that much as been done in improving the many problems we face. The Clark County Fire Department has been one agency that has had some great successes, such as our video tape on rural arson. Any way that I, or we, may help, please feel free to contact me.

Unidentified

I have found that all of your topics are in the best interest of improving our job. If we can adopt at least 1/3 of these needs, it will be an improvement in the fight of the investigation and prosecution of arsonists. The thing we need is the backing of the courts to assist us in prosecution.

We need more contact with the public in order to educate them regarding our problems.

Close communication among police, fire, insurance and prosecution is important if a strong case is to be established. The cause of ALL fires need to be determined.

Chief Lawrence Berg
South Greenville Fire Department
Route 3, Box 123
Pelzer, SC 29669

I feel that you can go on and on concerning the problems with arson. The issues covered in the first 7 pages of this package are our main problems and if corrected, the other problems will fall in line and our work load will decrease.

Harry L. Price, Jr.
Sedgwick County Fire Department
525 South Evergreen
Wichita, KS 67209

I am glad to see this project is under way and receiving the attention the rural arson problems deserve. Arson fires in the rural areas of the country have, in the past, been of benefit to the arsonist. This fact is pointed out in all the project statements.

I feel our main emphasis should be to end the "turf problems" by both law enforcement and fire departments and create an air of cooperation throughout all agencies.

The fire services must wake up to their responsibilities. If we are to serve our citizens and really protect lives and property, we must become involved in all areas of the fire service.

Inspection is protecting lives and property by enforcing the building codes.

Putting the arsonist out of business is protecting lives and property.

Fire prevention and arson investigations need to be treated as equals to fire fighting. When this is done, then the fire service can say they are a progressive service.

Dennis Caudle
Department of Public Safety
737 Loudon Avenue
Dunedin, FL 33528

Having spent some weeks recently with two rural volunteer fire departments, I can now better understand the problems facing them. Lack of education, funding, people willing to commit themselves, cooperation between the communities with regard to mutual aid and lack of cooperation with county commissions.

I spoke with the chiefs of both departments to help give them some ideas to help benefit both departments and communities. Plus, I gave a talk and slide presentation on the Firefighter's Responsibility in Arson Detection. This lecture was well received and more presentations are slated for the near future.

Appendix B

INITIAL NEEDS STATEMENTS FROM
FOUR STUDY JURISDICTIONS

DESCRIPTION OF THE NOMINAL GROUP PROCESS

The nominal group process was used to identify and evaluate arson control needs in four selected rural jurisdictions. This technique was designed to maximize participation by all members of the group and to enhance the achievement of specific work group objectives. The process is described in the following paragraph.

Group discussion period is coordinated by a work group facilitator. Each work group session addresses the particular topic associated with the work group's objectives. Members of each group is asked to identify and rank problems and suggest solutions, as well as participate in the general discussion.

Specifically, the work group leaders opens the group discussion with a brief silent period during which the attendees is requested to list (on a 3X5 card) specific problem or concern in "round robin" fashion until every person has stated all problems/needs, eliminating any duplication.

This activity is followed by discussion and ranking of problems and solutions.

Later, work group leaders asks participants to list potential solutions to the problem/needs selected for further discussion. These solutions are described in the group in the "round robin" process. This program concludes with a general session to develop a set of need statements and recommendations to strengthen local government's arson control capability and the role of fire and police in such operations.

Outcomes from this process for the four study jurisdictions are listed below. Participants represented the arson control community of that jurisdiction and included, at minimum, representatives of law enforcement, fire service, and prosecuting agencies. Code names were assigned to ensure frankness on the part of participants.

HARDTIMES COUNTY NGP RESULTS

1. Lack of in-house training
2. County court system
3. Insurance industry policies
4. Failure to enforce building codes ¹
5. Lack of public education
6. Overworked investigative staff
7. Need more realistic training
8. Need for better evidence preservation tools and equipment
9. Lack of arson investigation equipment
10. Public apathy ²
11. Lack of effective working relationships among fire and law enforcement agencies
12. Building codes insufficient
13. Getting and keeping fire fighters involved
14. Compensation for court appearances for volunteer fire cause and origin investigating causes
15. Lack of departmental resources (i.e. money for training)
16. Need for in-station training program
17. Need for simple guide to fire-related laws
18. TV programs acting as a bad influence

Other problems and needs identified but not receiving any votes as a top priority:

- Uncooperative witnesses
- Firesetters access to vacant buildings
- Better control of fire scene
- Lack of firefighting manpower

¹ Building Code related problems include court postponements delay effective enforcement; difficulty locating absentee owners, boarding houses acting as nursing homes; trailer add-ons

² Public attitudes that a wealthy insurance companies will and should pay, and "I don't want to be involved".

SOMETIMES COUNTY NGP RESULTS

1. Need for better prosecution
2. Lack of training.
3. Lack of screening by insurance company
4. Need to take the profit out of arson
5. Lack of full time investigators
6. Public apathy
6. Lack of support from State Fire Marshal's office
8. Better cooperation from insurance companies
9. Lack of training on how to fill out the FBI's Uniform Crime Report Form
9. Need for insurance adjusters to adjust losses more conservatively
11. Need for better public relations and public awareness programs
12. Need for stiffer criminal penalties for arson
13. Lack of an intelligence gathering and sharing system
14. Volunteer fire fighters lack time needed to determine cause
15. Need for better cooperation among agencies
16. Apathy of state and Federal agencies towards fire service
17. Too much plea bargaining.

Other need statements unranked:

Lack of training in scene preservation for fire fighters
Lack of interest in arson from agencies other than fire service
Need for a local juvenile counselling program
Need for hotsheet (intelligence) on arsons
Quicker response from state arson lab
Townships lack funding for training and equipment
Central information clearinghouse
Arson information tipster hotline

GOODTIMES COUNTY NGP RESULTS

GROUP 1.

1. Lack of training for fire fighters to make them knowledgeable in evidence preservation requirements (25 pts.)
2. SFMO needs to make rural arson a public issue(22 pts.)
3. Court system failure to convict (16 pts.)
4. Lack of information at scene (15 pts.)
5. SFMO needs to report case outcomes back to fire companies (14 pts.)
6. Information needs to be given to public about the cost of arson (8 pts.)
7. Involvement of fire fighters in firesetting (4 pts.)
8. Slow fire marshals office response to scene (4 pts.)
9. Need for juvenile fire setters counselling program (3 pts.)
10. SFMO performance is satisfactory; i.e. no real problems (3 pts.)
11. Insurance industry adjustment practices need to be tightened (1pt.)
12. Transients involvement in arson (1 pt.)
13. No major arson problem (1 pt.)
14. Young people on drugs (0 pts.)
15. Crime concealment (0 pts.)
16. Revenge (0 pts.)
17. Witness location (0 pts.)

GROUP 2.

1. Lack of punishment (33 pts.)
2. Need to educate public (18 pts.)
3. Lack of scene preservation (16 pts.)
4. Need to train fire fighters and officers (15 pts.)
5. Identifying suspect (13 pts.)
6. Need for investigators to know territory better (11 pts.)
7. Lack of an abandoned building code (10 pts.)
8. Seasonal influx of travellers (9 pts.)
9. Lack of feedback from State Fire Marshals office (8 pts.)
10. Weather hazards (5 pts.)
11. Need for stronger building code (5 pts.)
12. Bad feelings toward fire department (2 pts.)
13. Lack of public support (1 pt.)
14. Type of construction (0 pt.)
15. Delayed reporting (0 pt.)

GROUP 3.

1. Lack of training for firefighters (39 pts.)
2. Demands on volunteer's time (16 pts.)
3. Lack of state fire marshal manpower (16 pts.)
4. Lack of training for suppression officers (12 pts.)
5. Need for arson training in basic fire training courses (11 pts.)
6. Public education (8 pts.)
7. Lack of awareness on the part of "back-step firefighters) (8 pts.)
8. Lack of public awareness (7 pts.)
9. Need for recognition of arson control efforts (7 pts.)
10. Need to instil value of observation (6 Pts.)
11. Quality and variety of evidence required (5 pts.)
12. Volunteer turnover (5 pts.)
13. Lack of locally-assigned investigator to respond at all times (3 pts.)
14. Chain of evidence control problems (3 pts.)
15. Removing evidence (2 pts.)
16. Failure to apply stiffer penalties to convicted arsonists (2 pts.)
17. Isolation of buildings (0 pts.)
18. Training needs to be updated (0 pts.)

EARLYTIMES COUNTY NGP RESULTS

1. Public awareness (30 points)
2. Increased funding needed to hire additional state fire marshal's investigators. (17 points)
3. More fire prevention education needed in schools (16 points)
4. Need for regular training of fire fighters in arson detection (13 points)
5. Need for specialized training courses in arson detection for selected fire officers
6. Need to educate children about the dangers of fire setting (11 pts.)
7. State fire marshals lack the time to perform adequate follow-up investigations (8 pts.)
8. Police officers need more training in arson investigation procedures (7 pts.)
9. Prosecutors need training in arson prosecution (7 pts.)
10. Improved communication among arson control resources (5 pts.)
11. Refresher training for fire fighters in proper fire ground procedures should be made available (5 pts.)
12. The media need to be used more to control arson [obtain leads etc.] (4 pts.)
13. Arson investigators should be assigned exclusively to this field (3 pts.)
14. Witnesses need to receive greater legal safeguards to encourage them to testify (3 pts.)
15. Insurors need to inspect buildings before issuing policies on them (3 pts.)
16. Fire fighters as fire setters (3 pts.)
17. Need to reduce restrictions on law enforcement officers (2 pts.)
18. Need to train insurance agents (1 pt.)

Need statements receiving no votes

Need to reduce state fire marshal response time (0 pts.)

Need to impose stronger sentences on arsonists (0 pts.)

Tougher judicial sanctions against convicted arsonists (0 pts.)