



Rogers Fire Department Standard Operating Procedures

Policy Title:	Fire Investigation		
Policy Number:	106	Volume:	Administration
Approved By:	Tom Jenkins	Last Updated:	October 2019
CFAI Reference:	5D.2, 5D.6, 5D.7	CAAS Reference:	N/A
Revision Summary:	Created – June 2011 Formatted – May 2012 Revised – October 2013 (Risk Reduction Division) Revised – October 2019 (RPD Fire Investigators)		

PURPOSE

The purpose of this policy is to ensure that the points of origin and cause for all fires are identified to the extent possible. Accurate information is necessary for budgeting, fire prevention, and other municipal uses. Proper follow-up will be instituted on all fires to ensure arson is quickly identified and potential consumer product defects reported.

POLICY

The Incident Commander is responsible for determining the point of origin and cause of a fire. Under certain circumstances the IC will need additional assistance. A fire investigator (a trained member of the Risk Reduction Division or a Detective of the Rogers Police Department) shall be called to the following incidents:

1. At the discretion of a Risk Reduction Officer or the Incident Commander
2. Death or serious injury caused by fire (non-motor vehicle)
3. A fire that could exceed \$100,000 in loss
4. A fire that is believed to be incendiary in nature
5. A fire in which a suspected arsonist is identified by witnesses or victims
6. Any unique or complicated situation involving a suspicious, or consequential fire

When a fire investigator is called, the company officer should fill out the incident report in all areas except those relating to the cause of the fire, unless the investigator provides instructions on what to report. Where an investigation is continuing, write, "Under investigation by Rogers Risk Reduction Division".

The Rogers Police Department maintains an “on call” schedule of Detectives. Awareness of this roster is maintained through Rogers Central Dispatch. When an Incident Commander requests an investigator, the on call Detective will be contacted by RCD to respond to the incident. Along with this “on call” response, RCD will also notify the Deputy Fire Chief, and Captains, of the RRD of the request for investigation. All available fire marshals may respond to the incident.

Scene Access & Security

Scene access and security will be maintained through one of the following methods:

1. The Incident Commander may have the property owner or occupant provide continued access for investigation utilizing Form 106 A – Property Access Consent for Investigation.
2. If the owner or occupant refuse to provide consent, the Incident Commander shall appoint a component of a fire company to maintain physical presence of RFD at the incident until the investigators arrive and release the company. In such cases, the investigator should seek an administrative warrant before proceeding with an investigation.
3. If an investigator determines a criminal warrant is necessary, the scene shall be identified as a hazardous area prohibiting access while a warrant is obtained.
4. If extenuating circumstances require the scene to be abandoned by RFD personnel, a search warrant shall be obtained. This may be accomplished through RFD and/or RPD investigators.

Physical notification to the public of an existing hazard at an incident shall be provided by placing any of the following along the hazardous perimeter:

1. Fire line or hazardous area tape
2. Police Officers
3. Fire Department personnel
4. Other means as circumstances dictate

Fire Investigation Procedures

Fire Investigations shall follow guidance provided by the accepted standard: National Fire Protection Association 921: Guide for Fire and Explosion Investigations.

When an investigator arrives at a fire scene, the Incident Commander and the investigator will confer to communicate information regarding the situation. It will be the investigator’s responsibility to escalate the investigation as deemed necessary to include all necessary resources, including the Bureau of Alcohol, Tobacco, and Firearms. Entry/overhaul of any structure/vehicle will be closely coordinated between Incident Command and the Fire Investigator.

When an investigator is not immediately available to respond to the scene, the Incident Commander is responsible to ensure the property is cordoned to prohibit any access.

Pre-Examination Interviews

The investigator should conduct brief interviews with first arriving fire crew to obtain information relative to conditions encountered, forced entry mode, or any observations that will assist the investigator.

The investigator should also conduct brief interviews of witnesses, bystanders, or other persons who may provide insight as to the cause of the incident. Information should be collected on RFD Form 106 B – Witness Statement for Investigation.

Safety

An investigation shall be conducted during daylight with two or more persons present. This should include two or more investigators. This may include personnel from a fire company accompanying an investigator.

If a fire company is no longer at the investigation site, one shall be provided to the fire investigation upon request to the City Wide Tour Commander.

Investigator(s) shall wear safety equipment as the scene dictates e.g., hard hat, boots, dust mask, protective clothing, etc. Investigators shall not enter structures until atmospheric conditions are tenable.

Additional safety equipment may be obtained from a company operating at the scene. An officer of the apparatus equipment is pulled from should be notified.

Photographs

Photographs taken at incident scenes will become part of the investigative report. A photo log shall be provided for photographs taken in conjunction with investigations.

Photo documentation of incidents should be thorough and complete. All areas of the incident including interior, exterior, evidence, and extent of damage, etc. shall be photographed.

When working in conjunction with the RPD, photographs may be delegated to the officer/detective assigned to the investigation.

Evidence Collection and Preservation

All physical evidence observed at an incident scene shall be properly collected, itemized, analyzed, and stored for criminal/civil court.

Evidence should be submitted for review to the Arkansas Crime Laboratory (ACL). Any evidence being submitted to the ACL shall be done through the RPD. Proper chain of custody forms shall be provided for all evidence collected.

Evidence that has been analyzed and returned to the investigator should be transferred to the custody of the RPD for proper safeguarding until such time the evidence is no longer useful.

When working in conjunction with the RPD, the officer/detective assigned to the investigation shall perform all evidence collection with any necessary assistance provided by RFD.

Scene Examination

When investigating fires/explosions the investigator shall use the scientific methodology to develop a hypothesis, test the hypothesis, and draw a conclusion.

1. Structure Fires

- a. Survey and photograph the exterior of the structure for evidence of external sources of ignition and physical evidence. Photograph/note the condition/position of doors, windows, and locking devices.
- b. Examine the utility services (gas, electric, telephone, cable for fire cause or service status). A technician from the utility company may be utilized for this examination.
- c. Enter the structure when atmospheric conditions permit to determine area of origin.
- d. Once the area has been determined examine this area thoroughly for fire cause. The cause determination should be documented with photographs and sketches.
- e. Evidence of incendiary fires should be properly collected and submitted for analysis.
- f. After completing the scene examination the building should be turned over to a responsible party.

2. Fatal fires

- a. Secure the scene immediately. Allow for only essential fire operations.
- b. Request a RPD detective.
- c. If the victim has been moved, i.e. resuscitation, immediately interview the firefighters who first discovered and/or moved the victim. Obtain the firefighter's written statement as soon as possible.

- d. The fire investigation shall be conducted simultaneously and in cooperation with RPD.
- e. The Risk Reduction Division shall have authority over the fire investigation.
- f. If homicide or suicide is suspected, the RPD shall be lead on the death investigation.
- g. All fires resulting in fatal injury shall be reported to the Arkansas State Fire Marshal's office within three business days of the occurrence. This shall be done on department letterhead or via electronic mail.

3. Vehicle Fires

- a. Examine exterior of vehicle for exterior sources of ignition, body damage, tires, and physical evidence.
- b. Examine engine compartment for mechanical/electrical causes or engine condition.
- c. Examine passenger compartment for fire cause or physical evidence.
- d. Document license plate and VIN.
- e. Examine trunk compartment
- f. Photograph and sketch vehicle location showing relative location on property and extent of damage.
- g. Gather and process and physical evidence of incendiary fires.

4. Miscellaneous Fires

Examination of these scenes should follow guidelines similar to those for structure and vehicle fires.

5. Explosives Incidents

For the safety of all personnel the investigation of incidents involving explosive devices shall be conducted under the direction of the Northwest Arkansas Bomb Squad.

Additional Resources

The Bureau of Alcohol, Tobacco, and Firearms shall be requested for any fire meeting the following criteria:

- Involves interstate commerce
- Related to a hate crime
- Is incendiary and located on a church property
- Dollar loss exceeds one million dollars in damage and is suspicious

Report/Case Preparation

The fire investigator will make all necessary entries in Firehouse regarding any incident that they investigate.

For every scene examination a report shall be prepared and saved in the Record Management System by the fire investigator who investigated the incident. The Report shall include scene sketches, photo log and evidence log, and a narrative including all facts of the case and an opinion/summary as to the origin and cause of the fire.

All photographs taken by fire investigators of the scene/incident will be filed with the final report.

Atmospheric Conditions

Fire scene atmospheres may contain ignitable gas, vapors, and liquids, in addition to unknown by-products of combustion. When investigating a fire, the atmosphere should be free of particulate matter. If extenuating circumstances make it necessary to conduct an investigation prior to expulsion of all particulate matter, SCBA shall be worn by all personnel active in the investigation.

Other Agencies

Following is a listing of other agencies that shall be contacted, based upon the circumstances of the incident, and other agencies that might be of assistance during an investigation.

Arkansas State Crime Laboratory (501) 227-5745
The ASCL shall be used to analysis evidence for traces of accelerants.

Arkansas State Fire Marshal (501) 618-8600
The ASFM shall be notified within three business days following a fire death.

Benton County Assessor's Office (479) 271-1037
Contact the BCAO to collect property information.

Benton County Fire Marshal (479) 616-4347
The BCFM shall be notified of all investigations located on county owned property.

Bureau of Alcohol, Tobacco and Firearms (501) 324-6457
The ATF shall be requested for any fire meeting the following criteria:

- *Involves interstate commerce*
- *Related to a hate crime*
- *Is incendiary and located on a church property*
- *Dollar loss exceeds one million dollars in damage and is suspicious*

Northwest Arkansas Bomb Squad

(479) 271-3170

*The NABS shall be contacted in incidents involving explosive devices.
Investigations shall be conducted under the sole direction of the NABS.*