

Fire Investigations

CHAPTER 8.12

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Submitted by: Fire Marshal

Approved by: Chief of Fire Rescue

PURPOSE

The purpose of the Alachua County Fire Rescue fire investigation standard operating guideline is to ensure that a fire investigation is conducted to determine origin and cause of fires within our jurisdiction and areas of responsibility. This guideline is intended to give direction for when a fire investigation should be conducted, not how a fire investigation is to be conducted.

DEFINITIONS

- Arson is the crime of maliciously and intentionally, or recklessly, starting a fire or causing an explosion.
- Classification of fires:
 - Accidental
 - Natural
 - Incendiary fires are those that result from deliberate acts, where fires are ignited or result from deliberate actions in circumstances in which the person knows there should not be a fire.
 - Undetermined
- Fire Marshal (FM) is the County Fire Marshal or his/her designee.
- Incident Commander (IC) is the officer on the scene of the incident who is in charge.
- Initial Fire Investigation means a preliminary investigation of the origin and cause of a fire for the purpose of determining whether there is probable cause that the fire was the result of carelessness or design.
- Probable Cause means reasonable cause or reasonable grounds to believe that an unlawful act has been committed or that an unlawful event has occurred.
- State Fire Marshal (SFM) is an officer employed by the State Fire Marshal's Office whose job is to investigate fires.

RESPONSIBILITIES

1. It is the responsibility of the Incident Commander (IC), District Chief and/or Company Officer, of a fire incident to ensure that an initial fire investigation is conducted as to the origin and cause, as well as the circumstances surrounding all fires which occur in our jurisdiction and areas of responsibility. For fires where the origin and cause are readily apparent, and are non-incendiary in nature, the IC shall ensure that the findings are thoroughly documented in the fire reporting system. These incidents do not require contacting the Fire Marshal (FM) unless one of the criteria in the FM Call-out Matrix is met.

2. The FM is responsible for the origin and cause investigation for incidents within their jurisdiction. If probable cause exists to determine the fire to be incendiary in nature, the FM will immediately contact the State Fire Marshal to conduct an arson investigation. The Fire Marshal (FM) will respond to the scene upon request. The FM will report to the IC for a briefing upon arrival on scene. The FM will respond within a reasonable time period. In the event the FM is not available, the Florida State Fire Marshal (SFM) shall be contacted.
3. If the FM is unavailable for response, the IC shall request that the SFM be notified. The IC shall provide the information required below under the section "SFM Notification" upon making contact with the SFM detective.

APPLICATION

Call-out of the FM:

The FM shall be contacted for the following types of incidents:

- Fires of incendiary origin
- Estimated dollar loss exceeding \$250,000
- A death or serious injury has occurred to a civilian as a result of a fire
- A death or serious injury to a firefighter has occurred as a result of a fire
- The fire origin and cause is undetermined
- A crime has been determined to have occurred on the property
- Fires started by juveniles or involving juvenile fire setters

FM notification via County email for the following situations:

- Fire code violations contributed to the cause or spread of the fire
- Industrial or construction accidents resulting in severe injury or death
- Fireworks or explosives related incidents
- Activation of a fire suppression system

SFM Notification

The FM will make a determination if a response is needed based on the information provided. The Florida State Fire Marshal's Office shall be contacted to conduct the arson fire investigation.

- The SFM shall be notified by the FM when:
 - Death or injury of a firefighter in the line of duty
 - Injured, requiring hospitalization or treatment by a physician at a medical facility; or

- Killed as the result of, during, while combating, or otherwise engaged in any act or action related to fire.
- Presumption for purposes of the SFM:
 - Any fire with a projected dollar loss exceeding \$1,000,000 (one million dollars); or
 - Any fire involving a civilian death, or an injury that is likely to result in death; or
 - Any fire in which the cause is not readily determined by an initial investigation; or
 - Any fire involving the suspected failure of a fire suppression or fire detection system.
- When notifying the SFM the following information must be relayed either over the phone or in writing:
 - The date and time of the fire;
 - The address of the property damaged;
 - A description of property damaged (ie. single family home, restaurant, etc.), and the extent of the damage;
 - The name(s) of the owner(s) of property damaged, if known;
 - The name(s) and number of persons injured or killed, if known, and the extent of any injuries; and
 - The facts and circumstances considered by the local fire official or law enforcement officer to constitute probable cause to believe that the fire was the result of carelessness or design.

Accidental Fires

For fires in which the origin and cause of investigation has determined to be accidental in nature, it is the IC/FM's responsibility to obtain the necessary report information. This information shall be included in the fire or follow-up investigative report on the findings and outcome of the investigation relating to the fire.

Incendiary and Fires involving injury and/or fatality

Once the IC/FM has determined that there has been a crime committed and has classified the scene as a crime scene, it shall be their responsibility to request the appropriate law enforcement agency (LEA) to respond to the scene. Upon LEA arrival, a brief overview of the circumstances should be provided. At that time LEA will be given the responsibility of providing scene security.

Chain of Custody

Under no circumstances shall chain of custody of the fire scene be broken prior to the FM/SFM arriving on scene. The IC and/or company officer shall ensure that nothing in the area of origin (if known) is moved until it has been viewed by the FM/SFM. If objects are moved to extinguish the fire, their location should be noted so the scene can be reconstructed. Preservation of evidence does not preclude the IC and/or company officer from completing extinguishment or initiating overhaul operations, but unnecessary disturbance or destruction of the fire scene shall be minimized.