



# GOODYEAR POLICE DEPARTMENT

Policy and Procedure Manual  
**POLICY 3.57**  
**ARSON INVESTIGATIONS**

Effective:  
11/15/2021

Replaces:  
06/20/2013

Approved:  


## 1. PURPOSE AND SCOPE

1. Arson and Criminal Reckless burning incidents are investigated jointly between GPD, their law enforcement resources and in conjunction with the designated GFD Fire Investigators. GPD is the law enforcement agency (per ARS 41-1823.B) responsible for the criminal investigation disposition of all documented suspected acts of Arson and Reckless burning incidents occurring within its jurisdiction. GPD is committed to working with GFD Fire Investigators on an inter-agency level to resolve these incidents.

## 2. DEFINITIONS

1. Arson
  - A. The criminal culpable mental state of knowingly causing a fire or explosion resulting in damage of either occupied or non-occupied structure.
2. Reckless Burning
  - A. The criminal culpable mental state of recklessly causing a fire or explosion resulting in damage of either occupied or non-occupied structure or woodland.
3. ARS 13-1701.2
  - A. "Damage" means any physical or visual impairment of any surface.
4. ARS 13-1701.2
  - A. "Occupied structure" means any structure as defined (as structure) in which one or more human beings either is or is likely to be present or so near as to be in equivalent danger at the time the fire or explosion occurs. The term includes any dwelling house, whether occupied, unoccupied or vacant."
5. ARS 13-1701.4
  - A. "Structure" means any building, object, vehicle, watercraft, aircraft or place with sides and a floor, used for lodging, business, transportation, recreation or storage.

## 3. PROCEDURES FOR ON-SCENE PATROL SUPERVISORS

1. The on-scene patrol supervisor will notify the appropriate either; on duty or on call GPD Arson / Fire CID Detective when any of the following conditions exists:
  - A. Required CID Detective Notification
    1. Whenever the cause of the fire is determined to be suspicious (defined as articulated facts which cause reasonable suspicion that a criminal act was committed)
    2. Fire involving death (this is required by ARS 11-593.A and subsection 6)
    3. Serious injury defined by ARS 13-105 (refer to definition of Serious physical injury)
    4. Fire where either a police officer or firefighter is injured
    5. Fire occurring at a church, school, or government office (note all fires at churches will be reported to the Alcohol Tobacco Firearms (ATF) by the Criminal Investigations Division)
    6. Fire damage of property exceeds \$100,000.00
    7. Fire involving domestic violence (DV)
    8. Fires classified as hate crimes
    9. All explosions except for fireworks

B. Coordination Between Fire and Police

1. The on-scene patrol supervisor/s should note that GFD Fire Investigators can investigate the circumstances of the fire, but cannot by statutory limitations or peace officer authority be responsible for the criminal investigation of a fire incident. The on-scene GPD supervisor will assist with coordination between the two departments.

C. GPD Supervisor Crime Scene Responsibilities

1. Coordinate with the on-scene GFD supervisor to determine if incident is a crime and what type of crime it is (i.e. Arson or Reckless burning.)
2. If the crime meets any of the following criteria as listed in the notification of CID under part III of this policy, then the on-scene GPD supervisor will make the notifications and requests.
3. In all cases the on-scene GPD supervisor will ensure that legally acceptable crime scene management is established by working in conjunction with GFD supervision.
4. Once a crime scene is established victims or relatives, etc will not be allowed to re-enter the scene.
5. Public utility companies that have a bon-fide need to secure the location, turn off utilities etc. will be allowed to enter... Ensure the crime scene log identifies who these individuals are and why they were permitted to enter. (Private companies and their representatives summoned by an owner or etc are not permitted to enter the crime scene.)
6. The on-scene GPD supervisor will oversee and ensure that patrol officers who respond to the scene follow the procedures as outlined in the Goodyear Police Department Report Writing Guide regarding Arson, Reckless burning.