

## **FIRE CAUSE INVESTIGATION**

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### **I.**

It is the responsibility of Command to provide for fire cause investigation on the following fire-related emergencies: structure fires, explosions, fire code-related situations and of every fire incident causing serious injury/death of property loss/damage.

This must be accomplished after fire control activities and salvage, and before initiating overhaul actions which could hinder the investigation.

There is a responsibility to determine fire cause in all cases. The Officer in Charge will be responsible for determining when a Fire Investigator is needed, based on information gathered or the circumstances of the fire.

An investigator will be dispatched or called by the Officer in Charge and will respond to the scene (if not already on scene) in the following circumstances:

- Fire deaths or serious fire injuries;
- On all working first or greater alarm (Box 100) structure fires;
- Fires for which the cause cannot be determined by Command on the scene;
- Explosions and bombings;
- Requested by Police Department to respond to known arson fires.
- Abandoned autos, or vehicle arsons.

No investigator is needed for the following situations but the company officer is responsible for the completion of an accurate Incident Report:

- Minor fires where cause is determined to be accidental;
- Scalding burns electrical accidents, and minor accidental burn injuries;
- Car fires originated in engine area during vehicle operation;
- Minor grass, fence, or trash fires with no witnesses or suspects. (If multiple small fires are found but no one is around to provide information, the Company Officer may enter a Fire Report and must complete an O.F.I.R.S., reporting the ignition factor as "Arson/Incendiary". A follow up call can be made to Fire Investigations at the Company Officer's discretion);
- Traffic accident fatalities involving fire subsequent to collision are investigated by Police Department;
- Known juvenile firesetters who have caused minor fires by playing with fire, matches, etc., can be referred to a Juvenile Firesetter Program. Referrals can be made in writing by calling a Juvenile Firesetting Specialist.

## **II.**

If the incident is determined to be of a minor nature (e.g. accidental, with no injuries and slight fire damage) and the cause can be determined easily by the Company Officer on the scene through information received or by investigations of fire scene (e.g. a stove fire with food remains on stove), units on the scene shall gather the information needed and accurately complete the required report. If a victim requests information regarding their fire loss, for insurance purposes, the Company Officer can give the Fire Department Incident Number which will enable the victim to access Fire Department information regarding the fire. The victim should also be given a copy of the "After The Fire" brochure to assist them. (If available.)

## **III.**

When a fire investigator is on the scene or responding, companies shall delay non-essential overhaul and secure the fire scene until a Fire Investigator arrives. Salvage and all unnecessary interim activities which may alter or contaminate the fire scene, or which may interfere with a subsequent origin and cause investigation must be discontinued until authorized to continue by the responding fire investigator.

Command shall assign personnel protect the fire scene and maintain custody of the scene until the arrive of a fire investigator, especially when delay in response to the scene by an investigator has been indicated.

## **IV.**

After achieving fire control, Command shall release companies not required to complete investigation and overhaul. In some cases involving lengthy investigation periods, companies may return to quarters and return later to the scene to complete overhaul activities when requested by the investigations sector.

Command shall turn over jurisdiction of the fire area to the investigator as soon as possible after the fire is stabilized. The investigator retains jurisdiction until the investigator releases it back to Command. The investigator may inform Command that they intend to maintain custody of the scene for further investigation.

The investigator shall request from Command any personnel or equipment necessary for the investigation. Command shall make every attempt to meet such requests, to the extent possible under the prevailing circumstances.

## **V.**

All personnel shall cooperate with the fire investigator and with the Fire Investigations Sector. Protection of the fire scene and the preservation of physical evidence must be a primary concern once life safety is secured and fire control is achieved. An attempt to identify the victim and any witnesses who are at the fire scene must be made as soon as

possible, and shall not be delayed until the investigator is actually on the scene. Obtaining the identification of witnesses is critical to the conduct of the subsequent investigative process. If police officers are at the scene, the Company Officer may request them to obtain such information and identification for Fire Investigators, but if police officers are unable to comply with the request (as the result of other circumstances which may take precedence) the Company Officer retains this responsibility.

## **VI. Destruction of Evidence.**

It is incorrect to believe that evidence is completely destroyed by fire. This misconception is the reason many incendiary fires have never been brought to the attention of the courts.

Evidence is not destroyed in fires except in very rare cases. The form, shape, color, size, and weight may be altered, but evidence can still be identified upon trained examination. It is critically important to preserve evidence by not moving fire debris unnecessarily.

The Fire Department must protect the fire scene from unnecessary damage during firefighting operations. Special care must be exercised during extinguishment to avoid washing out evidence through misuse of fire streams. Overhaul presents the greatest potential for damage to evidence which may be used by the fire investigator and police department in subsequent court cases and prosecution. Salvage operations should be minimal until the investigation can be completed, and should be confined to diminishing eventual loss. Companies assigned to Loss Control Sector should incorporate scene security and evidence preservation into their plan to stop the loss.

The fire scene is the investigator's laboratory. They must search it carefully and thoroughly, photograph the scene in place, diagram all evidence placement, and collect and preserve all evidence.

The fire scene must be guarded. Evidence cannot be used in court unless the investigator can establish a chain of custody by proving who found the evidence, where it was found and prove that evidence was not tampered with while in official custody. To ensure that the chain of custody remains unbroken, the scene must remain demonstrably in the custody of the fire department. Thus, at a fire scene where it has been determined that custody must be maintained, a guard must be posted, and custody must be maintained until the scene is released. No unauthorized persons may enter the scene. The fire department has the legal authority to close the scene entirely, even to the property owner or to other interested person(s). It is vital that the fire department prevent personnel from unnecessarily walking through a fire area, walking on, obscuring evidence, or picking up and moving evidence.

This procedure shall include both fire department personnel and the media. It is essential that evidence be moved or if necessary firefighting operations may damage evidence, the evidence must be covered or its location marked before moving it carefully to a secure location.

## **VII. Joint Fire/Police Investigations at Fire Scene**

Fire department fire investigators are trained and certified with limited authority to investigate arson crimes. This training and certification meets requirements of the Ohio State Fire Marshal.

The police department is responsible to investigate all non-arson crimes discovered at fire scenes and fire department personnel will report such crimes to police and cooperate with police officers and detectives. Police and fire department investigators will conduct joint investigation of fire deaths or life-threatening injuries at fire scenes:

- Fire department investigators determine the fire cause and arson crime only;
- Police officers are responsible for identification and removal of all bodies from fire scene;
- Police officers determine the cause and manner of deaths in cooperation with the County Coroner's Office.