

**PHOENIX REGIONAL
STANDARD OPERATING PROCEDURES**

FIRE CAUSE INVESTIGATIONS

M.P. 202.13

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PURPOSE

The goal of the Phoenix Fire Department Investigations Section is to provide quality service in the investigation of fires and certain explosion incidents. The primary responsibility of the Phoenix Fire Department Investigation Unit is to attempt to determine the origin and cause of fires and to identify factors or persons responsible for causing a specific fire.

The section serves effectively by analyzing fire statistics, recognizing fire trends to efficiently protect lives and property, referring arson cases to the City or County Attorney's Office for prosecution, identifying Youth Firesetters and preventing fires through education, code enforcement, standards and training.

Fire Cause Investigation

- I. Fire cause determination should be attempted at all incidents; however, not all fires require a Fire Investigator. The initial responsibility lies with the incident commander on scene, who will determine—based on the available information and circumstances—whether to request a Fire Investigator. The on-duty Fire Investigators can be contacted via Dispatch and Deployment 24 hours a day or by phone to consult with Command prior to or during response to assist Command. A Fire Investigator should be contacted if the on-scene officer is unsure if an investigator is required.

To allow for a comprehensive investigation any investigation should be performed after fire control activities, immediate salvage, but prior to removing contents and overhaul actions, which could hinder the investigation.

An investigator should be dispatched by Alarm or called by the officer in charge and will respond to the scene in the following circumstances:

- Fire deaths or serious fire injuries, including death and serious injury to firefighters
- Attempted arsons
- All working greater alarm structure fires
- Fires for which the cause cannot be determined by Command on the scene
- Explosions and bombings

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- Vehicle, field, or dumpster fires that have an identified suspect in custody
- Fires at schools, government buildings, or places of worship
- Requested by Phoenix Police Department to respond to known arson fires

The following are examples of when a Fire Investigator is not required to perform an investigation. If an investigator is not requested, the company officer is responsible for the completion of an accurate Field Incident Report (F.I.R.) to document the fire cause:

- Fires where cause is known to be accidental.
- Scalding burns, electrical accidents, and minor accidental burn injuries.
- Car fires originating in engine area, or abandoned autos, or vehicle fires with no identified suspect in custody
- Grass, fence, or trash fires with no identified suspect in custody. (If multiple small fires are found but no one is around to provide information, the company officer will enter an F.I.R.) 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 the Phoenix Police Department.
- Known juvenile fire setters who have caused minor fires by playing with fire, matches, etc., can be referred to the Youth Firesetter Program. The Juvenile Assistance Referral Form can be accessed and completed on the Phoenix Fire Department intranet via FireWire or by calling the Juvenile Firesetter Specialist at 262-6774.
- To hold the scene until another agency or service responds
- When requested to make contact with homeowner for the purpose of insurance matters

The chief assigned to the Fire Investigations unit has the ability to modify and

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update these situations based on departmental needs and current events.

- II. If the cause can be determined easily by the Company Officer on the scene, and doesn't meet the criteria to require a fire investigation response, through information received or by investigations of the 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 F.I.R. If a customer 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.
- III. When a Fire Investigator is on the scene or responding, companies shall delay non-essential overhaul and secure the fire scene until the 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 to protect the fire scene and maintain custody of the scene until the arrival of a Fire Investigator, especially when delay in response to the scene by an Investigator has been indicated.

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 on-scene Fire Investigators.

Command shall turn over jurisdiction of the fire area to the Investigator as soon as possible after the fire is stabilized. The Fire 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 Fire 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.

- IV. All personnel shall cooperate with the Fire Investigator and with the Fire Investigations Sector. Protection of the fire scene and preservation of physical evidence must be a primary concern once life safety is secured, and fire control is achieved. An attempt to identify the responsible party 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 on the scene. Obtaining the identification of witnesses is critical to the

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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.

- V. Destruction of Evidence: It is incorrect to believe that evidence is completely destroyed by fire. This misconception is the reason many incendiary fires are not prosecuted.

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, or excessive foam application. 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 until the scene is released, only authorized persons may enter the fire 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 shall include both fire

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department personnel and the media. If 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.

The Phoenix Fire Department Investigations Section has access to a specialty Ignitable Liquid Detection K-9, assigned to a Fire Investigator handler, to identify possible accelerant-contaminated evidence in fire scene debris. Personnel should avoid contact with the dog unless given permission by the dog handler.

Joint Fire/Police Investigations at Fire Scenes.

The Phoenix Fire Department Fire Investigations Task Force consists of Fire Captains, both Arizona Peace Officer Standards and Training (AZPOST) certified and non-post certified, and Phoenix Police Detectives.

Phoenix Fire Department Fire investigators are trained and certified as specialty peace officers with limited authority to investigate arson crimes. This training and certification meets the requirements of the Arizona Peace Officers Standards and Training Board.

Phoenix Police and fire department Investigators will conduct joint investigation of fire deaths or life-threatening injuries at fire scenes:

- Fire Department Investigators are responsible for determining the fire origin and cause.
- Phoenix Police are responsible for the follow up investigation of all fires where arson is the cause.
- Phoenix Police are responsible for conducting the death investigation related to a fire fatality or unnatural death.
- Phoenix Police will coordinate with the Maricopa County Office of the Medical Examiner to determine the cause and manner of death.