

# SAN JUAN COUNTY FIRE DEPARTMENT

**FIRE INVESTIGATION:**

**Policy Number: SJCFD 200-06**

**Issue Date: October 2008**

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## **Policy Statement**

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Code: **FI -1.0**

### **1.0 PURPOSE**

This policy will govern the investigation of fires within the County of San Juan that are of suspicious origin or which cause significant destruction or damage to property as listed in section 1.4 (C).

### **1.1 SCOPE**

**A:** All fires occurring in San Juan County, coming to the attention of the San Juan County Fire Department (SJCFD), shall be investigated. Fires that occur in the incorporated cities within San Juan County, Federal Land, and the Navajo Indian Reservation will be investigated by their established investigators. SJCFD will offer assistance in the investigation of any fire within this area as long as the SJCFD has the resources to do so.

**B:** This procedure is to be followed for all fire investigations and is applicable to all personnel of the SJCFD. Authority to deviate from this procedure rests with the Fire Marshal or Fire Chief, who are responsible for the results stemming from any deviation.

### **1.3 AUTHORITY**

**A:** San Juan County Ordinance 6 authorizes the Fire Chief to investigate the origin, cause, and circumstances of each and every fire occurring within the jurisdiction.

**B:** If a fire is of incendiary or undetermined origin, the SJCFD is authorized to collect evidence and pursue the investigation to its conclusion. Fire Investigation shall be conducted in accordance with nationally recognized standards. Personnel may use the most current edition of the NFPA 921 guide as a reference.

**C:** San Juan County Ordinance 6 creates the position of Fire Marshal and states the Fire Chief may delegate this authority to the Fire Marshal. As delegated by the Fire Chief of the SJCFD, the investigation of all fires is the responsibility of the Fire Marshal and designees.

## **1.4 POLICY**

**A:** It shall be the policy of the SJCFD to make every reasonable effort to determine the origin and cause of all fires as listed in section 1.4 (C).

**B:** The Incident Commander is in charge of the fire scene and responsible for ensuring determination of the fire origin and cause, to ensure that it is accurately reported, to notify proper authorities, and to maintain proper control and custody of the scene until their arrival.

**C:** It shall be the policy of the SJCFD to request response of the on call investigator when the Incident Commander desires assistance to determine the cause, or when an incident involves one of the following:

1. Origin and cause cannot be determined.
2. The fire is suspicious or known to be incendiary in origin.
3. The fire involves a monetary loss greater than \$10,000.
4. Evidence of suspicions of any crime having occurred in connection with the fire.
5. The fire involves a fatality or serious injury.
6. The incident is the result of an explosion causing severe property damage or involves explosives, major gas leaks, or other materials capable of causing severe damage, or which may result of criminal activities.
7. The incident involves a hazardous material - chemical spills, natural gas, or petroleum spill which requires an investigation.
8. Incidents which, in the opinion of the Incident Commander, may possibly result in litigation.
9. Any situation not specifically mentioned when the Incident Commander believes investigation is required.

## **1.5 PROCEDURE**

**A: Fire Investigator Notification**

1. Fire Investigation personnel will be notified as established by this policy.
2. If it is determined that a Fire Investigator is required, the request for the investigator should be made through San Juan County Communications Authority (SJCCA).
3. SJCCA shall notify the on call Fire Investigator according to the list provided by the SJCFD.
4. The Fire Investigator is to report to the Incident Commander upon arrival. The Fire Investigator will assume authority and responsibility for preserving the scene and collecting evidence.

**B: Scene**

1. It is the responsibility of the primary Incident Commander to secure the fire scene.
2. Place fire line tape around the scene as soon as possible (if deemed necessary).

3. The Incident Commander shall notify all personnel of all safety hazards identified on the scene.
4. All civilians must be denied entry to the scene. A record of all personnel on the scene shall be maintained by the Incident Commander.
5. If the Incident Commander deems it necessary to secure evidence, the item(s) shall be photographed in place before being taken into custody.
6. Incident Commander shall attempt to keep witnesses at the scene to be interviewed.
7. All non-essential overhaul shall be delayed until the investigator has completed an initial survey and taken photographs.
8. First-in firefighters shall report, in writing, all observations made upon arrival to the on call investigator.

**C: Records and Reports**

1. The on call Fire Investigator will assume responsibility for information documented after their arrival.
2. Fire Investigators will be required to submit a written report the San Juan County Fire Marshal.
3. The primary Incident Commander is required to submit their report no more than three days from the time the incident occurred.
4. The Fire Investigator is required to have a preliminary investigation report to the Fire Marshal within one week from the time the incident occurred.
5. In the case of death resulting from fire a report will be sent to the State Fire Marshal's Office per state requirements.
6. Copies of the completed investigation report, of suspicious and incendiary fires, shall be forwarded to the proper law enforcement agency. There will also be a copy of the law enforcement agency's report filed with the San Juan County Fire Department.
7. All field notes are to be destroyed once the Fire Chief and/or Fire Marshal has signed off on the completed investigation report.

**D: Evidence**

1. Fire Investigators shall receive all evidence and maintain custody of the same.
2. Evidence collection will follow the guidelines established by NFPA 921 and the following state crime labs:
  - 1a: Arizona DPS Northern Regional Crime Lab
  - 2b: NM Department of Public Safety Southern Crime Laboratory
3. Evidence shall be properly packaged and placed in an evidence locker or submitted for forensic testing as soon as possible.