

## **REVIEW OF FIRE INVESTIGATIONS**

**9056**

(No. 7 September, 1991)

This is an internal unit review conducted on a continuing basis by fire prevention staff. The following procedure should be considered the baseline analysis program; however, local needs and additions should be included where desired.

### **OBJECTIVES**

**9056.1**

(No. 7 September, 1991)

Prepare a comprehensive analysis of the fire law enforcement activities of the calendar year being assessed.

- Determine if SRA fires were properly investigated by battalion personnel.
- Determine if appropriate civil/criminal/administrative action was taken.
- Determine if LE-66 Reports were properly submitted and are on file.

### **REQUIRED MATERIALS**

**9056.2**

(No. 7 September, 1991)

1. Seven (7) Day Report (FC-16)
2. Reports of Preliminary Fire Investigation (LE-66) and follow-up investigation reports
3. Fire Investigation Matrix (FIM)
4. Files containing letters of explanation (in-lieu letters) submitted to the unit chief explaining why legal action was not taken when violations of fire law occurred.

The Fire Investigation Matrix (FIM) form is unique to this planning effort and is generic in nature. This form can be revised to include additional information at the unit, but the information found on the sample in this chapter must be included on any revised form.

### **PERFORMING THE FIRE INVESTIGATION REVIEW**

**9056.3**

(No. 7 September, 1991)

Determine if a LE-66 was prepared for each SRA fire incident. For each LE-66, review Block 3 (Fire/Incident Number and battalion) to see if it is correct and is numbered sequentially with the FC-16. List each incident on the Fire Investigation Matrix (FIM).

Deficiencies should be listed in Block 5 of the FIM.

**Example: (no deficiency)**

(LE-66)

Block 3

Year	Region	Unit	Incident No	Battalion
			101	3

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Compare data on the LE-66 and FC-16

(FC-16)

Order No	Fire No	Fire Name	Location	Battalion
	101			3

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In the above example, it can be seen that Fire No. 101 did occur; it was located in Battalion 3; and because a matching LE-66 was on file, it was indeed submitted. In the above example, a deficiency would not be listed in the FIM.

**Example: (deficiency identified)**

(FIM)

BLK No.1	BLK No.2	BLK No.3	BLK No. 4	BLK No. 5
Fire No.	Battalion	Cause	Action Taken	Remarks
102	4			No LE-66 on file

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In the above example, Fire No. 102, which occurred in Battalion 4, did not have a LE-66 on file. A deficiency would be listed in the F.I.M. if the FC-16 lists a fire/incident number and a corresponding LE-66 for that fire/incident number is not on file.

## SAMPLE "IN-LIEU LETTERS"

Sample: Legal Action Taken by Another Agency

TO:  
DATE:  
FROM:  
SUBJECT: 9400 LAW ENFORCEMENT  
          9410 Laws  
          In-Lieu Letter  
          Fire No.

On <date> 1990, Fire No. \_\_\_\_\_ occurred at \_\_\_\_\_ hours. I was the investigating officer. During my investigation it was determined that Section(s) \_\_\_\_\_ of the \_\_\_\_\_ Code was violated. It was also discovered that the local air pollution control district officer issued a citation for violation of \_\_\_\_\_.

Because the responsible party had already been cited, I exercised my discretionary powers and did not issue a citation nor do I anticipate taking civil action for the same reason.

SIGNED \_\_\_\_\_

Sample: Indigent/Elderly Responsibles

TO:  
DATE:  
FROM:  
SUBJECT: 9400 LAW ENFORCEMENT  
          9410 Laws  
          In-Lieu Letter  
          Fire No.

On <date>, 1990 Fire No. \_\_\_\_\_ occurred at \_\_\_\_\_. I was the investigating officer. During my investigation it was determined that Section(s) \_\_\_\_\_ Of the \_\_\_\_\_ Code was violated. It was also determined that the responsible party was (very elderly or indigent).

It was for the above-listed reason that I did not pursue criminal action. It is extremely doubtful that civil claims could be recovered; therefore, I did not pursue that avenue.

SIGNED \_\_\_\_\_

## DETERMINING AND VALIDATING FIRE CAUSE

9056.4

(No. 7 September, 1991)

Carefully review the LE-66 to ascertain if the information in the body of the report supports the specific cause shown in the report.

This can usually be done by comparing the FC-16 "Cause Blocks" with the LE-66 Block No. 19. If the fire cause shown in the FC-16 correlates with the one shown in Block No. 19 of the LE-66, list the cause in Block No. 3 of the FIM. If they do not correlate or if the information found in the body of the LE-66 does not support the specific cause, list that fact in Block No. 5 of the FIM.

### Example:

(FIM)

BLOCK No. 3 Cause	BLOCK No. 5 Remarks
"Debris Burning"	"Specific cause is not supported in body of LE-66."

## DETERMINING APPROPRIATENESS OF ACTION TAKEN

9056.5

(No. 7 September, 1991)

Review Blocks 10A and 23 of each LE-66 to determine if a violation occurred. If these blocks were not completed, check the body of the LE-66 to make this determination. This is a subjective interpretation and the auditor must occasionally make a judgment call. If the decision indicated that a violation of law did occur and no legal action was taken, enter this fact in Block No. 4 of the FIM.

If a violation did occur and no action was taken, the auditor should determine if an in-lieu letter was submitted to the unit chief explaining why legal action was not taken when violations occurred. If the unit chief validated the "In-Lieu" letter, list that in Block No. 5 of the FIM. If it was not submitted or was not validated by the unit chief, that fact should also be noted in Block No. 5 of the FIM.

### SAMPLE FIRE INVESTIGATION MATRIX (FIM)

Reporting Officer	BLOCK NO. 1	BLOCK NO. 2	BLOCK NO. 3	BLOCK NO. 4	BLOCK NO. 5
	Fire & Incident No.	Battalion	Cause	Action Taken	Remarks
SMITH	101	3	Debris burning/ dooryard	None	LE action needed but not taken
JONES	102	4	Lightning	None	No LE-66 on file
GREEN	116	2	Equip. Use/Lawnmower. No spark Arrester.	None	LE action needed but not taken
SMITH	124	3	Campfire	None	LE action needed but not taken
SMITH	136	3	Playing with fire	None	No LE-66 on file
ROSS	144	1	Arson	None	LE-66 on file but incomplete and poorly done
ROSS	163	1	Arson	None	LE-66 on file but illegible and poorly done
FISH	187	5	Equip. Use/ powerline	Civil	Poor investigation, weak and incomplete, FC-40 not done
SMITH	199	3	Equip. Use/welding	None	Letter of explanation to chief improperly done
SMITH	216	3	Debris burning/ dooryard	None	No LE-66 on file
SMITH	320	3	Playing With Fire	None	No LE-66 on file
SMITH	321	3	Equip. Use/welding other	None	No LE-66 on file

## **ANALYZING THE COMPLETE FIM**

**9056.6**

(No. 7 September, 1991)

Utilizing the information compiled in the completed FIM and the FC-16, a short narrative should be completed that addresses the following key issues and a set of recommendations to resolve any deficiencies found:

1. What percentage of the total fire incidents, within the unit during the calendar year being reviewed, did not have a LE-66 on file?
2. What percentage of the total fire incidents (SRA only) warranted legal action? Of those warranting legal action, what percentage actually had criminal action taken? What percentage received civil action?

### **Example**

(FIM)

#### BLOCK No. 4

Action Taken

"Law Violation - No legal action"

### **Example**

(FIM)

#### BLOCK No. 5

Remarks

"In-Lieu Letter on file"

-or-

#### BLOCK No. 5

Remarks

"No In-Lieu Letter on file"

### **Sample Narrative**

The review of the total investigative effort within Jefferson Unit for 1990 revealed the following facts:

Of the 400 SRA fires that required an investigation, 50% (200) warranted legal action. Of those 200 fires, only 10% (20) had legal action taken--5% (10) had criminal action taken; 3% (6) received civil action; and 2% (4) were explained with a letter to the unit chief.

It is recommended that the following steps be taken to correct the deficiencies listed above:

1. Develop a training lesson plan that clearly addresses the deficiencies listed in this report, and give a winter training session to FAEs Smith and Jones and Captains Ross and Fish.

Action by: Fire Prevention Staff

2. During fire season, have the fire prevention staff submit a monthly staff report to at least the Division Chief-Operations that identifies the deficiencies found in LE-66 reports for the previous month.

Action by: Fire Prevention Staff

3. Seek the unit chief's personal intervention whenever recurring deficiencies exist within a given battalion.

Action by: Fire Prevention Staff

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