

Texas Fire Chiefs Association  
**DOCUMENT SUBMISSION FORM**

Candidate Department: Coppel Fire Department

Best Practice Standard: 7.03 Fire Cause Determination  
(insert the Best Practice Standard you are working on - example "1.01")

**Proofs of Compliance Submitted:**

1. Please see the attached Coppel Fire Department SOG #05-01: Fire Scene Investigation.

**Submitted By:** Gregg Loyd

**Date:** 10/1/2013

**Evaluator's Review**

**Evaluator:**

**Date Accepted:**

## Coppell Fire Department Standard Operating Guidelines



<b>SOG# 05-01 – Fire Scene Investigations</b>	<b>Effective Date:</b> 01/14/2014
<b>Fire Chief:</b> <i>[Signature]</i>	<b>Revised Date:</b> 01/14/2014

**Purpose:** The purpose of the fire scene investigation is to determine the origin and cause of the fire. In order to accomplish this task, the investigator must use a scientific method to determine where the fire started and the actual cause of the fire. All aspects of the investigation must be documented, for use in court, in case the fire is determined to be incendiary in origin.

**Scope:** This Policy applies to all members of the Fire Department

**Directions:**

**Fire Scene**

In progress incidents:

1. Upon arrival, the investigator should park in an area so as not to congest the command post.
2. Report to the command post and notify the Incident Commander upon arrival and obtain details of fire or incident.
3. Insure scene security (security scene tape or posting assigned representative(s).)
4. Interview the owner, manager, occupants, witnesses, neighbors (i.e. anyone who may have information regarding the fire). Record the names and telephone numbers of persons interviewed.
5. Investigate the fire scene as soon as possible after receiving authorization from the Incident Commander.
6. Proper protective clothing must be worn.
7. Determine the area and the point of origin. Determine the cause, when possible, prior to overhaul procedures.
8. If death or serious injuries have resulted from the fire, interview treating paramedics to obtain status. Contact State Fire Marshal in the event of line of duty death.
9. Notify the Incident Commander in charge and Dispatch prior to leaving/clearing the scene.

**Determining the Origin and Cause**

1. Exterior Examination
  - a. The purpose of the exterior examination is to assess burn patterns, assess the ventilation patterns of the fire, determine where and how entry was made by Fire Department Personnel, determine whether the doors and windows were secured prior to the fire and discover evidentiary items for collection.

- b. The investigator will be responsible for establishing the boundaries of the exterior examination.
2. Interior Examination
  - a. Make a thorough examination of the interior, starting at the least damaged area working toward the area most damaged.
  - b. Determine the low point of burn and determine whether this is the point of origin.
  - c. Determine whether there were any accidental sources (electrical, mechanical, etc.) of ignition at the point(s) of origin.
  - d. Utilize a UL approved hydro carbon detector or any other device/source/canine (approved by the fire marshal) to assist in determining the presence of an ignitable liquid.
  - e. Properly collected samples may need to be taken at this point.
  - f. Determine whether the structure is furnished as would be expected (pictures on walls, mementos, furniture, records, etc.).
  - g. Make a record by use of photographs or sketch of all findings for future reference.
  - h. Document the fire scene by use of photography, video, sketching or taking notes.

**Note: The investigator may have only one opportunity (while the scene is secured under the investigator) to make a thorough interior examination without having to apply for a search warrant.**

### **Photography**

Photography of the fire scene provides an excellent record of what occurred; and in addition, can be recorded for future reference in the event of a criminal or civil trial at a later date.

1. The assigned investigator is responsible for all fire scene photography.
2. Photograph the exterior and interior of the building prior to overhaul, if possible.
3. Photograph each piece of evidence in place prior to collecting the evidence.
4. Photograph each piece of evidence after collection.
5. If a fatality occurs, photograph the body in place. If the body has been removed, photograph the location where the body was found.
6. Photograph the point of origin.
7. Digital pictures will be stored on the J;drive as well as personal drive of issued computer.
8. Photographing a vehicle or movable shall be conducted in the same manner as the photography of a dwelling or structure.
9. Digital picture files may not be deleted.

### **Evidence**

Evidence must be identified and collected within prescribed legal guidelines as determined by the most current Forensic Arson Laboratory Guidelines for Evidence from the Texas Department of Insurance – State Fire Marshal’s Office – Forensic Arson Laboratory, <http://www.tdi.texas.gov/fire/or> State of Texas Department of Public Safety, Physical Evidence Handbook, <http://www.txdps.state.tx.us>

The investigator may enter the structure and seize evidence during the following conditions:

1. The fire department still has control of the scene (i.e. the fire is still in progress or is in the overhaul stage); the courts have ruled that the fire department has the right and

- duty to investigate the fire to determine its origin and cause. Evidence gathered during this stage is legal and can be admitted in a criminal proceedings; or
2. The owner has given verbal or written consent for the investigator to enter the property and investigate the origin and cause of the fire. The owner has the right to withdraw permission at any time, regardless of whether the permission was verbal or written; or
  3. The investigator has obtained a legal search warrant. If a search warrant has been obtained, the officer can enter the premises **WITHOUT** the consent of the owner.

### **Packing and Evidence**

Evidence must be identified, collected and packaged within prescribed legal guidelines as determined by the most current State of Texas Department of Public Safety, Physical Evidence Handbook, <http://www.txdps.state.tx>. or Forensic Arson Laboratory Guidelines for Evidence from the Texas Department of Insurance – State Fire Marshal’s Office – Forensic Arson Laboratory, <http://www.tdi.texas.gov/fire/>.

**\*\*Evidence will be placed in the secured evidence locker at the Fire Administration Office until it is sent to the laboratory for analysis along with a Chain of Custody Form.**

### **Witness Interviews**

The assigned investigator will gather useful and accurate information from witnesses at the scene and/or from relevant witness not available at the time of initial interviews. When conducting an interview, the following shall be noted:

1. Name and date of birth of all occupants, driver’s license numbers, temporary address and telephone number, work address and telephone number.
2. Witnesses names, date of birth, driver’s license numbers, telephone numbers and addresses (work and home).
3. Take a written witness statement at the scene of incident from all witnesses, if possible, utilizing witness statement forms.

### **Custodial/non-custodial interviews:**

The purpose of the interview is to gain information which will help the investigator establish the origin and cause of a fire.

#### Witnesses

1. The assigned investigator shall be properly identified.
2. Obtain proper identification (Driver’s License or State ID card) from witness before interview if possible.
3. Identify the ignition sequence factor as soon as possible.
4. Establish normal patterns for business practices or personal life of the property owner(s) or individual(s) in control property.
5. Identify the layout of the residence, business, vehicle or movable where the fire occurred.
6. Identify any possible sources of accidental ignition.
7. Establish any financial or personal issues.
8. Determine whether anything unusual or suspicious occurred prior to the fire.
9. Obtain information regarding the suspect (i.e.; name, description, vehicle description, etc.)
10. Obtain a voluntary statement from the suspect regarding his/her role in the fire.

## **Continuing Investigation**

Once a suspect has been identified, the investigator should check the suspect's criminal history file and run a background check. Sources for obtaining this information are:

1. NCIC, TCIC, and full criminal history for recent criminal activity and active police reports.
2. Coppell Police Department records
3. Drivers license check
4. Coppell Police Department Juvenile Section (Juveniles records only)
5. Bank records (these require a Subpoena Duces Tecum)
6. Friends, employers, and family members are also sources of information.
7. Cell phone records (require a Subpoena and/or Search Warrant, depending on the carrier)
8. Vehicle service records, vehicle insurance, registration, payment history when applicable

### Subpoenas:

1. Issuance of Subpoena – a subpoena may summon a person to appear:
  - a. Before a court to testify in a criminal action at a specified term of the court or on a specified day.
  - b. On a specified day:
    - Before an examining court
    - At a coroner's inquest
    - Before a grand jury
    - At a Habeas Corpus hearing
    - In any other proceedings in which the Texas Code of Criminal Procedures regulates
2. Subpoena Duces Tecum. If a witness has in his possession any written instrument of writing or other thing desired as evidence, the subpoena may specify such evidence and direct that the witness bring the same with him and produce it in court. A subpoena duces tecum will be obtained from the grand jury in the county in which the incident occurred.