

Procedure

9.15

**EFFECTIVE
DATE
10-13-17**

Eugene Police Department



Arson Investigations

9.15.1 PURPOSE AND SCOPE

The Arson Unit is an ad-hoc investigative function. Arson investigators work as a team, in cooperation with investigators from the Eugene/ Springfield Fire Marshal's Office, to determine fire origin and cause, and to investigate incendiary fires. The purpose of this policy is intended to facilitate a cooperative effort between the Eugene/ Springfield Fire Department and the Eugene Police Department in investigating arson or suspicious fires. It is intended to foster an effective working relationship and provide guidance for police arson investigators and fire department investigators.

9.15.1.1 DEFINITIONS

Arson – Starting a fire or causing an explosion which damages property.

Significant Injury – Injury requiring immediate medical attention.

Suppression – To put down or extinguish a fire through deliberate effort by fire personnel.

9.15.2 INITIAL RESPONSIBILITIES AT A SUSPECTED ARSON

When arson takes place or is suspected within the City of Eugene, the police department will be notified immediately. The Eugene-Springfield Fire Department will be the lead agency, and has statutory responsibility in determining fire origin and cause. The Police Department will be the investigating agency responsible for the criminal investigation with the assistance of the Eugene/ Springfield Fire Marshal's Office.

When the fire department has determined the fire to be extinguished, the scene will be secured to protect the crime scene. Patrol personnel will establish an outer perimeter. Fire Command will maintain control of and responsibility for the inner perimeter as long as fire suppression and lifesaving activities are under way. There will be no entry into the scene until a sworn supervisor or Arson investigator and fire marshals have met and determined an appropriate course of action.

9.15.3 INVESTIGATOR NOTIFICATION

If it is determined that an arson investigator is needed to further the criminal investigation the Eugene Police Arson Unit supervisor will be notified immediately by the Watch Commander or sergeant at the scene. The Arson Unit supervisor will contact an investigator who will respond to the scene and make contact with the fire marshal and determine the appropriate course of action.

If there is a fire-related death or significant injury, VCU as well as Arson will be notified. VCU detectives will be primary and work with the arson investigator(s). Once the VCU investigation has concluded, they will release control of the scene to the arson investigator for the arson investigation.

On other suspicious fires, the investigator (or arson supervisor) will confer with the fire marshal to determine if there is an immediate need for an investigator to respond to the scene. If the fire marshal and the investigator (or arson supervisor) agree, the investigator may not need to respond to the scene. The case will be assigned to an investigator on the next business day and he or she will meet with the fire marshal as soon as possible.

9.15.4 RESPONSIBILITIES ONCE FIRE IS SUPPRESSED

The fire department is responsible for the fire scene until it is turned over to the Eugene Police Department for criminal investigation or released to the property owner. The fire scene will be investigated by fire department personnel unless there is a death or significant injury. If a death or serious injury has occurred, a police investigator will be present and work collaboratively with the Eugene Springfield Fire Marshal office during the scene investigation. The fire scene will be under the jurisdiction of the Eugene Police Department until criminal activity has been ruled out or is no longer suspected by either the arson investigator or the fire marshal after examination of the scene.

If the scene is deemed not criminal it will be turned over to and remain under fire department direction. If there is injury or death and the fire is determined by either the fire marshal or the investigator to be criminal or suspicious in nature the scene will be under the direction of the assigned investigator once the initial fire suppression efforts have been completed. The scene will not be released until both the fire marshal and the assigned police investigator agree scene security is no longer needed.

Officers who are at the scene of a fire that is being suppressed or has recently been suppressed should take the following steps:

- a. Ensure police vehicles are not blocking access to ingress and egress by fire suppression vehicles or medic units.
- b. Park far enough away to allow fire suppression vehicles the closest access to the fire scene.
- c. Assist fire department personnel in keeping vehicles and pedestrians away from suppression equipment.
- d. Ascertain contact information for any witnesses, bystanders, or passers-by the scene of the fire.
- e. Obtain photos of the scene and any large groups that gather around the fire scene.
- f. Emplace crime scene tape as soon as suppression efforts have ceased and maintain a crime scene log for any fires where significant injury or a death has occurred.

If an investigator responds to the scene, the investigator and fire marshal will determine how best to collect and store evidence to meet department procedures and legal requirements. If an investigator doesn't respond to the scene after conferring with the fire marshal, the fire marshal will process the scene and collect and handle evidence per fire department guidelines and as outlined in NFPA 921, "Guide for Fire and Explosion Investigation." Prior to leaving the fire scene the fire marshal will contact the Eugene Police Department Watch Commander and

request the evidence be transferred to a police officer for proper packaging and submission to the Eugene Police Department Evidence Control Unit.

9.15.5 CONTINUING INVESTIGATION

Any subsequent criminal investigation will be led by the Eugene Police Department with assistance from the fire department. Any information received by either agency as to witnesses, suspects, or person of interest should be provided to the investigator and fire marshal assigned. The investigator and fire marshal will provide each other with investigative information and will supply written reports to each other as per department guidelines. Interviews conducted as a result of the ongoing investigation should be completed by the assigned investigator. The assigned investigator may request assistance from the fire marshal to conduct an interview if he or she deems it appropriate to the investigation.

9.15.6 MEDIA RELEASES

No media release beyond the basic response information shall be given by either agency until both the fire marshal and the assigned investigator are in agreement on the content of the information to be released. Once in agreement on the content, information may be released by either agency per department guidelines.

PETE KERNS
Chief of Police