



DEPARTMENT OF FIRE AND RESCUE SERVICES

	<h1>GENERAL ORDER</h1>	
<h2>630.01</h2>		

Originating From	Issue Date	Revision Date	Attachments
Fire Marshal	10/7/2005	1/5/2009	N/A

SUBJECT: Fire Investigation

APPLICABILITY: All Personnel

POLICY:

The Howard County Department of Fire and Rescue Services (DFRS), Fire Marshal’s Section, is responsible for the administration of investigating emergency situations including, but not limited to, fire incidents.

1 GENERAL

- 1.1 The authority to investigate the origin, cause, and circumstances of any fire, explosion, potentially explosive device, hazardous materials incident or other emergency situation is set forth in Title 17, Section 100, of the Howard County Code and the Howard County Fire Prevention Code, NFPA 1, Subsection 1.7.9.
- 1.2 The Howard County Department of Fire and Rescue Services (DFRS) and the Howard County Police Department (HCPD) have established a Fire Investigation Unit. This unit has the responsibility to investigate fire incidents. Resources and assistance are available from the Office of the State Fire Marshal (OSFM) when requested. The guidelines are established in a Memorandum of Understanding between the three agencies.
- 1.3 The Fire Investigation Unit will conduct an investigation under the following circumstances.
 - 1.3.1 When the incident commander is unable to determine the origin and cause of a fire.
 - 1.3.2 When the cause appears to be incendiary or suspicious.
 - 1.3.3 When the fire involves a loss of life, a significant burn injury, and/or significant property loss.
 - 1.3.4 A vehicle fire when the vehicle was not in motion.
 - 1.3.5 An incident involving a potentially explosive device.
 - 1.3.6 An incident resulting from an explosion.
 - 1.3.7 At the direction of the Fire Chief and/or the Chief of Police.

2 The following definitions are applicable to this general order.

- 2.1 Origin and Cause - A determination of where and how a fire started through the

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- investigator's systematic examination of the fire scene and related circumstances.
- 2.2 OIC - The officer in charge of an emergency incident.
 - 2.3 Tier 1 Investigator - A fire officer trained in the basics of determining origin and cause, normally the incident OIC.
 - 2.4 Tier 2 Investigator - A fire officer who has advanced training in determining origin and cause, normally Fire Marshal's Section personnel or operations personnel with prior investigative experience.
 - 2.5 Tier 3 Investigator - A fire officer who is a member of the Fire Investigation unit and has extensive training in determining origin and cause and arson investigation or a Deputy State Fire Marshal.
 - 2.6 Lead Agency – The agency responsible for assuring efficient case management to include, but not limited to:
 - 2.6.1 completion of the investigation,
 - 2.6.2 follow up on cold cases,
 - 2.6.3 completion of all records and reports.
 - 2.7 A Lead Investigator will be assigned case management by the responsible agency.
- 3 Determining the origin and cause of a fire is the responsibility of DFRS. A Tier one investigator (Incident OIC) has this initial responsibility.
- 3.1 Tier two and three investigators shall be requested by a Tier 1 investigator (incident OIC) when the origin and cause cannot be determined, appears suspicious or meets the criteria in Section 1.3. Requests for a Fire Investigator shall be handled through the Communications Division in accordance with established Fire Marshal's Section procedures for the On-Call Fire Investigator Program. Normally, the first investigator (Tier 2/3) notified will be the On Call Fire Investigator, Fire Marshal's Section.
 - 3.2 The Tier 2/3 investigator shall determine whether additional assistance is required. This may include but not limited to HCPD (fire investigation unit detective) the OSFM (i.e. investigator, bomb squad) and/or accelerant K-9.
 - 3.3 The FM may require assistance from the Communications Division to notify the police department team member or the Deputy State Fire Marshal, whichever is appropriate.

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- 3.4 The Communications Division may assist in notification of the appropriate department supervisor if an investigator fails to respond to a page or back-up phone call within a reasonable time frame.
- 3.5 The appropriate investigator shall notify the Battalion Chief or the designee of the Fire Marshal's Section and the HCPD Property Crimes Section of any fire related death, serious injury or large property loss (excess of \$750,000).
- 4 DFRS has the overall responsibility for arson investigation. Investigations are to be performed in accordance with the Memorandum of Understanding among DFRS, HCPD, and OSFM. It is the responsibility of the fire department team member to determine origin and cause. It is the responsibility of the police department team member to conduct the criminal investigation when the cause appears to be incendiary or when criminal activity is involved. When a DFRS investigator and/or a HCPD detective are not available, assistance shall be requested from the OSFM. Nothing in this general order is intended to prohibit the agencies from working together on a joint investigation.
 - 4.1 It is the team members' responsibility to work together in every phase of the investigation. Should a disagreement occur, it is the members' responsibility to bring the issue to the attention of the Fire Investigation Battalion Chief or the designee.
 - 4.2 It is the team members' responsibility to complete all reports required by their respective agency. In a criminal case, the lead agency conducting the investigation will be responsible for reporting the crime on the monthly Uniform Crime Report.
 - 4.3 Investigations will be carried out in accordance with guidelines established by each agency.
- 5 In a criminal case, the Howard County Police Department shall be the Lead Agency and is responsible for case management in accordance with the agency's established policy. When the cause is accidental or determined not to be incendiary, suspicious, or involve criminal activity, the Howard County Department of Fire and Rescue Services shall be the Lead Agency and is responsible for case management in accordance with the agency's established policy. When either a DFRS investigator or a HCPD detective is not available, the OSFM is responsible for case management.
 - 5.1 In instances where members of the Howard County Fire Investigation Unit and members of the Office of the State Fire Marshal are jointly investigating a case, it shall be decided by the investigators/supervisors on the scene which agency will be the Lead Agency.

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- 5.2 It shall be the responsibility of the agency conducting the investigation to coordinate the case preparation with the Howard County State's Attorney Office for the prosecution of the case.
- 5.3 Nothing in this general order shall preclude one agency from relinquishing responsibility to the other agency, if the other agency is in agreement and accepts case responsibility.
- 5.4 Nothing in this general order should preclude one agency from assisting the other agency with an investigation.
- 6 It shall be the responsibility of the investigating agency to coordinate the release of information to the media with their respective Public Information Officers.
- 6.1 Nothing in this general order is intended to prohibit agencies working together on an investigation from making a joint release of information through the established methods of each agency.

Approved:

A handwritten signature in cursive script that reads "Joseph A. Herr".

Joseph A. Herr
Fire Chief