

DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 120	FIRE INVESTIGATION PROTOCOL	
	Effective: 10/31/2012	Commissioner Approval: 
	Authorities: AS 18.70.030	
	Applicability: OFFICERS	
	Special Instructions: Click here to enter text.	

120.100 INTRODUCTION

This chapter shall establish fire investigation protocol and requirements.

120.300 FIRE INVESTIGATION PRIORITIES

A. *Fires which will be investigated.* Staffing and fiscal constraints in the Division of Fire and Life Safety (FLS) do not allow the routine investigation of all fires. Fires that will normally be investigated by the FLS include the following:

1. Fires that result in a fatality or serious injuries.
2. Fires that involve a substantial loss of property (\$500,000 or more).
3. Fires that appear to be intentionally caused as part of an insurance fraud or other criminal activity.
4. Fires that will have a significant public impact.
5. Fires that indicate trends or a serious consumer safety problem.
6. Any fire that involves Department of Public Safety (DPS) facilities or equipment.

B. *Authority to investigate other fires.* The FLS has the authority to investigate other fires within the State as outlined in AS 18.70.030.

120.310 REPORTING FIRES FOR INVESTIGATION

The Life Safety Inspection Bureau Supervisor or designee will be notified anytime a fire meeting the description as listed in 120.300 is reported to DPS and on-duty personnel from the Alaska State Troopers (AST) have confirmed the need for investigation by the FLS. The final determination to conduct a technical fire investigation is the responsibility of the State Fire Marshal or designee.

120.320 INVESTIGATIVE JURISDICTION

The Department of Public Safety has the primary investigative responsibilities for suspicious or incendiary fires occurring in non-protected and some semi-protected areas of the State.

CHAPTER 120 FIRE INVESTIGATION PROTOCOL

Fires occurring in legally deferred jurisdictions may be investigated upon request and in conjunction with local authorities.

Requests for assistance in fire investigations from local police or fire departments will be coordinated through the FLS director's office. The final determination to investigate a fire is the State Fire Marshal's responsibility.

120.330 INVESTIGATION OF FIRES

A. *Fires to be investigated.* Fires reported to the Department and meeting the criteria outlined in 120.300 will be investigated by FLS. Fires that resulted in a serious injury or a loss of life will be jointly investigated by FLS and AST; however, in an arson fire involving serious injury or loss of life AST will be the lead agency in the joint investigation with FLS.

B. *Responsibility of FLS in fire investigation.* Fire Marshals assigned to a fire investigation will be responsible to determine the origin and cause of the fire, perform the technical fire investigation, and preserve and process any physical evidence recovered from the scene. If it is deemed that the fire was intentionally set and a crime has occurred, the assigned Fire Marshals shall conduct the criminal investigation of the fire, provide case management, and oversee preparation of the case report.

C. *Responsibility of AST in fire investigation.* Troopers assigned to respond to a fire will secure the scene and contact the Fire Marshal's office for response of a Fire Marshal if the fire meets the criteria outlined in 120.300. The assigned trooper(s) will then take photos of the scene, identify witnesses, and conduct initial interviews. In the event of an arson fire that results in a serious injury or loss of life, AST will be the lead agency in the investigation. Fire Marshals assigned to an investigative team will conduct an origin and cause determination and will remain available to provide technical assistance to AST Investigators, attend pre-trial conferences with the prosecutor, and provide testimony as required.

D. *Copy of case report forwarded to FLS.* A copy of all completed joint investigations shall be forwarded to the FLS director's office.

120.340 REPORTS OF FIRES INVESTIGATED SOLELY BY AST

Copies of police reports on all accidental fires, burns, and non-arson property loss fire cases investigated by the AST will be provided to FLS for inclusion in the ANFIRS database.

120.350 PRELIMINARY FIRE INVESTIGATION PROTOCOL

The following are required preliminary investigative steps that must be performed to aid in the determination of criminal responsibility for intentionally set fires. This list is not all-inclusive; however, each investigation must include these steps at minimum:

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