



MISSOULA POLICE DEPARTMENT POLICY MANUAL

Subject: ARSON INVESTIGATIONS		
Effective Date: 4/25/2018	Original Date: 03/17/2010	Next Review: 4/25/2021
Chapter 11	Policy # 11.20	Distribution:
References: <i>NFPA 921, "Guide to Fire and Explosion Investigations"</i> <i>Missoula Fire Department Policies Manual; MPD Detective On-call Policy 11.10</i>		

I. PURPOSE

The purpose of this policy is intended to facilitate a cooperative effort between the Missoula Fire Department and Missoula Police Department in investigating arson or suspicious fires. It is intended to foster an effective working relationship and provide guidance for police detectives and fire department investigators.

II. POLICY

It is the policy of the MPD to respond and investigate all arson and suspected arson incidents. The investigation will be in coordination with the MFD. Once a fire investigator determines that the cause of a fire is incendiary or suspicious or if there is a fire-related death or significant injury regardless of cause, he/she will secure the scene and notify the on-duty MPD shift commander. The intended goal of this policy is to provide for improved public safety through an effective working relationship between the police and fire departments that ensures the successful criminal prosecution of arsonists.

III. DEFINITIONS

Arson – The crime of willful or malicious burning of property

Incendiary – of or relating to a deliberate burning of property; designed to start fires, or a bomb

NFPA – National Fire Protection Association

Significant Injury – Injury requiring immediate medical attention

Suppression – To put down by force

IV. PROCEDURES

- A. When arson takes place or is suspected within the City of Missoula, the MPD will be notified immediately. The MPD will then be the primary investigating agency responsible for the criminal investigation with the assistance of the fire department. The MFD will be the lead agency in determining fire cause and origin.

1. Shift Commander Responsibilities: The Shift Commander will respond and meet with the fire officer in command to determine the type of assistance needed. If it is determined that an arson has taken place, the shift commander will make the appropriate notifications, such as a staff officer, detectives, etc.
- B. When the MFD has determined the fire to be extinguished, the scene will be secured to protect the crime scene. There will be no entry into the scene until the police and fire investigator have met and determined an appropriate course of action.
- C. Detective Notification: If it is determined that a detective is needed to further the criminal investigation, the following notification procedures shall be followed:
 1. If the fire occurs during business hours or during the week when no detectives are on call, the on-duty shift commander will provide the detective supervisor's contact number to the fire investigator.
 2. If the fire occurs when a detective is on-call, the shift commander will contact the on-call detective and provide him/her with the fire investigator's phone number.
 3. In either case, once phone numbers have been obtained, the fire investigator and detective will make contact to discuss the fire situation and determine an appropriate course of action.
 4. If there is a fire-related death or significant injury, a detective will respond to the scene. On other incendiary or suspicious fires, the detective (or detective supervisor) will confer with the fire investigator to determine if there is a need to have a detective respond to the scene. If the fire investigator and the detective (or detective supervisor) agree, the detective may not need to respond to the scene. The case will be assigned to a detective on the next business day and he/she will meet with the fire investigator as soon as possible.
- D. Scene Responsibilities: The fire department is responsible for the fire scene until it is turned over to the police department or released to the property owner. The fire scene will be investigated by fire department personnel unless there is a death or significant injury at which time a detective will be present with the fire investigator during the scene investigation. The fire scene will be under the jurisdiction of the police department until criminal activity has been ruled out or is no longer suspected by either the detective or the fire investigator after examination of the scene. The scene then is turned over to and remains under fire department direction. If there is an injury or death and the fire is determined by either the fire investigator or the detective to be criminal or suspicious in nature, the scene will be under the direction of the assigned detective once the initial fire suppression efforts have been completed. The scene will not be released until both the fire investigator and assigned detective agree that scene security is no longer needed.
 1. If a detective responds to the scene, the detective and fire investigator will determine how best to collect and store evidence to meet

departmental procedures and legal requirements. If a detective doesn't respond to the scene after conferring with the fire investigator, fire department investigators will process the scene and collect and handle evidence per fire department guidelines and as outlined in NFPA 921, 'Guide for Fire and Explosion Investigations'.

2. Prior to leaving the fire scene the detective and the fire investigator will arrange a meeting to provide updates and share information. This will occur the next day that both the fire investigator and detective are scheduled to work. Further communications and updates will be dependent upon the particular circumstances of each case. In most cases, at least one follow-up meeting should be scheduled within a week of the initial incident.
- E. Ongoing Investigation: Any subsequent criminal investigation will be led by the police department with assistance from the fire department. Any information received by either agency as to witnesses, suspects or persons of interest should be provided to the detective and fire investigator assigned. The detective and fire investigator 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 detective and the fire investigator. If the detective determines that it would be more effective to have another detective assist in the interview rather than the fire investigator, the fire investigator shall be scheduled to observe the interview and provide input.
- F. Media Release: No media releases beyond the basic response information shall be given by either agency until both the fire investigator and the assigned detective 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.