

DALLAS FIRE-RESCUE

STANDARD OPERATING PROCEDURES  
FIRE INVESTIGATION AND  
EXPLOSIVE ORDNANCE DISPOSAL



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# I. CERTIFICATIONS

## A. Peace Officer

1. The Texas Code of Criminal Procedures, Article 2.12, establishes that each member of an arson investigation unit of a city, county or the State be a peace officer.
2. Each member assigned to the Fire Investigation & EOD Division as an arson investigator will be required to become certified as a peace officer with the Texas Commission on Law Enforcement Officer Standards and Education (TCOLE). Each member will meet all state requirements for obtaining certification and all state requirements required to maintain active certification. These requirements include:
  - a) Each member must undergo a physical examination, including a standard drug screening test, a criminal history background check and a psychological examination.
  - b) Each member will attend and be required to pass the DPD (Dallas Police Department) Training Academy. The member will be required to meet all standards established by TCOLE and the academy.
  - c) To maintain active peace officer certification each member will attend and successfully complete all continuing education classes obtaining the required hours as required by TCOLE during each training cycle.
3. All members may apply for advanced certifications as they become eligible.

## B. Fire and Arson Investigator

1. Each member assigned to the Fire Investigation & EOD Division will obtain fire or arson investigator certification as required by the Texas Commission on Fire Protection (TCFP). To obtain this certification members will:
  - a) Attend and successfully complete a TCFP approved class.
  - b) Achieve a passing score on the TCFP administered exam.
2. Each member assigned to the Fire Investigation & EOD Division will complete all TCFP requirements for maintaining valid certification. Members will complete all required continuing education hours during each

training cycle.

3. All members may apply for advanced certifications as they become eligible.

## **II. DPD GENERAL ORDERS**

A. The Fire Investigation & EOD Division is staffed and maintained by the Dallas Fire-Rescue Department. Although the investigators assigned to the Division are peace officers, their duties and responsibilities are separate from the Dallas Police Department. This separation is necessary since the City Charter holds the Fire Chief responsible for determining the cause and origin of all fires occurring within the City of Dallas. To accomplish this mandate, the investigators' first responsibility is to determine the cause and origin of all fires. A criminal investigation will be conducted on all fires ruled incendiary. All investigations of incidents ruled incendiary will continue until either the case is finalized or the statute of limitations has expired.

B. In order to fulfill the obligations of State Law and the City Charter, investigators must be certified as peace officers to investigate fires that may result in criminal charges. To insure that consistent guidelines are followed the Fire Investigation & EOD Division has adopted specific sections of the General Orders of the Dallas Police Department. The use of these DPD General Orders is intended to provide consistent guidelines for law enforcement activities that are not addressed by the Dallas Fire-Rescue Rules, Regulations, Policies and Procedures.

1. All investigators must be familiar with the General Orders of the Dallas Police Department.

2. Investigators shall be required to follow the guidelines established by the DPD General Orders while carrying out all police functions required of their position.

3. The sections of DPD General Orders that deal with Use of Force, Deadly Force, Firearms Training, Weapons, and Officer involved Shootings, Arrests, and Prosecutions are the main areas that investigators should be the most familiar with.

4. In the event an investigator is involved in a incident that results in the discharge of a firearm or injury/death to the investigator or other individual, the Section or Deputy Chief assigned the 104 Call shall be notified and shall respond to the scene. The 104 on-call Chief will coordinate the internal investigation of the incident as required by the Dallas Fire-Rescue Department and the Dallas Police Department.

### III. ARRESTS

A. Arrests will be made in accordance with procedures detailed in the DPD General Orders and policies in place at the time.

B. Since the on-duty investigators (684 and 685) must remain in service as much as possible, DPD has agreed to transport suspects to the appropriate facility and to assist with the book-in process, when necessary. The investigator is always responsible for completing the offense, arrest and prosecution reports.

1. The investigator will call Direct Entry to complete an Offense and Arrest Report while the suspect is transported. The investigator will follow the officers to the transport facility.

2. The investigator will get the officers names, badge numbers and contact numbers in case the investigator gets called away to a fire run. This information will also be required in the completion of the Prosecution Report.

3. The investigators will give the officers their names, badge and contact numbers. This contact information will enable the officers to contact 684/685 for additional information if necessary.

4. The investigator has 72 hours to complete the Prosecution Report and submit to DPD through the FBR (Field Base Reporting) System.

C. Case filing will be in accordance with DPD Case Filing Procedures. A current copy of these procedures will be maintained in the Division Library. (See **Case Filing Section** of this manual for detailed information on how to file a case.)

### IV. COURTS

A. Grand Jury

1. The Grand Jury for each County will be organized according to procedures established by Chapter 19 of the Texas Code of Criminal Procedures.

2. The Grand Jury will have all duties and powers as defined in Chapter 20 of the Texas Code of Criminal Procedures. These duties include:

- a) Power of Subpoena. The Grand Jury may subpoena any witness, complainant or accused to testify in any criminal matter

before the Grand Jury.

b) Questioning of suspect or witness. The Grand Jury has the right to pose any question to a subpoenaed person who appears before them.

c) Return of Indictment. The Grand Jury will vote on each criminal case on which testimony has been given. If nine members of the Grand Jury determine that enough evidence has been submitted to warrant an indictment, the Grand Jury will issue such indictment.

3. Investigators who receive an official Grand Jury Subpoena are obligated to attend the proceedings and testify before the Grand Jury within the State of Texas. Investigators unable to appear must reschedule their appearance before the Grand Jury in advance or, if approved by their supervisor, request that another investigator present the case to the Grand Jury.

4. Locations of the Grand Jury

a) Dallas County – Frank Crowley Bldg.  
133 N. Riverfront Blvd., 1<sup>st</sup> floor  
Dallas, Texas 75207  
214-653-3860

b) Denton County  
1450 E. McKinney – 2<sup>nd</sup> floor  
Denton, Texas 76209  
972-940-2632

c) Collin County  
210 S. McDonald St. Suite 321  
McKinney, Texas 75069  
972-424-1460 Ext. 4323

## B. Criminal Courts

1. The court system is divided into two divisions; criminal and civil. Each division is independent of the other. Courts having jurisdiction over criminal cases are:

a) The Court of Criminal Appeals

b) Courts of Appeals

c) The District Courts

- d) The Criminal District Courts
  - e) The magistrates appointed by the judges of the District Courts of Dallas County that give preference to criminal cases and the judges of the Criminal District Courts of Dallas County as set out in Chapter 678, Acts of the 67th Legislature, Regular Session, 1981 Article 1918c, (Vernon's Texas Civil Statutes)
  - f) The County Courts
  - g) All County Courts at Law with criminal jurisdiction
  - h) County Criminal Courts
  - i) Justice Courts
  - j) Municipal Courts
2. Court Appearances can be requested by two means.
- a) Legal Subpoenas, which are legal processes directly issued by the court as set forth in the Texas Code of Criminal Procedure, Chapter 24.00. Legal subpoenas must be served in person to the individual named and must be honored accordingly.
  - b) Court Notices, which are requests for an officer to appear in court and are processed by the Legal/Detention Services Division, the Subpoena Unit or Court Services. This notice may be generated by computer, telephone call, fax or mail and includes any legal document which is mailed in lieu of a legal subpoena.
3. The supervisor will insure that the investigator receives the court notices and will document the court date on the Division calendar. The supervisor will notify the listed court officer immediately if the investigator will be unable to attend court due to vacation, military leave, sickness, injury or any approved reason.
4. It is the responsibility of investigators receiving a court notice to appear in court, or to be on authorized standby. Investigators receiving subpoenas (including duces tecum) will notify their supervisors, who will contact the Legal/Detention Services Division for legal advice and counsel as needed.
5. Under no circumstances will Instanter Subpoenas be accepted by anyone other than the person named in the process. This subpoena



requires a person's **IMMEDIATE** appearance.

6. Standby

a) Investigators may contact the court officer and request to be placed on standby. If permission is granted, they will provide the court their cell phone number, work number or home number (off-duty) if standby is granted. A response time of one hour is the usual requirement for standby status.

b) If the investigator has not heard from the court by the end of the day or shift, it is their responsibility to contact the court to be released from standby or to be available again the following day. Investigators will remain available to the courts until dismissed.

7. Should an investigator be unable to attend court, they should immediately notify their supervisor, who in turn will notify the court involved. The investigator will abide by the court's instructions.

8. Recommendations

a) No member will make any recommendation for the suspension of penalty or dismissal of any pending case before the Grand Jury or Criminal Courts without prior approval of the Deputy Chief.

b) No investigator will sign any statement, affidavit or deposition for any attorney or any insurance adjuster or investigator except by the order of the court.

C. Civil Courts

1. The Dallas Fire-Rescue Department has jurisdiction in criminal cases only. No member shall render aid or assistance in civil cases except as required by law.

2. No investigator will sign any statement, affidavit or deposition for any defense attorney in a criminal proceeding, any insurance adjuster or investigator, or any attorney in any civil case, except by the order of the court.

3. Officers will respond only to a legal subpoena for civil cases. Under no circumstances will any person other than those named in the process accept a civil process subpoena.

4. Investigators receiving subpoenas (including duces tecum) will notify their supervisor who will contact the Legal and Detention Services Division for legal advice and counsel.

## V. INVESTIGATIVE TECHNIQUES

### A. Fire Scene Investigation

1. The purpose of the initial fire scene investigation is to determine the cause and origin of the fire. In order to accomplish this task, the investigator must use scientific methods 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 the event the fire is determined to be incendiary.
2. If responding as the on-duty investigator (684/685), park the arson vehicle as near as possible to the Incident Commander. Notify the Incident Commander or Technician that you are on the scene, leave your Personal Accountability Tag (PAT) with command and maintain radio contact at all times. Notify the Incident Commander prior to leaving the scene and retrieve your PAT.
3. Obtain details of the incident from command and, upon arrival of a superior officer, give them a briefing of the circumstances. Maintain contact with the Public Information Officer (PIO) and provide them with as much information as possible. Do not give out any information that is not to be released to the public.
4. Interview the first-in firefighters, owner, manager, occupants, witnesses, neighbors and anyone that may have information regarding the incident. Record the names, addresses and telephone numbers of all persons interviewed.
5. Investigate the fire scene as soon as possible. Determine the area and point of origin and the cause, when possible, prior to overhaul. If a death or serious injury has occurred, follow the procedures for specialized investigations of injuries and deaths. (See the **Specialized Investigations Section** of this manual.)
6. Establish a loss estimate for the building and contents using the Fire Loss Estimates table guideline in the Reports Form Section of this manual.

### B. Determining Cause and Origin

1. The exterior search boundaries will be established by the investigator. Collect evidence and assess ventilation patterns and fire fighting techniques. Take photographs and make sketches if needed.
2. The interior search will be a thorough search of the fire area as well

as the entire structure. Determine how and where fire entry was made by Fire Department personnel. Determine if doors and windows were secured at the time of their arrival. Follow the fire damage from least to most burned area and determine the lowest burn for point of origin or fall down. Determine if there were any possible accidental sources of ignition. If no accidental sources of ignition were found, determine if a flammable liquid was used to start the fire. Samples may need to be taken to determine if a flammable liquid was used as an accelerant. The Mini-RAE 2000 may be used to help determine if a flammable liquid was used and from where to take samples. Determine whether the apartment, office, residence was furnished with what would be expected at the location (i.e. pictures on walls, mementos, furniture, clothing, etc.) Make a record of all findings and take photographs.

3. The Investigator may request the Accelerant Detection Canine for assistance in determining the use of accelerants and taking samples. The Mini-RAE 2000 should be utilized first to rule out any obvious use of a flammable liquid.

### C. Photography

1. Photography is virtually indispensable in the recording of the crime scene for a proper fire investigation. Proper photography of the fire scene provides an excellent record of what occurred; and in addition, can be used for future reference in the event of a criminal or civil trial at a later date. An accurate portrayal of the fire scene, through photographs, can be of great value in reconstructing the scene before a judge and/or jury.

a) The investigator is responsible for the fire scene photography.

b) Photographs should include: general overview shots of the exterior and interior, specific shots of the location, fire patterns, areas and points of origin, and evidence collection sites. Include a photograph of the run sheet, the MDC display or write out the following information and take a photograph of the information: incident number, date, time, address of fire and investigator taking the photographs. This is critical in order to identify the location where the pictures were taken.

2. Take photographs of the site prior to overhaul. Photograph each piece of evidence in place prior to and after the collection of the evidence.

3. For fire fatalities, photograph the body in place or if moved prior to arrival, photograph the location where the body was found.

4. Download digital photographs according to the specific instructions

located at the computer designed for digital photograph downloads. It is imperative the photographs be downloaded properly; otherwise they may never be able to be retrieved for future use. Be sure and download the photographs in the proper folder regarding month and year. Photographs of each separate incident are to be downloaded into a single folder. Only one incident is located in each folder. Be sure and label the folder correctly in the following manner: complete incident number, i.e. 2006018353, address of location, and initials of investigator taking the photographs.

5. Delete digital photographs from the camera after they have been downloaded to the computer.

#### D. Evidence

1. All evidence must be collected legally or it will be “tainted” and inadmissible in court. Evidence can be seized if the Department has control of the scene, the owner has given consent either verbally or in writing (use a Waiver of Search Form), or a legal Search Warrant has been obtained. Remember that an owner can withdraw verbal or written consent at any time and collection must cease if this happens. Of course, if a legal Search Warrant has been obtained, the investigator can enter the premises without the consent of the owner.

2. Evidence collected may consist of many different types and forms. Evidence may include: business/personal financial records, timing devices, incendiary devices, fire debris and any and all items or materials needed in the thorough investigation of the fire incident. The investigator will use his/her discretion on what items are deemed evidence in each individual case. Each item removed from a scene will be properly identified, labeled, documented on the Chain of Custody form, and stored in the DFD Arson Division's evidence room. Only items considered as evidence will be placed in the evidence room.

3. Any evidence collected will be entered into the Evidence Log book which is kept at the watch desk. The Evidence log book must be updated each time evidence is moved.

4. Personal property items of value collected at fire scenes will not be placed in the DFD Arson Division's evidence room. No currency, jewelry, or any other valuables should be removed from any fire scene unless it is directly related to the crime of arson or it is removed by DPD officers for safekeeping. The fire investigator will call for a DPD officer to respond to the scene when items of value are discovered. The responding officer will remove the items and provide a DPD service number. The same procedure will be followed upon discovery of firearms, ammunition, and any other item that may need to be removed from the scene for protection of the general

public.

5. Liquid samples should be placed in glass vials. One or two fluid ounces of liquid are sufficient for laboratory analysis. Under no circumstances should gasoline containers, jugs, etc. containing a liquid be placed in the DFD Arson Division's evidence room.

6. Use metal cans for the collection of fire debris and other evidence. After the collection of the evidence, immediately seal the can with the lid in order to contain any flammable vapors that might emit from the debris.

7. Evidence should be immediately submitted for analysis and the appropriate form(s) completed. Evidence with a negative laboratory result for a flammable liquid may be destroyed immediately (document this on the Chain of Custody form). All other evidence will be maintained until the statute of limitations expires. Investigators will audit their evidence storage annually, destroy any evidence that exceeds the statute of limitations and document the destruction on the Chain of Custody form.

8. Control samples should be taken whenever possible and submitted with evidence samples for analysis. This assists the analyst in determining normal products of thermal decomposition for the sample against possible accelerants. The control sample must be labeled "Control Sample" in order to assist the laboratory with their analysis.

9. All evidence will be labeled with the incident number, location address, date and time of the incident, date and time the evidence was collected, investigator's name collecting the evidence and investigator's name assigned the incident. The labeling should also include the type of sample (carpet, molotov cocktail. etc.) and number of samples, (1 of 1, 2 of 3, etc.).

10. The Evidence Room Custodian is responsible for ensuring that all evidence is properly labeled and investigators audit their evidence annually. Any evidence collected up by an investigator other than the investigator assigned to the incident will document the collection on a Chain of Custody form. The evidence and Chain of Custody form will be placed in the in-take bin. The Custodian will inform the assigned investigator that the evidence needs to be placed in their bin. The Custodian will see that the appropriate investigator gets the form, transfers the evidence to their bin and updates and maintains the Chain of Custody form.

11. The completed Chain of Custody form must be maintained at all times or the evidence becomes inadmissible. A Chain of Custody form will be maintained on each piece of evidence and updated each time a piece of evidence is moved and when it is destroyed. The form must be kept in the

case file.

#### E. Fingerprints

1. Any evidence that can be reasonably transported, should be carried immediately to DPD Physical Evidence Section (PES) for fingerprinting.
  - a) The investigator must obtain a DPD service number before taking the evidence to PES to be fingerprinted.
  - b) If DPD PES is unable to print the evidence, the evidence can be taken to the County PES for laser printing.
  - c) All evidence will be collected and labeled in accordance with the proceeding section.
2. If evidence cannot be transported, the investigator may request that DPD PES respond to the scene. The investigator must remain at the scene and maintain custody and control of the scene and the evidence.
3. The investigator must maintain a record of all persons at the crime scene so that their prints can be eliminated.
4. Adult suspects may be fingerprinted without their consent and without a warrant. The prints may be retained in the case file.
5. Juveniles may only be fingerprinted with the consent of a juvenile court, or if the juvenile is taken into custody for a felony and processed at DPD Youth or if prints are found at the scene and the investigator has "reasonable cause" to believe that they are the prints of the juvenile. Juvenile prints will be maintained by DPD Youth and not kept at DFD Arson Division with adult files.

#### F. Witness Interviews

1. All witnesses should be interviewed immediately and statements obtained. Many witnesses are transient and will be difficult to locate at a later time. It is also common for witnesses to decide, after time passes, not to provide statements or not to cooperate. **It is imperative that investigators obtain statements immediately.**
2. A record of all witnesses interviewed will be made by the investigator. The full name, date of birth, address (home and work), and telephone numbers (home, work, and cellular) should be obtained.

## G. Continuing the Investigation

### 1. Obtaining Suspect Information

a) Once a suspect has been identified, the investigator should obtain as much information as possible regarding the suspect. Obtain suspect's full name, date of birth, address (home and work), telephone numbers (home, work, and cellular) and driver's license number. All information should be documented. Conduct the following searches:

b) Search Dallas Police Reports, AIS or Techshare to obtain recent criminal activity.

c) For adults, request a criminal history from DPD Records (TCIC/NCIC).

d) For juveniles, check the DFD Juvenile Records.

e) Speak to family members, employers and friends to obtain additional information.

### 2. Issuance of a Subpoena

a) Summon a person (witness, suspect or Investigator) to appear before one of the following:

i) Criminal court to testify

ii) Examining trial

iii) Coroner's inquest

iv) Grand Jury

v) Habeas Corpus Hearing

vi) Any other proceeding in which the Texas Code of Criminal Procedures regulates.

b) Subpoena Duces Tecum

i) Obtained from the grand jury in the county in which the incident occurred.

ii) Requires person to bring specified evidence with

him/her to court.

### 3. Warrants

- a) A warrant for arrest will be completed on all suspects when criminal charges are filed. The warrant will be submitted with the Case Filing Documents following the procedures in the "Case Filing" Section.
- b) When applicable APOWW (Apprehension by Peace Officer Without Warrant) procedures will be adhered to by transporting a suspect to Green Oaks or Parkland Hospital for mental evaluation.

## H. Interviews

1. Custodial interview: A suspect is under arrest and not free to leave. The suspect must be given the Miranda Warning and if the suspect requests an attorney, the interview must be terminated. The interview may resume, if the suspect requests to meet with the investigator without the attorney being present.
2. Non-Custodial interview: A suspect is not under arrest and is free to leave. It is not necessary to give the suspect a Miranda Warning. If at any time during the questioning, the suspect confesses or the Investigator determines the suspect will be arrested, the suspect must immediately be given the Miranda Warning prior to continuing with the interview.
3. Witnesses are interviewed in order to obtain one or more of the following:
  - a) Establish normal patterns of the business or of the person who had the fire.
  - b) To identify the layout of the property prior to the fire.
  - c) To identify any possible accidental sources of ignition.
  - d) To determine if there were any financial problems.
  - e) To determine if there were any personal problems regarding the person involved with the criminal investigation.
  - f) To determine if there were any unusual or suspicious occurrences prior to the fire.
  - g) To obtain the following insurance information: Policy number



and dates, renewal dates, increases in insurance coverage and any prior insurance claims.

h) To obtain information regarding the suspect (i.e., name, description, vehicle description, circumstances regarding the fire, etc.).

4. Suspects are interviewed in order to establish one or more of the following:

a) A connection with regards to the fire.

i) Business or personal relationships of the person who had the fire.

ii) Had the opportunity and/or motive to set the fire.

b) To obtain a voluntary written statement regarding the suspect's role in the fire so that a criminal case can be filed.

5. Locations of interviews can be at the scene, at the interviewee's home or business, DFD interview rooms or a Detention Facility. The location will depend on the time, circumstances and the investigator's decision for the best possible environment to achieve the desired objective. Investigator safety should always be paramount in this decision.

## I. Polygraph

1. Uses of the Polygraph

a) Criminal

i) Suspects

ii) Witnesses

iii) Victims

b) Personnel Applicants

c) Internal Affairs Investigations

d) Other city departments upon request

2. Consult polygraph examiner

- a) For the date and time
  - b) To discuss and review all pertinent documents and information related to the case and person to be examined.
3. Persons under arrest should be arraigned by a magistrate prior to a polygraph. Persons not under arrest will be given the Miranda Warning prior to the polygraph.
4. Persons should not be intensely interrogated on the day of a polygraph. Their mental and physical health should be as near to normal as possible with normal food intake, sleep and routine activity. Persons sick or under the influence of alcohol/drugs or medications are normally not considered to be in a fit condition for a polygraph examination.
5. The investigator should avoid disclosure of pertinent facts and information regarding the case to the person to be examined as these details can be of vital importance to the examiner's test and question formulation. The investigator must be available during the polygraph.
6. Factors that may prohibit a polygraph examination
- a) The examiner determines the person to be physically or mentally unfit or the examination may be a detriment to their health.
  - b) The person does not voluntarily agree to submit to the examination.
  - c) The person to be examined is 17 years of age or younger. In general, a person must be 18 years of age or older to be examined. However, there can be extenuating circumstances in which a person 17 or younger could be examined. The investigator must get prior approval from the polygraph examiner if the person to be examined is 17 years of age or younger.
7. Polygraph results **WILL NOT** be divulged to outside sources. It will take a court order to obtain the results of the polygraph examination to someone other than the person examined.

## VI. SPECIALIZED INVESTIGATIONS

### A. Fire Deaths

1. The on-duty Investigators and 104 on-call Chief will proceed directly to the scene of a fire death.

2. Bodies still on location
  - a) Request the Medical Examiner (M. E.) if bodies are still on location.
  - b) Remain on location until the M. E. arrives and removes the body.
  - c) Record name of the M. E..
  - d) Record time of death.
  - e) Request a full autopsy, including a check of the lungs for flammable vapors.
  - f) Request clothing be preserved and analyzed for accelerants.
  - g) Document burns, wounds and condition of the body prior to removal. Examine the underside of the body as it is removed.
3. Bodies that have been removed from the scene
  - a) Determine where the body was taken.
  - b) Determine who transported the body.
  - c) Obtain same information as stated in items c through d listed above from the hospital and/or the M. E..
4. Photographs
  - a) Photograph the body prior to its removal and after the body is turned over.
  - b) Photograph the location from where the body was removed.
  - c) Photograph the entire fire scene.
5. Sketches
  - a) Sketch the fire scene.
  - b) Sketch the position and location of the body.

6. Obtain all pertinent information regarding the victim, including next of kin. Do not release the victim's name to the media until the next of kin has been notified.
7. Notification of next of kin
  - a) The on-call Investigator will notify next of kin as soon as possible.
    - i) Relatives within the city limits will be notified in person.
    - ii) Relatives outside the city limits require the investigator on call to notify the local law enforcement agency to make the contact. Telephone contact will only be used as a last resort.
  - b) If victims are transported to the hospital, the hospital will be responsible for notifying the next of kin.
8. Continue the investigation as outlined in the previous guidelines.
9. Do not release the cause of the fire without approval of your Deputy Chief or the 104 on-call Chief.
10. Update all statistical data and complete all forms
  - a) Computer
  - b) Form 302
  - c) Log Books including Watch Book
  - d) Significant Fire Incident Report
  - e) Office Assistant will record and update a Fire Death spreadsheet for both calendar and fiscal years

## B. Burn/Injury Victims

1. The on-call Investigator will respond to the scene of any serious burn victim (including fire fighters) and when requested by the Incident Commander for any burned victim. A full investigation will be conducted and the Investigation Form, Casualty Form and Significant Form will be completed. An Investigative Supplement Form will be completed if applicable.

2. If the injury is minor and the fire is accidental (including firefighters), the investigator on call will be notified but is not required to respond to the scene unless requested by Incident Command. This is the same for any thermal burns within the city limits that are transported by DFD.

3. The Investigation/Support Section Chief will follow up on all serious injuries to maintain records in case of death.

#### C. Drug Labs/Suspected Drug Labs

1. **STAY OUT**

2. Request that the DPD Narcotics Division respond to the location.

3. Maintain custody of the scene until they arrive.

4. Take those measures necessary to stabilize and secure the scene until DPD arrives.

5. Request the Haz-Mat team if hazardous materials or chemicals are present.

6. Full bunker gear and SCBA are required at these scenes.

7. Booby traps are not uncommon, so do not touch any evidence or turn off any water source.

8. Be familiar with specific information on Clandestine Labs and booby traps available in our Division Library.

#### D. Hazardous Materials

1. Investigators will only respond to Hazardous Materials Incidents if requested by the Incident Commander.

2. Investigators will not transport any hazardous materials nor take hazardous materials into evidence. This will be done by the appropriate licensed company, if necessary.

#### E. Media Relations

1. The on-scene investigator will serve as the media liaison when the Public Information Officer (PIO) has not yet arrived or is unavailable.

2. The media will not be allowed into the scene until the Incident

Commander determines it to be safe and the investigator has completed the primary investigation and collected the evidence.

3. The media will be given access to the area as soon as possible.
4. The media will be kept informed of all pertinent information. The investigation will be your primary concern but do not neglect the media. This allows the Incident Commander to coordinate troops and maintains positive relations with the media.
5. When the PIO arrives, the investigator will provide them with pertinent information and periodic updates.
6. The on-scene investigator will complete a Significant Incident Report (when appropriate), and disseminate to the Deputy and Section Chiefs.

#### F. Complaints

1. If a citizen has a complaint regarding the determination of the cause and origin of a fire, the Investigators' Section Chief will be responsible for following up with the complainant.
2. If there is a complaint about an investigator concerning anything other than a fire investigation, the Internal Affairs Division will be consulted.

## VII. PRIORITIZING INVESTIGATIONS

### A. Investigators

1. Investigate all fires with any amount of dollar loss and/or damage.
2. Investigate all incendiary or attempted incendiary fires with or without damage.
3. Investigate any incidents as requested by the Incident Commander.
4. Automatically respond to any multiple alarm fires, fire deaths and serious fire injuries.
5. Fires will be investigated on the day they occur, if possible. If not possible, then the fires will be investigated the following day.

### B. Priority of Investigations

Priorities are as follows:

1. All incoming calls for an investigator
2. Fire deaths or serious injuries
3. Incendiary fires with suspects on the scene or in custody
4. Multiple alarm fires or newsworthy incidents
5. Incendiary fires with known suspects
6. Incendiary fires without suspects
7. Undetermined fires
8. Accidental fires

C. Conduct follow up investigations on incendiary cases when not actively investigating fires in order to obtain our ultimate goals of criminal prosecution and reducing the incidence of crime.

D. Assist with Fire Marshal, Inspection or Code Compliance issues when an Inspector is not available. These requests will not take priority over responding to a fire.

## **VIII. CASE FILING**

### **A. DPD "Criminal Case Filing Manual"**

All criminal cases filed will follow the procedures established in the DPD "Criminal Case Filing Manual".

### **B. DPD Service Number**

Every fire determined to be incendiary will be logged as an offense in the Dallas Police FBR system. A service number must be obtained from either DPD at the scene or by calling direct entry at (214) 670-5254. The offense information will then be entered in the FBR. Once approval has been given by DPD Staff Review, the incident will be sent to the DPD RMS system. All adult criminal cases will be filed through the RMS system.

### **C. Adult Cases**

1. Criminal Cases filed through Legal Detention Services Division using the RMS system. The following documents will be completed and forwarded to the Legal Detention Services Division when filing an adult criminal case.

- a) Prosecution Report
- b) Supplement to Prosecution Report (if needed)
- c) Probable Cause Affidavit (PCA)
- d) Warrant of Arrest
- e) Wanted Person Report (if suspect is "at-large")
- f) Filing Summary Sheet
- g) Copy of the Fire Report
- h) Copy of the Police Report
- i) Copy of NCIC, TCIC, and Local records check
- j) Copy of Voluntary Statement (if applicable)
- k) Copy of Witness Statements (if applicable)
- l) Adult Investigation Report

2. Grand Jury Referral Cases

If a Grand Jury referral is filed, the same documentation will be forwarded to the Legal Detention Services Division with the following exceptions:

- a) Probable Cause Affidavit
- b) Warrant of Arrest
- c) Wanted Persons Report

These documents will be completed by the District Attorney's Office, if the Grand Jury returns a True Bill of Indictment on the case.

D. Walking a Warrant

An investigator may personally Process ("walk") cases when the following situations occur:

1. There is an urgent need to attempt to arrest a particular suspect during regular hours.
2. A suspect is being held on unrelated charges by another agency and a warrant of arrest is required to authorize continued incarceration of the suspect.



3. A suspect is being guarded by DPD personnel at a medical facility and the Sheriff requires a warrant of arrest and room number to transfer responsibility of the guarding function.

4. If a warrant must be "walked" after regular administrative hours, the investigator must type up a warrant of arrest and probable cause affidavit. These documents must be signed by a magistrate and hand carried to the Sergeant at the Book-in Desk at Lew Sterrett Justice Center. (A magistrate can be found at Lew Sterrett Justice Center). All additional paperwork will be routed through Legal Detention Services Division on the next regular working day. (Keep a copy of the signed PCA and Arrest Warrant)

#### E. Juvenile Cases

All juvenile criminal cases will be filed through the DPD Youth Section. The Prosecution Report will be entered through the Techshare computer system.

#### F. Clearing Fires (Offenses)

1. A fire will be "cleared" if one of the following conditions exists.

a) A criminal case is filed.

b) An investigator has enough evidence to file a criminal case on a juvenile suspect, however, for the ultimate welfare of the child or family, the child is referred to Juvenile Firesetters Program in lieu of criminal charges.

c) An investigator has enough evidence to file multiple cases on a suspect, but the District Attorney chooses to file one case and hold the remainder pending disposition of the first case.

d) Any other fire that meets the standards established by the FBI Uniform Crime Report for clearing arson cases.

2. In order to maintain accurate arson clearance records, the investigators must place one of the following documents on the clearance tray at the Watch Desk by the last day of the month.

a) Filing Summary Sheet (if an adult has been filed).

b) Complete copy of the Techshare prosecution report for a juvenile.

c) Complete copy of the fire report (if the investigator has cleared a fire, but declines to file a criminal case based on one of the reasons

listed above under Section F.1.).

3. When clearing a case, the assigned investigator must also update the fire investigation report and route it through the appropriate Section Chief.
4. The office assistant will make a case file for all incidents where charges have been filed.

#### G. Criminal Mischief Cases

All criminal mischief cases require a damage estimate be provided for the property damaged. This estimate must be based on information provided from outside sources, such as costs of clothing from clothing type stores, cost to repair a dumpster from the dumpster company, etc.

#### H. Supervisor's Approval

A supervisor's approval is required for all cases filed during normal business hours.

## **IX. DUTY ASSIGNMENTS**

### A. Day Investigators

1. Schedule
  - a) Investigators will work 40 hours per week and are not required to take a lunch hour. The times and days may vary due to Divisional needs.
  - b) Investigators are expected to be on time and ready to begin working at their designated start time. Tardiness or lack of preparedness is unacceptable.
2. Responsibilities
  - a) Investigate assigned fires and respond to all fires as needed.
  - b) Conduct full investigations.
  - c) Follow up on all incendiary fires and open cases.
  - d) Respond to multiple alarm fires and assist the on-call Investigator(s).
  - e) Assist with Fire Marshal, Inspection or Code Enforcement issues when an inspector is not available.

- f) Complete all forms and paperwork by the end of each day or as soon as possible.
- g) Enter all fire reports in NFIRS systems as follows:
  - i) Day Investigators paperwork should be entered by the end of the work week.
  - ii) Shift Investigators no later than the next scheduled shift after the investigation.
  - iii) All paper work should be completed prior to the last working day of the month.
- h) Monitor pager, cell phone and Department radio at all times while on duty or on call.
- i) Check and maintain all equipment.
- j) Secure weapons in assigned gun locker when not being worn. At no time will weapons be left unsecured or left out in the open.

## B. Shift Investigators

### 1. Schedule

- a) Shift Investigators are the Investigators on Call (684/685) and will work a 24 hour shift. The appropriate Kelly time and Holidays will be allotted as designated in Departmental shift procedures. The amount and members assigned to shift may vary due to Divisional needs and individual performance.
- b) Shift personnel will arrive to work on time and ready to respond to calls by 0730. Tardiness or lack of preparedness will not be tolerated.

### 2. Responsibilities

- a) Investigators will respond to all active fires during their shift up until 8:00 pm (2000 hours). After 8:00 pm (2000 hours) investigators only respond to one-alarm fires or vehicle fires related to a fire death, serious injury or as requested by the Incident Commander.
- b) A full investigation will be conducted.
- c) Follow up on all incendiary fires and open cases.

- d) Assist with Fire Marshal, Inspection or Code Compliance issues when an Inspector is not available.
- e) Perform Public Information Officer (PIO) duties when assigned.
  - i) Update the Arson Deputy Chief or one of the Arson Section Chiefs concerning information disseminated as the PIO.
  - ii) The Deputy or Section Chief, in turn, will disseminate the information to the Chief.
- f) Update the On Call Log Book by the end of the shift.
- g) Complete all forms and paperwork for each run by the end of the shift or as soon as possible.
- h) Complete a Significant Fire Incident Report for appropriate runs and disseminate by the end of the shift.
- i) Use the Vehicle MDC to show en route, on location, clear and back from a run. Verbal response is only required to notify en route along with the MDC. No other verbal response will be used unless MDC's are down or additional information is needed. This is in accordance with Departmental Communications Procedures.
- j) Monitor cell phone and Department radio at all times while on duty.
- k) Check 684/685 electronic messages (EM) throughout the shift.
- l) Query the Visinet System at 1800 and 0600 for the following fire call codes:
  - i) 08-Vehicle Fire
  - ii) 10-Investigation
  - iii) 10B-Smoke in the area
  - iv) 10F-Fire Reported Out
  - v) 98-Structure Fire Reported
  - vi) 99-Structure Fire Working
  - vii) BV-Burn Victim

Call the stations for updates and fill out a fire report for each incident.

- m) Remain on duty until relieved by your shift relief person or

request relief at the scene if needed.

n) Check all equipment and “PM” (preventative maintenance) for the vehicle at the start of each shift (by 0800). Make appropriate documentation in the vehicle log book. Add fuel as necessary to maintain the tank at least half full.

o) Secure weapons in assigned gun locker when not being worn. At no time will weapons be left unsecured or left out in the open.

### C. Pull Backs

#### 1. Schedule

a) The goal is to have two (2) on-call Investigators on duty at all times as allowed by budget constraints. Therefore, when a shift investigator is off, a day investigator will work the shift “pullback”. The schedule will vary based on Departmental needs.

b) Report time will be the same as for Shift Investigators unless other arrangements have been approved by their Section Chief.

#### 2. Responsibilities – See Shift Investigators Responsibilities

### D. Multiple Requests for Investigators

1. If the Investigator(s) on Call are requested to multiple incidents at the same time, the investigator should give Fire Dispatch an estimated time of arrival (ETA) to the next run and ask for the Engine to stand by on the scene. If this is not sufficient, have Fire Dispatch notify the Fire Marshal on Call (104) to respond to the other run.

2. Chiefs assigned the 104 Call will be made on a rotating basis. Chiefs on call will assist investigators and inspectors as needed. They will respond to any fire death, when requested by personnel and to any fire, four-alarm or greater. Response time should not exceed one hour.

3. The Investigator(s) on Call should respond to the highest priority call as listed in this document and have the Fire Marshal on Call respond to the lower priority run.

## X. EQUIPMENT

A. Training equipment will be issued to all new investigators during the Dallas Police Academy and the Arson Investigation School. Equipment will be issued

as requested by the Academy Commanders. This includes but is not limited to the Sam Brown, gun and holster, cuffs and case, mace and holder, baton and holder, flashlight and holder and ballistic vest. For the Arson Academy, investigators will be issued bunker gear, helmet, shovel, axe, hatchet and station wear.

1. Sam Brown equipment is initially used for the Police Academy. Investigators will have access to this equipment at all times when they are on duty to uphold the DPD General Orders on obeying the Use of Force Continuum for the City of Dallas. Weapons shall be worn at all times during field investigation activities such as but not limited to fire scene investigations, surveillance, serving warrants and making arrests. Weapons will be secured in the assigned gun locker when not worn.

2. Ballistic vests will be accessible by investigators at all times. Investigators must be aware of their surroundings and the potential dangers and are responsible for wearing their vests at the appropriate times such as during surveillance, serving warrants and making arrests.

B. Service Equipment will be issued to all investigators which may include a leather holster, handcuff case, cell phone, camera, tape recorder, Department radio, Mag-Lite flashlight and charger, cap, jacket and gate opener. Additional equipment may be requested through your supervisor.

1. All investigators will monitor their city issued cell phone and Department radio at all times when on duty or on call.

2. All equipment assigned to personnel will be inspected by their supervisors annually in January to ensure cleanliness, condition and availability.

C. Special Equipment is available to be checked out from the Administration Section Chief as needed. Available equipment includes: video camera, safety supplies, evidence collection materials.

1. Supplies such as batteries, tapes, evidence collection materials, safety supplies (gloves, masks, hand cleaner) and ammunition will be available as needed. The Administration Section Chief will conduct daily inventories and maintain stock available at all times.

2. Any additional equipment needed can be requested through the Administration Section Chief.

D. Vehicles will be clean and serviceable at all times. Since vehicles contain expensive equipment it is imperative vehicles be secured any time the investigator is not in the vehicle. Routine maintenance will be performed and

registrations kept current. Mileage will be submitted to the Administration Section Chief by the first day of each month.

E. All investigators are responsible for daily checks and maintenance of all assigned equipment. Supervisors will conduct an annual inventory in January of each investigator and their equipment using the Inventory List from the Investigators' Personnel File and document the date of inspection on the back of the list.

F. Equipment requiring replacement or repair should be turned in to your supervisor. Lost or stolen equipment must be reported immediately with the proper forms to your supervisor and may require a police incident report. Equipment lost or stolen may be required to be replaced at the investigator's expense.

## **XI. YOUTH FIRESETTING PREVENTION & INTERVENTION SPECIALIST**

A. Children are referred to the program

1. When charges are not filed
  - a) For the welfare of the family
  - b) The child is too young to be prosecuted
2. Extremely low rate of recidivism for children

B. A thorough investigation must be conducted

1. Investigation completed prior to recommending the child for counseling.
2. All interviews with witness(s)/suspect(s) should be conducted prior to recommending the child for counseling.
3. The investigator must lay the groundwork for the program while investigating a fire involving a child.
4. The investigator should notify the parents that the child is responsible for the fire.
  - a) Education Intervention Program is available
    - i) No cost to the parents

- ii) Program is designed to help the child--not to punish
- iii) Parent's/guardian's support needed

C. Appointment scheduled

1. The Youth Firesetter Prevention & Intervention Specialist will contact the parents or guardian of the child and schedule an appointment.
  - a) Parental involvement is essential
  - b) The Youth Firesetter Prevention & Intervention Specialist will contact the parent/guardian to schedule an appointment.
  - c) Parents may also contact the Juvenile Firesetter Intervention Specialist to schedule an appointment.

## **XII. OPEN RECORDS REQUESTS**

A. Fire Reports/Case Files/Research

1. All fire investigation reports are filed and stored in the Arson and Fire Investigation Division office.
2. All open records requests for fire investigation reports will be processed by the office assistant and the open records coordinator.
3. The requestor may obtain a copy of the report through the City of Dallas online system by submitting the request at the following email address: [openrecords@dallascityhall.com](mailto:openrecords@dallascityhall.com)
4. Fees may apply and will be in accordance with state law.
5. The City Attorney's Office will be consulted, when necessary, on a case by case basis.

B. Photography

Photographs are available under open records requests. The City Attorney's Office will be consulted on a case by case basis.

1. Fees will apply for all photography requests. The fees will be based on the schedule in place at the time of the request. The fees are based on the cost of providing the copies requested.
2. The requestor will pay for at least half of the cost of the photography prior to any processing of their request.



3. The Section Chief - Investigations/Support will process all photography open records requests.

C. The City Attorney's Office will be consulted on any out of the ordinary request.

D. Unusual or large open records requests will be forwarded to the Section Chief - Investigations/Support.

E. Research requests

A fee for research will be paid in advance. The fee will be in accordance with state law for the amount to charge at the time of the request.

F. Open records money collected

All money collected from open record requests will be deposited daily with Dallas Fire-Rescue Department Financial Services. The RESOURCE rules in place at the time will be followed. The Section Chief - Investigations/Support will audit all open records request monies and ensure that all required City of Dallas Auditing procedures are followed.

### **XIII. DIVISION CHIEFS**

A. The Deputy Chief will:

1. Be responsible for the building security, maintenance and repairs, grounds and parking lot.

2. Process all arson investigators as police officers with the City Manager, (TCOLE) Texas Commission on Law Enforcement Officer Standards and Education and the Texas Commission on Fire Protection. He/She will ensure all appropriate documents are submitted for applicants on assignment and upon termination.

3. Ensure all investigators maintain certifications and required continuing education.

4. Process the monthly Significant Fire Report for the Fire Marshal.

5. Process the Monthly Activity Report for the Division.

6. Review Prosecution Reports.

7. Review all overtime submitted.

B. The Administration Section Chief will:

1. Maintain and issue all supplies and equipment. Will periodically inventory all supplies and equipment for repair, replacement or restocking.
2. Be responsible for purchases and procurements of all supplies.
3. Process the monthly budget update.
4. Maintain Vehicle issue and Monthly Mileage Report.
5. Monitor investigators activities by maintaining a case management file to ensure proper follow up and case filing.
6. Monitor investigators assigned duties and periodically check them conducting inventory, maintenance requirements and ride out to fire scenes.
7. Monitor investigators leave and payroll to ensure use to avoid maxing out.
8. Review all fire report entries for accuracy.
9. Conduct annual equipment checks, clothing checks and performance evaluations for all investigators.

C. The Investigations/Support Section Chief will:

1. Assign bins and maintain the Evidence Storage Room. Will conduct weekly checks to ensure in-take bin is processed. Will ensure investigators audit their bins annually in January.
2. Be responsible for maintenance of all open records requests, forms and documents and their issue. Open Records includes Fire Reports, photographs and research.
3. Process the Divisions photography and maintain records.
4. Process the monthly Federal Crime Analysis Report.
5. Monitor fire deaths and injuries and maintain documentation and reports.
6. Monitor investigators activities by maintaining a case management file to ensure proper follow up and case filing.
7. Monitor investigators assigned duties and periodically check them

conducting inventory, maintenance requirements and ride out to fire scenes.

8. Review all fire report entries for accuracy.
9. Monitor Investigators leave and payroll to ensure use to avoid maxing out.
10. Conduct annual vehicle and equipment checks, clothing checks and performance evaluations for all investigators.

## **IX. FORMS**

The following pages are copies of various forms used by the Division. Description of the forms, due dates and instructions on how to complete the forms are included.