



Prevention

The fire service must confront the firefighter arson problem head-on and be willing to openly discuss the issue in order to effect change. Recent research conducted by Dr. Matthew Hinds-Aldrich, an Assistant Professor of Fire Science at Anna Maria College, documented over 900 firefighter arson incidents in the past decade. The fact is, many of these cases could have been prevented. While the topic of firefighter arson is understandably uncomfortable, each incident threatens the credibility and reputation of the entire fire service – not just the department(s) in the spotlight during an incident. The fire service must acknowledge that firefighter arson is often preventable and always unacceptable in order to achieve meaningful change.

This section provides valuable prevention measures that can be adopted at the department level. While it may be impossible to prevent all future incidents from occurring, departments can greatly reduce the number of incidents by being proactive.

Adopting a Zero Tolerance Policy and Opening the Lines of Communication

Department leaders should make their firesetting policy clear. There should be a written, communicated, and enforced zero tolerance policy that clearly states when firesetting is not acceptable. The policy should also specify the circumstances in which firesetting can occur (i.e. training fires that comply with all of the applicable National Fire Protection Association (NFPA) standards, prescribed burns that include all of the required paperwork and documentation, etc.). This will not only ensure that firefighters know that arson is unacceptable but will also help reduce the potential for injuries or liabilities with approved fires. Like any policy, it must not reside on the shelf; it should be communicated to new members and be regularly reinforced through annual training sessions.

A sample department policy can be found in Section Three of the Toolkit, and an editable version can be found on the accompanying CD-ROM.

In addition to a zero tolerance policy, department leaders should keep the lines of communication open at all times. Members must feel safe to come forward with any information. An anonymous information sharing system should be developed for those who are unwilling to come forward publicly.

Firefighters as a whole are troubled that some are willing to risk their lives and the lives of others by setting fires. This goes against everything the fire service stands for. Departments should tap into that sentiment by talking



about this topic and reminding firefighters that when they see something, say something. If they have suspicions about another member, they should be encouraged to inform their chief or another leader (even if they prefer to do so anonymously). While the bond between firefighters is strong, it is broken when a firefighter sets a fire. Encourage firefighters and other leaders to document suspicions. Be discreet and tactful when following up on these suspicions, but do not dismiss them.

Background Checks, Registration Forms, and Affidavits

Fire departments should require all new recruits to complete a criminal background check. Background checks are not foolproof when it comes to preventing firefighter arson, but they do provide valuable information about the character and integrity of new applicants. There are many ways a department can conduct a background check. A quick search online showcases a variety of options at varying costs. These online resources have made conducting a background check more accessible and affordable. Reports range from criminal checks to financial, education, and social security verification. Many organizations may also be willing to offer their services at a discounted rate for the fire service. Although a background check will not guarantee that department members will not set fires, it may help demonstrate due diligence in terms of defending the department from potential civil liability if a member sets a fire.

Fire departments should have a comprehensive application process for new recruits. If background checks are not financially feasible, consider alternatives such as adding criminal history questions to department applications.

Another safeguard is to have recruits sign an affidavit swearing that they have never been convicted or suspected of arson and will not engage in acts of arson while with the department. An affidavit is a written statement confirmed by oath or affirmation for use as evidence in court. Like a background check, having a signed affidavit on hand can help protect the department from potential civil liability. While an affidavit is only as honest as the person who signs it, it does offer some protection. For instance, if a firefighter signs an affidavit swearing that they have never been convicted, charged, or investigated for setting fires and are later suspected of firesetting, or they were previously charged in another jurisdiction, they can be terminated for false swearing without waiting for the outcome of an investigation.

A sample affidavit modeled after one used by The Office of the State Fire Marshal in Pennsylvania found in the United States Fire Administration's Special Report on Firefighter Arson (TR-141) can be found in Section Three of the Toolkit and on the accompanying CD-ROM. Departments will need to identify state statutes pertaining to arson and provide them to the applicant as an attachment to the affidavit.



Training and Education

Fire service leaders must acknowledge that firefighter arson is a serious issue affecting departments across the country. Departments must adopt a zero tolerance policy, openly discuss the issue of firefighter arson with members, and effectively communicate the legal and personal consequences of setting fires. Department leaders should become familiar with the definition of arson and the legal punishment for arson in their state.

Fire service leaders also need to be honest with recruits. The realities of being a firefighter may not match the image portrayed in popular culture. The job description should include an honest statement about call volume and types of calls, as well as the amount of downtime and the potential for boredom.

Recruits and department members need to be aware of what constitutes arson and how arsonists are prosecuted within their state. Young firefighters may not be aware that in most states a structure does not have to burn for arson charges to apply. Several states have statutes that can prosecute offenders for smoke damage, blistering, and the destruction of external surfaces. State statutes lay out the criteria for what is considered arson and can vary widely. In addition to arson charges, firefighters may face secondary charges if a citizen or fellow firefighter is injured or killed in the blaze.

Firefighters, especially young firefighters, should also be informed that accomplices (such as a look out, driver or enabler) can be charged with arson and sent to prison.

Firefighters or new recruits may be unaware of the severity of arson, especially if they are burning a low-risk target such as a dumpster or a vacant or abandoned building. Some firefighters seem to set fires with good intentions, unaware that their actions could be prosecuted. For instance, some cases suggest firefighters set unauthorized fires for training purposes to keep fire

suppression skills sharp or to eliminate problematic buildings, thinking that their actions were helpful or beneficial to the department or the town.

Some may think there is a fine line between igniting a legal, permitted, and prepared prescribed burn and an illegal, un-documented, and arbitrary arson fire for similar purposes but without the proper permission or safeguards. While the outcome may be the same, and the fire may develop the same, the end result for the person(s) involved will be vastly different. Firefighters must understand this vital difference without any ambiguity.

Department leaders should also educate members on potential punishments while simultaneously emphasizing the damage that will be done to the offender's family, department, and community. Young firefighters in particular may not appreciate the impact that being caught will have on their ability to keep a job, the shame it will bring to their families, or the amount of restitution they may be forced to pay. Make it clear that setting a fire will likely mean they can never serve again, an obvious but vital component of any educational program.

This Toolkit offers two training courses for departments. The first is geared toward rank-in-file firefighters and offers an educational overview of the firefighter arson problem. Instructor notes and slides for this presentation can be found in Section Three of the Toolkit and on the CD-ROM.

The second training is geared toward department leadership and offers additional information such as investigative techniques and identifying potential warning signs. The PowerPoint™ slides can be found in Section Three of the Toolkit. Department leaders can watch a recording of this presentation by accessing the file on the CD-ROM.