



OJJDP Office of Juvenile Justice and Delinquency Prevention

Shay Bilchik, Administrator

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Juvenile Firesetting and Arson

by Eileen M. Garry

When juvenile delinquency is mentioned, arson is almost certainly *not* the first type of offense that comes to mind. Yet juveniles are arrested for a greater share of this crime than any other. Combined with increasing pressure to treat serious, violent, and chronic juvenile offenders as adults, juvenile involvement in arson raises some troubling issues for the juvenile justice system. The Associated Press, for example, reported on December 6, 1996, that a 14-year-old female offender's reckless homicide and arson conviction in a Circuit Court in Indiana led to her being incarcerated in an adult prison. Prevention and early intervention programs are needed if such extreme measures are to be avoided.

Federal Bureau of Investigation statistics for 1995 show that juveniles accounted for 52 percent of arson arrests. This was a slight decline from the previous year when, for the first time, a majority of all arson arrests (55 percent) in the United States were of juveniles. In 1993, the figure was 49 percent. One-third of those arrested for arson in 1994 were under 15, and nearly 7 percent were younger than 10. During the 1980's, the rate of juvenile arrests for arson remained constant at about 40 percent, but between 1990 and 1994, the rate increased 35 percent.

From the myth of Prometheus to songs around the bonfire, fire has always held a strong fascination for humans. With their innate curiosity and desire to learn about the world around them, children are especially attracted to fire and must be taught to understand its ability to hurt and destroy. Studies have shown that the majority of normal children possess an interest in fire and nearly half have engaged in fireplay. For many young people, the attraction to fire leads to juvenile fireplay and firesetting, that is, fire-starting activity that fire investigators determine to be short of arson. Firesetting is viewed as distinct from, but may be a precursor of, the crime of arson. Even though the majority of child-set fires are started out of curiosity, not malice, the damage they cause, both in economic and human costs, is real and devastating.

Juveniles who are involved in significant fires resulting in property loss, personal injury, or death are subject to arrest for the crime of arson. Several factors are taken into consideration for determining criminal intent, including the firesetter's age, the nature and extent of the individual's firesetting history, and the

motive and intent behind the firesetting. Although legal definitions of arson vary from State to State, if an evaluation reveals that there is sufficient evidence indicating malicious and willful firesetting, then the juvenile can be charged with arson.

Juvenile firesetters fall into three general groups. The first is made up of children under 7 years of age. Generally, fires started by these children are the result of accidents or curiosity. In the second group of firesetters are children ranging in age from 8 to 12. Although the firesetting of some of these children is motivated by curiosity or experimentation, a greater proportion of their firesetting represents underlying psychosocial conflicts. The third group comprises adolescents between the ages of 13 and 18. These youth tend to have a long history of undetected fireplay and firestarting behavior. Their current firesetting episodes are usually either the result of psychosocial conflict and turmoil or intentional criminal behavior.

During the past decade, hundreds of jurisdictions across the Nation have established programs to address the growing concern about juvenile firesetting. Housed primarily within the fire service, these programs are designed to identify, evaluate, and treat the juvenile firesetter to prevent the recurrence of firesetting. Early programs were developed by local mental health professionals and fire service personnel. Subsequently, Federal efforts have helped to establish programs based on models developed by the U.S. Fire Administration, which is part of the Federal Emergency Management Agency (FEMA).

Juvenile firesetter programs receive referrals from fire departments, police departments, schools, parents, social service and mental health agencies, and justice system agencies. The programs often have working relationships with some of these key agencies, but rarely involve all of the key community agencies.

Recognizing the need for increased knowledge about how to reduce the problem of juvenile firesetting, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and the U.S. Fire Administration funded an initiative from 1987 through 1993 known as the National Juvenile Firesetter/Arson Control and Prevention (NJF/ACP) Program. Through a nationwide

assessment of juvenile firesetter programming, NJF/ACP defined seven components common to effective juvenile firesetter programs:

- ◆ A program management component to make key decisions, coordinate interagency efforts, and foster interagency support.
- ◆ A screening and evaluation component to identify and evaluate children who have been involved in firesetting.
- ◆ An intervention services component to provide primary prevention, early intervention, and/or treatment for juveniles, especially those who have already set fires or shown an unusual interest in fire.
- ◆ A referral component to link the program with the full range of agencies that might help identify juvenile firesetters or provide services to them and their families.
- ◆ A publicity and outreach component to raise public awareness of the program and encourage early identification of juvenile firesetters.
- ◆ A monitoring component to track the program's identification and treatment of juvenile firesetters.
- ◆ A juvenile justice system component to forge relationships with juvenile justice agencies that often handle juvenile firesetters.

NJF/ACP also developed five publications—*Executive Summary*, *Fire Service Guide to a Juvenile Firesetter Early Intervention Program*, *Guidelines for Implementation*, *Trainers' Guide*, and *Users' Guide*—for use by jurisdictions that want to implement a juvenile firesetter program. To test the usefulness of the NJF/ACP materials, OJJDP sponsored three juvenile firesetter pilot programs in Colorado, Oklahoma, and Utah and funded an

evaluation of the pilots. The evaluation found that the modest short-term grants had stimulated considerable improvement in juvenile firesetter programming at each of the three pilot sites.

NJF/ACP recommended that, to be effective, juvenile firesetter programs should do the following:

- ◆ Build on the existing resources for firesetters in a community.
- ◆ Start small and grow incrementally as they gain experience and acceptance.
- ◆ Pay increased attention to educational and referral services, providing a range of appropriate educational materials and techniques.
- ◆ Recognize the importance of the juvenile justice linkage and not limit the program to the arson end of the spectrum. The pilot programs tapped juvenile justice expertise to consolidate procedures for handling firesetters and to review the legality of collecting information on juveniles.
- ◆ Engage all of the agencies that deal with a piece of the problem to address the full continuum of fire-related behaviors.

For Further Information

For copies of the National Juvenile Firesetter/Arson Control and Prevention Program publications, contact OJJDP's Juvenile Justice Clearinghouse at 800-638-8736. For current information about arson, call FEMA's Fax-On-Demand at 202-646-FEMA; or consult the U.S. Fire Administration's home page on the World Wide Web at <http://www.usfa.fema.gov/>.

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