

City of New Orleans

The Mayor's Criminal
Justice Coordinating Council

AN ASSESSMENT OF ARSON IN NEW ORLEANS

FRANK E. SERVAS, JR. *Executive Director*
RICHARD BROWN *Chief Planner*
CAROL SWAIM *Planner*

ERNEST N. MORIAL, Chairman
offman, Vice Chairman

61800

X AN ASSESSMENT OF ARSON IN NEW ORLEANS

Prepared by
The Mayor's Criminal Justice
Coordinating Council

May 1979

Frank R. Serpas, Jr., Executive Director
Richard Brown, Chief Planner
Carol Swain, Planner

THE MAYOR'S CRIMINAL JUSTICE
COORDINATING COUNCIL
Mayor Ernest N. Morial, Chairman
Donald Hoffman, Vice Chairman

SECTION I

THE PROBLEM OF ARSON

"It is clear that the control of arson is a major objective, since it is probably the most neglected crime in the United States, if not the world. And it's outbreak now is at epidemic proportions..."

- David M. McCormack, Superintendent of the National Fire Academy

The crime of arson, which is the malicious or fraudulent burning of property, has increased over 300% nationally in the past decade.¹ Due to difficulties involved in prevention, detection, investigation, and successful prosecution, the arson rate continues to climb. These difficulties are usually compounded by inadequate coordination between public and private agencies, especially between fire and police departments, inadequate investigative training, and a shortage of resources devoted to preventing and investigating arson.

It is difficult to accurately analyze the full extent and nature of the arson problem. This problem is complicated by a wide variety of motives for arson, such as revenge, insurance fraud, vandalism, and no rational motive. As a result of differing record keeping methods and definitions of types of arson, arson fire statistics are more uncertain than other fire statistics or crime statistics. The lack of useful arson statistics in the past could well be one reason for the general lack of awareness of the seriousness of arson. In recent years, however, the development of better data collection systems has clearly identified arson as a serious crime problem.

NATIONAL STATISTICS

The growing magnitude of arson fire losses has shown that arson is one of the major property crimes, and is also a significant cause of fire-related deaths and injuries. The crime of arson is responsible for 40 - 50% of the total national fire dollar loss.² Property losses suffered as a result of arson total billions of dollars each year. An estimation by the Insurance Information Institute cited the national arson-related property losses in 1975 at over \$1.4 billion, while the Insurance Service Office estimated the national arson-related fire losses at over \$4 billion.³ In addition to the property losses, arson is responsible for as many as 1000 deaths and 10,000 injuries per year.⁴

Insurance companies are hard hit by the increased arson rates. According to the American Insurance Association, incendiary fires in 1975 accounted for 21% of the number of fire insurance claims.⁵ This Association also shows that about \$1.5 billion of the total \$3.5 billion of insurance losses paid by the industry in 1976 resulted from arson-incendiary fires.⁶ However, an Association official said that no one really knew the full extent of the arson problem nor how heavily organized crime was involved.

Recognizing the mutual needs of private and public groups, the National Fire Academy in 1976 provided a grant to Battelle Memorial Institute to determine the actions necessary to initiate a coordinated attack on arson. Arson: America's Malignant Crime,

the report resulting from the Battelle meeting, stated that current trends in arson are worsening and that city fire departments estimate that about half of all city fires are intentionally set.⁷ These fire losses could impact the economy each year for as much as \$10 billion through higher insurance premiums, higher prices for what is not burned, lost jobs, and higher taxes.

Arrest and conviction data on arson also show a need for positive action in deterring arsonists. Data on arrests show that the percentage of arson crimes cleared by arrests is much lower than the clearance rates for other major crimes, such as murder, manslaughter, aggravated assault, and rape.⁸ The high incidence of arson-related fires and the very low rate of arrest and conviction in most cities presents major problems for fire and police officials. It has been demonstrated statistically that arson is a crime that can be deterred and lessened. Not only has the incidence of arson dropped in those cities which implemented arson prevention programs, but the conviction rates have risen along with them. Training, increased personnel, modern detection devices, and other innovative methods contribute to this drop in arson-related fires.

SURVEY AND ASSESSMENT OF ARSON AND ARSON INVESTIGATION

Nationally there is a growing concern to understand the long neglected crime of arson and to examine the full degree of the problem. In a study conducted by the Aerospace Corporation for

LEAA's National Institute of Law Enforcement and Criminal Justice, a comprehensive analysis of current methods and needs in arson investigation indicated that cities with high arson arrest and conviction rates have relatively low incidences of arson. This study, the Survey and Assessment of Arson and Arson Investigation, analyzed arson statistics from 108 cities covering a 4 year period.⁹ The results showed that cities with high arson arrest rates had over 20% fewer arsons per 100,000 population than cities with low arson arrest rates. In addition to this, cities with high arson conviction rates had over 25% fewer arson-related fires than cities in which the arson arrests rarely resulted in conviction.

Low arrest and conviction rates are associated with a number of problems. The shortage of trained arson investigators, difficulty gathering evidence at the scene of a fire, the prosecutor's lack of expertise in handling arson cases, and the police and fire department's confusion over investigatory responsibilities are among a few of these.

The increasing severity of the arson problem is strongly emphasized in this study. From 1965 to 1975 incendiary building fires increased 325%. Due to detection, apprehension, and prosecution problems, for every 100 fires classified as incendiary or suspicious, only 9 persons are arrested, 2 convicted, and 0.7 incarcerated. This is approximately one-third the rate for index crimes.

For the study, leaders in the field of arson investigation also

contributed suggestions aimed at improving arson investigation techniques. The most frequently cited needs included more arson investigators, improved training for investigators, prosecutors, and judges, and a computerized arson investigation data system. Those surveyed also stressed a need for more scientific research on arson investigation methods, cooperation from insurance companies, and development of equipment designed specifically for arson investigation.

TYPES OF ARSONISTS

In examining the scope and nature of the arson problem, the primary motive of the arsonist is a key factor. In the past, arson was usually considered a crime of psychotics and pyromaniacs; people who were mentally ill and were driven to set fires for the fascination and thrill of it. However, more and more evidence shows that there are many other motives behind the increasing amount of arson fires. Experts in the field of arson investigation have identified the following types of motivation related to arson crimes:¹⁰

1. "Fraud" fires are usually set to collect insurance; either for quick cash or for profit because the value of the insurance is greater than the value of the insured structure.
2. "Political" fires are intentionally set to dramatize issues, embarrass authorities or political opponents, or intimidate or extort for political purposes.
3. "Pyro" fires have a similar psycho-analytical pattern in that the sights and sounds associated with the fire bring emotional or sexual gratification to the pyromaniac.

4. "Crime cover-up" fires are set to destroy any evidence that could possibly show that another crime has been committed.

5. "Spite" fires are started for reasons of revenge, jealousy, and anger, in order to get even with someone.

6. "Vanity" fires are set by a person who wants to appear as a hero. This is accomplished by the arsonist taking counter-measures, such as discovering or fighting the blaze, as well as rescuing those in danger.

7. "Psycho" fires are committed by persons who have no rational motive at all. Individuals under the influence of alcohol or drugs who commit arson are included in this category.

8. "Vandalism" fires are not usually premeditated, and are set by individuals or groups who are looking for quick thrills or excitement. Typical cases include fires in abandoned cars, garbage cans, and schools. These fires are also started as a protest to local conditions and for the purpose of "instant urban renewal".

According to the Survey and Assessment of Arson and Arson Investigation, data indicate that the typical arsonist is young, white, and male. Revenge is the predominant motive for the adult arsonist while vandalism is that of the juvenile. A flammable liquid accelerant, usually gasoline, is the most common method used to set fires.

Reports do vary as to the most frequent motive for arson. However, many sources attribute the majority of arsons to "spite" fires. In one study of 138 paroled arsonists, revenge accounted for 58% of the motivating behavior. However, the motive for

arson that is becoming more and more widespread is that of "fraud" fires, or arson-for-profit.

Businessmen frequently are cashing in on this relatively easy method of insurance fraud. If a person has a failing business or he wants to make a quick profit, he overinsures his property, then either hires someone or sets fire himself to his own property. Most likely he will not be arrested, and the insurance company will have to pay the insured amount. Even housewives now are getting involved in arson-for-profit. A housewife may decide that she wants her kitchen remodeled, so she will leave a pan of grease on the stove and let it catch fire. The Fire Department usually gets there in time to stop the fire from completely destroying the house, but it does just enough damage to warrant the insurance company paying for a new kitchen. This particular crime is almost never proved.

SECTION II

ARSON PREVENTION IN OTHER AREAS

Cities across the nation are becoming aware of the drastic increase of arson in their communities and are deciding to do something about it. The results of upgrading arson investigation techniques have met with nothing but success in these areas. Boston, St. Louis, Fairfax County in Virginia, the State of Ohio, and Seattle are among just some of the areas with innovative programs aimed at arson reduction and increased arrest and conviction rates for arsonists.

BOSTON

Boston is one city in the nation which is attacking the problem of arson from both the administrative and community standpoint. In Boston, there is a team concept of Police and Fire working together on the arson problem which they feel has proven quite successful. The team consists of 6 Police Detectives, 5 Fire Department Lieutenant Investigators, and 14 Fire Fighter Investigators. The Fire personnel is responsible for detection and investigation, and the Police arrest and prepare the casework. All members of the arson squad have taken Level 1 and Level 2 arson courses, and are presently undergoing a 3 credit arson course at a local university. An Arson Alert and Reward program is also in effect in Boston.

Boston arson statistics show not only the severity of the problem but the positive progress as a result of the arson squad. Each year the Boston area has approximately 2,000 arson-related fires

with arrests averaging 120-130 per year. Since the instigation of the arson team, the conviction rate has risen from 1-2% to 30% annually, a marked increase.¹¹

Citizens in Boston are also responding directly to the problem of arson. On September 12, 1976, a young boy burned to death during an apartment building fire on Boston's Symphony Road. That blaze marked the twenty-second suspicious fire in the community within the last 2 years. Concerned residents, angered and fearful of more arson fires, met that same night and discussed histories of other burned down buildings.

The Symphony Tenants Organizing Project (STOP) was formed as a result of those efforts. STOP is composed of nearly 200 neighborhood residents who are responsible for developing an early warning system to predict which buildings are likely targets for arsonists. The members of STOP have developed an intricate formula consisting of nearly 80 variables to predict which of these buildings will be torched. Variables include the number of ownership changes, the number of mortgages, the proportion of cash invested, and the building's past fire history.

The STOP system was the key element in the recent apprehension and indictment of a metropolitan Boston arson-for-profit group which included a retired fire chief, a police officer, attorneys, insurance

adjustors and real estate operators. Massachusetts Attorney General Francis Bellotti contends that the group was responsible for 35 fires destroying \$6 million worth of property.

STOP is now seeking federal funds to establish a strong code enforcement program and a change in the federal housing policy to promote neighborhood ownership of housing.

ST. LOUIS

Like Boston, St. Louis has also assigned separate responsibilities to the Police and Fire Departments in the areas of detection, investigation and prosecution of arson cases. In St. Louis, the Fire Department's Arson Investigation Unit is responsible for determining the cause of a fire. After a fire is termed to be arson, they contact the Bombing-Arson Section of the Police Department and a further investigation is conducted by the police.

The Bombing-Arson Section consists of 5 well-trained men, two cars, and a 1-1/2 ton truck which contains equipment mainly used in bomb disposal. The members of the Arson Squad are trained at seminars given at the St. Louis Police Academy and are also required to attend school in Huntsville, Alabama for their bomb disposal training.

In St. Louis, the statistics for assignments and arrests include arson, attempt arson, bombings, and firebombings. In 1977 there were 316 specific arson investigations, with 529 total

assignments resulting in 106 arrests. In 1978 there were 294 specific arson investigations, with 481 total assignments resulting in 87 arrests.¹² The Arson Squad in St. Louis feels it has been quite successful in arrests and criminal cases made on arsons.

FAIRFAX COUNTY, VIRGINIA

Fairfax County, Virginia, is another area that has recognized the need for improved arson detection capabilities in order to provide prosecutors with sufficient evidence to convict arsonists. The county Fire Marshal's office was responsible for setting up the Arson Investigation Division (AID) and a Mobile Arson Detection Unit with funds from LEAA.

The AID has been assigned 7 fire investigators and 3 fire marshals, all of whom are graduates of the police academy and the State Fire Marshal's Academy. They also attend sessions on arson investigation at the FBI Academy. The Mobile Arson Lab is a 14 ft. van equipped with the latest arson detection equipment, such as the gas chromatograph which uses a vaporizing technique to analyze the components present in the charred remains of a fire.

Lieutenant Richard Stone of the AID estimates that arson accounted for 50-60% of the county's major fires in the past year. Revenge is the primary motive, with insurance fraud running second. Currently Fairfax County has a 22% apprehension rate for arsonists, including juveniles.¹³ Lieutenant Stone suggested that more investigators, a public awareness program, and a 24-hour hotline would further produce a dramatic decrease in the incidence of arson.

OHIO

With funds from LEAA in 1973, Ohio became the first state in the nation to develop an arson laboratory fully equipped to process evidence in arson or bombing incidents. Although the flames associated with these crimes usually destroy 99% of any remaining evidence, the Ohio State Arson Lab can determine the type of accelerant, incendiary device, or explosive used just by examining the most minute particles. The lab also analyzes solids, liquids, and gaseous substances and evidence with fingerprint impressions.

In the case of a fatality or major catastrophe, the Mobile Lab is sent to the scene of the incident. This lab, driven by a forensic chemist, is equipped with 2 gas chromatographs, fingerprint kit, videotape camera, and other scientific equipment. The use of this Mobile Lab has proven successful in effectively collecting evidence at the time of the incident.

According to the lab's chief chemist, residues survive a fire more often than is usually assumed. However, if the evidence is improperly collected, without a covering or in plastic bags, vapors will escape and make it difficult to use the material as evidence in court cases. To avoid this, it is essential to store all evidence in tight metal containers.

The Ohio State Arson Lab has definitely contributed to the higher conviction rates for arson. Approximately 500 fire incidents are analyzed in the lab each year. Those arson cases which have

evidence analyzed in the lab have a 10-15% rate of conviction.¹⁴
These positive results illustrate the importance of the availability
of a fully equipped lab for arson cases.

SEATTLE

Across the nation, Seattle is the city which is known for the best program in fighting arson. Since the initiation of the Seattle Task Force on Arson, Seattle has evidenced a substantial drop in the number of arsons and an increase in arrests and convictions for arson. This program consists of an eight-agency effort at reducing the number of arsons and increasing the number of arrests and convictions. Members of the Task Force include dedicated persons from the Mayor's Office, Police Department, Fire Department, Prosecutor's Office, insurance industry, Public Safety Committee, Sheriff's Office and the Chamber of Commerce. Each member contributes a different aspect to this comprehensive fight against arson.

There are several different components to this program. The team responsible for the detection, investigation and preparation of cases for prosecution for arson is the Arson Investigation Unit. This Unit consists of a Captain, a Lieutenant, 8 investigators and 2 police detectives. All of the members are volunteers, and the investigators have previously served as combat firefighters. Training is an essential element, with a mandatory 320-hour, three phase train-

ing program for fire investigators. The Phase I training required \$10,000.00, with the courses almost identical to the courses offered at the Police Academy.

An important component in this program is the effective public relations campaign against arson. The television, newspaper and radio coverage implanted a single message: "If you start an arson fire in Seattle, you stand a good chance of being caught. And if you are caught, you stand an even better chance of going to jail". Also, an Arson Award System of \$5,000. is being offered by the insurance industry for persons responsible for information leading to the arrest and conviction of an arsonist.

Fire Prevention Patrols have also proven effective in Seattle. Of the 950 combat firefighters, selected firefighters are assigned on roving patrols in targeted areas which are known for a high incidence of arson. These cars, manned by 2 men, are highly visible and slowly patrol the area in an effort to deter the arsonist.

The efforts of the Seattle Task Force on Arson have produced dramatic results. In 1974 the Seattle property loss due to arson was \$3.2 million, in 1975 \$2.69 million, and in 1976 \$1.96 million.¹⁵ Apprehension rates are equally impressive. Of the 569 arsons reported in 1975, 118, or 21% resulted in arrests; but in 1976 the rate rose to 39%. During the first two months of 1977 over 65% of arson cases resulted in arrests.¹⁶

Seattle's approach to the arson problem is considered by many experts a model of effective urban management, and so far the program has met with nothing but success. One of the main deterrents to the arsonist is knowing that if he does attempt arson, eight city agencies are looking to convict him, and chances are that they probably will.

SECTION III

ARSON IN NEW ORLEANS

According to Fire Superintendent William J. McCrossen, arson is the fastest growing crime in America, and arson-for-profit is a major crime in New Orleans. The arson situation is a serious problem, and one that desperately needs to be given adequate attention. Not only is the loss of lives and property due to arson a major concern, but there is presently no concerted effort to try to deal with this problem. Efforts at arson reduction are minimal, and no emphasis is being placed on high arrest and conviction rates for arson.

The importance of accurate data collection on arson-related fires is becoming more and more significant. In November 1978, legislation was passed requiring that arson be included in the FBI's index of serious crime.¹⁷ When examining the arson problem in New Orleans, it is therefore necessary to first look at the available statistics on arson-related fires. An overview of the arson squad, its duties, and its needs is also an essential element to understand the full picture.

LOCAL STATISTICS

The New Orleans Fire Prevention Division is responsible for the collection and maintenance of data on arson-related fires. However, due to the fact that there is no systematic method for recording this information, the data on arson fires is rather sketchy.

The following are the statistics that have been gathered

over a three year period:¹⁸

<u>YEAR</u>	<u>NUMBER OF ARSONS</u>	<u>TOTAL ESTIMATED DOLLAR LOSS</u>
1976	135	\$ 914,210.00
1977	206	\$2,287,627.00
1978	101	\$ 744,125.00

It is obvious that these figures show dramatic differences from year to year. The Arson Squad definitely attributes these discrepancies to the inaccurate recording of information, thus making it difficult to establish any trend over the three year period.

As shown in the above data, approximately 100 fires were recorded as arsons in 1978. However, the Arson Squad estimates that over 400 fires were suspected arsons for that same year.¹⁹ Due to the Squad being overloaded with detective and investigative work, only 100 of these suspected arsons were able to be fully investigated and definitely termed as arson.

Arrest statistics collected on arsons for 1978 were equally discouraging. According to the Uniform Crime Report which is compiled by the New Orleans Police Department, arson arrests in 1978 numbered 29 for adults and 15 for juveniles.²⁰ When considering the number of suspected arsons each year, the figures on arrests are surprisingly low.

The Arson Squad also estimates that possibly less than 1% of all arson-related fires result in convictions.²¹ The data on arson cases and convictions provided by the District Attorney's office and Clerk of Court's records further supports these low

estimates on convictions. In 1978, only 4 cases were accepted by the District Attorney's office. Of these 4, one was nolle prosequied. The other 3 cases received jail sentences, but all were either suspended, ordered to make restitution, fined, or put on probation. Although the facts of each case are not presented here, it is still evident that no one charged with arson in 1978 served a jail sentence.

Considering that New Orleans is comparable in size with cities like Seattle, Boston, and St. Louis, the number of arsons and arson investigations and the number of arrests are significantly lower. Boston reports approximately 2000 arson-related fires per year. In actual arson investigations, Seattle reports approximately 500 and St. Louis reports approximately 300 per year. In 1978 New Orleans had 700 suspicious fires, 400 suspected arsons, and only 100 investigations.

Arrest statistics for New Orleans are equally low. While Seattle averaged 165, Boston averaged 125, and St. Louis averaged 90 in the number of arson arrests per year, New Orleans estimated a total of only 44 arson arrests in 1978.

ARSON SQUAD

In New Orleans, the detection, investigation, and case preparation for arson cases is the responsibility of the Arson Squad, which is under the direction of the Fire Prevention Division of the New Orleans Fire Department. Presently there are only 2

men assigned to this squad and they alone handle every aspect of an arson case in the city. They are responsible for determining whether or not a fire is an arson, investigating arson cases, and preparing arson cases for prosecution. There is currently no one from the Police Department assigned to investigate arson cases.

No formalized training program is provided to the men on the Arson Squad in either detection, investigation, or prosecution of arson. Only one of the men has had any training, from a local school offering an arson seminar. No training has been given to these men on the proper methods of collecting evidence, and preparing the evidence for prosecution. Almost all of this type of training is picked up on the job. Further, no systematic method of data collection has ever been presented to the Squad for the effective maintenance of records.

The Squad has virtually no equipment. The little equipment that they do have, a few shovels for sifting through the debris, has been provided by the men themselves. On scene investigative procedures sometimes necessitate equipment for lifting fingerprints, taking professional photographs, or heavy equipment for removal of debris, all of which is presently unavailable to the Squad. The City has provided no funds to the Squad for the means to adequately preserve evidence in arson cases. On a couple of occasions the Squad has asked local businesses to donate either empty paint cans or plastic bags for the purpose of preserving evidence. Without this vital evidence, prosecution of an arsonist is almost futile.

No means of transportation is made available to the Squad. The men's own cars, a Toyota and Volkswagen, are used to go to the scene of a suspected arson fire. They throw their shovels into the trunks of either one of these cars, and this is the only equipment they have for arson detection. All that is made available to the two man Squad, which is virtually untrained, is their own experience and resources.

DUTIES OF THE ARSON SQUAD

The members of the Arson Squad are responsible for every aspect of each arson case from beginning to end. Whenever the Fire Department is called upon to extinguish a blaze, the District Chief in command must determine whether the origin of the fire was suspicious in nature. If so, a Fire Prevention Inspector is called upon to make an investigation; and if he finds evidence to support the possibility of arson, the Inspector prepares a report and submits it to a member of the Arson Squad. Upon receiving this report, the Squad member reports to the scene of the fire, and attempts to reconstruct the direction and origin of the fire. He then searches the area for all evidence of arson, such as rags, ignition devices, flammable materials and containers.

The next step is the preservation of evidence. The evidence is clearly marked and placed in plastic bags to be submitted to the Police Crime Laboratory. It is not enough for a Squad member to smell kerosene in the area, it is best to find a sample and have it analyzed in the lab and supported in a police report. One problem encountered with the lab is that it sometimes takes a month to get back the results, during which time the chain of

evidence is broken.

However, if the initial evidence does suggest arson, the Squad member looks for a motive. This search may take him to insurance companies, banks, mortgage companies, friends, neighbors, or business associates. Finally, after all of the evidence is gathered to make a case, a taped interview is arranged with the suspect. It is usually necessary to subpoena the suspect. If a confession cannot be obtained, all of the information is then gathered and presented to the District Attorney with a request for a decision.

Preparation of a case for prosecution usually takes the members of the Arson Squad about three months. If the case does not contain enough evidence it is held open pending future developments.

ARSON SQUAD REQUESTS

When considering recommendations on the problem of arson in New Orleans, it was necessary to consult the Arson Squad to obtain their priorities. The following is a list of the requests made by the squad.

Personnel Request

The three new staff people would be responsible for the detection of arson, and the present 2 staff people would carry out investigations and preparing cases for prosecution.

Total Personnel Cost

\$ 45,000

Training Request

17 weeks of full-time training at the Police Academy for each member at no additional cost.

All Arson Squad members would be required to take a training course at the National Fire Academy at a cost of approximately \$1,500 each. (3 new, 1 presently untrained)

Total Training Cost \$ 6,000

Equipment Request

Van (fully equipped)	\$ 30,000
Psychological Stress Evaluator (PSE)	5,000
Office Equipment	4,000
Camera Equipment	2,500
Color processing, darkroom	1,500
Gas sniffers (2)	5,000
Gas chromatograph	2,000
Locking cabinets for evidence	300
Tape recorder and fingerprint kit	100
Chainsaw and related equipment	300
Block and tackle	<u>100</u>

Total Equipment Cost \$ 50,800

Overall Total Cost \$101,800

SECTION IV

RECOMMENDATIONS AND SUMMARY

It is evident from the information presented on the Arson Squad in New Orleans that almost no effort is being made in the area of arson prevention. Without this, the City becomes an easy target for the professional arsonist. However, a point that is many times overlooked is the fact that the incidence of arson can be lessened. In those cities which have implemented anti-arson campaigns, the number of arsons has decreased while the arrest and conviction rates have risen. Deterrence is a major factor in arson prevention.

The following is a series of recommendations aimed at upgrading the existing Arson Squad and arson reduction efforts, thereby aiding in the areas of arson prevention, detection, investigation and successful prosecution.

RECOMMENDATIONS

I) Introduction of a Two-Phase Approach to the Arson Problem

Due to the fact that New Orleans virtually has no resources available with which to combat arson, it would be difficult to first initiate a comprehensive, full-scale program in this area. Rather, it would be more beneficial to phase in different aspects of a program, pending evaluation of each previous step. Therefore, a two-phase approach to arson would be the best solution considering the situation in New Orleans.

Many options are open in the field of arson prevention. Any aspect of the arson recommendations could be adopted and still result in a positive impact on the problem. A carefully determined selection of the recommendations and a portion of the money, as determined by those qualified in the criminal justice field, could be allocated for this purpose.

Phase I will initiate immediate short range efforts in arson prevention:

- Representatives from the Fire Department, Police Department, and the District Attorney's office will meet to discuss the present arson situation, assign specific responsibilities to each agency, and set up a task force of related agencies to further research the arson problem.
- Various methods of accurately recording information on arson-related fires will also be examined, with the most effective method being implemented in order to establish trend in arson fires.
- Established areas of need in arson prevention, such as training for the present arson squad, the addition of personnel and their subsequent training, and a portion of the requested equipment, will be addressed.

Phase II will be a planning and implementation phase, with the primary purpose of organizing a task force of representatives from key agencies:

- The task force members will not only represent the fire, police, and prosecutor's office, but representatives from the insurance industry, mayor's office, media, community organizations, and other interested agencies may also be appointed.
- The task force will be responsible for developing a long range, detailed strategy to combat the increasing numbers of arson-related fires.
- The task force will produce a written report containing the detailed strategy and recommendations on how to combat arson. The report might include methods such as a media campaign, an arson hotline, or additional staffing and equipping of the arson squad as a means of reducing the incidence of arson.
- The strategy outlined in the report will then be implemented with the cooperation of the necessary persons and agencies involved.

II) Initiation of Phase I

A) The close coordination of efforts between the New Orleans Police Department, New Orleans Fire Department, and the District Attorney's office is a vital element in the fight against arson. These agencies need to be keenly aware of the actions each is taking against arson. Initially, a committee should be formed of key people from each of these offices to review the arson problem and discuss efforts at arson prevention. Any means of communication between these agencies would be beneficial as it is important that the needs of each agency are recognized.

B) The possibility of designating the Fire Department in charge of arson detection and the Police Department in charge of arson investigation needs to be examined. Presently in New Orleans, the Fire Department has both the responsibility for detection and investigation in arson cases. However, in many cities with successful arson prevention programs, the Fire Department and the Police Department have shared these responsibilities due to the expertise and experience each has in their respective fields. (A clarification of the State law concerning the delegation of legal authority in arson investigation has been requested. Any decisions on this recommendation will be pending the outcome of that clarification.) If the police are given investigative responsibilities in arson cases, they will be required to undergo the necessary training at the Fire Training School.

C) The improvement of data collection techniques is essential in measuring the progress of any efforts at arson reduction. Basic methods of accurately and consistently recording information should be researched, and then implemented. The number of arson-related fires, dollar loss due to arson, and the number of deaths, injuries, and arrests

and convictions involving arson are just a few of the data elements which need to be recorded. The adoption of effective data collection techniques should definitely be a condition of any allocation of funds.

D) The requests presented previously by the Arson Squad should be accepted if the funds are made available. Each request should have the following priority:

- 1) Training is the number one priority. As a first step, training should be administered to the presently untrained member of the Arson Squad. The two week training course provided by the National Fire Academy, as requested by the Squad, is recommended. Also the 17 week training course provided by the Police Academy at no additional cost would be a great aid, as well as training at the Fire Training School for any police officers assigned to investigation.

- 2) Additional personnel is seen as the next priority. The Arson Squad is currently understaffed and unable to handle its present workload. The addition of three men to handle arson detection and investigation is suggested.

- 3) Equipment is the third priority area requested by the Squad. Without the necessary equipment, training and additional personnel will not have as great an impact.

Additional equipment could also be added in keeping with the two-phase approach. All of the equipment requested by the Squad is recommended. However, due to the large amount of money the equipment would cost and the present unavailability of funding for this purpose, a determination should be made regarding the cost-effectiveness of each piece of equipment. From a fingerprint kit costing \$100. to a fully-equipped van costing \$30,000., any additional equipment would be useful in the fight against arson.

III) Evaluation of Progress in Arson Reduction

After the implementation of Phase I, a preliminary evaluation of the progress of the program is necessary to determine if any further steps should be taken. If the program has met with satisfactory results, then further planning should take place to consider the phasing in of advanced techniques.

IV) Funding Sources

Presently there is no special funding being provided for the prevention of arson in New Orleans. However, recently some alternate sources of funding have been made available. The allocation of LEAA Part C Fiscal Year 1980 funds is one possible source.

Another source of funding for arson was announced in the

Federal Register, April 16, 1979 issue. The Department of Justice, LEAA, announced the development of a discretionary grant program for arson control assistance. These funds will be made available to assist State and local arson control efforts, with the majority of the funds directed toward starting State, regional or local arson task forces or units. A prerequisite of any application will be the close coordination of police, fire and prosecutorial agencies in the given jurisdiction.

The availability of these funds was also announced in the News Release, published by LEAA. The United States Fire Administration (USFA) and LEAA announced the development of the first coordinated federal effort to attack arson on a national scale. As a part of this, State and local governments will receive federal assistance in fire investigation and training, criminal investigation and prosecution of arson. In addition to direct funding, LEAA and USFA want to determine how the resources of the Department of Justice and the Federal Emergency Management Agency can best be utilized to combat the rapidly growing crime of arson.

SUMMARY

A step toward arson prevention needs to be taken. A comprehensive program aimed at reducing arson and increasing the arrests and convictions for arsonists in New Orleans will serve as a deterrent to the arsonist. Proper training in arson detection and investigation, modern equipment to detect arson and preserve evidence, sufficient manpower to handle the case load, and cooperation between the Fire Department, Police Department, District Attorney's office, and other related agencies are all necessary components in an effective fight against the crime of arson.

FOOTNOTES

¹ "Special Issue: Arson," Target (International City Management Association), January, 1978.

² U. S., Department of Commerce, Arson: America's Malignant Crime (Washington: Government Printing Office, 1976), p. 5.

³ U.S., General Accounting Office, "Are Federal Programs Adequate to Deal with Arson Problems?" Report by the Comptroller General of the United States, April 24, 1978, p.2.

⁴ National League of Cities, "Policy Proposal - Re-classifying Arson as a Part I Crime," Municipal Officers Fire Program, July, 1977.

⁵ U. S., General Accounting Office, "Federal Programs," p. 2.

⁶ U. S., General Accounting Office, "Arson-for-Profit: More Could Be Done to Reduce It," Report by the Comptroller General of the United States, May 31, 1978, p. 6.

⁷ U. S., General Accounting Office, "Federal Programs," p. 2.

⁸ Seattle Fire Department, Seattle Arson Task Force, Implementation Program (Seattle: Unigard Insurance Group, 1976), p. 3.

⁹ "Survey and Assessment of Arson and Arson Investigation," Target (International City Management Association), January, 1978.

¹⁰ Kendall Moll, Arson, Vandalism, and Violence: Law Enforcement Problems Affecting Fire Departments (Washington: Government Printing Office, 1974), pp. 10-13.

¹¹ Letter from Paul V. McCarthy, District Fire Chief, Boston Fire Department Arson Squad, February 20, 1979.

¹² Letter from Sergeant Thomas Casey, Supervisor Bombing-Arson Section, Metropolitan Police Department of the City of St. Louis, February 14, 1979.

¹³ Ellen Barnes, "Fairfax County, Virginia, Improves Arson Detection," Target (International City Management Association), January, 1978.

FOOTNOTES

¹⁴"Arson Lab Serves Ohio's Cities," Target (International City Management Association), January, 1978.

¹⁵U. S., Department of Commerce, Testimony of Howard D. Tipton on The Problem of Arson and Its Impact on State and Local Governments (Washington: Government Printing Office, 1977), p.5.

¹⁶Lisa Stevenson, "Seattle Task Force: Model for the Nation," Target (International City Management Association), January, 1978.

¹⁷"National Strategy to Control Arson Sought by Experts," LEAA Newsletter, February, 1979, p.1.

¹⁸New Orleans Fire Department, Fire Prevention Division, "A Report of Arson Fires and the Estimated Dollar Loss for the Years of 1976, 1977, and 1978," January, 1979.

¹⁹Marty Ross, "The Hottest Game in Town," Figaro, March 26, 1979, p.5.

²⁰State of Louisiana, Department of Justice, Criminal Justice Information System, "Monthly Return of Offenses Known to Police - Uniform Crime Reports," January - December, 1978.

²¹Ross, "Hottest Game in Town," p. 5.

BIBLIOGRAPHY

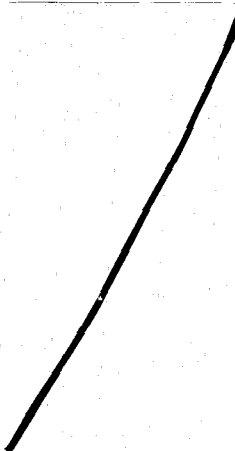
- "Arson Lab Serves Ohio's Cities," Target (International City Management Association), January 1978.
- Barnes, Ellen. "Fairfax County, Virginia, Improves Arson Detection," Target (International City Management Association), January 1978.
- Boston Fire Department Arson Squad. Correspondence between District Fire Chief Paul V. McCarthy and the writer. February 20, 1979.
- Dodge, Allison. "Our Cities Are Still Burning," Nation's Cities, August 1977, pp. 16-18.
- Hartnett, Ken. "The Symphony Road Fire Murders," Nation's Cities, February 1978, pp. 17-20.
- Kirk, Paul L. Fire Investigation. New York: John Wiley & Sons, 1969.
- League of California Cities, Los Angeles County Division. Arson: A Status Report, May 1977.
- Lindner, John. "Classification Questionnaire, Question No. 9," A Report of the Duties of the Arson Squad in New Orleans, 1978.
- Louisiana Revised Statutes. Sections 14:1 to 14:73, Vol. 9, Criminal Law. St. Paul: West Publishing Co., 1974.
- Louisiana Revised Statutes. Sections 40:1061 to 40:End, Vol. 23, Public Health and Safety. St. Paul: West Publishing Co., 1974.
- Metropolitan Police Department, City of St. Louis. Correspondence between Sergeant Thomas Casey, Supervisor of the Bombing-Arson Section, and writer. February 14, 1979.
- Moll, Kendall. Arson, Vandalism, and Violence: Law Enforcement Problems Affecting Fire Departments. Washington: Government Printing Office, 1974.

BIBLIOGRAPHY

- National Commission on Fire Prevention and Control. America Burning. Washington: Government Printing Office, 1973.
- National League of Cities. "Policy Proposal - Reclassifying Arson as a Part I Crime," Municipal Officers Fire Program, July 1977.
- New Orleans Fire Department, Fire Prevention Division. "A Report of Arson Fires and the Estimated Dollar Loss for the Years of 1976, 1977, and 1978," January 1979.
- "Putting a Stop to Arson," Target (International City Management Association), January 1978.
- Robertson, James C. "Arson, A Tool of Organized Crime," The Organized Crime Bulletin, March 1979.
- Ross, Marty. "The Hottest Game in Town," Figaro, March 26, 1979, p. 5.
- Seattle Fire Department. Seattle Arson Task Force, Implementation Program. Seattle: Unigard Insurance Group, 1976.
- State of Louisiana, Department of Justice, Criminal Justice Information System. "Monthly Return of Offenses Known to Police - Uniform Crime Reports," January - December 1978.
- Stevenson, Lisa. "Seattle Task Force: Model for the Nation," Target (International City Management Association), January 1978.
- "Survey and Assessment of Arson and Arson Investigation," Target (International City Management Association), January 1978.
- U. S. Department of Commerce, National Fire Prevention and Control Administration. Arson: America's Malignant Crime. Washington: Government Printing Office, 1976.
- U. S. Department of Commerce, National Fire Prevention and Control Administration. Testimony of Howard D. Tipton on the Problem of Arson and Its Impact on State and Local Governments. Washington: Government Printing Office, 1977.

BIBLIOGRAPHY

- U. S. Department of Justice, Law Enforcement Assistance Administration. "National Strategy to Control Arson Sought by Experts," LEAA Newsletter, February 1979.
- U. S. Department of Justice, Law Enforcement Assistance Administration. News Release, March 23, 1979.
- U. S. General Accounting Office. "Are Federal Programs Adequate To Deal With Arson Problems?" Report by the Comptroller General of the United States, April 24, 1978.
- U. S. General Accounting Office. "Arson-for-Profit: More Could Be Done to Reduce It," Report by the Comptroller General of the United States, May 31, 1978.
- U. S. Office of the Federal Register. "Development of a Discretionary Grant Program for Arson Control Assistance; Guideline Manual," Federal Register, April 16, 1979.



END