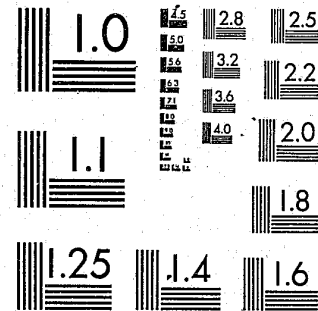


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Ella Grasso
Governor

THE CONNECTICUT PLAN FOR ARSON REDUCTION

prepared by
The Governor's Arson Task Force

October
1979

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THE CONNECTICUT PLAN FOR ARSON REDUCTION

PREPARED BY
THE GOVERNOR'S ARSON TASK FORCE
WITH THE ASSISTANCE OF
THE CONNECTICUT JUSTICE COMMISSION
AND
McGRATH, SYLVA & ASSOCIATES, INC.
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THE CONNECTICUT PLAN FOR ARSON REDUCTION

EXECUTIVE SUMMARY

Two out of every three fires in Connecticut may be arson. Incendiary and suspicious fires alone caused over \$10 million in damage according to estimates of the State Fire Marshal. This plan is designed to begin implementation of a statewide effort to reduce the impact of arson in Connecticut.

The effective control of arson requires interdisciplinary approaches at all levels of government. Those with vital roles to play include neighborhood leaders, state and local law officers, firefighters and investigators, prosecutors, real estate and insurance personnel, policymakers in Washington, D.C., the staff of the Bureau of Alcohol, Tobacco and Firearms, the F.B.I., and elected officials at the municipal, state and federal levels.

Under Gov. Grasso's leadership, Connecticut is one of several states which have brought representatives of all these interests into a task force charged with direct responsibility for formulating a better response to arson problems. The task force approach heightens the visibility of the issue and increases accountability among those responsible for addressing it.

The Task Force has identified six areas that require priority attention:

- o Local coordination of investigation and enforcement efforts through cooperative efforts of the fire chief, fire marshal, chief police officer, state's attorney, mayor and a representative of the insurance industry.
- o Early and continuous involvement of the state's attorney to ensure effective prosecution.
- o Adequate technical support from the state, including improved laboratory support, data processing capacity, and detailing of specialists to determine the cause of a fire and to investigate financial manipulations involved in arson fraud.
- o Better training for arson investigation units, local arson task forces, state arson support personnel, local police and fire personnel, appropriate neighborhood leaders and private sector representatives.
- o Continued development of an arson warning and prevention system so pilot efforts in New Haven can be refined and adapted for possible use in other communities.
- o Monitoring the results of ongoing Task Force efforts and expanding or redirecting them as appropriate.

In order to address these problem areas, the Plan has been broken into two phases. In Phase I, a demonstration project will be undertaken in six communities. Phase II will involve expansion of the program to include the remainder of the state.

Six communities -- Bridgeport, Enfield, Hartford, New Haven, Stamford and Waterbury -- will participate in the demonstration project. These communities were selected because they form the core of Connecticut's urban corridor, include 24% of the population and 72% of the minorities, and provide for 32% of the state's employment. Most important, over 40% of all fires reported in the state occurred in these six communities in 1978, including 47% of the suspicious fires. While these communities all have a serious arson problem, they differ widely in their capacity to respond. The New Haven Fire Department, with its Arson Warning and Prevention System (AWPS), leads the country in institutionalizing a proactive prevention program to stop arson. Enfield, on the other hand, with five volunteer fire departments, is far more typical of the small communities in Connecticut where seventy-eight percent (78%) of the firefighters are volunteers. By working with such diverse communities, the state will develop programs appropriate to variations in local capabilities. The experience with such diverse structures will greatly improve the transfer ability of the program to the rest of the state.

The program was designed by the Governor's Arson Task Force and the Connecticut Justice Commission, working with the key state agencies and the six communities. The major responsibility for stopping arson has been assumed by the six communities which have agreed to establish Local Arson Task Forces, composed of the Fire Chief, the Fire Marshal, the Police Chief and the State's Attorney for that judicial district, and as appropriate, the Mayor, other municipal agencies, private sector representatives and private citizens. The local Task Forces will be responsible for supervising the local arson investigative unit(s) which will be comprised of police, fire, and prosecutor personnel, and for developing and implementing a community arson preventive program.

To enable the Local Arson Task Forces to accomplish their goals of reducing arson the state will work cooperatively with them, through the Governor's Arson Task Force and the Connecticut Justice Commission, to change or develop supportive policies, to set priorities, and to establish administrative structures and procedures. Adequate resources, services training programs and technical assistance will also be provided. The Governor's Arson Task Force will review state laws and recommend changes as necessary.

With the Governor's Arson Task Force and the Local Arson Task Forces, the State has established adequate forums for the resolution of policy issues, for addressing jurisdictional, coordination and cooperation problems, and for working with

residents to determine their views on the problems and to enlist their support in preventing arson. This structure also facilitates implementation, evaluation, modification and transfer of this program, particularly after the initial demonstration year.

The estimated budget for the project is \$1,060,395. The State is seeking \$600,000 from L.E.A.A., \$393,728 from private sources and the State will provide a \$66,667 match.

The project provides for improved detection of arson fires (\$207,023), adequate investigation (\$203,527) and prosecution (\$146,119), increased training (\$78,811), development of an expanded information system (\$90,589), transfer of the New Haven Arson Warning and Prevention System (\$100,000), implementation of local arson prevention programs (\$180,000), and continued policy development and project monitoring by the Governor's Arson Task Force (\$54,326).

This should provide the resources necessary to bring the entire law enforcement structure in these six communities and the State to a level where the fires of unknown origin (2199) can be reduced by 50%, the number of arrests (104) can be increased by 50%, the number of cases disposed of can keep pace with the number of arrests, and fewer cases have to be plea bargained. Forty (40) cases should go to trial between July 1980 and June 1981, compared to fifteen (15) in 1978.

This program will enable each of the six communities to develop and implement an aggressive arson prevention program. New Haven, with its AWPS program will take the lead in developing such community-based prevention programs. In addition each community will have the resources necessary to target prevention programs to its own unique problems.

This demonstration arson control and assistance project includes the elements necessary to substantially reduce arson in these six communities, and to initiate a statewide effort. At the end of the project year, the public understanding of arson, the level of agency cooperation and coordination, and the support systems necessary to expand the program statewide will be in place.

As a result of the active participation and support provided by the insurance companies the probability of success has been greatly enhanced. Already the State Fire Marshal's data system has been converted to the National Fire Incident Reporting System as a result of assistance from Aetna. The Task Force has begun development of a public education program with assistance from The Hartford Insurance Group. A community based organization in Hartford, H.A.R.T., is developing a program to raise public awareness of arson in impacted neighborhoods with support from the Traveler's Insurance Company. The development of the New Haven Arson Warning and Prevention System is being supported by Aetna.

The demonstration project has the strong support of the Governor, and is consistent with the priorities she established under Connecticut's Urban Policy. The six demonstration communi-

ties and the State agencies involved in arson prevention have all signed letters of agreement, which are very specific and attest to the level of commitment and support already obtained. In addition the demonstration project has been endorsed by the Connecticut Chiefs of Police Association, the Connecticut Municipal Police Training Council, Connecticut Police Academy, the U.S. Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, the Connecticut Fire Chief's Association, Inc., the Connecticut State Firemen's Association, the Connecticut Fire Marshal's Association, the Connecticut Commission of Fire Prevention and Control, Director of Fire Training for the Connecticut State Fire School, the Fairfield (Connecticut) Fire Training School, the City of New Haven, Department of Fire Service, New Haven Fire Training School, the Wolcott (Connecticut) Fire Training School, the Eastern Connecticut Firemen's Training School, the Connecticut Justice Academy, the Connecticut Department of Children and Youth Services, Human Resource Development Center, the Connecticut Insurance Placement Facility (Connecticut FAIR Plan), and the Insurance Association of Connecticut.

I. INTRODUCTION

I. INTRODUCTION

A. WHAT IS ARSON?

Arson is a violent crime. The horror of death by burning is all too familiar to fire personnel. The pain and suffering which results from serious burns is excruciating. The terror of being driven from your home by fire leaves psychological scars for life.

Arson is a crime against society. The price in both human and monetary terms is borne by tenants, insurance policyholders, and taxpayers. Fire and police personnel risk death or injury in suppressing the fire. Public resources are diverted from other areas to investigate and prosecute in those arson cases where it is possible. Insurance rates go up in high risk areas. Tax revenue from burned out property is lost. Jobs are lost when businesses burn. Neighbors begin to mistrust each other, and confidence in the neighborhood's future can be badly shaken.

Arson is a relatively safe crime to commit in Connecticut. In 1978 out of 5150 incendiary and suspicious fires only 353 arrests were made. Only 33 people were convicted of arson, and only 23 were confined. Usually the firesetter is the one apprehended, while those who procure arson-for-profit go free.

Arson is a complex crime. People burn things for many reasons. Often, understanding why a fire may have been set requires a great deal of expertise from people in many different public sectors. An accountant or psychologist may be as important in an investigation as the firefighter or police officer.

Arson is perceived by non-victims as a crime against property. Changing the understanding by the public of the nature and extent of arson is critical. It is not just an "insurance company's problem." It does not happen only when "organized crime" is involved. It is not only a matter of dollars. Housewives set fires to get kitchens remodeled, and arson may be used to cover up a crime or to blackmail a legitimate businessman. Teenagers set fires in schools for "fun." Husbands and wives set fires to their homes in moments of rage as a way of expressing anger toward a spouse. Disturbed children may set fire to their own beds, and a businessman facing bankruptcy may burn his own business to collect the insurance, destroy the books and finance starting over.

B. WHY AN ARSON TASK FORCE?

The complexity of the crime of arson, and the large number of public and private actors who must respond cooperatively required the formation of a Task Force which could focus public attention on the problem, identify problem areas which must be addressed, and recommend steps toward a solution.

The membership of the Task Force itself suggests the complexity of the problem. Public officials from the local, state, and federal levels are involved as well as representatives of major private institutions. Further, this Task Force has actively involved others from around the state with expertise in arson or in other relevant fields in its deliberations (See Appendix I).

C. THE PROBLEM OF ARSON IN CONNECTICUT

Trying to market a product in the private sector with little or no information as to cost, handling, and sales potential, would lead to almost certain failure. Yet the public sector is trying to deal with an arson problem with almost no reliable information on the nature and extent of arson. Officials know the problem is growing and that it is seriously underestimated in terms of costs to the public. But quantifying the knowledge is extremely difficult.

Accurate, consistent data aids in understanding and responding to arson in at least four areas. First, for those setting public policy, the data is central to identification of the problem, establishing trends, and identifying the broad issues within the public and private sectors which affect the social framework in which arson occurs. Second, for the fire and police professionals, detailed data is necessary to evaluate current programs, to establish priority use of resources, and to structure goal oriented management systems. Third, individualized analysis of methodology, types of properties affected, and common economic factors involved, provide investigators with valuable profiles that can aid in drawing together motive, opportunity, and style which is often the only path to unravel an arson case. Fourth, the knowledge gained by reviewing trends and interactions among common factors can be used to develop a prevention program and early warning system.

The information system in Connecticut cannot currently perform any of these tasks well. The subcommittee on Problem Identification and Data Analysis of the Governor's Arson Task Force reviewed the existing data base and determined that substantial improvements are required immediately as part of any increased effort to deal with the arson problem. To this end the Task Force has requested and is currently receiving direct technical assistance from Aetna

Life and Casualty to install the complete National Fire Incidence Reporting System (NFIRS) in the Bureau of the State Fire Marshal.

While this effort will accelerate the conversion of the data processing and analysis system in the Bureau by a full two years, the system will only be useful if the information provided by local fire and police personnel is accurate and complete. To obtain the quality of reporting required will involve a serious commitment to training. But the problem goes well beyond training local officials to report fires accurately. What is needed is a well-designed information management system, which can perform well the functions described above.

1. Analysis Of The Available Statistics On Arson

First, the Connecticut Fire Marshal's "Annual Report of Fire Statistics" shows the number of fires identified as "incendiary" growing from 899 in 1976 to 1473 in 1978, an increase of over 60%. The growth in the category of "suspicious fires" was from 1,404 in 1976 to 3,677 in 1978 or 160%. If only these two categories are used to estimate the growth in arson over a three year period, it would be nearly 125%. When one compares this to the increase in total fires (70%) from 12,540 in 1976 to 21,369 in 1978, it appears that arson is increasing as a proportion of the total fires reported. In 1978 these two types of fires caused over \$10,979,000 of damage and accounted for 30% of the total loss reported.

Second, one must look at fires of "unknown origin" which have grown from 5,021 in 1976 to 8,355 in 1978, nearly 67%, with total losses in 1978 estimated as \$10,784,000. When these fires are added to the incendiary and suspicious categories, the total losses for these three categories add up to a staggering 60% of the total losses reported. While not all the fires in this group are necessarily arson, because of the lack of expert investigation, coordinated investigations and systematic prosecution, one must consider this as the "pool" of possible arson problems. If only half of the unknown fires were arson, this would mean that one out of every three dollars lost to fire in Connecticut is the result of arson. Perhaps more striking is that nearly two out of every three fires reported in Connecticut may be intentionally set.

While the data may be inconsistent in quality and detail, relative to other types of fires reported, the number of fires in the categories of incendiary, suspicious and unknown are increasing as a proportion of total fires. This means that a substantial portion of effort put forth by fire-fighters in Connecticut is spent on fires which may well be arson. For the State the losses go far beyond the estimates

of property damage and include the operational costs of the fire suppression effort, the loss in taxes and associated income from the businesses and residences destroyed, and the costs associated with the deaths and serious injuries caused by these fires.

While this discussion presents only conservative estimates drawn from existing data, experience indicates that arson tends to be understated rather than overstated in reporting figures. For instance, in 1978 nearly 3,000 electrical fires were reported with approximately \$3,000,000 of loss reported. Arsonists often "disguise" fires by attempting to make them appear caused by short circuits or electrical failure. Obviously, not all of these fires are arson, but without expert investigation one cannot determine the number of fires in this category that are undiscovered arsons.

Third, the current state of the data system within Connecticut does not allow for a break out of fires by cause in the individual cities and towns. But we can isolate the number of fires reported in six communities in the demonstration project for the period 1976-1978. However, since communities do not all report using the same criteria even this analysis is weak. In Table 1 for example, New Haven started reporting all fires in 1977 but up until then only structural fires were reported. Waterbury did not even submit a report in 1976. Hartford reports only structural fires.

Table 1: Fires in Demonstration Cities, 1976-1978*

City/Town	1976	1977	1978
Bridgeport	384	417	542
Enfield	385	459	368
Hartford	1133	1000	1031
New Haven	783	5097	4833
Stamford	819	590	497
Waterbury	-0-	1559	1757
Total in 6 Communities	3504	9122	9028
Total in Connecticut	12540	21948	21369
% of Total fires reported in Connecticut	27.9%	41.6%	42.3%

Adjusting for the data on Waterbury in 1976, these six communities accounted for approximately 40% of the fires reported in Connecticut over the three year period.

Fourth, the likelihood that arson will continue to grow in these critical communities and in the state is suggested by looking at the arrest and conviction rates for arson and reckless burning.

Nationally, arson arrest and conviction rates are low--about 9 persons arrested, 2 convicted, and .7 incarcerated per 100 fires classified as incendiary or suspicious. This compares with 21 arrests, 6 convictions and 3 incarcerations per 100 UCR Index Crimes.

In Connecticut, the profile of the criminal cases disposed of by the Superior Court for arson and reckless burning indicates a total of 146 arson cases were handled between 1975 and 1978. On the average, twenty-four (24) cases were disposed of by a guilty plea and fifteen (15) by trial. Sixty-seven (67) percent of all cases were disposed of with a conviction, and of those convicted, fifty percent (47) were sentenced to confinement, thirty-one percent (29) were sentenced to probation and another seventeen percent (16) received a combination of confinement and probation.

In 1978, out of 5150 incendiary and suspicious fires only 353 arrests were made and 33 were convicted, with 23 persons confined. Thus, the arrest and conviction rates for Connecticut are below the national surveys--about 6.8 persons arrested, .6 convicted and .4 persons incarcerated per 100 fires classified as incendiary or suspicious.

To summarize this problem, consider the following statistics on the communities involved in the demonstration program:

Table 2: Cause of Fires (7/78-6/79) and arrests

	Incendiary	Suspicious	Unknown	Arrests 1978
Bridgeport	149	128	75	24
Enfield	10	131	30	5
Hartford	251	6	399	27
New Haven (1978)	155	951	759	28
Stamford	18	18	238	3
Waterbury	91	502	1097	17

What is evident from reviewing both the state and local statistics is that the arrest rate is very low.

Fifth, the conviction rate for Connecticut is substantially better once cases get to the Superior Court than it is nationally. Between 1975 and 1978, 67 percent of the total of 146 cases disposed of resulted in convictions.

Table 3: Summary of Arson Cases Disposed of by the Connecticut Superior Court

Year	Total Cases Disposed	OUTCOME	
		Without Conviction	With Conviction
		Disposed	
FY 75	33	11 (33.3%)	22 (66.7%)
FY 76	37	11 (29.7%)	26 (70.3%)
FY 77	32	15 (46.9%)	17 (53.1%)
FY 78	44	11 (25.0%)	33 (75.0%)
Total	146	48 (32.9%)	98 (67.1%)
Average	36.5	12	24.5

However, in 1978 there were 353 arrests and only 44 cases were disposed of in the same year. While part of the problem with this figure is the lack of data on the disposition of juvenile cases, the large gap suggests a substantial backlog in the processing of cases. This backlog is even more surprising in view of the high percentage of the cases (65%) which were disposed of by plea bargaining (95 cases) compared to the number taken to trial (15).

Although these statistics may well be imprecise, inconsistent, and lack uniformity, they are sufficient to demonstrate that Connecticut, like all other states, has three serious problems.

First, the initial determination of the cause and origin of fires is obviously inadequate. When 40% of all fires in the state are classified as "of unknown origin" this problem has reached a point requiring immediate attention.

Second, when only 6.8 persons per hundred incendiary and suspicious fires (leaving aside the problem with fires of unknown origin) are arrested, the extent and quality of the investigations is called into serious question. Further, while 67% of the cases handled by the Superior Court of Connecticut end in convictions, the disposition rate (44 cases out of 353 arrests) raises serious questions about the judicial system's ability to process such cases.

Finally, these statistics demonstrate directly the problem created or at least compounded by inadequate management and the almost total lack of prevention programs to deal with arson.

These three major problems are discussed in detail in the next sections, and the objective of this plan is to solve these problems in Connecticut.

D. WHAT WILL THE TASK FORCE DO TO HELP?

The Task Force will work throughout the coming year with the public and private sectors to attack several areas of major concern.

1. Training

The Task Force recommends and supports the broad based training of fire, police and prosecutorial personnel in all aspects of arson. Particular emphasis will be placed on determining cause and origin, recognizing and preserving evidence, understanding techniques and methodologies used by arsonists to disguise fires and finally, understanding each other's roles and needs in carrying out a good investigation and prosecution.

2. Coordination

The Task Force recommends the formation of local arson task forces to bring together all essential personnel at the earliest possible stage of an arson investigation. Particularly, the need for the prosecution to be present and involved throughout the process, is supported and personnel to accomplish this is recommended.

3. Policy

The current practices of many public and private agencies require review and possible revision. The Task Force recommends that the areas of policy outlined in this report be carefully studied and recommendations made for legislation, policy changes and personnel modifications be developed for action over this coming year. No one should profit from arson. Arson should not be an acceptable economic relief for troubled property owners or businesses. Arson should be treated as the serious crime that its effects warrant. All the participants must look to their own areas of responsibility and change policies or practices which encourage or make arson profitable.

4. Prevention

Arson can be prevented. Often arson is predictable. Often it is a result of a chain of events that is familiar and repeatable. The greatest aid to prevention is the increasing of the risk of detection and prosecution, but other steps such as early diagnosis of situations leading to arson, community involvement and changes in insurance practices can have a major impact.

II. THE GOALS FOR CONNECTICUT

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SHORT RANGE GOAL: TO ACCURATELY IDENTIFY AND REPORT THE CAUSE AND ORIGIN OF ALL FIRES BY 1982.

LONG RANGE GOAL: TO REDUCE THE NUMBER OF INCENDIARY AND SUSPICIOUS FIRES BY 25% BETWEEN 1982 AND 1990.

In developing this plan for reducing arson, the Task Force had to establish a concrete, realistic goal for the State. Yet setting such a goal proved a very elusive task for several reasons. First, all fires, let alone arson fires, are seriously under reported, and there are no reliable estimates of the degree of under reporting. In 1978, thirty-nine percent (39%) of the reported fires were reported as "of unknown origin." This alone makes it difficult to establish a realistic goal. Second, the capacity of most fire departments and fire marshals to determine the cause and origin of a fire is limited, as is obvious from the number of fires of unknown origin reported. Therefore the number of fires identified as accidental which were in fact arson is hard to estimate. Third, given the limited capacity of most communities to fight arson, there is little incentive to correctly identify and report incendiary and suspicious fires.

Despite these reporting problems, the existing reports do indicate clearly that the problem is substantial and growing rapidly. In 1978, the number of incendiary fires reported was 1473, increasing 60% between 1976 and 1978. The number of suspicious fires increased from 1404 to 3677 or 160% in the same period. That is a growth of 125% in three years in these specific categories of fires. The number of fires of "unknown origin" increased 67% to 8355 in that period as well.

Since it will take at least two years to have an adequate reporting system in place, and to have an accurate estimate of the problem, the Task Force has recommended setting 1990 as the target date for seeing a substantial reduction in arson.

A. THREE BASIC SCENARIOS

In order to demonstrate the magnitude of the problem, a conservative estimate of the future arson costs and potential savings has been prepared (Tables # 4+ 5). The estimates are based on the currently reported number of

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incendiary and suspicious fires only. The "fires of unknown origin" and misidentified incendiary fire problems are not included in order to demonstrate, using conservative estimates, just how serious the problem is.

Between 1976 and 1978, incendiary and suspicious fires grew at an annual rate of 40%. In Cases 1 and 2, the assumption is that between 1978 and 1980 the growth will be 20% per year (half the rate of the past several years). Since many believe that arson is under reported by as much as 50%, this assumption allows for what the cost of arson is if the improvements in reporting in fact uncover a large number of previously inaccurately classified arson fires.

Case #1 (Moderate) then assumes that the number of fires will go up 10% per year from 1980 to 1990. This case assumes that part of the present annual 40% increase is the result of recent improvements in reporting rather than new arson fires. However, the 10% annual increase is still a moderate estimate of the future growth rate.

Case #2 (Low) makes assumptions similar to Case #1 about under reporting, but assumes the increase between 1980 and 1990 will be only 2.5% annually.

Case #3 (Constant) assumes that arson was accurately reported in 1978 and that there will be no increase over the decade between 1980 and 1990. While no one on the Task Force believes that this is correct or that arson will be held constant without increased efforts by the public and private sectors, it is included to show the cost of arson under the most conservative estimates.

To show the potential benefits derived from efforts to stop arson, three scenarios have been developed to compare with the three basic cases without intervention. In the first and second prevention cases, an assumption was made that while reporting would improve and many of the basic enforcement efforts would begin to show results in terms of arrests and convictions, the actual reduction would not begin to show up until 1981. This also allows for the rise which

will occur as a result of improved reporting. Starting in 1981, these two prevention scenarios assume a reduction of 25% by 1990.

The third prevention case is designed to go with Case #3 (Constant) to show what a 25% decrease between 1980 and 1990 would mean if the arson rate remained constant.

B. THE BENEFITS

These cases are used to estimate the dollar savings which could be realized by a concerted attack on arson. The examples do not attempt to cover the other benefits derived by preventing loss of life, serious injury, fraudulent insurance claims, property tax losses, and job losses. Nor does this estimate try to evaluate or price the impact of arson on the confidence and sense of safety residents have in their neighborhoods.

Putting these other issues aside for the moment, in purely financial terms, based strictly on the fire marshal estimates of property damage, the benefits to Connecticut are substantial (See Table 1).

If arson is growing at the moderate rate suggested in Case 1, then intervening to reduce arson by 25% by 1990 would prevent \$87,000,000 in losses, and prevent about 23,000 fires.

If no action is taken by 1990, the state could be experiencing as many as 20,000 arson fires annually, at a cost of over \$79 million. Acting now and continuing that commitment through 1990 could keep the annual loss in 1990 to approximately 15,000 fires at a cost of \$59 million.

Even if the low rate in Case 2 is used, the savings would amount to \$50,000,000 and the State would experience 14,000 fewer fires.

When considering whether the State should expend between \$600,000 and \$1,000,000 more per year over the next 10 years to stop arson, consider the fact that, even if arson is not rising as shown in Case 3, the 10 year cost over the next decade will be \$215 million in property damage. There will be 56,650 incendiary or suspicious fires. On the other hand, if arson were reduced 25% over that period, the State would save \$28 million and prevent 7388 fires.

TABLE #4 :
ESTIMATES OF FUTURE PROPERTY LOSSES DUE TO
INCENDIARY AND SUSPICIOUS FIRES IN CONNECTICUT*

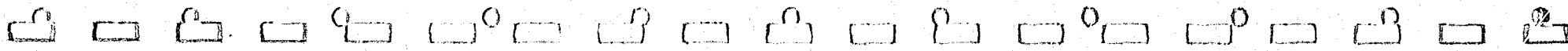
	TOTAL LOSSES 1980-1990	ANNUAL LOSSES IN '90	TOTAL # OF FIRES** 1980-90	ANNUAL # OF FIRES** IN '90
Case #1 Moderate: 10% increase annually after 1980	\$565 m	\$79 m	149,029	20,859
Case #1: with Pre- vention down 25%	\$478 m	\$59 m	126,127	15,644
Case #2 Low - 25% increase '80-'90	\$375 m	\$38 m	99,045	10,052
Case #2 with Pre- vention down 25%	\$325 m	\$28 m	85,668	7,539
Case #3 Constant - Constant at '78 rate	\$215 m	\$20 m	56,650	5,150
Case #3 with Preven- tion 25% decrease '80-'90	\$187 m	\$15 m	49,262	3,862

TABLE #5 :
ESTIMATED SAVINGS BASED ON PROJECTED ARSON LOSSES (DIFFERENCES)

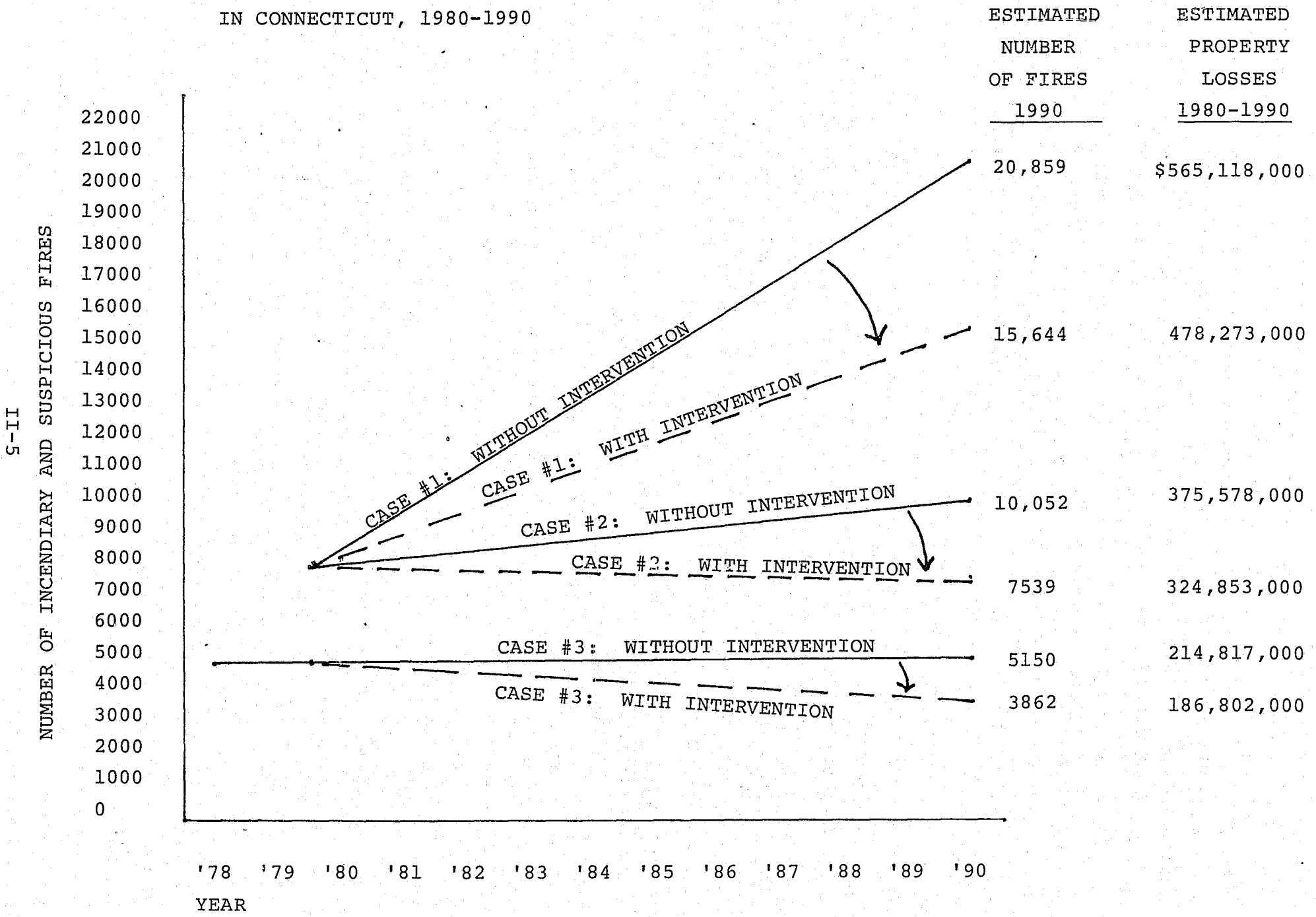
Estimate #1: Based on Case 1 with and without prevention	\$ 87 m	\$20 m	22,902	5,215
Estimate #2: Based on Case 2 with and without prevention	\$ 50 m	\$10 m	14,077	2,513
Estimate #3: Based on Case 3 with and without prevention	\$ 28 m	\$ 5 m	7,388	1,288

*Estimates are based on the average property loss of \$3792 per incendiary or suspicious fire, derived from annual reports of the Bureau of the State Fire Marshal, 1976-1978.

**Incendiary and suspicious fires only.



GRAPH #1: PROJECTIONS OF INCENDIARY AND SUSPICIOUS FIRES
IN CONNECTICUT, 1980-1990



S-II

While the statistics used as a basis for these projections are not very reliable, the very conservative assumptions made allow for this lack of reliability. Since the number of fires reported is the most reliable statistic, it was used as the basis for projecting the future incidence of arson. To derive a useful cost estimate, the average cost of an incendiary or suspicious fire (\$3,792) over the last 3 years was utilized. However, most estimates of loss by the fire service are quite low when compared with insurance losses incurred in the same fires. However, there are no good statistics or studies from which to derive a reliable estimate of the degree to which the fire service estimates are erroneous.

C. NEED FOR FUNDING

What these projections demonstrate is the substantial cost of allowing arson to continue to rise in Connecticut. The Task Force has prepared a comprehensive plan including a very important first year effort in six demonstration communities. While the cost of the one year demonstration effort is about \$1,060,000.00, and the annual cost would be between \$600,000 and \$1,000,000, the benefits from a concerted effort to stop arson are substantially greater. The likely savings range between \$50 million and \$87 million.

One caveat however, is required at this point. If arson is rising as rapidly as the moderate projection used for Case #1, a 25% decrease over the 10 year period still does not result in an absolute decrease in arson. The actual incidence of arson would increase from 5150 incendiary and suspicious fires to about 15,000 such fires. That is a 300% increase in the incidence of such fires. Even in the low case the incidence of arson in 1990 would be about 7500 or almost 50% above the current level.

Unless elected officials and the general public are aware of the potential costs of not implementing this plan, they will fail to understand the impact of the program. All the public will see will be the large increase in arson, and they will not see the benefits of the program. To understand the actual progress being made even if the incidence of arson goes up, state and local officials will have to look at other measures of performance. To facilitate such review, the Task Force has identified three intermediate objectives and eight milestones by which to measure progress.

D. MEASURING PROGRESS- INTERMEDIATE OBJECTIVES

There are three basic objectives which must be met over the next 5 years if the goal of reducing arson 25% over the next decade is to be realized.

Objective #1 - Raise Public Awareness of Arson

The general public, public officials and private institutions must recognize the seriousness of the arson problem. Unless such awareness exists, the commitment and resources to stop arson will not be found.

Objective #2 - Increase Risk

Increase the risk of detection and conviction for those who engage in arson. The arrest and conviction rates are simply too low to act as a credible deterrent, and they must be dramatically altered. Further, when 40% of the fires are reported without an accurate determination of cause and origin, the whole effort to increase the risk of detection is undermined. The law enforcement element of this plan, and the grant application to the Law Enforcement Assistance Administration explain how this objective will be accomplished.

Objective #3 - Take the Profit Out of Arson

Obviously increasing the risk will have a deterrent impact on arson, but if the financial and other rewards from arson remain high, then arson will continue to increase. The prevention element of this Plan explains the issues and possible approaches to take in reducing the profit in arson.

E. MILESTONES

To determine the amount of progress being made toward these basic objectives, the Task Force has identified several milestones to measure progress. These milestones or targets should be achieved in the first five years.

1. The number of fires reported as "of unknown origin" should be reduced by 50% in 3 years.
2. The arrest rate per 100 fires should increase by 50% in 3 years.
3. Within 2 years the disposition rate for arson cases should improve to the point where 50% of the cases are cleared within 6 months and 80% are cleared within 1 year.
4. In 2 years, a comprehensive arson information system should be operational statewide. The details of this

milestone are contained in the data element of this plan.

5. Arson awareness training should have been provided to all fire and police personnel by 1985.
6. In three years, every major city should have a trained arson squad, composed of police and fire personnel, working with a prosecutor for that judicial district.
7. The demonstration program described in the L.E.A.A. Application should be funded and implemented by June 1980.
8. Within 5 years, the underwriting, claims handling procedures and other recommendations for reducing the profit in arson, made by the Task Force over the next year, should be implemented by major insurers operating in Connecticut.

This list of milestones is sufficient to indicate if progress is being made. Each community, public agency and private institution involved in this effort should set intermediate objectives relative to its own efforts and should establish concrete bench marks by which progress can be measured.

III. LAW ENFORCEMENT ELEMENT

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A. INTRODUCTION

The Task Force has developed this plan for improving the efforts of the law enforcement community to combat arson in Connecticut. By implementing the plan during the next year and continuing it over the next 10 years, the Task Force believes that arson can be reduced by 25% over the decade between 1980 and 1990. The plan has seven basic elements:

1. Establishing appropriate policies and priorities;
2. Establishing suitable administrative structures;
3. Developing administrative procedures;
4. Providing adequate resources and services;
5. Providing training for all critical personnel;
6. Supplying technical assistance; and
7. Recommending changes in laws.

The plan is designed to be implemented initially in six demonstration communities, using funds from the U.S. Department of Justice, Law Enforcement Assistance Administration, and private institutions.

There are good reasons for focusing the effort on a relatively small number of communities. First, for the effort to be successful, a large number of agencies and individuals in both the public and private sectors must learn to work cooperatively. Second, some existing working relationships must change substantially. For example, prosecutors will involve themselves in the investigation much earlier in the process. Third, to assure that all of the involved personnel have the capacity to perform their functions adequately, a substantial amount of training is required at the outset. Fourth, supplying the resources, services and technical assistance needed in this effort is expensive and cannot be provided on a statewide basis in the start-up year. Fifth, the lessons learned in the demonstration year will facilitate implementation of the program in other communities in subsequent years.

Because instituting these efforts on a statewide basis in the first year is not feasible, the Task Force is recommending to the Governor the funding of a demonstration project in the areas where its impact will be greatest. Six communities have been selected: Bridgeport, Enfield, Hartford, New Haven, Stamford and Waterbury. The reasons for selecting these communities are explained in appendix D.

While much of the first year efforts of this program are focused on the six demonstration communities, there are statewide implications. First, adding new personnel to the investigative staff of the Bureau of the State Fire Marshal to work with the demonstration cities will enable the existing personnel to provide better service to the remainder of the state. Second, improved forensic services will be available to all communities even though priority is given to the demonstration communities. Third, improving the data analysis capacity of the Bureau of the State Fire Marshal will immediately benefit all communities. Fourth, the public education program will impact the entire state, as the newspapers and other media report on these efforts. Fifth, developing a coordinated training program during the demonstration year will facilitate training for all communities in the future. Sixth, the technical assistance program for determining the cause and origin of fires will be available to all communities, though the grant will pay for these services during the first year for the demonstration cities only. Seventh, a successful startup program should prove the value of having these programs continued by state and local communities after Federal funding expires. Thus, although the first year of the program operates as a demonstration project in six communities, the end product is a comprehensive statewide system which will support similar efforts to fight arson by any community in the state.

How the effort will be specifically expanded to other communities will be determined by the Arson Task Force during the next year, and will in large part be influenced by the problems encountered in these initial efforts.

B. THE BASIC LAW ENFORCEMENT PLAN

Explaining how the plan will work is perhaps easiest by examining the series of events which occur after the fire is discovered. In the most basic terms, the law enforcement effort involves 5 stages. First, the cause and origin of the fire must be determined. This begins when the first policeman or firefighter arrives at the scene (Stage 1). Second, if the fire was set, then an investigation must be made to determine who set the fire and why (Stage 2). Third, once the investigators have determined how the fire was set and who was responsible, the prosecutor must prepare the case for trial and eventually try the case (Stage 3). Fourth, the arsonist must be handled appropriately by the criminal justice system after a conviction to reduce the likelihood of his repeating the crime once released (Stage 4). Finally, the information developed in this entire process must

be used to evaluate the system and to support the prevention efforts, so that fires can be avoided in the future rather than simply reacted to after the fact (Stage 5).

The Task Force, in reviewing the steps required to bring the work done in each of these stages up to an acceptable standard, has identified the following needs, and recommends that the state take the following actions to successfully attack arson.

C. GENERAL NEEDS AND RECOMMENDATIONS:

1. Improve Coordination, Cooperation, and Communication Among the Actors.

If the performance of the law enforcement community is to be measurably improved, then dramatically increased coordination, cooperation and communication is required. To meet this need the task force recommends that each community establish a Local Task Force on Arson composed of the police chief, fire chief, fire marshal, and state's attorney for the judicial district, and other members as appropriate. The additional members might include the heads of other public agencies such as the building inspection department, the planning agency or the tax assessor; private sector representatives of the insurance industry, bankers and real estate brokers; and private citizens from neighborhoods experiencing serious arson problems.

This local task force would be responsible for developing local arson prevention programs and for implementing, managing, and evaluating the local law enforcement efforts. Its initial responsibility would be to establish a joint arson investigation unit composed of police, fire and prosecutorial personnel. While the formation of such a task force does not guarantee coordination, cooperation and communication, it is the first step. The joint investigation unit also will facilitate achieving this objective.

Over the past four (4) months the Governor's Arson Task Force has experienced the sort of communication which can result from the process of working jointly on this problem, and believes that the continued use of the Task Force over the next year will help to develop the details of the plan described here, and facilitate implementation of the recommendations. Therefore, the Task Force recommends continuing its involvement in the development of policy, in monitoring the implementation of the demonstration program, and in refining the state plan based on the experience gained over the next year.

By providing a forum for the exchange of ideas on the problems and progress made during the next year the Task Force will be able to promote coordination and cooperation and communication at the state level which will compliment that which is required at the local level.

2. Establish Policies and Priorities.

Many of the policies and priorities required are contained in this document, particularly in relation to the needs of a demonstration project to get a state-wide effort off the ground. However, the funding available for that project is not yet clear, and critical choices may be required among the elements recommended if full funding is not obtained. Further, expansion of the effort statewide beyond the initial year will require the state to choose among a series of alternative ways to implement the program.

In developing the demonstration program for the first year the Task Force identified several basic issues which involve basic policy decisions for the state. The Task Force will have to review these issues and make recommendations for their resolution. Over the next year, the Task Force will work to:

a. Clarify the role of inspectors for the state's attorney's offices in relationship to the investigators for the state police and the state fire marshal. Currently the capacity of the Bureau of the State Fire Marshal is well below the level required to adequately serve the statewide needs for supplementary fire investigation. To fill these gaps, state's attorneys, who have much more flexibility in hiring inspectors, have begun to rely on their own inspectors to help with extensive investigations. Particularly where the investigation involves extensive interviewing, record searches, and preparation of materials and evidence for trial, the inspectors seem to meet the needs of the state's attorneys. However, where the assistance required involves help in determining the cause and origin of the fire, the fire investigators in the Bureau of the State Fire Marshal serve the needs of the local fire marshal and fire department.

During the demonstration project these roles need to be clarified, and the personnel needs of the Bureau of the State Fire Marshal and the State's Attorneys should be reviewed to determine appropriate staffing levels.

b. Clarify priorities for the Bureau of the State Fire Marshal and determine the staffing level required to conduct these activities. While 21 of the sworn personnel in the Bureau have had fire investigation training

and experience, only five (5) of those personnel are currently assigned full time to conduct the fire investigation functions of the Bureau. The reason for this problem is the number of competing responsibilities which the Bureau has been assigned without adequate staff.

Currently the Bureau has statutory responsibility for building code and fire safety code inspections, fire investigations; training and certifying state fire marshals; investigations of persons seeking pistol permits and private investigator licenses; HEW Title 18 and 19 inspections of convalescent home; issuing explosives permits; and inspections of carnivals for safety each time one sets up.

c. Establish basic policies regarding training for personnel involved in arson detection, investigation, and prosecution. Currently the Commission on Fire Prevention and Control is developing a state plan for training for fire service personnel, however, the training needs in this area extend far beyond the fire service. Over the next year the Task Force must work to develop training priorities, standards, objectives, and systems for the law enforcement community dealing with arson. This issue is discussed in more detail in Section VI: Training Element.

d. Clarify the responsibilities of state agencies in providing services to local law enforcement agencies. In negotiating agreements for the first year demonstration program, the unevenness of relationships between local and state government agencies was clear. While not uniformly bad, it is substantially less effective than desired. A major reason for this is the lack of clear understanding of the services available, the guidelines for their provision, and the purposes for which they are provided. At the same time, local governments are not particularly clear about their needs and why the state rather than local government should provide for them. In the area of arson investigation this must be eliminated by clearly defining the services and the terms under which they are provided, and insuring that they meet the needs of the communities to which they are provided.

e. Recommend an appropriate level of financial support for arson law enforcement efforts at the state and local levels. In developing the demonstration program, the Task Force identified the basic start-up costs of a comprehensive effort to stop arson in Connecticut. However, the cost of continuing the program and expanding it statewide will have to be assumed by state and local government. Over the next year the Task Force will develop a specific financial plan for assuming those costs and expanding the program statewide. Initial estimates suggest that the annual cost of sustaining

the first year effort will be approximately \$600,000. However, this estimate, and the details regarding cost will have to be refined based on the experience of the first year. If the project is not funded by the L.E.A.A, then the Task Force will have to seek the necessary start-up funds from the state, local, and private sources. The potential cost of not making a substantial effort to reduce arson are explained in the section on goals (see Section II).

3. Review the Existing Administrative Structure and Recommend Changes at the State Level to Improve the State Capacity to Respond to Arson.

In developing the demonstration program, the Arson Task Force decided that the existing system simply had not been provided an adequate opportunity to demonstrate its capacity to respond to the needs of the state in relation to the arson problem. Conceptually the existing structure is adequate and probably should not be significantly altered. However, some of the agencies simply do not have the capacity to respond adequately to the demands made of them. Therefore, some reorganization may be required to enable a specific agency to cope with its diverse responsibilities without adversely impacting on its ability to contribute to the arson prevention effort. Whether the problem is organizational structure or adequate resources should be clear by the end of the first year, and appropriate recommendations will be made by the Task Force at that time.

D. NEEDS AND RECOMMENDATIONS FOR STAGE 1: ARSON IDENTIFICATION

Unless the fire is correctly identified as suspicious or incendiary, the arson problem cannot be solved. In fact, the size and seriousness of the problem will be severely understated if the cause and origin of all fires is not correctly identified and reported. Currently, over 40% of all fires in Connecticut are reported as "of unknown origin." That means that out of 21,369 fires in Connecticut in 1978, 8355 never had the cause and origin determined. That is simply intolerable if arson is going to be stopped.

The Task Force has identified four basic reasons for this problem. First, the first public officials to arrive at the fire scene, the line police and firefighters are not well trained to detect the symptoms of an arson fire. This lack of training in arson awareness has its origin in (a) the structure of the fire service, (b) the philosophy regarding the requirements for entry level personnel, and (c) the resources available for such training.

In Connecticut, there are 284 fire departments, with 21,500 firefighters. Seventy-eight percent (78%) are volunteer firefighters. Only twenty-two percent (22%) are full or part-time paid personnel.

Even within the 91 fire departments in the urban corridor, which includes the 50 more densely populated cities and towns, 62% of the firefighters are volunteers. One of the basic reasons for including Enfield in the project is the need to develop clear procedures for fighting arson in Communities with several independent fire departments, composed primarily of volunteer firefighters.

Volunteer departments face three serious problems when trying to cope with arson. First, providing adequate training is difficult. Second, the ability to commit staff to perform extensive investigations of suspicious fires is very limited. Third, the firefighters primarily view their responsibilities as fire suppression rather than fire prevention.

Beyond the structural problems, lack of training is the most serious defect in the system. According to the Commission on Fire Prevention and Control twenty percent (20%) of all fire departments offer no entry level training and twenty-two percent (22%) offer no more than 20 hours of training and none of that includes arson awareness. The problem of in-service training is just as serious. Only 55% of the fire departments provide more than 40 hours of in-service training annually, and almost none of that relates to arson. Further, the quality of this training has never been evaluated due to the Commission's limited staff. Police personnel in almost all communities have never had any training in basic arson awareness.

Finally, the Commission on Fire Prevention and Control is so underbudgeted and understaffed that even providing basic fire training strains its capacity. The Commission has a budget of only \$166,700 for fiscal year 1979-80, with only 2 full-time professional staff and three clerical staff to serve 284 fire departments in the state.

While there are seven regional fire schools in Connecticut, as well as a Connecticut State Fire School run by the Commission, there is no standardization of courses, no monitoring of quality, and the schools view fire suppression as their only focus, with little or no training relating to arson. Over the next year the Commission has scheduled several of the weekend fire training schools to include arson training.

The lack of resources to provide adequate training means that when the first firefighter or police officer arrives at the scene, no one will be well enough trained to recognize the signs of arson. At that point, the chance of ever successfully proving the fire was set drops dramatically. Key facts go unnoticed and recorded, evidence of arson may be unwittingly destroyed and witnesses may leave unnoticed and unquestioned.

Second, training for arson investigation units is also seriously lacking, and for many of the same reasons mentioned in relation to arson awareness training. However, the problem here is compounded by the critical need to coordinate efforts of the police, firefighters and prosecutors to investigate fires. Currently only New Haven, Hartford, and Enfield have combined police/fire arson squads, and only New Haven actively involves the prosecutor in the investigations. Further, only the State's Attorney for New Haven conducts training on prosecuting arson cases for his staff and for the arson investigators.

Given the difficulties in detecting the cause and origin in arson-for-profit cases, and the time-consuming nature of such investigations, the result is that most cases which are solved involve juveniles who often do not disguise the fires they set. Nationally 77% of those arrested for arson are under 25, and the experience in Connecticut is similar. One of the reasons that only 44 cases (out of 353 arrests) in 1978 were disposed of by the Superior Court is that a very large part of the remainder were juvenile offenders. However, the Connecticut legislature in 1979 reclassified arson to make it a serious juvenile offense, and those charged with arson will in the future be bound over to the Superior Court.

If the most serious fires, those set for profit, are going to be solved, the prosecutor and the investigator must be adequately trained, and they must work together as investigative units.

Third, forensic services are critical to developing and preserving evidence that the fire was set and proving that fact in court. Yet current forensic services provided by the State are now very weak. To deal with this problem, the Governor established an Evidentiary Services Task Force, which completed the first draft of its report and recommendations on July 10, 1979. The need for such services for arson is just one component of the problem, and frequently forensic services for the fire departments are given a lower priority than services to police departments. While there is currently no data on the time required to process materials sent to the lab, the consensus of the members of the Task Force was that substantial improvement is required.

Fourth, the reason so many fires are listed as "of unknown origin" is that the local investigator simply lacks the expertise to rule out accidental causes, or that the time and expense required to hire an expert in electrical engineering or other specialized fields precludes their use. Fire Marshals in Connecticut are paid \$2 per fire to determine its cause and origin, and in the last session of the legislature the Connecticut Mayors successfully lobbied to prevent the

\$2 per fire minimum from being raised. Yet, leaving the cause listed as of "unknown origin" has serious ramifications in court when such a finding undermines the ability of a prosecutor to prove the fire was set, settling insurance claims, and focusing public attention on the magnitude of the arson problem. Without expert technical assistance many fires may be misclassified as accidents, which is even more detrimental than labelling the cause as unknown.

To solve these problems the Task Force recommends the following steps be taken by the State and local governments:

1. Arson Awareness Training Must be Provided to All Police and Fire Service Personnel.

Correctly and quickly identifying the possibility that a fire has been set is critical. If the arson investigation unit is called in early, then a far better investigation will occur. Witnesses are easier to identify at the scene. Physical evidence that the fire was set is less likely to be accidentally destroyed. Less time will be wasted if the arson investigation unit doesn't have to go through a process of obtaining a search warrant several days after the fire, just because they weren't called in early enough.

On the other hand, the arson investigation unit should not have to respond to every alarm just to assure that the cause and origin of the fire has been properly determined. This problem is complicated by the role of the fire marshal in determining the cause and origin of a fire. Under state law only the local fire marshal or the state fire marshal can determine the cause and origin of a fire. Yet in most communities the fire marshals are basically volunteers. By state law they cannot be paid more than \$10 per fire to determine the cause and origin. Most communities pay only \$2 per fire. That barely covers the cost of driving to the fire. The result of the split in responsibilities for fire suppression and determining the cause and origin may be a serious delay in initiating an appropriate investigation into suspicious and incendiary fires unless police or fire personnel call in the arson investigation unit or fire marshal immediately. This is particularly critical with structural fires.

The training required must be provided in the following ways to insure the appropriate skill levels are developed and maintained.

a. Basic recruit training. All fire and police personnel must be trained in arson awareness as part of their recruit training. The Task Force has initiated discussions with the State Police Academy and the Academy has been quite receptive to including a basic course on arson awareness in its recruit program.

The Commission of Fire Prevention and Control has already identified such training as an important component for fire service personnel. However, the problem of reaching all fire service personnel is troublesome because of the numerous institutions which conduct recruit training. Over the next year the Commission will address this problem in its comprehensive plan for training, currently being developed.

b. Inservice Training - Reaching all existing fire and police personnel is a more difficult task. Time for training in any line department is limited and for volunteer fire fighters it is particularly limited. However, basic packaged training courses are available, and by working with a designated training officer for each department, these courses and materials can be presented over a period of two years to all personnel. Training the training officers, monitoring the implementation of the courses, and testing the effectiveness will require a substantial effort from the staff of the Commission on Fire Prevention and Control. Unless additional staff is provided beyond the demonstration grant period, the Commission will lack the resources to adequately implement this program.

c. Refresher Training for Inservice Personnel. Once personnel have received the basic awareness course, they will require short annual or biennial refresher training which covers areas that are identified as problems, brings them up to date on new laws or reporting requirements, explains progress being made to keep motivation high, teaches new techniques for easily identifying suspicious signs, and which explains trends in arson currently being identified as problems.

The refresher training course will have to include materials developed at the state level and locally. This will require each community to work with the Commission on Fire Prevention and Control and the Bureau of the State Fire Marshal to develop its own presentation. A basic outline of that program should be developed by the Commission for use by local training officers.

As an example of the sort of material which would be included in a refresher course, consider the data developed by the Arson Warning and Prevention System. The fire department will have data on the blocks and census tracts which are considered "at risk" and a list of characteristics of buildings likely to be burned. By reviewing this material with fire and police personnel their sensitivity to the arson problem will be greatly increased. Similar sorts of information, even if less sophisticated, can be developed for any community.

2. Training for all arson investigation units and fire marshals in determining cause and origin is essential.

The science of investigating fires to determine their cause and origin is becoming more sophisticated each year and the equipment available to assist in this effort is also becoming more complex. To assure each community has personnel who are up-to-date in this complex area, a substantial amount of training is required, and the training needed goes far beyond classroom lectures. Once the basics have been taught in the classroom, the investigators should receive training in the field under both controlled circumstances and as part of actual investigations.

Once an arson investigation unit has been established, the members including the local fire marshals must receive training in investigation procedures. While package classroom courses are available from the U.S. Fire Administration and training courses are available in a number of places around the country, a critical gap exists in terms of the on-the-job training. Two methods of closing this gap that have been suggested include (1) "inservice transfer" of personnel to work for a period as an apprentice in a department which has skilled investigators. This would allow the investigator to obtain on-the-job training by working with an arson investigation unit which is already proficient. (2) This could also be accomplished by assigning an investigator from the Bureau of the State Fire Marshal to conduct such on-the-job training in the investigator's own community.

In the demonstration project, this issue will be addressed on a small scale, and with the benefit of that experience the Task Force and the C.F.P.C. should be able to make more concrete suggestions for training fire investigators.

3. Technical assistance in determining cause and origin must be available. Even with proper training, fires can start in electrical systems, in heating and air conditioning systems or with chemicals which require an expert in those systems to determine whether the cause was accidental. Arsonists are becoming more professional, just as investigators are, and determining if an electrical appliance failed or was rigged to fail requires specialized skills.

Some of these skills will be available through the personnel in the Bureau of the State Fire Marshal (BSFM), but the skills required are so diverse and specialized that the Task Force has recommended establishing a technical assistance program in the Bureau of the State Fire Marshal. This would work in the following manner: (a) A list of individuals around the state with the specialized skills required would be developed and maintained by the BSFM. In developing the

list, the BSFM would work with representatives of the insurance industry, local fire marshals, state's attorneys, local police chiefs and local fire chiefs to identify qualified experts. (b) This index or list would then be available to any community which needed a particular type of expert. For example, if a 1920 Bendix washing machine engine caught fire, the index would identify individuals with expert knowledge of such engines and refer the community to such individuals. (c) The community would then contract with the expert for his or her services. (d) The BSFM would establish a procedure and criteria for individuals to have their names included on the list. (e) During the demonstration project, the cost of such services will be paid for by the State, and these individuals would also be used to provide training for investigators. (f) After a review of the program's success in the demonstration year, the Task Force and the BSFM will make whatever changes are required.

The basic concept is to have an effective reference service, to demonstrate the usefulness of such services, and to encourage communities to provide the fire marshal and the investigative units the resources to utilize such services.

A major benefit of such a service is that such an individual will be easier to qualify at a trial as an expert and the prosecutors will be in a better position when trying to prove the cause and origin of the fire. Also, as these services are utilized, the skills of the investigative units will be upgraded through on-the-job training and experience gained working with such experts.

4. Improved forensic services must be provided to support the investigator's efforts to determine cause and origin.

Currently the State is reviewing the adequacy of all types of evidentiary services in the state. Without going into details here, the examples provided the Task Force regarding turn around time at various laboratory facilities around the state are distressing. If an investigation is held up three months pending the lab determination of whether a chemical accelerant was used to set the fire, the chances of successfully prosecuting the case are seriously diminished. On the other hand, laboratory reports concerning the inadequate preparation and handling of evidence brought to the lab for analysis suggest a serious problem at the local level as well.

The Task Force recommends three basic steps to solve this problem:

(a) training for investigative personnel on handling samples sent to the lab for analysis;

(b) committing at least \$100,000 to expand the staff and equipment available in the state police lab, specifically for analysis of evidence required for fire investigations; and
(c) providing adequate storage and handling equipment to local arson investigation units.

These basic needs are provided for in the demonstration program, but as the effort expands statewide, additional support services and equipment will be required.

E. NEEDS AND RECOMMENDATIONS FOR STAGE 2: ARSON INVESTIGATION.

In the second stage of the law enforcement effort, an investigation must be made to determine who set the fire and why. Determining the cause and origin may provide evidence which suggests who set the fire and how. Therefore, the need for coordination between those examining the physical evidence of the fire and those investigating the fire to determine who had a motive for setting the fire is paramount. One of the critical reasons for establishing joint fire, police and prosecutor investigative units is to facilitate the required coordination and communication at this critical stage. Evidence developed by the police or fire service personnel may recommend reexamining the scene for evidence the fire was set, or checking the background of the owner more closely to see if there was a motive for setting the fire.

1. Joint arson investigation units must be established in each community facing a serious arson problem.

The capacity to conduct adequate investigations is currently quite limited statewide for several reasons. (1) Joint investigative units are rarely utilized. (2) The prosecutors are usually not involved until late in the investigative process. (3) Responsibility for carrying an investigation forward gets lost in the jurisdictional issues relating to the roles of the fire department, the fire marshal, the police department and the prosecutor. When Federal, State and private investigators are added to the picture it is obvious that the need for coordination is critical. Deciding who is going to be responsible for conducting interviews, record searches, background checks, etc. can bog down an entire investigation. The establishment of joint investigative units will solve most of these problems.

2. Personnel must be trained to conduct arson investigations.

While most police officers are trained to conduct criminal investigations, the sort of investigation which may be required in an arson case requires specialized training.

To adequately investigate the economics of an arson-for-profit case the investigator may be required: to search the registry of deeds to determine the true owner; to check with the municipal assessing department to find out if the owner has back taxes due on the property; to analyze the financing of the property to evaluate the economic stress on the building; to check the health and building code records to assess the physical condition of the building; and to search police records to see if any tenants have a history of violence that might suggest a revenge fire.

Interviewing witnesses, particularly juveniles, is a learned skill. Currently, the U.S. Fire Administration, working with the Los Angeles Fire Department is developing a manual for conducting interviews with children and adults to upgrade the quality and reliability of the interviewing process. Once these materials have been tested, fire investigators will need to receive training in these interviewing methods.

To facilitate investigations an arson intelligence data system is going to be developed over the next year and investigators will have to be trained in the new reporting procedures which will be necessary to make such a system work. This data bank will include the names of known firesetters unique modus operandi, various aliases, and other information on persons involved in suspicious cases which might help establish a pattern of fires.

3. Adequate Staff Must Be Available to Investigate.

Communities must provide the fire and police departments, and local fire marshal with adequate staff, and the State must provide the Bureau of the State Fire Marshal and the State's Attorneys for the judicial districts adequate staff to conduct such investigations.

The seriousness of this problem of inadequate investigations is highlighted by the fact that out of 5150 incendiary and suspicious fires in 1978 in Connecticut only 353 arrests were made. Nationally the arrest rate of 9 persons per 100 incendiary and suspicious fires is considered very low. Connecticut's rate of 6.8 arrests per 100 is 24% lower than the national average. For the Uniform Crime Reporting Index Crimes the average is 21 arrests per 100 or 3 times higher than Connecticut's rate for arson.

While each community must accept the responsibility for conducting the basic investigations, the state must ensure

that adequate supplementary resources are available in the Bureau of the State Fire Marshal and in the offices of the State's attorneys. In terms of personnel needs, this is perhaps the most critically understaffed area.

One way in which the cost of part of the staffing requirements in this area might be met is through "mutual aid agreements" between fire marshals, fire departments, and police departments in adjacent communities. Today such agreements are frequent in the area of fire suppression. By entering into such agreements, communities, particularly small communities, could significantly reduce the cost of developing and maintaining an adequate investigative capacity. This would also help to assure that such investigative units are fully utilized.

4. Statutory Changes Needed to Facilitate Investigations

Two specific statutory problems have been identified.

First, the laws defining arson need revision. Arson is not even defined as a felonious crime of violence, yet it is used as a means of obtaining revenge, as a means of extortion, and as a technique to scare out tenants. Arson fires frequently place the lives of firefighters in serious jeopardy.

Recently arson was added to the list of Part I crimes by the U.S. Congress. Further, arson has in Connecticut been defined as a serious juvenile offense. To place arson in the proper legal perspective it should be defined as a felonious crime of violence. Then the Penal Code, Section 53a-111, which defines first, second and third degree arson, needs to be reviewed and rewritten to simplify and clarify this statute.

Second, several states and the federal courts allow prosecutors to obtain investigative subpoenas prior to indicting a suspect or convening a grand jury investigation. Without such powers, investigations of banking and other financial records is extremely difficult. By allowing for such preliminary investigations, it will be easier for a prosecutor to determine, for example, whether the owner of the property had a financial motive for burning the property. Without such powers a prosecutor may indict someone prematurely in order to get those records, when examination of those records would have indicated no involvement.

What should be emphasized is the need for these powers to reach organized arson rings or arson-for-profit. In some cases these rings involve organized crime. Without these powers the prosecutors will rarely reach beyond the hired "torch." With these powers it may be possible to reach the powers behind the arson rings.

F. NEEDS AND RECOMMENDATIONS FOR STAGE 3: ARSON PROSECUTION

In Connecticut, where prosecutors are all part of the state judicial system, there is one (1) prosecutor per 25,423 people. This is substantially below the per capita figures for San Diego (county jurisdiction) 1/12,977; Philadelphia (city jurisdiction) 1/14,285; Chicago (county jurisdiction) 1/12,000; and Los Angeles (county jurisdiction) 1/14,444.

By comparing the case load, budget and per capita staff ratio, it is easy to see the limited ability of the State's Attorneys to give arson investigation and prosecution the priority it requires in Connecticut. (See Table 6). To see this problem of staff capacity more clearly, consider the status of the criminal docket in May 1979 for each of the judicial districts in Connecticut. (See Table 7).

What is clear from Table #7 is the pressure on the State's attorneys to avoid trials. Of the 418 cases disposed of in May of 1979, only 15 went to trial. In the four judicial districts involved in the demonstration program, analysis of the work loads shows in Fairfield each prosecutor had 108 cases pending; in Hartford each had 176; in New Haven 139; and in Waterbury 78. On the average, each prosecutor cleared 11 cases for the month, or less than 10% of the cases pending.

Assuming that the number of incendiary and suspicious fires in the six cities remains 2153 in 1980 (the same as it was in 1978), then an average of 179 fires will require investigation each month. Assuming only one third (1/3) of those require the active involvement of a prosecutor, then the state's attorneys will have to dispose of an additional 59 cases per month or 15 per judicial district. When 10% of the 2199 fires of unknown origin are added, the judicial system simply will not be able to respond.

When the system is expanded statewide, and all the incendiary and suspicious fires are actively investigated, the need for more prosecutors becomes clear. If the cases remaining (2997) after those in the six demonstration cities are subtracted, are distributed evenly among the 11 judicial

districts, that will mean an additional 272 fires per judicial district. If only one third of those require an attorney's involvement, it still means an additional 7.5 cases per month to dispose of in each judicial district. Since prosecutors are only clearing 11 cases per month now, that will place a serious strain on the system if the State is going to meet the Task Force objective of clearing 50% of the arson cases in 6 months and 80% within one year.

1. Additional Prosecutors Must Be Provided to Each Judicial District

The demonstration grant proposed the addition of 4 states attorneys, and those resources must be retained after the first year. Then as the statewide system is improved to more accurately determine the cause and origin of fires and to conduct investigations, additional prosecutors will be needed to carry these cases to trial.

The entire analysis of the need for more prosecutors presented above was based on the assumption that arson would not increase above the 1978 level. Clearly that is not what the Task Force expects. If arson grows at a 10% annual rate as was described in section II on goals, then the lack of an adequate number of prosecutors is likely to reach crisis proportions.

2. Prosecutors Must Be Involved in the Investigation Soon After It Commences.

Because of the complexity of many arson cases, the early involvement of a prosecutor is important. To ensure that the investigation leads to a strong case for trial and to help the investigators avoid technical problems relating to the rights of an accused individual, this involvement is very important.

The inclusion of the prosecutor as a member of the local investigative unit will go a long way toward realizing this objective. However, the State's Attorney for each judicial district must understand the importance of having his staff work closely with such units. The prosecutors cannot simply wait for the investigators to bring in a case. Rather they must actively involve themselves in the investigation.

3. Training In Arson Investigation and Prosecution Must Be Provided to State's Attorneys.

For the early involvement in an arson case to have the impact the Task Force hopes it will have, the attorneys must receive adequate training about arson. Prosecutors must

understand the physics of a fire so it can be explained clearly to a jury. They must also understand the complexity of the financial transactions in an arson-for-profit case so they can prove the motives for setting a fire. They must understand the requirements of an adequate investigation so they can actively direct the investigation in a community which lacks trained investigators, or until they are trained.

Funds are provided in the demonstration program to conduct such training for the prosecutors specifically hired for this project. However, a number of prosecutors in each judicial district should receive such training. The training itself should consist of three basic elements.

a. Basic training regarding arson.

Each prosecutor should receive a basic course on arson investigation and prosecution. Such courses are currently available in a number of states, and can be brought into Connecticut. However, part of this training should be conducted jointly with the investigative unit, so that both investigators and prosecutors begin to understand the problems faced by the others. This will also facilitate communication between the prosecutors and investigators. The experience of the State's Attorney for New Haven with joint training of investigators and prosecutors has been very effective and suggests this is an important step in establishing good working relationships.

b. Quarterly workshops on arson.

In order to refine the skill levels of prosecutors and investigators, quarterly workshops should be held to exchange experiences in investigating and prosecuting cases. By conducting this sort of peer group exchange the Task Force believes the quality of investigations and prosecutions will be substantially improved. These workshops will also provide an opportunity to evaluate the adequacy of other components of the system, for the prosecutors and investigators are perhaps in the most vulnerable position when it comes to earlier systems failures. If the cause and origin was not adequately determined they may lose the case. If the forensic lab work is poor it will jeopardize the case.

c. Refresher training.

Annually prosecutors should receive a refresher course on new approaches to prosecuting arson cases, on the current level of arson in the State, and on new laws, regulations or cases relating to arson.

TABLE 6: COMPARISON OF PROSECUTOR WORKLOADS
IN FIVE JURISDICTIONS

<u>STATE OF CONNECTICUT</u>	<u>COOK COUNTY, ILL.</u>
Population: 3,000,000	Population: 6,000,000
Prosecutors: (State's Attorneys) - 108 full time - 20 part time	Prosecutors: 500
Caseload (1977-78): - 88,000 misdemeanors - 4,500 felonies	Caseload: 272,000 misdemeanors 46,000 felonies
Budget: \$4,600,000	Budget: \$14,500,000
<u>SAN DIEGO COUNTY, CA.</u>	<u>LOS ANGELES COUNTY, CA.</u>
Population: 1,700,000	Population: 7,800,000
Prosecutors: 131	Prosecutors: 540
Caseload: 40,000 misdemeanors 10,000 felonies	Caseload: 138,000 misdemeanors 28,000 felonies
Budget: \$9,700,000	Budget: \$28,600,000
<u>PHILADELPHIA, PENN.</u>	
Population: 2,000,000	
Prosecutors: 140	
Caseload: 23,000 (combined)	
Budget: \$6,400,000	

Source: Chief State's Attorney

TABLE NO. 7: SUPERIOR COURT - CRIMINAL (PART A) STATISTIC

MOVEMENT OF CRIMINAL DOCKET

MONTH OF MAY 1979

LOCATION	# PROSECUTORS	NO CASES PENDING BEGIN- NING OF PERIOD	CASES ADDED IN MAY	CASES DISPOSED OF DURING MAY		TOTAL DISP.	NO. CASES PENDING AT END
				WITHOUT TRIAL	WITH TRIAL		
ANSONIA - MILFORD	2	95	4	19	0	19	80
DANBURY	2	30	18	14	1	15	33
* FAIRFIELD	7.5	810	70	83	2	85	795
* HARTFORD	8	1411	144	124	6	130	1425
* NEW HAVEN	6.5	904	43	40	3	43	904
LITCHFIELD	2	83	3	9	0	9	77
MIDDLESEX	1	39	34	28	1	29	44
NEW LONDON	3	169	59	47	2	49	179
TOLLAND	1.5	83	24	11	0	11	96
WINDHAM	1	17	2	0	0	0	19
* WATERBURY	4	313	23	28	0	28	308
TOTAL	38.5	3954	424	403	15	418	3960

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* Judicial Districts which will be part of this demonstration arson project



G. NEEDS AND RECOMMENDATIONS FOR STAGE 4: POST CONVICTION HANDLING OF ARSONISTS

Once an arsonist has been arrested and tried, the questions are: What will the sentence be? How will the arsonist be handled by the corrections system? What happens to arsonists once they are released? Are they likely to repeat the offense?

These are important questions and there are virtually no statistics in Connecticut or nationally to use as a basis for analysis of the problems they raise. At this point the Task Force can only point to the issues and focus attention on the need for better information.

1. Review Treatment of Offenders During the Correctional Process, Particularly Juvenile Offenders.

Because of the diversity of motivations - anger, revenge, profit, vandalism, - the treatment of offenders requires consideration of the individual case. Furthermore, the individual depending on motivation may be a serious problem for correctional authorities to handle in conventional facilities. Fires are easy to set, and if a person has a psychological need to set fires or uses fire to express anger, they can endanger the safety of other inmates.

If a juvenile is identified as a fire setter, he becomes harder to place in a foster home or in a half-way house once eligible for release. The result is a reluctance on the part of the correctional personnel to identify this problem. On the other hand, failure to identify firesetters can subject others to a very serious risk.

2. Review Sentencing Practices.

Appropriate sentencing is another issue which raises questions. The Task Force has begun to review several alternatives for dealing with this problem. Arson is a violent crime, but too often judges view it as merely a crime against property. Yet every substantial fire creates a risk for the fire service personnel who are called upon to suppress it. Structural fires set with accelerants are particularly dangerous because they may have several points of origin, are more intense at the time fire fighters arrive due to use of accelerants, and are often designed to burn out the roof which makes the whole structure more likely to collapse.

When a person burns his own property for profit, it may seem like a crime against property, but it is in fact a

violent crime endangering the lives of those who in many cases serve as volunteers to protect our communities and homes from the dangers of fires.

The Task Force is now considering whether to recommend mandatory sentences for (a) anyone engaged in arson-for-hire; (b) anyone who intentionally sets fire to an occupied building; and, (c) repeat offenders.

3. Review the Experience of Offenders Once They Are Released from the Correctional Institutions.

There is virtually no information on what happens after a person is released from a correctional institution. While there is a widespread belief that firesetting behavior is repeated, there really is no accurate basis for making such a generalization. Furthermore, the rate of recidivism is likely to be substantially different depending on the original motivation for setting the fire.

While the Task Force will try to obtain reliable information in this area over the next year, it is more likely that this sort of information will only be available as a result of the development of an improved information system.

The problems in this area have not yet been fully evaluated and during the next year the Task Force must review and make more specific recommendations in all these areas:

- (a) Treatment of offenders during the correctional process, particularly juvenile offenders;
- (b) Sentencing practices; and
- (c) The experience of offenders once they are released from the correctional institutions.

H. NEEDS AND RECOMMENDATIONS FOR STAGE 5: EVALUATION, FEEDBACK, AND PREVENTION

In order for major improvements in the law enforcement efforts to start effectively and then to be sustained over 10 years, an effective monitoring, evaluation, and feedback system is required. Problem areas must be identified more specifically and corrected. Successful efforts must be recognized and emulated. Unless the public can see the progress being made, initial support will rapidly wane. Public officials will need to know if the expenditures made are cost effective.

In the long run, those engaged in arson will also judge how successful the effort to improve the system has been, and they will decide whether the reward is sufficient to undertake the risk as they perceive it. This means that if an initial drop in arson occurs, no one should become complacent. Once the arsonist perceives the system has returned to business as usual, the rate will climb again. Only by sustaining the effort over ten years will a real change occur in the perception of arson as an unsafe crime to commit.

For this part of the system to work effectively, four components are required:

- (1) an arson information system
- (2) a public education effort
- (3) a series of prevention programs
- (4) effective management and leadership

1. An Arson Information System

Section V discusses in detail the requirements of an arson information system and lists seven steps to move Connecticut toward such a system. What requires emphasis here is the fact that without such a system, most of the impact of other efforts will go unnoticed, unevaluated and ultimately will be unsuccessful. If the public officials can't explain the nature of the arson problem in Connecticut any better in 3 years than they can now, there is no way the effort will be sustained over ten years. If the outcome of the first year cannot be measured, expanding the program statewide will be difficult.

If managers do not have a basis for deciding how to allocate their investigative resources, then many manhours will be wasted, and the program will not achieve the level of success desired. If the specific nature of the problem in Bridgeport or Hartford is not better defined, it is hard to see how successful prevention efforts can be designed and implemented.

Few politicians today would try to run for a major office without an effective mechanism for polling the voters to see how campaign efforts were progressing. Few businesses can survive if they do not monitor their production and sales volumes closely to determine whether to spend more money on marketing or more on new plant and equipment. Any attempt to fight arson without an adequate information system is bound to fail in the long run.

2. A Public Education Effort

Beyond the importance of the information generated by a data system to the professionals in the field, the public must be informed about the problem, the efforts to solve the problem and the progress being made. Putting a fluoride in toothpaste and water cuts down cavities, but if the public is not aware of that fact, consumers will not use fluoridated toothpaste and public agencies will not treat the water.

Until the public begins to understand what it can do to stop arson, and until elected officials understand how to effectively stop arson, the efforts of professionals in the field will not achieve their full impact. Therefore it is very important to conduct a vigorous public education effort at the state and local level. The fundamental focus of this effort should be in these areas:

- (1) identifying the problem clearly;
- (2) letting people know what they can do;
- (3) keeping them informed of the progress made.

Further, the public education effort relating to arson should also relate to the public education effort on fire safety as well. One of the obvious ways to reduce arson is to inspect properties for fire safety and to reduce the chances of an accidental fire, so the arsonist lacks the convenient cover of an accidental fire to hide behind. If the tenants of a building conscientiously remove all the fire hazards it is much more difficult to get away with "causing an accident".

Finally, residents are in the best position to observe a firesetter, or to detect strange behavior. The more they know about the warning signs that an arson fire might occur, the more dangerous it is for the person contemplating arson. For example, before a fire in a mom and pop grocery, the inventory is usually depleted, and the hours of operation may become erratic. If the residents are aware of this, it may deter the owner from resorting to arson.

3. Prevention Programs

The better the arson problem is understood, the easier it is to target prevention programs effectively. To learn about the problem, however, requires an effective law enforcement program. Nationally, about 70% of all murders are solved, so we know a lot about who murders whom and why. Until recently rape was enormously underreported and, as a result, was not well understood. Today arson is a mysterious crime for the same reason. We know teens set fires to schools for fun, that housewives burn kitchens to get them remodeled, and that businessmen burn their businesses to coverup a serious financial problem and finance a new start.

Yet beyond generalizations like these, the level of our knowledge about who sets fires and why is limited. Until the number of persons arrested exceeds 6.8 per 100 incendiary and suspicious fires, and the number convicted exceeds 0.4, we will largely be guessing about the arson problems. Is the teenage firesetting problem a vandalism problem or are they being hired to burn the building on which someone will make a profit?

While prevention programs can be started without the answer to these questions, they will not reach their full potential until they can be more specifically targeted. This is where the linkage between the law enforcement efforts and the arson prevention efforts become critical. One of the primary purposes of establishing a local arson task force with responsibility for developing prevention programs as well as responsibility for oversight of the law enforcement effort is to make this linkage as strong as possible.

The skills required to design effective prevention programs, however, will in many cases have to be found outside the law enforcement community itself. For example, the development of an adequate interviewing procedure for fire-fighters and policemen required the assistance of experts in the field of psychology and interviewing. Designing arson warning systems like that in New Haven requires expertise in statistics, housing and economics.

4. Effective Management and Leadership

All of the technical discussion of training, investigation, prosecution and forensic sciences is meaningless if those in positions of responsibility in both the public and private sectors fail to provide the necessary management and leadership required to make this plan a reality. The Task Force and the Governor can and are committed to providing that sort of leadership. But in the final analysis, the police chiefs, fire chiefs, fire marshals, mayors, legislators, city counselors, state attorneys, insurance executives,

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bankers, real estate brokers, and others who share the responsibility for stopping arson must accept the challenge.

The Task Force's responsibility is primarily to identify the problem and to recommend steps to deal with arson. In effect, the Task Force can only light the torch. Others must pick it up and carry it forward.

IV. ARSON PREVENTION ELEMENT

IV. ARSON PREVENTION ELEMENT

Developing and implementing successful arson prevention programs is a complex process with several serious problems.

First, the motives for arson are so diverse that a wide variety of prevention efforts are required. Looking at the variety of motives on a scale of relative predictability, (See Figure 1), demonstrates just how serious this problem is. Some types of arson are more predictable than others. Some motives are easier to understand. These become important characteristics as the Task Force begins to develop priorities for developing prevention programs.

Second, any successful program requires a concrete effort on the part of public officials, private sector institutions and community residents. Achieving the level of coordination and cooperation required has proven difficult in the past. The failure to achieve such cooperation is one of the reasons arson has become such a serious problem. One of the primary purposes of the Governor's Arson Task Force is to stimulate such cooperation, which requires an enormous effort.

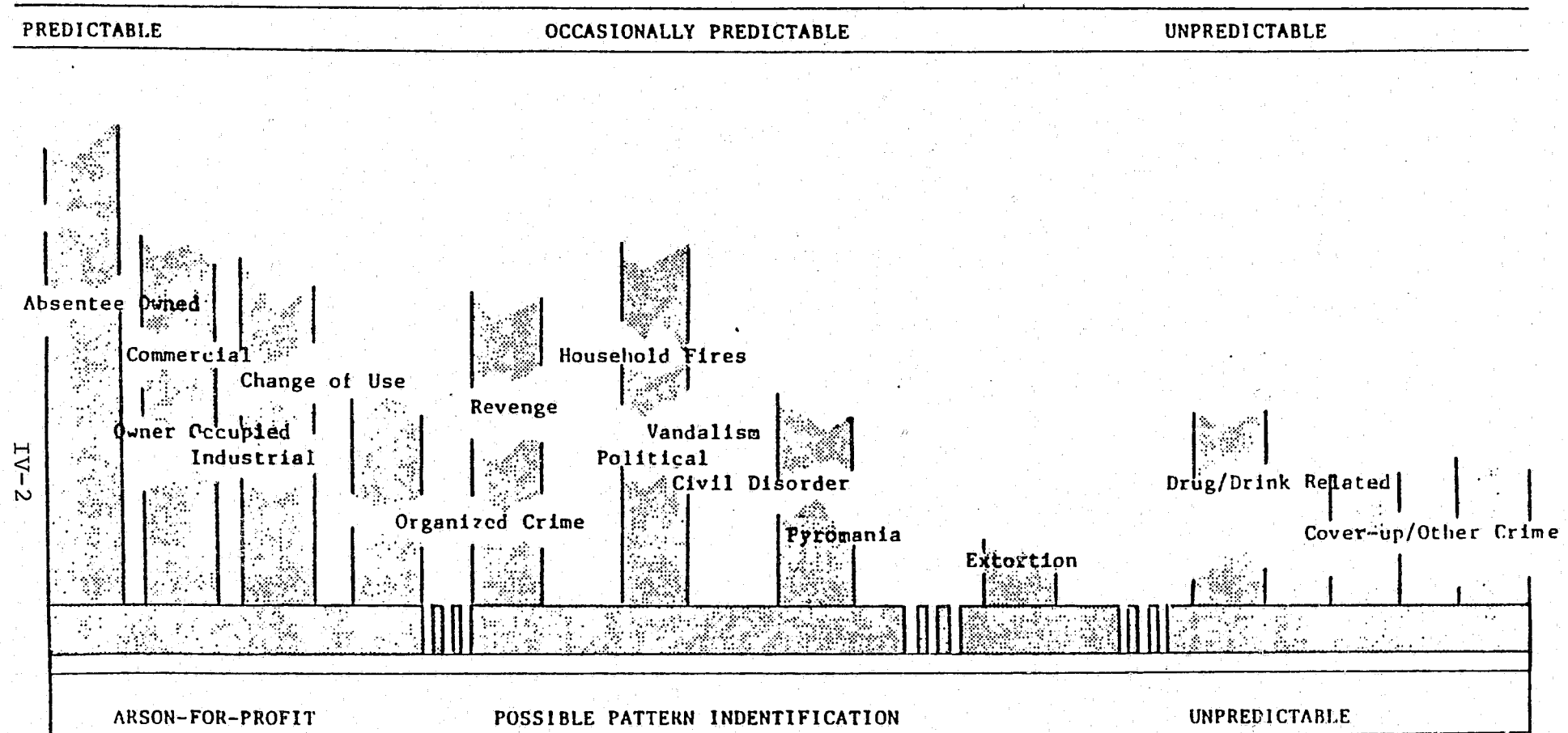
Third, the absence of clear public awareness of the seriousness and scope of the arson problem will make arson prevention almost impossible. As long as public awareness remains low, public officials will continue to give prevention a low priority and efforts will lack the manpower, resources, and supporting efforts and changes required to reduce arson.

Fourth, as long as the risk of detection and conviction is low, the arsonist will continue to have little incentive to change his behavior. Particularly where the reward (i.e. revenge, excitement, etc.) is difficult to stop or reduce, failure to increase the risk will encourage the arsonist.

Fifth, the data on arson is extremely limited and that makes targeting arson prevention programs difficult. Further, it makes evaluation of the efforts undertaken extremely hard.

In the context of these problems, the Task Force has tried to establish as priorities for reducing arson, the development of programs which target the types of arson most

FIGURE 1: ARSON PREDICTABILITY SPECTRUM



1. Data showing economic motive and/or economic stress recorded prior to fire for the specific building.

1. Usually can't predict first incident.
 2. Patterns become more predictable.
 3. Occasionally, can predict event, but not in building specific sense.

1. Lucky 'accidents'
 2. Unpredictable



susceptible to prevention. In particular, this means targeting arson-for-profit.

Stopping arson then requires a multi-faceted approach which involves the following basic components: (1) Public awareness of the arson problem must be dramatically raised; (2) The incentive for arson, particularly for arson-for-profit, must be substantially reduced; (3) The risk of detection and conviction for engaging in arson must be dramatically raised.

A. INSURANCE ISSUES REQUIRING RESOLUTION

Some of the most important steps in reducing the incentives for arson can be taken by the insurance companies. By improving their underwriting and claims procedures, the insurance companies can substantially reduce the likelihood that arson can result in a windfall profit for the insured.

Issue #1: What Information Should An Application Require?

Perhaps the single most important opportunity to intervene in a way which prevents arson comes when the owner applies for insurance. At that point in time the company can assess the risk of underwriting, can limit the value of coverage to prevent a serious incentive for arson from arising, can determine the actual ownership, and can establish a basis for denying a fraudulent claim.

Currently, there are no uniform standards for applications, and many do little to determine the nature of the risk. Research on arson, however, is beginning to demonstrate that there are common characteristics which are associated with arson designed to defraud insurance companies.

By developing an application to filter out for closer scrutiny, properties and owners identified as higher risks, the probability of arson can be reduced. The Connecticut FAIR Plan instituted such an application system and it has helped reduce losses over the last four years.

To avoid chances of discrimination or "redlining," the questions asked must relate to the risk of fires or arson and must be used in a responsible way. Further, the development of the application should be open to public scrutiny and comment.

Perhaps the best example of the need here is the health insurance concept of a two-tiered application. The first form asks basic questions which can be answered easily. If certain

"cautionary" characteristics show up, then a more detailed supplement is required. This filtering or screening mechanism allows 98% of the applicants to obtain coverage easily since no unusual risks are present. However, as with health insurance, where the "cautionary" signs are found, a more careful examination of the risk is required.

The questions in such a two-tiered application process must be designed in the first instance to signal the need to complete a supplementary questionnaire. The questions would focus on determining if there is a risk associated with (1) the building, such as serious fire safety code violations; (2) the owner, such as a history of previous unexplained fire losses; or, (3) the fire safety characteristics of the neighborhood, for example, where the water pressure is low or there is no fire station within ten miles of the property.

To avoid the potential for arson, the application process must also set a limit on the coverage which indemnifies the owner in the event of a loss, but which does not provide a windfall profit in the event of a loss. Again, the experience of the Connecticut FAIR Plan is instructive. Prior to setting the level of coverage, the FAIR Plan inspects the property and then coverage is established using fair market value (FMV) as the basic indicator of value. While coverage can be set above FMV, a request for such coverage receives very close scrutiny.

Since the FAIR Plan was established to provide coverage for property which the voluntary market refused to insure, the properties have already been screened out for careful scrutiny. What the FAIR Plan has begun to demonstrate is the effectiveness of carefully reviewing the level of coverage as a deterrent to arson.

This deterrent effect is strengthened if the application forces disclosure of the actual owner of the property and any beneficiaries of the policy. By preventing the owner from hiding behind corporate forms or "strawmen," the owner is far more visible and he is less likely to engage in arson than if he could do so anonymously. It also makes the investigator's job far easier.

Issue #2: Under What Circumstances Should An Inspection of The Property Be Required?

Currently, the Connecticut FAIR Plan inspects all the properties it underwrites. The FAIR Plan has ample justification for conducting an inspection of properties that will be underwritten through the plan. Further, losses are shared with the private companies, and the plan does not have to

worry about using procedures which drive clients to another company.

In the voluntary market, inspection requirements vary enormously from company to company and even within companies. The voluntary market cannot afford to inspect all properties, nor does it need to. If the supplementary application raises questions about either the condition of the property or its value, then such an inspection would seem warranted. By providing such a screening mechanism in the application, the number of inspections required would be a very small percentage of all the properties underwritten. Probably, for example, less than 2% of the single family homes would require inspections. With commercial and absentee owned residential properties, the need for inspections might be greater, but the higher premiums, and the substantial loss potential would justify such attention.

After the initial inspection, reinspection would be required only if there were a substantial change in conditions during the policy period or at the time of renewal. However, as a percent of the buildings covered, that should be a small group.

Issue #3: Can The Insurance Companies Make Better Use Of The Application To Require Information And Bind The Insured?

Under the laws of Connecticut, an insurer is free to design and use an application to require a wide variety of information. Questions may be asked that will yield sufficient information about a property for the insurer to estimate its value, assess the degree of risk, and determine the actual ownership. If the applicant answers honestly, the insurer will then, barring unusual circumstances, be able to set a level of coverage and premium that corresponds to the degree of risk and to the value.

The standard fire policy, Connecticut General Statutes s. 38-98, provides that if the applicant instead "willfully conceals (s) or misrepresents (s) any material fact or circumstance," then the "entire policy shall be void" and the insurer may deny the claim.

The question is how to get insurers to use the broad discretion they now have in designing an application to meet the needs described under issue #1. Once an adequate application is in use by the companies, the power to void

the policy for a material misrepresentation will become a meaningful deterrent if companies adjust their claims handling procedures to utilize the application information in reviewing a claim for fraud.

To support the improved application procedure, however, it may be necessary to strengthen the insurance fraud statute. Of particular importance is the need to provide a wider range of options to the companies when they discover what appears to be fraud. Because the degree of misrepresentation can vary greatly, a much more flexible procedure and set of options is needed. The options might range from requiring the application to be corrected, to reducing the amount of coverage, to cancellation of coverage or denial of a claim, to invoking criminal fraud sanctions. The procedure and degree of proof required would obviously have to be adjusted to be commensurate with the penalty.

Issue #4: What Flexibility Should An Insurer Have To Adjust Coverage For Changed Conditions?

A level of coverage which is appropriate at the time of underwriting may, with a decline in value, come to provide an incentive for arson. Assuming that this information is available, it is possible for an insurer to take one or both of the following actions. It can inform its policyholder that the value of the property insured has dropped, say by one-half, and that in the event of a total loss, the maximum payment will be correspondingly lower. The insurer, if its policyholder is willing or upon expiration of the policy, can also negotiate a new policy with a lower level of coverage. Either of these actions are ordinarily sufficient to eliminate the incentive for insurance fraud. In extreme situations, cancellation is appropriate, but C.G.L. s. 38-98 narrowly defines these situations.

The much more difficult question is how to obtain information about possible serious declines in the value of properties that have been insured. The expense of periodic reinspections of all properties would be prohibitive. On the other hand, a limited number of reinspections, on perhaps 1% of the properties, might well generate large savings. As with the application for insurance, techniques for screening are available.

A policyholder might be required, if the condition of the property or neighborhood changed significantly, to submit each year a supplement to the original application. This would alert the insurer to those situations worth further investigation. Arranging for notice of serious code

violations to be given to the insurer, either by the policyholder or the appropriate public authority, would be a comparable method. Requests to agents that they pass on useful information to their company might also prove effective.

The basic question with all these methods is the cost. The listing of all serious code violations by the authorities could easily prove unmanageable, even if identification of the insurer could be done easily. Requiring the insured to provide information would probably be more effective. Two conditions should, however, still be met. The insurer should limit the amount of information it receives and so limit its expenses. The insured should also be given an incentive to comply with a requirement to report substantial changes in conditions. The threat of denial for misrepresentation might accomplish that.

Issue #5: What Steps Should Be Taken When the Application Raises Serious Questions About Risk Or Value.

One of the most critical issues which the insurance companies must address is what to do when the application raises serious questions about risk or the value of the building. If the company provides coverage without further review, it is inviting insurance fraud and arson. If coverage is simply denied, then questions about redlining or other discriminatory practices are raised.

A well-designed two-tiered application would help by first screening out those properties whose value is unclear and for which the risk may be high. Then the more intensive second part of the application can be used to deal with the questions of risk and value. As discussed above, basic information would include the value of the property as indicated by such facts as recent sales prices and assessments; it would also include the condition of the property. The actual ownership and any history of losses on that property or by the owners elsewhere should also be obtained.

If the information provided is insufficient or seems likely to be inaccurate, further investigation would then be appropriate. For the reasons explained above, inspections are often a useful tool. For a determination of the value and condition of a given property, an inspection and informal appraisal by a qualified individual should ordinarily prove adequate.

If serious questions remain, an insurer may require a deductible or surcharge large enough to eliminate the incentive for fraud. The underwriter may also lower the level of coverage for the same purpose. In the voluntary market, denial of coverage is also a possibility. However, use of the techniques described above should ordinarily make this alternative unnecessary.

Issue #6: What Standard Of Value Should Be Used To Indemnify The Insured Without Creating An Incentive For Arson?

Perhaps the central problem for insurance companies as they attempt to prevent arson-for-profit is how to indemnify the insured without creating an incentive for arson. As discussed in Issue #7, this is particularly troublesome in areas where values are uncertain.

More specifically, this issue involves three problems. First, the companies must develop procedures for determining when the value of the building is being misrepresented as part of an insurance fraud scheme. Second, for some purposes the value of the building may exceed the fair market value, and the companies need to design policies which allow the insured to protect himself against an accidental loss without creating an incentive for arson. Third, in some cases the fair market value of a property may change so dramatically during the policy period, that an incentive for arson is created. In this case, the initial underwriting decision may have been perfectly sound, but circumstances or events, such as the nuclear incident at 3-Mile Island, have dramatically lowered the fair market value of the property.

An incentive for arson exists when selling or keeping a property is worth less money to the owner than the insurance proceeds from a total loss. While arson does not automatically result, the incentive is real. The greater the difference between the potential sales price or fair market value and what is available from insurance, the stronger the incentive.

The existence of this incentive will, however, at times be inevitable if the insured is to be indemnified. This question of indemnity is complex. To discuss all its ramifications in this short space is impossible. However, it is clear that the insurance industry must address this problem and find a solution or the efforts to control arson may have very little impact.

Issue #7: How To Set Coverage Limits In Areas Where Values Are Uncertain?

This problem of setting an appropriate policy limit is critical in areas where property values fluctuate. Particularly in complicated urban neighborhoods where many factors are likely to affect the uses and the market for a property, indicators of value such as recent sales prices, tax assessments, even appraisals, are usually in conflict and are often subject to distortion. For example, the repeated sale of a building at rapidly increasing prices is sometimes used to obtain inflated coverage. In such ambiguous circumstances, insurers must take pains to set a level of coverage which does not invite fraud but which still provides adequate protection.

Use of the underwriting methods discussed above will help insurers to cope with the ambiguity and the uncertainty common today in many urban areas. In addition, the development of yardsticks of value, that is thorough appraisals of representative properties in areas where value is most elusive, would provide much useful information and serve several purposes. They would provide a prominent example of the application of the best available methods and a standard of comparison. They could also help to develop a consensus about value, something that is now often lacking.

Issue #8: How To Provide More Underwriting Flexibility To The FAIR Plan?

The primary purpose of the FAIR Plan is to provide coverage for those who cannot otherwise obtain it. At the same time, the FAIR Plan clearly must avoid providing insurance where arson, particularly arson-for-profit is a likely result. The FAIR Plan also has an obligation to underwrite the policies it sells so that coverage is not excessive and there is little or no incentive for arson.

A variety of techniques are available for these purposes and most do not conflict with the basic policy of providing adequate coverage for all insurable properties rejected by the voluntary market. Detailed underwriting guidelines are one effective approach. These would permit the FAIR Plan to reduce coverage or, in severe cases, to cancel it when, for example: the property is three-quarters vacant, without good reason; property taxes are more than one year delinquent; dangerous conditions have remained uncorrected; or utilities are not provided. The insured should in turn have a reasonable opportunity to appeal the decision and if appropriate regain coverage.

Other underwriting tools such as deductibles and surcharges are also available, both at the outset and in response to changed conditions, such as serious health code violations. In view of the FAIR Plan's mandate to provide coverage to as many property owners as possible, these techniques, if effective, are all preferable to the more drastic remedy of cancellation or denial of coverage.

Issue #9: How To More Effectively Utilize Agents Setting Coverage Limits.

Agents play an important, often crucial role in setting the level of coverage. This somewhat surprising fact was observed in the Senate Subcommittee on Investigations staff study of the "Role of the Insurance Industry in Dealing With Arson-For-Profit." Published in February, 1979, it was based on a survey of the 15 largest property insurers and testimony before the Subcommittee.

The Subcommittee staff found that insurers rely heavily upon the judgement of their agents in accepting or refusing risks. However, agents sometimes do not heed their responsibility to become familiar with the risks they accept. Instead of keeping coverage to a responsible level, they sell as much insurance as the owner requests. The report concluded, "reliance on poorly-monitored agents, understandably interested in boosting their own commissions, leaves companies wide open to arson profiteers who, unlike most honest property owners, seek as much coverage as possible for maximum potential" (at p. 3).

For the insurer who wishes to protect itself against the sale of excess coverage, several techniques are available in addition to those described above. These include (a) more active supervision of agents; (b) penalties for those whose willingness to sell excess coverage results in arson fraud; and (c) a commission structure which encourages the sale of coverage appropriate to the property.

Issue #10: How To Increase Cooperation Between Lenders And Insurers.

Increasing cooperation between lenders and insurers raises two basic issues. First, what information can and should be exchanged? Second, how will such information be used? While it appears that increased exchange of information between lenders and insurers would benefit both, serious questions about an individual's right to privacy might be raised. To resolve this issue, the discussion must move beyond theoretical concerns and address the specific ways and purposes for exchanging information.

For example, lenders ordinarily obtain information about the value of a building before approving a loan. They also, by making the loan, obtain an insurable interest. For the insurer to have such information provided as part of the application for insurance would appear reasonable. Particularly since the lender is a principal beneficiary of the insurance policy.

Since the terms of the mortgage and the insurance policy can require the owner to disclose information considered relevant to the loan or insurance, it would appear that most of the information which would be appropriate to exchange can be obtained by clearly requiring it as part of the application for a mortgage or for insurance. This approach would also avoid complicated public regulations.

The problem becomes more complicated when the exchange of information involves a claim for a loss. At that point the insurer is seeking information which could lead to denial of the claim and even criminal prosecution. Further, the information

requested may go well beyond the value of the property. Under these circumstances the need for a more carefully controlled procedure may be required to protect a person's rights.

Issue #11: How to Avoid Excessive Insurance Requirements By Lenders.

A lender has a clear interest in protecting its money through insurance on the property for which the loan has been made. This legitimate interest can, however, be abused. Fraudulent second and third mortgages are sometimes used to inflate the amount of coverage and set up an arson fire. A less extreme problem arises when the amount of a mortgage exceeds the value of the building. In such a case, for a lender to require coverage in the full amount of the mortgage is tantamount to insurance on the foundation and the land. This common practice results in the payment of unnecessary insurance premiums. It is also unnecessary for the protection of the Lender's interest, so long as the land is subject to foreclosure, as it almost always is.

Issue #12: How To Provide Replacement Cost Coverage Without Creating An Incentive For Arson.

Replacement cost coverage, that is coverage for which the cost of replacing the building is not reduced by depreciation, allows an owner to rebuild after a fire at virtually no expense. Further, where such coverage substantially exceeds the fair market value of the building, it may create an incentive for arson.

Examples of this problem could include an older home in a declining neighborhood, an old mill building which would cost far more to rebuild than a comparable modern factory or storage facility, or a church which simply could not be sold for as much as it would cost to rebuild it in place.

Particularly when the owner wants to sell the building and finds he cannot recover his investment, arson becomes attractive. Replacement cost coverage makes the insurer an involuntary buyer and the insured walks away with more than he could have received by selling the property.

Yet lack of such insurance coverage may discourage improvement of the building stock or impose an unreasonably high burden on the owner in the event of a loss. In some areas, a \$10,000 improvement might only raise the value of the building by only \$5,000. Will an owner make the improvements if he can't insure it against an accidental loss?

While the incentive for arson might be reduced by limiting the claim to fair market value, unless the insured rebuilds

on the same site, the secondary incentive of replacing an old building with a new one remains. Clearly the issue is complicated, but it must be addressed in a way which provides coverage to those who need it, without creating an incentive for arson.

Issue #13: What Information Must The Insured Provide When Making A Claim?

The standard form fire policy, C.G.S. s. 38-98, provides detailed requirements in the case of loss. These include the submission of a detailed and complete inventory of all property and, within sixty days, of a sworn proof of loss. In addition, the insurer has the right to examine the books and accounts of the insured and the damaged property as often as may be reasonably required. It also has the right to require the insured to submit to examination under oath by any person designated by the insurance company. For this information to be available to the public authorities, insurers must be able to share it with them. In Connecticut, immunity from civil law suits was provided by legislation passed early this year, and this information is now available from the insurance companies.

These stringent requirements for information from the insured are not necessarily always sufficient. Among the coverages particularly susceptible to abuse are those whose conditions at the time of the loss may have been rapidly changing. Contents, particularly inventory, often fluctuate; the extent to which repairs or renovations have been completed before a loss is often unclear and subject to fraudulent documentation. Claims for business interruption losses have, for similar reasons, also proven to be easy to inflate. More detailed requirements for record keeping might well curtail these sorts of fraud.

Issue #14: Under What Circumstances Should An Insurer Be Able To Delay Claims Payment Pending An Investigation?

Delay of a claim payment will often allow the completion of an investigation which would otherwise be dropped. Such delays are sometimes made more difficult by laws that prohibit unreasonable delays. To minimize uncertainty, reasonable exemptions from the general rule of prompt claim payment could be specified when there is a probable case of arson fraud. These might include the following: (1) When there is probable cause to believe that arson occurred, the insurer would be able to delay the claim payment up to 60 days; (2) When there is probable cause to believe that the owner may be involved in the arson of his building, the insurer would be able to delay payment up to six months subject to an appropriate review process; (3) When an unregulated lender has made a mortgage loan, the insurer would be able to delay payment until the unregulated lender demonstrated that the mortgage was a real loan.

Issue #15: How To Differentiate Between Regulated And Unregulated Lenders In The Claims Process?

To many arson investigators, the existence of a second or third mortgage from an unregulated lender indicates a higher probability of fraud. In many arson-for-profit cases, such mortgages are used to obtain inflated insurance coverage, and thus a more intensive investigation is often warranted when a claim is made. Delay in claim payments pending such a review may be appropriate simply because of the much greater likelihood of fraud.

On the other hand, fraud involving the lender is not likely if it is a regulated lender, because they are subject to regular audits of their mortgage portfolio, are limited by law to a specific loan to value ratio, and have a legally binding fiduciary responsibility to their lenders which makes them much more conservative than unregulated lenders.

Because conventional financing is critical to the continued viability of most urban neighborhoods, care must be taken to protect the regulated lenders' interest in making loans in such neighborhoods. Since the likelihood of fraud is not very great on such a mortgage, there is no real reason to delay making a payment to the regulated lender who holds a first mortgage on a property, even if it was burned by the owner.

The question is how to define the rights of regulated and unregulated lenders so that responsible lending institutions are not penalized by an investigation while unregulated lenders are subjected to sufficient scrutiny to deter arson fraud.

Issue #16: How To Facilitate Cooperation Between The Public And Private Sectors.

Better cooperation among those concerned with arson is clearly possible. The increased exchange of information made possible by the recent immunity statute in Connecticut (C.G.S. s. 38-114h) is certainly a primary step toward that objective. Once all investigators are working with the same information, they are far more likely to share the same understanding of a given fire and help each other towards their similar goals, namely denial of a fraudulent claim and prosecution where arson is involved.

Cooperation can also be increased by strengthening the ability to investigate in both the public and private sectors. Continuing the development of training programs in arson prevention and investigation for underwriters, adjusters, and private investigators is also important.

Other ways to improve cooperation and communication include:
(1) joint participation on local arson task forces; (2) development

of training materials which explain the problems encountered by both the public and private sectors; (3) joint training programs and conferences where participants have an opportunity to share the experiences and frustrations they have had dealing with arson; and (4) improving the ways data is shared, which is discussed in more detail in Section V of this plan (see pg. V-9).

Perhaps the most critical step is recognition that arson is a serious problem for both the public and private sectors; that neither can solve the problem alone; and that neither the public nor the private sector can avoid responsibility for its own failures by shifting blame to the other side. In the final analysis, if the public and private sectors do not learn to cooperate in the solution to the arson problem, it will continue to grow. That is an unacceptable alternative for both the public and private sectors.

Issue #17: How To Make Adjuster Reporting Requirements and PILR Compatible?

The Property Insurance Loss Register (PILR) will be a computerized register of property insurance loss claims. The American Insurance Association will operate it as a nonprofit subscription service, and will collect and make available information needed to detect arson fraud schemes. More specifically, computer searches will determine prior loss histories, the occurrence of earlier fires at the same site, the existence of undisclosed additional insurance, and the identities of the individuals involved in the loss.

Property insurers who provide 80% of the coverage now written in this country are subscribers. The Federal Insurance Administration has recommended to all FAIR Plans the use of the PILR Adjuster's Reporting Form. To make records of claims for fire losses as uniform and comprehensive as possible, all adjusters should use these forms. The cost would probably be normal, and the benefit could be considerable.

Issue #18: Should Public Adjusters Be Regulated?

The question has already been answered in Connecticut, and the regulation governing public adjusters, promulgated under C.G.S. s. 38-78(b) in April, 1978, addresses this potential problem. Public adjusters have been largely unregulated in most of the country. The regulation prohibits various specific abuses and sets a 10% limit on commissions.

As with any regulation, to be fully effective, continued monitoring by the Insurance Department and, as necessary, administrative actions against adjusters who violate the law will be required.

B. HOUSING ISSUES REQUIRING RESOLUTION

The building stock is what the arsonist destroys, and housing becomes vulnerable to arson for three basic reasons. Fluctuating and ambiguous values make it easy for an arsonist to collect far more insurance than his property is worth. Second, public and private sector decisions, such as code enforcement, may put an owner under such pressure that arson becomes attractive. Third, unprotected vacant buildings are easy targets for juvenile arsonists.

Issue #1: How To Clarify Property Values In Arson Prone Areas

As discussed in "Insurance Issue #7: Setting Limits to Coverage in Areas Where Values are Uncertain," property values may require clarification, particularly in those areas which are prone to arson.

One possible method for working out such values would be to form a committee of residents, lenders, insurers, and public officials to develop "yardsticks of value" for an area. Such a committee or Property Value Review Board would make use of the best available appraisal methods to reach a consensus about the values of several representative properties. The analysis and the values of these in turn would provide a standard of comparison when the values of other properties are estimated and the levels of coverage are set.

Issue #2: How to Reduce Uncertainty About The Housing Market And Increase Confidence in Governmental Decisions

Unstable and ambiguous property values are the natural consequences both of an uncertain housing market and of governmental decisions which are not sensitive and responsive to those affected. Housing markets are not easily stabilized, although the variety of measures discussed in this plan may be useful for that purpose. More important would be the increased understanding of citizens regarding decisions to be made concerning their neighborhood. Both public and private institutions could promote the discussion of problems with residents to enable this to occur. However, to facilitate this, clearer ground rules for citizen participation would have to be developed.

Issue #3: How To Handle Decisions Which May Trigger Arson

The catalysts in the decision to resort to arson are not clearly understood. However, in the case of "stop-loss" arson the triggers are easier to understand. When the owner of a building is in serious financial trouble, the risk of

arson increases substantially, particularly when the insured value of the building substantially exceeds the fair market value of the building. However, the decision to solve the problem with a fire is not an easy one to make for most owners. Rather the decision is postponed and delayed as the owner seeks other solutions. During this period various public and private decisions, such as cancellation of insurance, code enforcement and loan foreclosure may force the owner to decide. When the owner is faced with a clear choice between a serious financial loss or disposing of the building to an insurance company at a profit, an arson fire becomes far too attractive.

These are several ways to help alleviate this problem. But the most important is to identify those events which can trigger an owner's decision to resort to arson, and then try to develop ways to reduce the attractiveness of the arson alternative.

Obviously, code enforcement, loan foreclosure and insurance cancellation decisions must be made by public and private institutions and agencies. However the context of those decisions can be changed.

For example, code enforcement is an essential element in the communities effort to assure that buildings are safe for occupancy. Under some circumstances, however, rigid enforcement of existing standards will place an owner in the financial bind described above. The cost of compliance with code standards may simply be uneconomic. To help alleviate this problem without losing sight of the objective of strong code enforcement several steps could be taken. First, existing standards can be reviewed to find ways to reduce the cost of compliance without compromising public safety. Second, financial incentives or subsidies can be provided to encourage and facilitate maintenance and rehabilitation. Third, the decision can be enforced in a way which increases the risk of detection if the owner resorts to arson. For example, the insurer could be notified of serious code violations and insurance coverage reduced pending repair. Investigations by the arson squad could be automatic if code violations are outstanding at the time of the fire.

Code enforcement is only one area where the decision making process could be improved in ways which would reduce the attractiveness of arson as an alternative to dealing with the financial pressures on the building.

Issue #4: How To Dispose Of Vacant Buildings

Until an abandoned or otherwise vacant building is transferred to a responsible owner, it is an easy target for an arsonist. No economic motive is necessary. For the juvenile firesetter, it is enough that the building is vacant and safe to burn. Protection, perhaps from surveillance by police or neighbors, will sometimes be effective for short

periods. However, the primary concern with a vacant building should ordinarily be its transfer to a responsible owner so that it can be kept occupied.

Among the interested parties in these situations are likely to be HUD, municipal agencies, housing inspection agencies, lenders, real estate agents, and residents, and they must be included in any effort to deal with this problem. For example, an interim management program might be arranged to help keep the building occupied. Another technique would be "house sitting," arranged through a community-based neighborhood organization. But these programs won't work without cooperation among the actors listed above.

Issue #5: Uncertain Ownership Of Vacant Buildings

The uncertain ownership of vacant buildings often delays their disposition and thus leaves them vulnerable to arsonists. Several possible remedies are available. (a) The acceleration of procedures for settling tax title; (b) Clarification of what legally constitutes abandonment; (c) Developing a procedure for writing off, once a building has no economic value, all back taxes, mortgage obligations, and other debts, thus enabling it to be recycled more quickly.

Issue #6: How To Prevent Housing From Reaching The Condition Where Arson Is An Attractive Alternative

When the housing stock deteriorates to the point where arson is an attractive alternative to an owner, something is seriously wrong with the housing market. This problem goes beyond the issue of insurance fraud to the question of the economic pressures on parts of the housing stock which cause owners to abandon the property. In this case arson is a symptom of a more serious social problem.

Books have been written on housing abandonment, and the Department of Housing and Urban Development has studied it intensively. Yet there are no ready cures for this disease. This Task Force cannot address this problem effectively, for it has different characteristics in each city. Further, the solutions lie largely in the hands of local people. What the state can do is facilitate the efforts of local government to cope with this problem.

For example, if enforcing the housing code is critical to the effort in a community, and a "housing court" is required to implement a strong program, then the state should support that effort as long as it is being responsibly pursued. Further, the state could more actively encourage and support local initiatives in this direction with technical assistance, enabling legislation and where appropriate start-up funds.

C. LENDING ISSUES REQUIRING RESOLUTION

Initially, the connection between lending and arson may be difficult to understand, but careful analysis shows how lenders can either discourage practices which lead to arson, or encourage neighborhood stability which in the long run is the key to stopping substantial parts of the arson problem.

One of the best ways to evaluate the importance of lenders and lending institutions in solving the arson problem is to look at the lenders impact on neighborhood confidence and stability. The lenders, particularly the savings and loan institutions, have a ten to thirty year perspective on values in a neighborhood. This places a healthy conservative check on the shorter term perspectives of insurers, public officials, speculators, and consumers. However, it also means that a clear expression of confidence or of concern has a dramatic impact on the perception of values by others.

Without the active participation by conventional lenders in the market for a particular neighborhood, the short-term perceptions of value tend to dominate decisions. These perceptions are more easily manipulated, and more volatile. The result is people make more serious mistakes about value and find themselves trapped in a situation where they can suffer a substantial loss. Also, values can be manipulated for fraudulent purposes more easily.

Restoring or maintaining the normal checks and balances in the housing market is a critical part of any effort to prevent arson. The lending institutions are some of the largest actors in the market, and they are the most conservative. They, therefore, provide the most effective check on speculation about fair market value.

This is not to say lenders make the best judgements about value but rather their conservative judgements help maintain a healthy equilibrium and make it harder for the unscrupulous to manipulate values for fraudulent purposes.

Issue #1: How To Encourage Conventional Financing?

Inherent in this issue are several problems which extend beyond the ability of the State or local governments' capacity to respond. Housing must compete with other goods and services for money, when mortgage money is tight it goes into the areas with least risk. National economic and monetary policies which influence the availability of such funds are beyond the State's ability to influence very much.

However, efforts to give regulated lenders special treatment during the claims process following an arson fire will help. Clarifying public decisions which influence the neighborhood's future will help. Programs such as the Community Reinvestment Act will also help.

The risk of investing in urban neighborhoods also needs to be re-evaluated. It has been suggested that the fear of lenders is the risk of declining neighborhood values rather than the risk that a particular loan will go sour. Whether this is true remains to be determined, but if this is the primary concern, then perhaps existing programs which focus on the individual risk fail to address the larger problem suggested.

Finally, misunderstandings relating to the availability of conventional financing are as serious a problem as the reality. Therefore, better communication between lending institutions and the neighborhoods they serve is important to prevent such misunderstandings.

Issue #2: How To Deal With Questions Of Discriminatory Lending Practices

Over the past decade a serious debate has occurred over the lending practices of banks. But, while that debate has focused much needed attention on a serious set of problems, the questions have not been satisfactorily resolved. Responsible lending practices are an important component of maintaining neighborhood confidence, and they can be utilized without either redlining or discriminating on the basis of race or sex, etc. However, agreement must be reached on the standards to be used, and then residents in the community must have confidence in the way such standards are used if this issue is going to be closed.

If this problem continues to go unresolved, it will be hard to restore neighborhood confidence in many areas. There are several ways to resolve the issue, and one of the most promising examples is the establishment of a forum, such as a mortgage review board, in which lenders and residents can begin to communicate.

The problem is not one which the banks alone must face, but insurers have to deal with it as well. If a major effort is made to tighten up underwriting practices to reduce the potential for arson fraud, there is a substantial risk that the insurers, as well lenders, will be accused of redlining. The only way to avoid a serious problem in the area is to have an open, public discussion of the standards to be used, their relationship to preventing arson, and the protections which will be built into the system to protect the consumer.

The insurance companies in Connecticut currently operate a program called "Open Line," which enables a consumer denied coverage to have his request for insurance reviewed a second time for owner-occupied, 1 to 4 family residences. After a company reviews the request a second time, if coverage is denied, a Management Committee reviews the decision and makes recommendations to the company. While the company cannot be required to underwrite a policy, the process helps to make sure individuals are given a careful second look. Then, if insurance is denied under circumstances with which the Management Committee disagrees, the consumer is referred to another private company.

Certainly the procedure will not prevent denial of insurance in every situation where it should be written, but it goes a long way toward a self-monitoring system run by the industry to eliminate the adverse impact of practices which might be discriminatory. It also avoids having people who are denied coverage simply dumped into the FAIR Plan.

Issue #3: Should Property Taxes on Multi-Family Residential Property Be Placed in Escrow Accounts?

In the analysis of the characteristics of buildings which have been burned, the New Haven Fire Department found tax arrearage of over \$2,000 was a common characteristic. Even without the rigorous statistical analysis, public officials have recognized this problem and in 1979 the Connecticut Legislature gave the cities and towns the right to collect back taxes from the insurance proceeds before payment is made to anyone else.

Currently people who have mortgages on single-family homes make monthly payments on taxes as well as on principal and interest. This payment is held in an escrow account until payment is due to the municipality. The obvious question is why shouldn't the same practice be followed on other properties, particularly multi-family properties. Such a practice would serve three purposes. First, individuals would be less likely to get seriously behind in their payments, thereby avoiding the economic stress which occurs when the city or town tries to collect a large debt. Second, when an owner began to fall behind, the lender could at that point start to help the owner find a solution to the financial problems he may be encountering. Once a person has accumulated a large back tax obligation, solutions are much harder to find. Third, lending institutions, in discussing the municipal lien law, were concerned that their rights to the insurance were being impaired by giving the cities and towns a prior right to the proceeds for back taxes. By reducing the likelihood of a large back tax bill, the lender's interests would be better protected. This, or a system of

monitoring tax payments more carefully, would help sensitize the lenders to the financial stress on an owner so that steps could be taken early in the case to prevent the sort of stress which leads to arson.

The major objection to having this money tied up in an escrow account is the income lost to the owner because the funds would not be available for other investments during the escrow period. As long as the banks handling costs are covered, this problem can be partly resolved by paying interest on the escrow account.

Issue #4: How To Treat Loans From Unregulated Lenders For Insurance Purposes.

The supervision of institutional lenders currently makes it difficult to obtain a mortgage at a fraudulently inflated value. However, when loans are made by unregulated lenders, it is much easier to engage in a pure sham transaction. Yet there are very strong reasons for encouraging loans which are more risky and are less secure. Without this sort of "venture capital" many new enterprises would never get started. The problem in this area arises when the higher risk ventures seek to obtain the same sort of insurance coverage and treatment as that provided for more secure loans. When fire insurance can become business risk insurance, the arson potential becomes very serious.

To deal with this problem insurers must develop a set of standards and practices which differentiate between regulated and unregulated lenders in both the underwriting and claims process. If loans from unregulated lenders are to be covered by insurance, then the underwriters must take the time to assure that the loans are real transactions. To avoid delays for regulated lenders in the claims process, guidelines need to be established for allowing payments to them to proceed even if an investigation is underway.

To make sure that such standards are sensitive to the needs of the lending institutions, and still prevent the abuses which can easily occur under the present procedures, lenders must actively cooperate with the insurers in developing the guidelines (See Issue #15 on page IV-11).

V. ARSON INFORMATION ELEMENT

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A. INTRODUCTION

Making recommendations regarding the reduction of arson in the face of an inadequate set of data creates a serious problem. The size of the arson problem is uncertain. Its rate of growth is uncertain, and the causes of the problem are very hard to determine.

The basic data available is adequate to determine that there is a serious problem, as was demonstrated in the introduction. But when the Task Force attempted to determine whether Bridgeport's arson problem differed from Hartford's, the data was inadequate. Basic information was simply not available, such as how many fires were set by juveniles; how many of the fires of unknown origin occurred in residences; and how many of the incendiary fires were investigated for more than one day by local investigators. While some of this information is available on the reports submitted to the State Fire Marshal, the lack of adequate data processing equipment and manpower makes even that data of little value.

Beyond such basic data, almost no information exists regarding the level of training of personnel, the real cost of a fire based on insurance claims, the time spent investigating an average fire, the level of cooperation between police and fire personnel, etc.

To a large extent, the Task Force was left to base its recommendations on the knowledge and experience of the professionals on the Task Force or available to the Task Force. Fortunately the experience and skills of those individuals are quite high. But this means that there is little hard, factual information to use in support of many of the decisions and recommendations made. That circumstance simply cannot be tolerated in the future.

Whenever possible, this plan includes supporting documentation, and further information will be available in the immediate future. A survey of all the State's Fire Marshals is now in progress and should be completed by February 1980. Also the State Fire Marshal's office is in the process of entering all of its data onto a computer with the assistance of Aetna Life and Casualty. When that process is completed all the basic data available under the National Fire Incident Reporting System will be accessible. These two improvements should prove very useful to the Task Force over the next year as this plan is implemented and refined.

B. THE BASICS OF AN ARSON INFORMATION SYSTEM

The purpose of any data system is to enable people to make responsible decisions. However, the data required can differ substantially depending on the decision required or the job which must be performed. In the field of arson the information system is inadequate for almost all purposes, so rather than explain what is missing, it is easier to describe the basic elements of a good information system, the reasons why there will be problems with improving the existing system, and the steps required to implement such a system.

There are four basic uses for data relating to arson:

- (1) To facilitate policy decision-making;
- (2) To aid law enforcement agencies with criminal investigation and prosecution;
- (3) To use in managing resources;
- (4) To facilitate arson prevention efforts.

Each of these uses encompasses a myriad of subsidiary uses, and much of the information collected for one purpose is useful in one or more of the other areas. However, each of the areas has its own distinct problems, and the characteristics of the data required in each area are quite different.

1. Policy Data

The purpose of collecting data for policymakers is to determine the magnitude of the problem; to justify commitment of resources to solve the problem; to facilitate comparisons between jurisdictions; and to help policymakers and the public understand the problem.

The basic information on arson should enable the people responsible for setting policy to understand in general terms who sets fires, how they are set, why they are set and the cost of such fires. The costs must go beyond the physical damage to the building, but also explain the impact on insurance rates, neighborhood confidence, municipal costs, businesses, and the fire service.

The characteristics of data required by those responsible for making policy are simple to list, but the problems they suggest are serious. The data must be regularly collected and the definitions and methods used in collecting such data must be uniform across the jurisdictions in which it is collected. In many situations sample data is sufficient. Since the data is collected specifically for public disclosure and discussion, it may well threaten the institutions, or agencies which collect and provide the data. As a result, while the data is aggregated,

and frequently deals with broad issues, trends and general performance, there is a reluctance on the part of public and private institutions to provide data which may be interpreted as critical of their performance because once provided the use of the data cannot be controlled.

Another problem is that primary collectors of the data do not use the data directly, and frequently get little feedback on the usefulness of the data or the ways in which he has benefited. This creates several problems. (1) The motivation to accurately report is minimal. In fact some Connecticut cities have refused to comply with legal reporting requirements. (2) Because the users may be physically, as well as legally and administratively remote from the reporting agency or institution, the ability to even evaluate the quality of the data provided is limited. (3) Under these circumstances, obtaining a commitment to train personnel and to monitor their performance in regards to a sophisticated reporting system is difficult.

In summary, policy data includes information on law enforcement, prevention and management, but it is aggregated, more general, and the user tends to be three or four steps removed from the person responsible for making the report. The information may be useful for a long time, particularly when policy analysts are trying to examine trends or changing characteristics of a problem.

2. Management Information

The purpose for collecting management information is to facilitate quality control, to determine how resources should be deployed, to evaluate training needs, to control costs and to enable managers to evaluate the performance of programs, procedures, individuals and equipment.

Because of the time pressures on most managers the information must be provided in a relatively simple format. While it must be regularly collected, some of it will be collected at the time of the fire and some will be collected monthly or less frequently. In some cases, an outside organization may be asked to provide the information. For example, auditors are used to evaluate the financial records for management purposes.

While management information includes policy data, it can be tailored much more directly to the needs of the individual agency, institution or community. In fact much of the data will be unique to that organization. The data required is much more detailed, and may relate to very small areas, to the performance of individuals, or to much shorter periods of time. Whether such data is or should be computerized depends on the size of the jurisdiction. For a large insurance company or a large city fire department,

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the data is more accessible if on a computer. Small firms and public agencies rarely can afford the cost of automating such information, and have no real need to do so.

A major problem with management information is that it can threaten the security of the person who collects the data or the agency itself. While some of the data is collected with public disclosure in mind, most agencies, firms, and institutions do not want management data disclosed, except under circumstances of their own choosing.

The range of data collected for management purposes is enormous. For example, a fire department needs to know the level of training of all personnel, the quality of work of each individual in each of his or her areas of responsibility, the expected life of major pieces of equipment, the operating costs of various facilities, and the impact of various training approaches on skill levels of each individual. The data which can be useful for budget purposes is extensive, and the same is true of the information required during collective bargaining. Some of the information will be useful over several years, but much of it will become obsolete in a relatively short period.

3. Law Enforcement Information

The purpose of collecting law enforcement information is to solve a crime. That means the information must focus on who set a particular fire, how it was set and why. Generally the information is not threatening to the person who is collecting the information, but it directly threatens the person about whom it is collected. Since it is used directly by the person collecting the data as the basis for making an arrest or in court there is a strong incentive to do a good job. That incentive can be easily undermined if there is a failure to find physical cause of a fire as arson.

The data is collected on a case-by-case basis. Much of the data may be several months or years old, and it does not have to be uniform. Sample data is not useful and the information required may be quite extensive as in an arson fraud case. Usually the data does not need to be transferred, but it should be admissible in court, and it may have to be securely stored. If it involves physical evidence, chain of custody rules may apply to its storage and handling.

The development of the information is less dependent on others, and it is easier to control, which is fortunate since premature use or disclosure of the information may breach a person's right to privacy or unfairly prejudice a case against him.

There are two basic problems in this area. First, an individual may go to great lengths to conceal information which would indicate his involvement in or motive for setting a fire. This means the time spent collecting the information can be enormous. Second, access to certain information may be limited by law or administrative practice. Bank records and other personal records may be closed to investigators until a subpoena is obtained or an indictment issued.

At present, such information is rarely on a computer, but a basic intelligence data system is needed and should be computerized.

4. Prevention Information Systems

To stop fires from occurring, an entirely different set of data problems emerge, particularly when prevention means actively intervening with a property owner, tenant, juvenile, or housewife. Prevention efforts can vary from broad public education programs, to counseling of juveniles identified as firesetters, to cancelling an insurance policy based on perceived risk that a fire may be set. The type of data required to effectively implement one of these programs may be unique to the particular program, community, agency, insurance company, bank or other organization.

Until very recently most prevention efforts have centered around public education programs and publicizing law enforcement efforts to increase their deterrent impact. New methods of prevention involve arson early warning systems such as that in New Haven, where the distinguishing characteristics of buildings which are susceptible to arson are determined through statistical modeling. By checking all the buildings in an area for characteristics similar to those which have been burned, the fire department can develop a list of buildings which can be considered "at risk."

In Los Angeles, California the fire department has begun to train firefighters in techniques for interviewing which will help them identify juvenile firesetters so they can be referred for psychological counseling.

In the future, prevention efforts will involve changed underwriting procedures for insurance companies. To justify the use of some of these procedures and to evaluate their impact will require new information.

In some cases, data used in arson prevention efforts will have to meet the legal standard for "probable cause." (For example, if insurance coverage is cancelled because of changes in the characteristics of the property or its owner). Before a list of "at risk" properties can be made public, the validity of the statistical methods used to develop such a list may have to be verified.

To meet these tests the methods of collecting the data will have to be uniform and accurate. For the data to be useful it will have to be collected regularly and on a timely basis. This will require a degree of cooperation far beyond that required for other data. Such a system is extremely dependent on others to collect the data, and when dealing with financial records relating to a building or owner may involve privacy rights issues.

Timely information is critical. If the information is received too slowly the fire will already have occurred. Thus the speed, accuracy, and validity of the information is critical for prevention efforts to succeed. Sample data may be useful to test the validity of certain types of information, but data must be provided on a specific property, person, or area to be useful in preventing a specific fire or type of fire.

Arson prevention programs and the data required to operate them are very new, and the fire service and others have little or no experience with this approach to arson. Some of the prevention programs are built around community involvement in the effort - both collecting and acting on such information - again without much experience.

Given the problems in the law enforcement efforts to stop arson by prosecuting arsonists after the fire has occurred, the most promising innovation in the effort to reduce arson may well lie with arson prevention programs. Development of the information base for such programs however is in its infancy. A major commitment to its development is critical over the next several years.

C. STEPS TOWARD AN ARSON INFORMATION SYSTEM FOR CONNECTICUT

An arson information system will not be developed overnight, too many people must participate in its development and implementation. However steps can be taken during the next year to significantly upgrade the system and to develop the details of a true information system.

1. Implement The National Fire Incident Reporting System

Currently Fire Marshals utilize the forms developed for the National Fire Incident Reporting System (NFIRS), but the State has not committed the resources to the Bureau of the State Fire Marshal to process the data on fires and on arson which are available through these reports. Furthermore, the failure to utilize the reports has greatly undermined the willingness of the local officials to comply with the reporting requirements. Some communities even refuse to submit the reports. Others submit reports which are clearly not adequately completed.

This state of affairs can only be corrected by immediately obtaining the resources necessary to put the reports into a computer and to analyze the data. Fortunately, Aetna Life and Casualty has volunteered to provide the Bureau of the State Fire Marshal with the technical assistance necessary to make the computer programs provided to use with the NFIRS reports compatible with the state computer system. With this assistance the 1980 report of the State Fire Marshal should be substantially improved, and communities may begin to get feedback on the information they are providing the state.

The reports which will be available, however, will be much more detailed and sophisticated than most local fire officials will have utilized before. That means the Bureau must begin training local officials regarding the uses of the reports and analyses which will be available.

Training to insure all fire personnel know how to use the system should start with the six communities selected for the demonstration effort and then proceed to all others. This is very important since good data on the initial years efforts will be very important for evaluating the program.

2. Coordinate Implementation Of The Uniform Crime Reporting System Relating to Arson with NFIRS

The police departments in Connecticut are now beginning to include arson in their reports as part of the Uniform Crime Reporting System. However, the existing relationships between fire and police personnel suggest that unless procedures are developed for coordination of reporting at the local level, the two systems (NFIRS and UCR) will produce data that confuses understanding of the problem rather than clarifies it.

The problem occurs because of the basic differences in philosophy behind the two reporting systems. NFIRS is designed to report all fires, and many are classified as incendiary, meaning they were set, or as suspicious, meaning they probably were not accidents. The UCR is designed to report crimes. The problem is to determine when a set fire becomes a crime on which the police must report. Unless this issue is clarified in operational terms for people responsible for completing reports at the local level, the result is likely to be so much confusion that comparing data developed through the two systems will be impossible. Further, the UCR reports may substantially underreport the arson problem.

Three steps must be taken to avoid this problem in Connecticut.

(a) The Subcommittee on Problem Identification and Data Analysis must convene a series of meetings between the UCR Users Committee, the State Fire Marshal and the Task Force.

(b) At these meetings, operational definitions which will make the reporting systems (UCR & NFIRS) compatible must be developed, together with procedures for sharing information between fire and police services at the local level. These procedures for sharing information between fire and police services at the local level should facilitate accurate consistent reporting by both.

(c) Local officials must then be apprised of the definitions and the procedures. Again the process should begin with the six demonstration communities. By working out the problems with these six communities, it will be easier to implement effectively on a statewide basis in the next several years.

3. Establish An Arson Intelligence System In The Bureau Of The State Fire Marshal

For the law enforcement community to begin to effectively deal with arson rings which cross jurisdictional boundaries, systematic data on the individuals who are identified as associated with arson-for-profit efforts must be collected and analyzed. This will be particularly useful to prosecutors who run across corporate entities or straw names in the search for the owners of properties which have burned. By keeping track of the modus operandi associated with various fires it will be easier to identify professional torches as well. Once an investigation turns a professional torch, older cases may be reopened based on such information.

Developing such a system should not be particularly difficult once the data processing capacity of the Bureau of the State Fire Marshal is brought up to speed. By working with experienced investigators and prosecutors, the data and format required can be easily determined. Procedures for using the system so that individual rights are protected must then be established.

Once the system has been designed, prosecutors and investigators will have to be trained to support the system through reporting and to utilize the analytic capacity of the system.

4. Develop Procedures For Facilitating The Transfer Of Information Between The Public And Private Sectors Regarding Arson Losses

Under Connecticut General Statutes 38-114h (the Immunity Law) insurance companies must upon request furnish fire officials with information relating to fire losses. Insurers must provide all relevant material from their investigations of any fire loss to the following officials when they are involved: the State Fire Marshal; federal, state or local police officials; local Fire Marshals; the federal or state prosecuting attorney; and the insurance commissioner. In return, law enforcement officials may be required to testify in a civil action involving an insurer's attempt to recover for a possible arson loss.

While the Immunity Law itself is quite clear, there are currently no operating procedures to facilitate this transfer of information. Finding the appropriate insurer from whom to request information may take several days, and delays in receiving the information can seriously slow up an investigation. When several agencies request the same basic information, an insurance company may end up wasting time and effort filling both requests. Given the number of companies involved in the insurance field and the number of law enforcement officials who may need information, some type of clearinghouse or other procedure for transferring information would greatly facilitate implementation of CGS 38-114h.

Three steps are required to implement this recommendation.

- (a) Procedures for transfer must be developed.
- (b) The mechanism must be put into operation.
- (c) All potential users of the system must train their personnel regarding the procedures. Particularly

important is training for insurance personnel in the community who will be the first to learn of the loss and can be most helpful in apprising law enforcement officials of the company involved.

5. Training Must Be Provided To Local Arson Task Forces On Arson Information Systems

As local arson Task Forces begin to implement improved law enforcement procedures and prevention efforts they must be trained in the use of the policy data and the management information which will be available to them. They must also learn the basics of the data required for law enforcement and prevention efforts.

6. Procedures And Materials For Training Communities About The Arson Warning And Prevention System (AWPS) Developed By New Haven Must Be Made Available

Over the next year, New Haven will begin to provide basic information and training regarding the development and use of its AWPS program. The materials necessary to conduct this training and technology transfer are currently being developed by the New Haven Fire Department. Once they are available, the communities selected for the demonstration program will be given an opportunity to learn about the system and if they request it, technical assistance in setting up a similar system.

7. The Subcommittee On Problem Identification And Data Analysis Must Review The Survey Of The Local Fire Marshals And The Data Produced By NFIRS As Soon As It Is Available

Once the information from the survey of the local Fire Marshals has been compiled, and NFIRS data has been processed by the Bureau of the State Fire Marshal, the subcommittee must review the data to see if there is any information which should be presented to the full Task Force. The data may suggest ways to improve this plan, or suggest the arson problems are larger than anticipated or different in nature.

This information should then be incorporated into the final report prepared by the Task Force at the end of the demonstration project. Where necessary this report should be revised as well to reflect any new estimates regarding the size of the arson problem.

Of particular importance will be a review of the data generated by the demonstration communities during the next year. With clear focus on the arson problem and the resources to adequately identify arson fires, the best data on the degree to which arson has been under reported will come from these six communities. They will also generate the first

reliable information on the causes of arson in Connecticut, and communities will begin to have an idea of the size and severity of the juvenile arson problem, the arson fraud problem, and the revenge or spite arson problem. Once these are identified clearly, prevention programs will be much easier to develop and implement in a specific community.

If these steps are taken, the basic components of an arson information system will be well underway in Connecticut. However, as is evident from the discussion of each step, training is critical to the success of the system. Personnel responsible for making reports must understand the purpose for the reports and how to accurately make the reports. They must also see the concrete benefits of accurate reporting, which means a conscious effort must be made to feedback to line personnel the impact the data system is having.

As the old saying goes "garbage in, garbage out." What the state, local and private sector officials must do is emphasize the fact that without a good data system the whole law enforcement community will never really be able to respond appropriately and effectively to arson.

VI. TRAINING ELEMENT

VI. TRAINING ELEMENT

A key element to the success of the drive to combat arson in Connecticut is the delivery of high quality, complete training to the staff members of the key public agencies. Arson is a complex problem, and as a result, the number of professions involved in the effective control of arson is extensive. The solution of the arson problem is not solely in the hands of the police and fire services. The state justice system, the insurance and banking industries, and even the public at large play a very significant role in eliminating the causes for intentionally set fires.

While Connecticut has many trained professionals in the arson field because of the diverse makeup of the various participant groups involved in this battle against arson, a comprehensive training program must be developed. This program must provide not only new effective training but must also maximize the transfer of expertise already present to other elements of the system. The delivery system for the program must be targeted at all necessary user groups while structured in such a way as to minimize the disruption to normal work routines.

The Commission on Fire Prevention and Control has the primary responsibility for the coordination and delivery of this training, and it will work with a special Training Subcommittee which will provide guidance to the Commission's staff in its efforts. The Training Subcommittee will be comprised of members of the Task Force and other resource people who have particular knowledge or expertise in one of the areas to be touched upon in training.

An initial identification of general training needs has been made, and a preliminary schedule has been developed by the Commission. Areas of primary concern are the basic training of the line fire suppression and police patrol forces in Arson Awareness/Arson Detection and the training of Arson Squad Investigators and Inspectors in the sophisticated techniques of Fire/Arson Investigation. These two subject areas will require the greatest amount of time to schedule and deliver, but there is also a need for specialized training such as: the State's Attorneys need for training in investigative techniques; analysis of financial data associated with arson-for-profit; training in prosecution techniques; and other specific areas.

More generalized training needs include: general management training for members of local arson task forces; data training for those local and state level personnel who are associated with the National Fire Incident Reporting

System, the Uniform Crime Reporting System, the New Haven Arson Warning Prevention Strategy program, and finally, a broad based comprehensive program of arson awareness training to be developed and delivered with the assistance of community leaders in arson-prone areas within the target communities.

Over the next few months the Task Force, working with the Commission, will develop both a curriculum and a delivery system for each of the areas identified as requiring training. In developing the curriculum the Training Subcommittee will review existing materials and programs and develop supplementary materials where required. Where existing training programs are inadequate or unavailable, new programs will be developed.

In addition, the curricula must be developed in light of the potential delivery system in each area. To make sure the training program meets the needs of each community, the Subcommittee on Training will work with each of the demonstration communities to determine the best ways to deliver the training.

Once the revised curricula and training programs have been developed, the training plan will be presented to the Local Arson Task Force in each demonstration community for review. The departments involved in the training will also be given an opportunity to review and comment on the proposed program.

A. ARSON AWARENESS/DETECTION/PREVENTION

Arson Awareness/Detection/Prevention Training will be provided to all line fire fighters and police officers during the course of the program. A 24-hour course has been prepared by the U.S. Fire Administration, and the course materials are available to the Commission. The U.S. Fire Administration course will therefore serve as the core for awareness/detection/prevention training for line fire and police forces. Training programs have been prepared by other organizations such as the National Fire Protection Association, and these materials will be used for refresher training.

Besides raising the level of awareness of the arson problem and teaching policemen and fire fighters to recognize the signs that a fire has been deliberately set, this training will place a great deal of emphasis on arson prevention. While the methods by which policemen and firefighters actively intervene to prevent arson are still in the developmental stages, a very substantial effort is required to sensitize the uniformed services to their role in prevention. Until recently the firefighter has seen his role as primarily one of suppressing fires. Particularly among volunteer firefighters, responsibilities and potential benefits from preventing fires, particularly arson fires, have been overlooked.

Because of the large number of police officers and fire fighters in the state, the emphasis of the Commission delivered

arson awareness/detection/prevention course will be placed on training selected training officers of the various police and fire departments. They, in turn, will be responsible for delivering, with the assistance of the Commission and Task Force, the program to the line forces within their respective fire and police departments.

A major consideration for the delivery of any training course in Connecticut is the fact that 78% of all fire personnel serve in volunteer fire departments. The delivery of training for volunteers differs from that which is delivered to paid personnel due to the fact that volunteer training must normally be delivered during non-work time. Whereas training for paid personnel can be carried out during the normal work week, training for volunteers may be limited exclusively to nights and weekends.

For this reason, Arson Awareness/Detection/Prevention courses will be delivered in at least two ways--one scheduled during the normal work week for paid fire and police personnel, and the other scheduled for weekends in order to meet the needs of volunteer personnel.

Tentative plans call for the review of U.S. Fire Administration material by the Training Subcommittee by November 30, 1979.

The Arson Awareness/Detection/Prevention course will then be submitted to each local arson task force for final approval by January 1, 1980.

Assuming such approval is granted, the Commission will schedule and deliver the two training courses to the selected training officers of the pilot communities by February 15, 1980.

The training officers of the police and fire departments will complete delivery of the course to all line personnel by July 18, 1980.

B. FIRE/ARSON INVESTIGATION

Each demonstration community has made a commitment to the Governor to establish a Local Arson Task Force, with at least one local arson investigation unit. The local arson unit will be comprised of a minimum of one fire fighter, one police officer and one assistant State's Attorney. It is envisioned that more than one unit will be formed by each community and more than the minimum personnel will be committed to each unit.

In order for the local arson investigation units to function properly and to coordinate their activities with the State's Attorney's office, all fire fighters and police officers assigned to arson investigation units, as well as the inspectors, investigators and Assistant State's Attorneys should complete the Fire/Arson Investigation course.

The range in numbers of students from the pilot communities depends on the number of local arson investigation units established in each community. The lowest number, assuming only one unit in each community, including the supplementary corps of inspectors, investigators, and Assistant State's Attorneys, would be 28. The highest number, assuming three units are established by each community, would be about 50.

A comprehensive 10-day Fire/Arson Investigation course has been developed and tested by the U.S. Fire Administration, and the course package is available to the Commission. As part of its cluster delivery program for 1979, the National Fire Academy of the U.S. Fire Administration delivered this same Fire/Arson Investigation course to 50 students in New Haven in March, 1979. Their experience showed that the program is manageable with fifty (50) students. If less than 50 students will be sent to the course by the pilot communities, extra students should be selected from interested fire and police departments in other communities, with priority given to those with joint police/fire investigative units.

Plans call for the review of this course by each local arson task force by January 1, 1980. The course will then be delivered over a two week period and will be completed by March 1, 1980.

C. SPECIALIZED INVESTIGATION/PROSECUTION TRAINING

As a follow-up to the delivery of the basic Fire/Arson Investigation course, two short courses will be given to local arson investigation unit members as well as to inspectors and investigators assigned to the State's Attorney.

One course will be a two-day seminar on Cause and Origin Determination and Collection of Evidence. This seminar will be presented by individuals identified by the Task Force and the Training Subcommittee as having expertise in the areas of electricity and chemistry, as well as by those having a strong background in the collection of evidence from fire scenes. Although most firesetters do not use sophisticated methods to set fires, there is a need to develop the capability of the local fire investigator to identify and properly handle fire scenes where electrical or chemical devices have been used. This two-day seminar is tentatively scheduled for delivery by April 1, 1980.

The second seminar is designed to train investigative personnel in courtroom procedures. This seminar will also train the investigator in how to establish himself as an expert witness before the court.

This seminar is scheduled for two days and will be delivered by persons identified by the Task Force and the Training Subcommittee as having particular expertise in this subject area. The planned completion date of this seminar is May 1, 1980.

D. PROSECUTOR TRAINING

The Law Enforcement Assistance Administration is presently delivering a series of four-day seminars on the prosecution of arson cases, and one of these seminars is scheduled to be delivered in Atlanta, Georgia in mid-January, 1980. It is contemplated that the participating Assistant State's Attorneys will attend this or a similar seminar.

In addition to basic courses on arson investigation and prosecution, there is a need for quarterly workshops and refresher training as described on Page III-18. Further workshops are needed on specific subjects such as the financial transactions in an arson-for-profit case. These will be scheduled six times over the year.

E. DATA PROVIDER/USER TRAINING

The production of quality data, and its effective analysis and application to the arson problem is crucial to the success of this program. The production of quality data starts with the initial fire incident report filed by the fire officer. In turn, that officer must rely upon the information provided to him by other members of the fire fighting force or by the police who were first to arrive on the scene. If the information provided on the fire incident report is faulty, the eventual successful resolution of the case will be greatly hampered. Therefore, a component of the Arson Awareness/Arson Detection course will be devoted to training the fire fighter and police officer in providing accurate and complete information.

Further training is required for fire and police staff personnel who are responsible for the accumulation and analysis of data. This training will encompass the general value of different types of data to the development of effective, long-range plans. It will also detail the various reporting systems presently used by the fire and police services in Connecticut. These include the National Fire Incident Reporting System and the Uniform Crime Reporting System.

The Commission on Fire Prevention and Control has scheduled in its Connecticut State Fire School program the delivery of two four-day courses dealing with the NFIRS system and the NFPA 902F and 902G report forms presently used by Fire Marshals in Connecticut. This course will be delivered on

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January 21-24, 1980 (Monday through Thursday) and on February 2, 3, 9, and 10, 1980 (two consecutive weekends) in order to provide training for both paid and volunteer personnel. Since this course is designed as a broad overview of the data system presently used by the fire service in Connecticut, it will be supplemented with additional seminars specifically designed to meet the needs of those responsible for data accumulation and analysis within fire departments of the demonstration cities.

Similar seminars will be held by the Uniform Crime Reports Division of the Department of Public Safety for those individuals within police departments who are responsible for the submission of arson data to the Uniform Crime Reporting System. Presently, a series of one-day seminars are being contemplated for early January 1980.

F. TRAINING IN ARSON PREDICTION/PREVENTION

The New Haven Fire Department is in the process of developing a sophisticated statistical model which will pinpoint properties likely to be the target of arsonists. This program utilizes a number of variables such as the history of previous fires, the history of police calls, the number of health and housing code violations, back taxes, and so forth. Although this program is still in its developmental stage, it is expected to provide a valuable tool which can be used effectively in other cities of comparable size. The Task Force will work with New Haven in the preparation of a training program and manual which can be used to assist other cities in implementing this system locally. Once this training program has been developed, a course will be offered to personnel from fire departments in the other pilot communities. When the training program is formulated, a schedule will be established.

G. MANAGEMENT TRAINING

Obviously, the data is of no importance unless it is utilized to provide effective solutions to problems. To this end, a series of seminars will be established for local arson task force members, investigation personnel, and data processing specialists dealing with the role of data in problem analysis and program planning.

The Task Force will also work to identify management areas which can be addressed through training, and will work with each demonstration community to find ways of obtaining the needed training or technical assistance.

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At the basic level, the U.S. Fire Administration has produced a five step process for use in the planning of public fire education programs. Although this manual is designed for the preparation of public education programs, its format is generally applicable to planning projects of any sort. Therefore, this manual can serve as the rudimentary tool for the training of investigators, data personnel, and for the initial training of local arson task force members.

There is also an identified need for more sophisticated training of local arson task force members in long-range planning. The U.S. Fire Administration has available a substantially complete training program aimed at the development of a community Master Plan on Fire Prevention and Control. Although the original Master Planning course delivered by the National Fire Academy encompassed three full days, the actual teaching portion consists of about 9 hours of instruction.

This course can be delivered utilizing three half-day sessions for local arson task force members and their designated planning officers. The data from each community can then be substituted for the mock situation used in the original course, and individual long-range plans which identify problems, analyze available resources within the community, detail a selected path leading toward an effective solution, implement the plan, and ultimately evaluate its success can be created. Planning manuals are available from the U.S. Fire Administration, as are student and instructor manuals for the course.

These two planning courses -- the basic program dealing with the five step planning process and the more sophisticated Master Planning program -- will be delivered by April 1, 1980.

H. ARSON AWARENESS -- GENERAL PUBLIC

No matter how well trained fire fighters and police officers may be, and how effective their departments might be, the solution to the arson problem does not fully lie in their hands. The residents of the arson-prone neighborhood provide a vital and necessary component to the success of any arson program. They often have a firm understanding of the underlying causes and motivations behind intentionally set fires. The problem is that the community must be aided to mobilize a comprehensive anti-arson campaign and to

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coordinate their efforts with those of the fire and police departments. Unfortunately, in some areas a lack of trust has developed between the citizens of many neighborhoods and the local police and fire departments which exist to serve them. A challenge exists for local police and fire departments to develop an atmosphere of understanding and mutual respect with community members.

The development of community based arson awareness programs such as those under development in New Haven and Hartford, has the additional benefit of providing a mechanism through which better rapport can be established between local residents and their police and fire departments.

The Public Fire Education Planning Manual, available through the U.S. Fire Administration, can serve as a tool for the identification of specific problems (high risk locations, high risk populations, high risk activities, etc.) within the community. This information will aid the Local Arson Task Force in developing an understanding, from the perspective of the police and fire departments, of the problems within the community.

Of extreme importance is the development and encouragement of community participation in the planning process. The Local Arson Task Force must listen to the community itself, and it must work with community leaders in the development of specific anti-arson strategies to be implemented within the community.

The Commission on Fire Prevention and Control has been actively involved in public fire education and has available trained personnel throughout the state who can work with the Local Arson Task Forces in the pilot communities to develop an association with community groups and to work toward the design and implementation of effective community oriented anti-arson campaigns. Due to its close association with the U.S. Fire Administration, the Commission has access to programs and personnel which have proven effective in similar efforts in other communities.

As a start for this program, the Commission is delivering a 2½-day Public Fire Education Conference the weekend of November 2-4, 1979. A major segment of this Conference deals with the issue of arson and urban fire problems. In addition, evaluation techniques will be dealt with in detail. Although the Local Arson Task Forces have not yet been fully formed, key personnel from each of the pilot cities will be invited and encouraged to attend the conference.

The development of an effective anti-arson campaign will be an ongoing program. The lead agency must, of necessity, be the Local Arson Task Force in each community, which must interact significantly with local community groups. No specific time deadlines are established for this component. It is anticipated that members of the Governor's Arson Task Force, the Training Subcommittee, and various other resource people will be working continuously to establish an effective anti-arson public awareness campaign within each community. As plans are developed they should be reviewed with community groups and neighborhood organizations, and they should actively involve residents in their implementation.

VII. WORK PROGRAM

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For the next year the Governor's Arson Task Force has established an agenda and work program designed to carry this initial effort forward to implementation. There are three basic components of the next year's effort.

- (1) Continued policy development;
- (2) Obtaining financial support for the demonstration project and for expansion of the program statewide; and
- (3) Assisting in the administration of the arson control assistance project.

A. CONTINUED POLICY DEVELOPMENT

As is clear from reading this plan there are policy issues which remain unresolved. Particularly in the area of arson prevention, the Task Force must work to move beyond identification of the problem and recommend specific steps for solving the problems discussed in this plan. However, this effort is also required in the area of law enforcement, arson information system development, and training. Specific legislative proposals are also required to facilitate implementation of some of the recommendations made here.

Over the next several months the Task Force expects to raise the insurance issues discussed in Section IV with the All-Industry Task Force on Arson and with the National Association of Insurance Commissioners. Then as recommendations are developed in each of these areas they will also be reviewed in these national committees.

While the Task Force can make recommendations on these insurance issues, the solutions to the arson problem in this area lie with the insurance companies. For the majority of the issues, a voluntary change in underwriting and claims handling practices would be more effective than a regulatory approach, particularly in view of the problems inherent in trying to coordinate any regulatory approach across a large number of states with very different legal powers in this area.

The Task Force will also be heavily involved in developing a training curriculum and delivery system as described in Section VI. By January 1, 1980 the basic elements of a curriculum and delivery system should be completed.

B. OBTAIN FINANCIAL SUPPORT FOR THE DEMONSTRATION PROJECT AND FOR EXPANSION OF THE PROGRAM STATEWIDE

Part of the initial funding for this program has been sought from the U.S. Department of Justice, Law Enforcement Assistance Administration. A grant application was submitted

on August 29, 1979 to LEAA asking for \$600,000 to support implementation of the \$1,060,395 budget proposed for the first year. The Task Force is currently working to secure the remaining \$460,395 from the state and private sources.

After reviewing the needs for starting up the state effort, the Task Force decided to recommend a very substantial commitment to give the project a reasonable chance to succeed, recognizing that underfunding the project would diminish the opportunity to show a substantial impact on arson in the first year. Without a successful first year, the support for expanding the project would be minimal.

In a very real sense, assumption of the costs of continuing this program beyond the initial grant period is dependent on the success of the program in the demonstration communities, on the public understanding and support for the program, and on the support of the public officials at the state and local levels who are responsible for preparation and justification of their elements of the program.

While the Task Force and the Connecticut Justice Commission are well aware of the fiscal austerity levels which have been imposed on local and state governments, the clear financial benefits which should occur as a result of a successful program will greatly facilitate continued funding. It will be the responsibility of the State and Local Task Forces to see that these benefits are clearly identified and presented to the public and the appropriate legislative bodies as part of the necessary budget requests.

1. Public Understanding

Many law enforcement programs are not well understood by the public, in part because of their technical nature and because the average citizen simply does not have much contact with the justice system. This program would have the same problem, except for the substantial involvement of the insurance industry in the efforts to develop solutions to the arson problem in Connecticut. Each citizen benefits from the savings in insurance premium costs which result from reducing the number and extent of the arson losses currently being imposed on all individuals who have property insurance.

Thus the direct benefit to each citizen, plus the ability of the insurance industry to communicate the importance of these efforts to realizing those savings, will help the Task Force to raise public awareness of this program. The Task Force has already, with substantial assistance from the Insurance Association of Connecticut, the Hartford Insurance Company, and Aetna, made substantial progress in this direction. Currently under preparation are public service announcements, press kits, speaking engagements for members of the Task Force, and plans for Arson Awareness Week.

2. Commitment of Public Officials

The letters of agreement and the active participation of state and local agencies in the demonstration program indicate a substantial commitment to the project and clear recognition of the arson problem. When this is combined with substantial support provided by the private sector, a broad and informed constituency will be available to support the continuance of the program if it is successful.

The first step toward continuing the program is clear recognition of the problem, and that has been achieved in five of the major cities in Connecticut. If they are successful in addressing the problem with this project, the prospects for continued funding are substantial.

3. Initial Success of the Program

In order to assure the highest likelihood of initial success, the Task Force has prepared a program which goes substantially beyond the funding which will be available from LEAA. That was done because the Task Force review of the resources required to develop a successful program simply exceeded the budget limits of the program.

To fund these additional costs, the Task Force has submitted this project to the Insurance Association of Connecticut and its member companies and requested a commitment of financial support for one year to cover the major start-up costs identified in this proposal.

If full funding from the private sector and from LEAA is obtained the prospects for success in the initial year will be substantially improved.

C. ADMINISTRATION OF THE ARSON CONTROL AND ASSISTANCE PROJECT

The administration of the demonstration project requires substantial coordination and information transfer. By involving six target areas, the proposal provides significantly different settings to test the concept of coordinated response by police and fire personnel with early involvement of prosecution personnel. To implement this program, the Task Force has proposed a two-level management system, one at the state level centered within the Connecticut Justice Commission and the Governor's Arson Task Force, and the second at the level of the Local Arson Task Force. There are several levels of activities within each of these areas which are spelled out in the Letters of Agreement between the participating agencies and they are described below.

1. State Level Administration

a. The Governor's Arson Task Force

The primary policy setting body for the project will be the Governor's Arson Task Force. This group has been charged with developing a comprehensive plan to reduce arson by the Governor, and will perform the role of overview of the project.

The Task Force will establish a subcommittee responsible for working with the Connecticut Justice Commission to monitor implementation of this demonstration project. That subcommittee will work closely with the Project Director and Project Manager to assure the financial and programmatic integrity of the program.

b. The Connecticut Justice Commission

The direct management of the grant and principal coordinating mechanism for all agencies involved will be the Connecticut Justice Commission. The Commission is described in Appendix A, but it is of particular note that the Connecticut Justice Commission has been given a significant policy role by the Governor in the management of serious crime efforts within Connecticut.

The Connecticut Justice Commission will provide the Project Director, Mr. William H. Carbone, Executive Director of the Connecticut Justice Commission whose resume is included in Appendix A. Mr. Carbone will be the person responsible for overall management of the grant and the direct representative of the Governor for matters affecting the grant. The Connecticut Justice Commission will also provide a Project Manager, not yet selected, who will handle the day-to-day management of the project and be responsible for all elements of administration and coordination of work elements of administration and coordination of work elements within the grant. The Connecticut Justice Commission will also provide support staff to the Governor's Arson Task Force to integrate the Comprehensive Plan to Reduce Arson with the initiation of this project.

As the principal coordinating unit, the project management staff will provide technical assistance to the demonstration areas to aid in compliance with the work elements spelled out in the Letters of Agreement; provide budgetary accounting to assure that tasks are completed in accordance with the terms of the grant; coordinate the information from participating agencies necessary for evaluation of the grant; and provide coordination of inputs from the participating agencies to the Governor's Arson Task Force for development of the Comprehensive Plan to

Reduce Arson.

The Project Management Staff will also manage and coordinate all outside resources used in the management, evaluation and administration of the grant.

c. The Chief State's Attorney

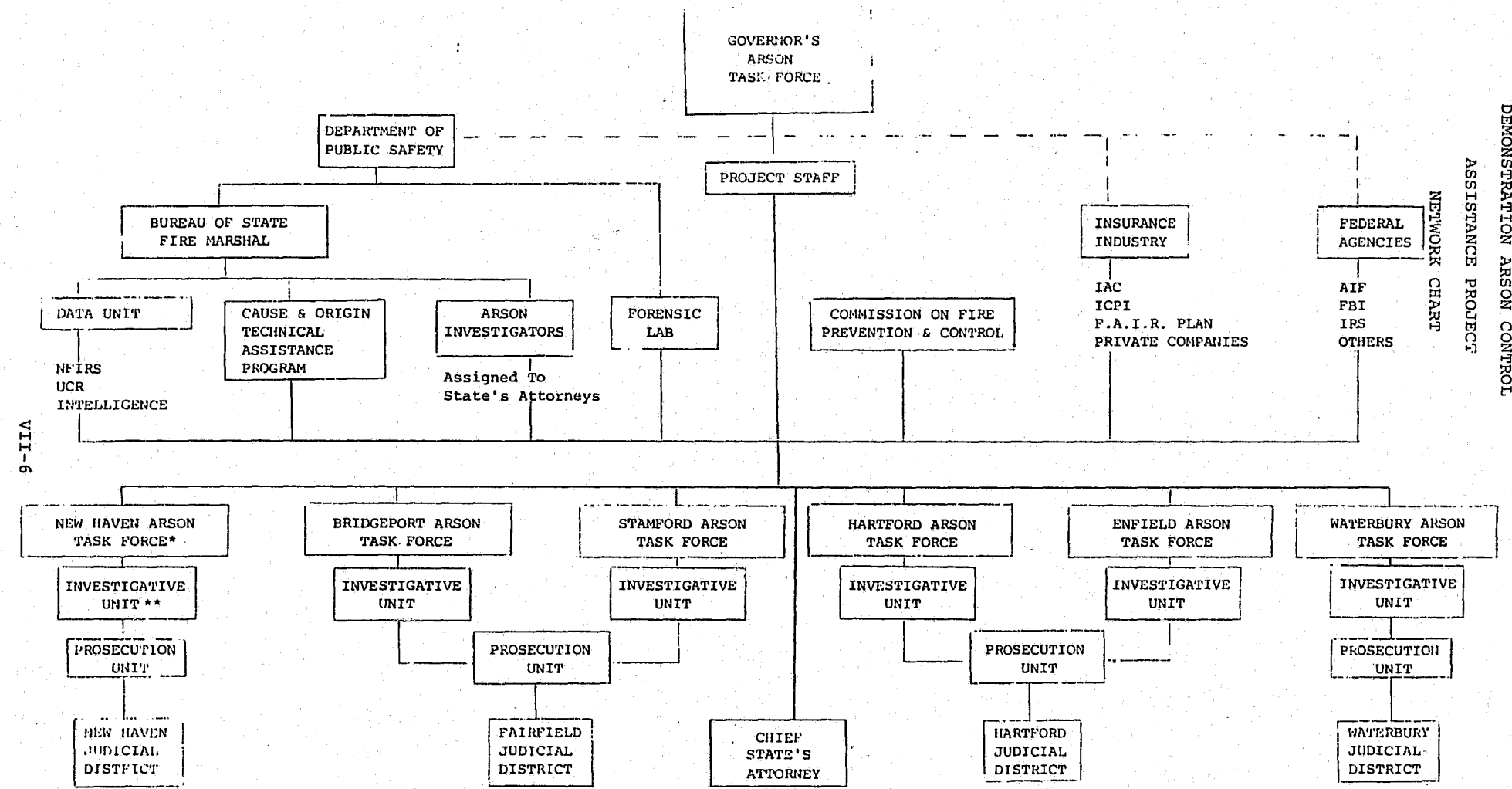
The Chief State's Attorney's Office will provide state-wide coordination of the prosecution elements of the grant. Mr. Austin McGuigan, Chief State's Attorney, will be the person primarily responsible for these efforts.

The Chief State's Attorney's Office will authorize one (1) Assistant State's Attorney and one (1) Inspector to each of the judicial districts involved in the demonstration areas: Fairfield, Hartford, New Haven, and Waterbury. Upon request of the State's Attorney, an additional Inspector shall be provided rather than an Assistant State's Attorney.

The Chief State's Attorney's Office has also agreed to:

- (a) work with the State Fire Marshal's Office in developing an information management system and intelligence data program.
- (b) work with the Commission of Fire Prevention and Control to develop arson training programs for prosecutors, inspectors and investigators.
- (c) work with the Governor's Arson Task Force to develop programs on arson awareness and prevention and to develop a Comprehensive Plan to Reduce Arson.
- (d) cooperate with federal agencies when requested in investigations of arson in Connecticut.
- (e) cooperate with insurance companies involved in the problem of arson.

The Office will submit quarterly reports to the project management staff outlining activities subject to the grant, and agrees to provide information necessary for budget accounting and evaluation.



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*Task Forces consist of: Mayor, Fire Chief, Police Chief, Fire Marshal and State's Attorney.
 **Investigative Units consist of: Policemen, Firemen, Deputy Fire Marshal, and Assistant State's Attorney.

d. The Department of Public Safety

The Department of Public Safety, through the Bureau of the Fire Marshal, will provide substantial services in improving investigation capacity for the State. The principal person responsible for this effort is Major Arthur Woodend, Deputy Fire Marshal.

e. The Bureau of the State Fire Marshal

The State Fire Marshal's Office will develop a Technical Assistance Program for Local Arson Task Forces in the demonstration areas on Cause and Origin.

The Office will develop an information management system utilizing the National Fire Incidence Reporting System (N.F.I.R.S.). This system will be coordinated with the Uniform Crime Reporting System. With this base, the Office will develop an Arson Intelligence Data System to provide a data base to the line agencies statewide.

The Office will also be responsible for the upgrading of the forensic laboratory capacity. This task will involve the improvement of current capacity both in quality and time lag.

The State Fire Marshal's Office has also agreed to provide one (1) investigator to the judicial districts involved in the demonstration project.

The Office will aid in developing training programs for Local Arson Task Forces in development of an Arson Awareness Program.

The State Fire Marshal's Office has also agreed to:

- (a) work with the Commission of Fire Prevention and Control to develop arson training programs for prosecutors, inspectors, and investigators.
- (b) work with the Governor's Arson Task Force to develop programs on arson awareness and prevention and to develop a Comprehensive Plan to Reduce Arson.
- (c) Cooperate with federal agencies when requested in investigations of arson in Connecticut.
- (d) Cooperate with insurance companies involved in the problem of arson.

The Office will submit quarterly reports to the project management staff outlining activities subject to the grant and agrees to provide information necessary for budget accounting and evaluation.

f. The Commission on Fire Prevention and Control

The Commission on Fire Prevention and Control will play a principal role in the development of training programs to upgrade skills in the areas of arson. Mr. William S. Porter, State Fire Administrator, will be the person responsible for the agency's work tasks.

The Commission will develop and coordinate programs in the areas of:

- (a) arson awareness training for fire and police personnel in the demonstration areas;
- (b) arson investigation training for personnel assigned to the Local Arson Task Forces;
- (c) training for personnel involved in prosecution of arson cases;
- (d) management seminars for members of the Local Arson Task Forces;
- (e) training in the use of improved fire incident reporting systems.

The Commission will work with Local Arson Task Forces to:

- (a) determine training needs;
- (b) inform local officials of available programs;
- (c) evaluate existing programs and training capacity;
- (d) provide programs for basic and refresher training.

The Commission on Fire Prevention and Control has agreed to:

- (a) work with the Governor's Arson Task Force to develop programs on arson awareness and prevention and to develop a Comprehensive Plan to Reduce Arson;
- (b) cooperate with the State's Fire Marshal's Office to train local investigative units.

The Office will submit quarterly reports to the project management staff outlining activities subject to the grant and agrees to provide information necessary for budget accounting and evaluation.

g. The State's Attorney's for the Four Judicial Districts

The State's Attorney's Office in the four judicial districts covered by the demonstration areas will play a major role in the

on-line activities of the Local Arson Task Force. The State's Attorney for each respective district (Hartford, New Haven, Fairfield, and Waterbury) will be responsible for the work tasks outlined.

The State's Attorney will sit on the Local Arson Task Force. The Office will assign one (1) inspector to the investigation unit in the demonstration areas.

The Office will work with the State Fire Marshal's Office in developing the Arson Intelligence Data System.

The Office will work with the Commission on Fire Prevention and Control to develop appropriate training programs.

The Office will cooperate with the federal agencies' investigation of arson in their areas and insurance companies involved with problems of arson in their areas.

The Office agrees to cooperate with the Project Director to provide quarterly reports on activities subject to the grant and to provide to the project management staff all information necessary for budgetary accounting and evaluation of the program.

2. Local Administration

Coordination, management and administration in the six demonstration communities will be the responsibility of the Local Arson Task Force.

Each city has signed an interagency agreement whereby the key administrative officials - the Mayor, the Fire Marshal, the Fire Chief, the Police Chief, and the State's Attorney for that judicial district - agree to establish a local arson task force with the following responsibilities:

- (1) Establishment of a joint police, fire, prosecutor investigation unit.
- (2) Working with the Commission on Fire Prevention and Control to provide the training required for investigation and prosecution.
- (3) Designation of the investigation unit leader.
- (4) Performance review and evaluation of the investigation and prosecution effort.
- (5) Cooperation with the Bureau of the State Fire Marshal in the development and implementation of an information management system relating to arson and fire incidence, which will allow for coordinated collection and analysis of data by the State Fire Marshal's Reporting Service and the Uniform Crime Reporting Service.

(6) Cooperation with the Commission on Fire Prevention and Control in developing and implementing a training program in basic arson awareness for all local police and fire service personnel. This includes the designation by the Fire and Police Chiefs of an appropriate number of training officers who will be trained to conduct the necessary arson awareness training.

(7) Working with the Governor's Arson Task Force, the Commission on Fire Prevention and Control and the residents of the city in developing and implementing arson awareness and arson prevention programs.

(8) Cooperation with the Federal Bureau of Investigation, the Bureau of Alcohol, Tobacco and Firearms, and any other federal agencies investigating arson in the city.

(9) Utilization of the services of the State Fire Marshal to assist in the determination of the cause and origin of the first five fires occurring after the formation of the arson investigation unit, where the property damage exceeds \$50,000, or where there is a death, or where the State Arson Intelligence Unit recommends.

(10) Cooperation with insurance companies as appropriate in the investigation of fraudulent claims relating to fires within the city.

(11) Preparation of a budget and work program for the Local Arson Task Force, in order to receive authorization to expend money received as part of this demonstration program.

(12) Cooperation with the U. S. Department of Justice, Law Enforcement Assistance Administration, in the evaluation of this project, and conformance with the federal requirements attached to the grant.

(13) Submission of quarterly reports on the status and progress of the Local Arson Task Force and its efforts to reduce arson to the Governor's Arson Task Force.

(14) Cooperation with the Governor's Arson Task Force in developing and implementing a comprehensive plan for reducing arson in the State of Connecticut.

VIII. BUDGET

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A. INTRODUCTION

The budget required for the arson program substantially exceeded the \$600,000 allowed for state-wide grants by L.E.A.A. Initially, the Task Force considered a program which was within that financial limit, but it soon became apparent that the requirements to start-up such a program with the expectation of achieving a substantial measurable impact on arson in the first year required a larger initial commitment.

The reasons for this conclusion are simple. First, the nature of arson requires a large number of public agencies at the state and local levels to respond in an effective and coordinated way, which they cannot do without the resources identified here. Second, arson prevention programs must accompany law enforcement approaches to realize any long term reductions in arson. Finally, initial start-up costs exceed the annual operating costs once a program is established. However, underfunding the start-up is like under capitalizing a new business. The less adequately financed, the higher the risk of failure.

Realizing that L.E.A.A. was limited to \$600,000, and that with the legislature in recess the state was limited to a \$66,667 matching share, the Task Force sought other sources of funds.

On August 3, 1979, the Connecticut Justice Commission, on behalf of the Governor's Arson Task Force, wrote to the Insurance Association of Connecticut, representing Connecticut based insurance companies, requesting financial assistance so that the basic \$666,667 program could be expanded. On August 10, 1979, a presentation of the program was made to representatives of four of those companies. Property casualty member companies of the Insurance Association of Connecticut are now reviewing this proposal. The companies expect to make a decision on a voluntary contribution basis in light of their participation in other arson prevention programs in Connecticut and across the country in October.

The budget presented shows how the Task Force and the Justice Commission believe the program funds should be expended. Since a decision to provide funding is expected from L.E.A.A. before final commitments from private, non-federal sources can be expected, the priorities for funding have been established in the following way. First, all of the expenditures shown under the Federal Source column are considered essential, and they will receive priority over others. The expenditures shown under

non-federal are considered necessary but not essential or have a likely source of alternative funding. For example, the arson squad equipment, which will cost about \$2,000 per arson investigative unit to provide, could be purchased by each community as part of their contribution or share for participating. Therefore, it is not shown as an essential expenditure for federal funds. The equipment, however, is very important for the project. Further, the expenditures in the federal funds column are the ones which the state and local governments are expected to pick up after the grant has expired as on-going program costs. The non-federal expenditures are in most cases one-time expenses required as part of starting-up the project. Beyond the initial grant period, the Task Force anticipates an annual cost of about \$600,000 to continue the program and to expand it to the other parts of the state.

B. BUDGET SUMMARY BY PROGRAM AREA

The budget which follows can be summarized briefly in terms of the program areas it is designed to support. They are:

<u>Detection</u>			
technical assistance	90,000		
forensic laboratory	100,000		
equipment and supplies	17,023		
			207,023
<u>Investigation</u>			
personnel	193,127		
equipment and supplies	10,400		
			203,527
<u>Prosecution</u>			
personnel	137,896		
equipment and supplies	8,223		
			146,119
<u>Training</u>			
personnel	56,744		
equipment, supplies, travel	22,067		
			78,811
<u>Information System</u>			
personnel	60,000		
contractual services	30,589		
			90,589
<u>Prevention</u>			
local arson task forces	180,000		
arson warning system	100,000		
			280,000
<u>Policy Development and Administration</u>			
governor's arson task force	54,326		
			54,326
TOTAL			\$1,060,395

C. BUDGET SUMMARY BY CATEGORY AND FUNDING SOURCE

BUDGET CATEGORIES	FUNDING SOURCE	
	FEDERAL	NON-FEDERAL
A. Personnel	\$ 279,600	\$ 184,980
B. Fringe Benefits	70,907	44,100
C. Travel	0	4,700
D. Equipment	18,293	109,938
E. Supplies	6,400	4,067
F. Contractual	71,200	82,600
H. Other	153,600	30,000
Subtotals	\$ 600,000	\$ 460,395
 TOTAL	 \$1,060,395	

D. BUDGET FOR DEMONSTRATION PROGRAM

1. PROGRAM AREA: IDENTIFICATION ELEMENT

BUDGET CATEGORIES	FUNDING SOURCE	
	FEDERAL	NON-FEDERAL
A. Personnel		
Training Staff		
2 Training Coordinators	\$ 32,000	
1 Clerical Assistant	8,000	
Forensic Lab Staff		
2 Lab Technicians	30,000	
1 Lab Assistant	10,000	
Total Personnel	<u>80,000</u>	
B. Fringe Benefits		
25.36% of Total Personnel	\$ 20,288	
Total Fringe Benefits	<u>\$ 20,288</u>	-0-
C. Travel		
Out of State travel to attend instructional programs sponsored by USFA/L.E.A.A.	-0-	\$ 2,700
Total Travel		<u>\$ 2,700</u>
D. Equipment		
1. Arson Squad Equipment: Boots, evidence jars, digging tools, etc.	-0-	\$12,000
2. Training Equipment: Audio-Visual equipment, program learning material, books, articles, reproductions, etc.	-0-	\$10,000
3. Forensic Laboratory: Purchase \$ 11,903 of analytical equipment for the exclusive purpose of analyzing arson evidence.		\$37,953
4. Office Equipment:		
2 desks @ \$225/ea. \$450	\$ 1,690	-0-
1 file cabinet @ \$300/ea.		
\$300 1 typewriter @ \$810/ea.		
\$810 2 chairs @ \$65/ea.		
\$130		
Total Equipment	<u>\$ 13,593</u>	<u>\$59,953</u>

E. Supplies

Office Consumables, operating expenses	\$ 2,133	\$ 67
Total Supplies	<u>\$ 2,133</u>	<u>\$ 67</u>

F. Contractual

1. Tuition Costs - Arson Squad \$254/student x 13 students	-0-	\$ 6,000
2. Tuition Costs - Prosecutorial Staff and Investigators \$300/student x 11 students	-0-	\$ 3,300
3. Cause and Origin Specialists Specialists placed on a retainer basis @ \$100/day, average 3 days/investigation, total 300 fires.	\$ 60,000	\$ 30,000
4. Training Specialists - Hire experts in arson detection, investigation and prosecution to conduct training sessions in six (6) demonstration communities.	\$ -0-	\$ 6,600
Total Contractual	\$ 60,000	\$ 45,900

H. Other

Telephone, at \$100/ per month	\$ 1,200	-0-
Total Other	<u>\$ 1,200</u>	

IDENTIFICATION ELEMENT BUDGET
SUB TOTAL BY FUNDING SOURCE:

\$177,214 \$108,620

TOTAL IDENTIFICATION ELEMENT BUDGET:

\$ 285,834

D. BUDGET FOR DEMONSTRATION PROGRAM (CONT.)

2. PROGRAM AREA: INVESTIGATION/PROSECUTION ELEMENT

BUDGET CATEGORIES	FUNDING SOURCE	
	FEDERAL	NON-FEDERAL
A. <u>Personnel</u>		
9 Fire Investigators/Inspectors @ \$17,120/year assigned to State's Attorney and the Bureau of the State Fire Marshal	\$ 85,600	\$ 68,480
4 Assistant State's Attorneys @ \$22,000/year	\$ 66,000	\$ 22,000
1 Accountant assigned to the Chief State's Attorney Office @ \$22,000/year.	-0-	\$ 22,000
Total Personnel	<u>\$ 151,600</u>	<u>\$ 112,480</u>
B. <u>Fringe Benefits</u>		
25.36% of Total Personnel	\$ 38,446	\$ 28,525
Total Fringe Benefits	<u>\$ 38,446</u>	<u>\$ 28,525</u>
C. <u>Travel*</u>		
* Vehicles will be rented via a central car pool and allocated as needed. See Prevention/Management Program Area, Section F.	-0-	-0-
D. <u>Equipment</u>		
Office Equipment:	\$ 3,890	-0-
11 Desks @ \$225/ea. \$2,475		
11 Chairs @ \$65/ea. \$715		
1 File Cabinet @ \$300/ea. \$300.		
10 Side Chairs @ \$40/ea. \$400		
Total Equipment	<u>\$ 3,890</u>	<u>0</u>

E. <u>Supplies</u>		
Office Consumables, operating expenses	\$ 2,133	-0-
Total Supplies	<u>\$ 2,133</u>	
H. <u>Other</u>		
Telephone, at \$100/per month	\$ 1,200	-0-
INVESTIGATION/PROSECUTION ELEMENT SUBTOTAL BY FUNDING SOURCE:	<u>\$197,269</u>	<u>\$141,005</u>
TOTAL INVESTIGATION AND PROSECUTION ELEMENT BUDGET		<u>\$338,274</u>

D. BUDGET FOR DEMONSTRATION PROGRAM (CONT.)

3. PROGRAM AREA: PREVENTION AND MANAGEMENT ELEMENT

<u>BUDGET CATEGORIES</u>	<u>FUNDING SOURCE</u>	
	<u>FEDERAL</u>	<u>NON-FEDERAL</u>
A. <u>Personnel</u>		
1. Statewide Intelligence and Data Analysis Unit: Bureau of the State Fire Marshal 2 Data Analysts @ \$20,000/year \$40,000, 1 clerical assistant @\$8,000/year		
Total S.I.D.A.U.	\$ 48,000	-0-
2. New Haven Arson Warning and Prevention System: Development and Technology Transfer - one (1) Systems Analyst @ \$16,500/yr., one (1) Arson Operations Planner @ 13,000; and \$4,000 for overtime payments.		
Total A.W.P.S.	-0-	33,500
3. Project Director Staff 1 Project Manager \$22,000/year, 1 Staff Assistant \$9,000/year, 1 Clerical Assistant \$8,000		
Total Project Director Staff	-0-	\$ 39,000
Total Personnel	<u>\$48,000</u>	<u>\$ 72,500</u>
B. <u>Fringe Benefits</u> 25.36% of total personnel*	\$ 12,173	\$ 15,585
Total Fringe Benefits	<u>\$ 12,173</u>	<u>\$ 15,585</u>
C. <u>Travel</u> Out of State travel to attend conferences and meet with program desk at I.E.A.A.	-0-	\$ 2,000
Total Travel		<u>\$ 2,000</u>
D. <u>Equipment</u>		
1. <u>A.W.P.S.</u> Graphic Display Terminal:	-0-	\$ 18,000
Graphic Display Printer:	-0-	\$ 1,000

*except for New Haven personnel (item A-2) whose fringe benefits are calculated at 17%.

Video Tape and Camera Display:	-0-	\$ 8,800
Audio/Visual Equipment	-0-	\$ 2,500
Film Library	-0-	\$ 3,000
1 Typewriter	-0-	\$ 885
Vehicles for Fire/Arson Public Education Program	-0-	\$ 14,300
Metal detector	-0-	400
Two (2) rechargeable High Intensity Lighting Sources @400ea.	-0-	800
Ancillary Equipment for use with Gas Chromatograph	-0-	300
 2. Management Staff Equipment		
1 Typewriter	\$ 810	-0-
Total Equipment	\$ 810	49,985
 E. <u>Supplies</u>		
Office Consumables, operating expenses	\$2,134	\$ 4,000
Total Supplies	2,134	\$ 4,000
 F. <u>Contractual</u>		
1. A.W.P.S. Programming Systems	-0-	6,000
Keypunching	-0-	\$ 500
2. Bureau of State Fire Marshal Programming and Design of Intelligence and Fire Reporting System	\$ 11,200	\$18,800
3. Rental of (5) State or other vehicles for training and prosecutorial staff, including fuel and maintenance.	-0-	\$11,400
Total Contractual	\$ 11,200	\$36,700

H. <u>Other</u>			
1. Telephone, at \$100 per month	\$ 1,200	-0-	
2. (6) Local Arson Task Forces funding at \$30,000/ each to develop and implement Arson Prevention and Public Education Programs, absorb overtime costs of local investigators for lengthy investigators or training	\$150,000	\$ 30,000	
Total Other	\$151,200	\$30,000	

PREVENTION/MANAGEMENT ELEMENT BUDGET:		
SUBTOTAL BY FUNDING SOURCE:	\$225,517	\$210,770
TOTAL PREVENTION AND MANAGEMENT ELEMENT BUDGET:		\$436,287

APPENDIX A. - THE
GOVERNOR'S ARSON TASK FORCE

APPENDIX A

THE GOVERNOR'S ARSON TASK FORCE

In response to inquiries from public safety officials around the State, the Connecticut Justice Commission (CJC) brought together a group of persons representing the insurance industry, police and fire services, and Fire Marshals to discuss the question of arson and arson investigation in Connecticut, and to suggest avenues of further inquiry. After working with this Ad Hoc Committee on Arson for several months the Commission issued a report on its findings to the Governor, recommending the formation of a Governor's Arson Task Force. Following the report of the Justice Commission, the Governor on April 20, 1979 appointed a 15 member State Arson Task Force.

The Governor's Arson Task Force was created by Governor Grasso to recommend programs to increase the investigative skills of police, fire and prosecutors in identifying and structuring prosecutions in arson cases; to develop training programs for state and local officials emphasizing coordination of efforts in handling arson cases; to identify practices in insurance, housing and banking which facilitate arson, and to develop recommendations for legislation to facilitate effective identification, prosecution and prevention of arson.

The fifteen members of the Task Force were selected to bring together representatives from all organizations whose activities and programs bear on the problem of arson. Since reduction of arson will require coordination and information transfer between all affected agencies public and private, Governor Grasso selected representatives who could speak and act for their organization in evolving State policy.

The members of the Task Force are:

Co-chairman

William S. Porter
State Fire Administrator
Commission of Fire
Prevention and Control

Chief John Reardon
New Haven Fire Department

Members of Task Force

Mr. John Barracato
Arson Consultant
Aetna Life and Casualty Co.

The Honorable Edward D. Bergin
Mayor, City of Waterbury

Mr. William H. Carbone
Executive Director
Connecticut Justice
Commission

Mr. John G. Day
President
Insurance Association
of Connecticut

Mr. Anthony Flannery
Chairman of Governing
Committee
Connecticut Fair Plan

Chief Francis Hoffman
Glastonbury Police
Department

Mr. Austin McGuigan
Chief State's Attorney
State of Connecticut

Lt. Colonel James Rice
Executive Officer
Connecticut State Police

Members of Subcommittees

Mr. Warren Azano
Legal Counsel
Aetna Casualty and Surety

Mr. Kevin Casey
Insurance Crime
Prevention Institute

Sgt. Edward Dunstone
Director of Data Systems
Connecticut State Police

Mr. Arnold Markle
State's Attorney
New Haven Judicial District

Captain Clarence Darrow
Fairfield Fire Department

Mr. John Eveleth, Vice
President
New Britain National Bank

Chief Charles Friemuth
Terryville Fire Department

Chief Hugo Masini
Hartford Police Department

Mr. Joseph C. Mike
Insurance Commissioner
State of Connecticut

Ms. Linda J. Kelly
Deputy Banking Commissioner
State of Connecticut

Mr. Donald Browne
State's Attorney for
Fairfield Judicial District

Mr. Waldo DiSanto
Division Chief
Connecticut Insurance Dept.

Mr. Duncan Forsythe
Assistant States Attorney
Division of Criminal Justice

Mr. James K. Killelea
Associate Counsel
The Travelers Insurance Co.

Mr. Joseph Martin
Insurance Association
of Connecticut

Mr. Charles Stone
U. S. Treasury Dept.

Lt. Martin O'Conner
Director of Planning
New Haven Fire Department

Major Arthur Woodend
Connecticut State Police
Deputy State Fire Marshal

Each of the members has worked actively both on the main Task Force and the subcommittee dealing with their area of expertise. The subcommittees are divided into four areas:

1. Business and Economics: dealing with the problems or procedures, policies, and legislative issues which should be addressed in order to more adequately respond to the economic causes of arson.
2. Investigation and Prosecution: dealing with problems of developing and implementing an effective law enforcement response to arson.
3. Problem Identification and Data Analysis: dealing with developing an information system for maximizing data available for use in investigation and prosecution, public policy analysis, prevention and management.
4. Prevention and Public Education: dealing with training for all personnel involved with the arson problem, and public education to increase public awareness and promote public efforts in prevention.

The Governor's Arson Task Force represents a major commitment on the part of Connecticut to approach the problem of arson in a coherent, consolidated manner.

MEMBERS, GOVERNOR'S ARSON TASK FORCE

William S. Porter, Co-chairman

State Fire Administrator

William Porter has been associated with the Connecticut Fire Service for the past 19 years. While still an undergraduate at Yale, Mr. Porter joined the Bethany Volunteer Fire Department as a fire fighter in 1961.

In 1974 Mr. Porter was appointed by the newly formulated Commission on Fire Fighting Personnel Standards and Education to serve as its Executive Director and later became a Consultant to the Commission on Fire Prevention and Control which came into existence in 1975.

He was appointed State Fire Administrator in 1976 and he has served in that capacity since that time.

Mr. Porter is a member of numerous National fire service organizations, including the National Fire Protection Association, the International Association of Fire Chiefs, and the International Society of Fire Service Instructors.

He holds a Bachelor of Arts degree as well as a Master of Forest Science degree from Yale University and a Bachelor of Science in Forestry from the University of Connecticut.

Chief John P. Reardon - Co-chairman

Chief of New Haven Fire Department

Chief Reardon is one of the most respected professionals in the fire fighting service. He is a career officer and a "fireman's fireman." His career began with the New Haven Fire Department in October of 1950 and he has risen through the ranks to his current position of chief of the New Haven Fire Department.

Chief Reardon has taken a leadership role in addressing arson as a serious problem in urban areas. The current efforts of the New Haven Fire Department in managing data, training personnel, involving citizens' groups and developing an Arson Warning and Protection System has drawn national attention.

Chief Reardon has been an instructor in Fire Tactics, Cardio Pulmonary Resuscitation and serves on the national examination board for the State of Connecticut.

William H. Carbone

Executive Director, Connecticut Justice Commission

Mr. Carbone graduated cum laude from Providence College, with a degree in Modern Languages and has a Masters in Public Administration from the University of New Haven.

Mr. Carbone has worked in the Criminal Justice System for 8 years, serving first as a research analyst in the New Haven Department of Police Services. Then he was the Senior Regional Planner responsible for programmatic and financial management of the Law Enforcement Assistance Administration program in South Central Connecticut.

As the Executive Director of the Connecticut Justice Commission, he is responsible for establishing basic policy directions for the State's criminal justice agencies, and for providing technical assistance and other services to those agencies.

Under his direction, the Commission has helped to change the techniques for conducting police patrols, to automate the crime incident reporting systems of numerous police departments, to encourage the use of civilian personnel for non-enforcement activities, and to consolidate and coordinate all police training in the police academy. The Commission also helped develop a victim-witness project, an organized crime task force, a career criminal program, and the Governor's Arson Task Force.

Currently the Commission is involved in developing policies and programs relating to: treatment of serious juvenile offenders, forensic services, professional career opportunities in the justice system, and arson prevention.

John Barracato

Arson Consultant, Aetna Insurance Co.

One of the most outstanding authorities in the field of arson control and investigation, John Barracato has been a fire fighter, an executive officer of the New York City Fire Marshal's Office, a college professor, the author of numerous magazine articles and the subject of others. The author of Arson!, a volume of first person case studies, Barracato took early retirement from his post as deputy chief fire marshal of the City of New York to join Aetna Life & Casualty's war on arson in January 1979.

Barracato's accomplishments as an investigator, innovator and manager are impressive. While with the city, he created within the fire marshal's office a major case squad, intelligence unit, surveillance unit and patrol force, plus an arson awareness program to enlist community support in the suppression of arson. Under his direction, a strike force reduced incidence of arson in target areas of the city between 30% and 42% during one six-month period of 1977. When he left the City of New York to join Aetna, Barracato was deputy chief fire marshal, heading the city's division of Fire Investigation, a 160-man force with an annual budget of \$6,000,000.

John G. Day

President, Insurance Association of Connecticut

Mr. Day became president of the Insurance Association of Connecticut in October, 1978. The IAC is a one-state trade association representing the Connecticut-based life, health and property/casualty insurance companies in the areas of government and public affairs both in Connecticut and Washington, D.C.

Prior to his appointment as president of the IAC, Mr. Day was commissioner of insurance for the Commonwealth of Virginia, where he reorganized his department into one of the more innovative and aggressive state insurance operations in the United States. He also served as deputy superintendent of insurance for the State of New York where he supervised the regulation of financial solvency of all types of insurance companies, the regulation of property/casualty and health insurance and the implementation of New York's No-fault Auto Insurance Law.

Mr. Day spent seven years with the U.S. Government including such posts as special counsel to the secretary of transportation.

Mr. Day was on the faculty of the Osgoode Hall Law School in Toronto, Canada, where he taught torts, general insurance law and a course on comparative law dealing with the public and private insurance system of the United States, Canada and Europe.

He was graduated from Oberlin College and Case-Western Reserve Law School and is a member of the Ohio and Washington, D.C., bars.

Chief Francis Hoffman

Glastonbury Police Department

Chief Hoffman was appointed in June of 1970. The Department has 51 full-time and 28 part-time employees with a budget of over one million dollars. Chief Hoffman is a retired Lt. Colonel, United States Air Force where he has served as senior security member of a world wide nuclear inspection team. As Manpower Branch Chief, he was responsible for manpower monitoring of 55,000 security police, world wide.

Chief Hoffman is a graduate of Florida Southern College with a B.S. in Sociology. He received his Master of Public Administration degree from the University of Hartford. Chief Hoffman has completed courses at the Institute of Correction Administration, American University; New England Police Command Training Institute, and the Air Force Provost Marshal's School and Command and General Staff School.

Chief Hoffman is Past President of the Connecticut Chiefs of Police Association, and a member of: Municipal Police Training Council, Juvenile Justice Advisory Committee; Advisory Committee on Youth Crime and Delinquency; and the Search Committee to Select a Commissioner of Public Safety (1978).

Captain Clarence Darrow

Fairfield Fire Department

Captain Clarence Darrow joined the Fairfield Fire Department July 1, 1950. He served both in Engine and Truck Companies until 1963, when he was appointed Lieutenant and served as Company officer until 1968. July 1, 1968 he was appointed to the rank of Captain.

Captain Darrow was designated to be the first full time Fire Inspector for the Town of Fairfield, this included establishing the Fire Prevention office, making building inspections, review of all new and remodeling plans submitted to meet code standards. Captain Darrow completed one of the first Fire Marshal Certification courses as required by State Statute in 1970.

He has attended a three year program at the University of North Carolina for Fire Marshal's William and Mary College, John Jay College, New York for arson investigation, National Fire administration courses both at Yale University and Providence, R.I.. Attended many job related seminars both in Connecticut and out of State. Captain Darrow was one of the instructors for the new Fire Marshal's Certification Course held in Meriden. He is currently President of the Fairfield County Chiefs Fire Emergency Plan, and immediate past President of the Connecticut Fire Marshals and a member of the Board of Directors of the New England Fire Marshals Association.

John P. Eveleth

Vice President, New Britain National Bank

Mr. Eveleth is a graduate of Amherst College with a Masters of Business Administration degree from Northeastern University. He joined the New Britain National Bank as an Assistant Cashier in 1964 and was promoted through the ranks to his current position as Vice President.

Mr. Eveleth served as: chairman, Connecticut Bankers Association Mortgage Committee; Director, Family Services, Inc. of New Britain; Corporator, New Britain General Hospital; Corporator, New Britain Institute; past Chairman & Director, Connecticut Housing Finance Authority. He has also been an Instructor for the American Institute of Banking.

Mr. Eveleth's experience with banking and housing issues led to his appointment to the Governor's Arson Task Force.

Anthony H. Flannery, Jr.

Vice President, Middlesex Mutual Assurance Co.
Chairman, Connecticut FAIR Plan

Mr. Flannery has been with the Middlesex Mutual Assurance Company 16 years. After graduating from Morse College of

Accounting he started his insurance career with the Continental in the Accounting Department of the Hartford Branch office transferring to underwriting and then to Special Agent.

Mr. Flannery started with the Middlesex Mutual Assurance Company January, 1963 as a Special Agent. In 1970 the Middlesex Mutual transferred him to the Home Office as Supervisor of the Agency Service Department. He was appointed Assistant Vice President in March, 1968, and Vice President in March, 1972. He was appointed to the Governing Committee of the Connecticut Fair Plan and on the management committee of Conn. Open Line. He is serving his second year term as chairman of the East Hampton Police Commission.

Lt. Colonel James R. Rice

Executive Officer, Connecticut State Police

Lt. Colonel James R. Rice has been a member of the Department of Public Safety, Division of State Police, since 1964, and has served in various capacities.

In 1967, he was assigned Resident Trooper of Old Lyme. On his promotion to lieutenant in 1973, he served as Commanding Officer of Reports & Records Division, Commanding Officer at the Colchester Troop and the Hartford Troop. In 1977, he was transferred to the Training Academy and shortly afterwards, was promoted to the rank of Captain. He served as Commanding Officer of the Bureau of Management Services until he assumed command as Executive Officer of the Division of State Police, at which time he was promoted to his present rank.

Lt. Colonel Rice is a graduate of Tufts University with a B.A. degree in Economics and Government Administration. He received his Masters degree from Southern Connecticut State College, concentrating in Sociology.

Police Chief Hugo J. Masini

Hartford Police Department

Police Chief Masini began his law enforcement career on November 1, 1950, when he entered the New York City Police Department as a Patrolman. During the next twenty-three years, he rose through the ranks to four star Chief, the highest uniformed member of the service. He supervised the Field Services Bureau, the Detective Bureau and the Support Services Bureau with a total complement of more than 27,000 men and women.

From 1960 to 1970, he was attached to the faculty of the New York City Police Academy, serving for most of this period as head of the in-Service Training Section and directing numerous specialized, supervisory and management level courses. While assigned to the Police Academy, he was designated the Department's Consultant on Management; while so serving, he established a Management Audit Section within the Planning Division, and directed major management studies.

On April 24, 1973, Chief Masini was promoted to Chief of Operations. In that capacity, he became the highest ranking uniformed officer and served as second in charge of the New York City Police Department. Chief Masini arrived in Hartford to assume command as Chief of Police on April 15, 1974.

Chief Masini holds a Bachelor of Arts degree from Columbia College and a Masters degree in Public Administration from the Baruch School of Business and Public Administration of the City University of New York. He has also taught at the Baruch School and presently holds the position of Associate Professor in the Department of Law and Police Science, John Jay College of Criminal Justice of the City University of New York. He lectures extensively and frequently serves as a consultant on management and systems analysis.

Chief Masini was named, in 1976, to a national advisory commission to consider the quality and content of college programs for police officers. The commission is known as HEPO, Higher Education for Police Officers.

In 1976, Governor Grasso appointed him a member of the Connecticut Justice Commission, an advisory group to the Governor on criminal justice matters and funding. Chief Masini was also appointed by the Governor to the Municipal Training Council in 1978.

The Honorable Edward D. Bergin, Jr.
Mayor, City of Waterbury, Connecticut

Mr. Bergin has served as Mayor since his original election in 1975. A respected municipal administrator, Mr. Bergin has served on The Connecticut Justice Commission; The Policy Committee on Community Development for the U.S. Conference of Mayors; and The Committee on Municipal Finance, sponsored by The U.S. Department of Housing and Urban Development.

A graduate of St. Michael's College with a B.A. in Business Administration, Mr. Bergin has a varied background in business including experience as Vice President of Systems

III Computer Corporation, Administrator of Construction and Development for Golden Hill Nursing Home, and head of his own personnel agency.

Mr. Bergin has worked closely with the Connecticut Justice Commission in previous projects, serving as spokesman for municipal constituents.

Austin J. McGuigan
Chief State's Attorney

Austin J. McGuigan has been Chief State's Attorney for the State of Connecticut since 1978. As Chief State's Attorney he is head of the Division of Criminal Justice for the state of Connecticut which has the responsibility for the investigation and prosecution of all criminal matters in the State. Mr. McGuigan graduated from Merrimack College in Andover, Massachusetts in 1965 with an AB in economics. He then served in the U.S. Army as a special agent in military intelligence from 1965-1968. He graduated from Boston University Law School cum laude in 1972, and was an honor graduate of the German Language School of the Defense Language Institute in Monterrey, California. After graduating from law school Mr. McGuigan served as a law clerk to the Honorable John P. Cotter, Chief Justice of the Connecticut Supreme Court. He joined the Division of Criminal Justice in the office of the Chief State's Attorney in 1973 as an assistant prosecuting attorney. In 1975 he became chief prosecutor of the statewide Organized Crime Investigative Task Force which has the responsibility for the investigation in prosecution of organized crime cases for all the state of Connecticut. In 1977 he became the first chief of the Special Investigations Unit of the Chief State's Attorneys Office which unit was responsible for investigation and prosecution of cases involving political corruption and organized crime. He is the author of two publications: Law Enforcement Officer's Handbook on Gambling and a manual on Court Authorized Wire Interceptions.

Mr. McGuigan has also served as an adjunct professor at Western Connecticut State College, University of New Haven, and Central Connecticut State College teaching courses on organized crime and other aspects of the criminal law.

Mr. McGuigan is a member of the Connecticut Bar Association, American Bar Association, and is also on the Executive Committee of the Criminal Section of the Connecticut Bar Association.

Mr. McGuigan not only serves on the Governor's Arson Task Force, but also serves on the Board of the Statewide Narcotics Task Force, the Statewide Organized Crime Task Force, the Connecticut Justice Commission, the Connecticut Justice Information System and the Sentencing Commission.

Joseph C. Mike

Connecticut Insurance Commissioner

Mr. Mike was appointed as the Connecticut Insurance Commissioner by Governor Ella Grasso. He has also served as the Deputy Insurance Commissioner, the chairman of the C-1 Accident and Health Subcommittee for the National Association of Insurance Commissioners.

He is a resident of Bristol and is a former member of the Bristol City Council and the Bristol Day Care Center Board of Directors.

Arthur T. Woodend

Deputy State Fire Marshal

Major Woodend is the Deputy State Fire Marshal and commanding officer of the Bureau of the State Fire Marshal. He entered police service in 1955, and transferred from field forces to the Bureau of State Fire Marshal in 1963.

MEMBERS, ARSON TASK FORCE SUB COMMITTEES

E. Joseph Martin

Insurance Association of Connecticut

Mr. Martin's responsibilities include directing all public relations, advertising and research operations in coordination with government relations objectives; coordination of programs with state and national trade associations, state agents' associations and other state organizations.

Mr. Martin has played a major role in: developing a system to monitor insurance-related bills in the state legislative process and informing IAC membership of the progress of legislation through this process; and helping lobby successfully for comprehensive insurance tax reform.

Mr. Martin has directed annual advertising programs and press relations emphasizing the importance of the Connecticut insurance industry to the Connecticut economy. This program had significant impact on legislative reforms which granted tax equity to the insurance business and continues to sustain IAC credibility with government leaders and the media.

He helped guide the No-Fault Auto Insurance promotional and advertising campaign before passage of the new No-Fault Law. Coordinated educational program following passage -- including publication of speakers kits, educational pamphlets, agents' seminars, advertising and work with the Insurance Department.

Mr. Martin is a graduate of Colby College and The University of Virginia Law School.

Lt. Martin O'Connor

Director of Planning, New Haven Fire Department

Lt. O'Connor joined the New Haven Fire Department in July of 1968. Promoted to Lieutenant in 1975, he was assigned as Commander of the Arson Unit in 1978 and to his current position in January, 1979.

Mr. O'Connor has served as the Project Assistant for the Arson Warning and Prevention Strategy project now under way. He co-ordinated the computer based Arson Information System and participated in the Management Study of the New

Haven Fire Department. He has also served on Mayor Logue's Task Force on Arson.

Mr. Donald A. Browne

States Attorney for Fairfield County

Mr. Browne is a graduate of Fairfield University and the University of Connecticut Law School. He was admitted to the Connecticut bar in 1958 and appointed Clerk of the City Court of Bridgeport in 1960. Mr. Browne was appointed Assistant States Attorney for Fairfield County in 1965 and to his current position in 1973.

Mr. Browne has been admitted to practice before the U.S. District Court, the U.S. Circuit Court of Appeals and the U.S. Supreme Court.

Mr Browne is a member of: the Federal-State Law Enforcement Committee for Connecticut; the Criminal Law and Procedure Section of the Bridgeport Bar Association; the National District Attorneys Association; and the Standing Committee on Recommendations for Admission to The Bar for Fairfield County.

Leslie W. Williams, Jr., Captain

Bureau of State Fire Marshal

Mr. Williams has been a member of the Department of Public Safety, Division of State Police for the past seventeen (17) years. He served in command capacities as Director of State Police Training; Detective Division; Criminal Intelligence Division; Troop "K", Colchester and Legislative Liaison. Mr. Williams received a Bachelor of Science Degree from the University of New Haven and attended the F.B.I. National Academy. He has taught Administration and Management Courses at Mohegan Community College.

Sgt. Edmund Dunstone

Director of Data Systems, Connecticut State Police

Mr. Dunstone has been a member of the Connecticut State Police Department for the past ten (10) years and for the past five (5) years has been assigned to the Bureau of State Fire Marshal, Arson Investigative Unit. He is the Program Co-ordinator for the Statewide Fire Data Collection Unit.

Charles H. Stone

Department of the Treasury

Mr. Stone has been with the Bureau 19 years having started his career at Charleston, West Virginia. Since that time he has served in different capacities at Logan, West Virginia; Oakland, California; San Francisco, California; Seattle, Washington; and Washington, D.C. Prior to his present appointment he served as coordinator/analyst for the National Explosives Intelligence Section in Washington. Prior to joining ATF Mr. Stone served six years as police officer in Huntington, West Virginia.

Mr. Stone has been in his present position for two years. He has been acting as the Special Agent in Charge for seven months for the Hartford District which encompasses the states of Maine, Vermont, New Hampshire, Rhode Island, Connecticut and the Western half of Massachusetts.

Linda J. Kelly

Deputy Banking Commissioner

Ms. Kelly was appointed Deputy Banking Commissioner by Governor Ella T. Grasso on February 9, 1979. She previously served as Associate Counsel in the Legal Department of Hartford National Bank and Trust Company, having also worked as a credit analyst and classified loan officer at that institution.

She serves as a director of the Hartford Stage Company, a corporator of the American School for the Deaf and the Hartford Public Library, and President of her community's civic association.

A native of North Carolina, Commissioner Kelly was graduated from the University of North Carolina at Greensboro and the University of Connecticut School of Law.

Kevin J. Casey

Insurance Crime Prevention Institute

Mr. Casey is a resident agent of the Insurance Crime Prevention Institute, a graduate of the University of New Haven, and a former agent with the Federal Bureau of Investigation.

Waldo R. DiSanto

Connecticut Insurance Department

Mr. DiSanto is the Chief of the Property and Casualty Rating Division of the Connecticut Insurance Department. He also serves as a member of the Insurance Department's Open Line Management Committee and the FAIR Plan Governing Board.

Mr. DiSanto is a resident of Hamden and a graduate of Bryant College.

APPENDIX B. - PAST ARSON
EFFORTS IN CONNECTICUT

APPENDIX B

PAST ARSON EFFORTS IN CONNECTICUT

For over two years the State of Connecticut and the Connecticut Justice Commission have participated in efforts to understand the crime of arson, to develop methods to reduce arson and to assist in implementing strategies to improve our capacity in this area.

1. In 1977 the Connecticut Justice Commission received a request from the City of New Haven, Department of Police Services to assist the City of New Haven in the designing and implementation of a systematic approach to investigating the crime of arson. Following assessment visits by Commission staff, it was agreed that the Commission would participate in a two-pronged approach to the city's arson problem: first, the creation of a records and information system for the analysis of arson related data; and second, the establishment of a unit to perform arson prevention, detection, investigation, apprehension and prosecution activities.

Three months later a draft report was provided to New Haven's Arson Task Force for its review and comment. In conjunction with its review, the Task Force began implementing the major recommendations of the report, Organization, Training and Information Systems for Arson Investigation in the City of New Haven, Technical Assistance for Local Law Enforcement Agencies, Connecticut Justice Commission. Cost: \$6,000. Part C, L.E.A.A.

2. Following the successful experience in New Haven, the Justice Commission offered similar assistance to the City of Bridgeport. Bridgeport participated in organizational activities, but did not request a full arson program. Cost: \$6,000 Technical Assistance, Part C, L.E.A.A.

3. Several months after New Haven's acceptance of the Justice Commission's information, New Haven applied for and received a \$32,500 grant of L.E.A.A. funds from the state planning agency. The funds were spent in the following fashion:

- \$13,500 - for the design of the fire incident reporting system and arson information system.
- \$18,000 - a contract with John Jay School of Criminal Justice for a six week long session on arson awareness for police and fire personnel in New Haven
- \$1,000 - training for the members of New Haven's Arson Squad at Rutgers University, Advanced Arson Investigation

4. The City of Hartford and the Greater Hartford Fire Marshal's Association (29 towns and cities) requested assistance from the Justice Commission in the area of by-law and structure design. The Commission responded to the Association's request by dispatching senior staff personnel to design the by-laws, interagency compacts and organizational structure. Cost: Supported by L.E.A.A., Part B Funding, approximately \$300.

5. As the Commission increased its visibility in the arson prevention field, greater numbers of law enforcement and fire investigator personnel and agencies requested that the Commission take a lead role in combating arson in Connecticut. As a result, the Commission allocated funds to study the problem of arson in Connecticut. In October, 1978 the Commission published its findings in a monograph entitled: Arson in Connecticut, A study performed by the Connecticut Justice Commission. Cost: \$8,000 Part B, L.E.A.A. funds, salary of one (1) researcher.

6. The report, Arson in Connecticut, was forwarded to the Governor of Connecticut who authorized the expenditure of \$19,972 of state funds to develop A Comprehensive Plan for the Reduction of Arson in Connecticut. The Governor directed that the state's efforts be targeted at providing for the training of law enforcement officers, fire fighters, and fire marshals in arson detection; investigation; evidence analysis and retention; increasing the arson investigator's ability to collect, and analyze evidence; promoting the development of joint police/fire arson squads in Connecticut's urban centers; assisting in developing arson information systems and early warning systems; reducing the economic incentive and Arson-For-Profit motive for arson; and developing information and reliable statistics to assess the seriousness of the arson problem in Connecticut. All of these actions are consistent with the Governor's Urban Action Policy Statement. Cost: \$19,972.

The State of Connecticut, in conjunction with the Governor's Urban Action Policy Statement funded three additional activities.

7. The Connecticut Police Academy held several three (3) day seminars in advanced arson investigation. Cost: \$10,000, State Funds, June, 1979.

8. The Connecticut Commission on Fire Prevention and Control and the New Haven Fire Department hosted an Arson Investigation Seminar for Connecticut and the Northeast in New Haven, Connecticut. Cost: \$10,000.

9. The Connecticut State Police, Bureau of State Fire Marshal held twenty (20) sessions of Arson Awareness Training at a cost of \$300/session. Cost: \$6,000 State Funds.

Funds provided by the insurance industry of Connecticut to the state and its cities have supported the following activities:

10. Insurance Association of Connecticut and member companies: Public education program for the Governor's Arson Task Force; In-kind Cost: \$20,000

11. Connecticut Fair Plan: purchase of two (2) arson vans for use by the Bureau of the State Fire Marshal and to provide training; Cost: \$64,000

12. To develop the New Haven Arson Warning and Prevention System the following grants were made:

- (a) Factory Mutual Insurance Co. - a start-up grant of \$10,000.
- (b) U.S. Fire Administration - a \$20,000 grant for initial design work.
- (c) Aetna Life and Casualty - implementation funds of \$97,500.

13. Aetna Life and Casualty: conversion of 33 software packages of fire incident reporting systems; In-kind Cost: \$14,000

14. Travelers Insurance and Aetna Life and Casualty: development funding of the H.A.R.T. Neighborhood Arson Awareness Project, City of Hartford; Cost: \$15,000

15. Sponsorship of model arson legislation in the areas of immunity, tax and demolition liens and penal code revision.

APPENDIX C. - CONNECTICUT STATUTES
AND REGULATIONS RELATING TO ARSON

APPENDIX C

CONNECTICUT STATUTES AND REGULATIONS RELATING TO ARSON

1. State Agencies

Five state agencies have a broad mandate to prevent arson and to enforce the laws against it. This mandate includes the development of comprehensive plans for both prevention and enforcement. The agencies are as follows:

a. The State Fire Marshal, who is appointed by and responsible to the Commissioner of Public Safety, has a wide range of responsibilities contained in Connecticut General Statutes s. 29-39 to 29-58. These include adopting and administering a fire safety code, s. 29-40 et seq., keeping records of fire reports, s. 29-50 et seq., investigating fires, s. 29-57, and certifying local fire marshals and inspectors, s. 29-45a.

The Fire Marshal has broad powers for prevention, investigation, and enforcement. To implement these powers, he may delegate to any member of the Division of State Police within the Department of Public Safety such authority as he determines is appropriate or necessary.

The power to adopt detailed standards for fire safety, s. 29-40 to 29-44c, and the power to abate fire hazards, s. 29-53 to 29-56, is potentially a very important function for dealing with arson, but it is currently under utilized due to lack of staff.

The initial investigation of a fire, including its cause and the extent of damage, is ordinarily made by the local Fire Marshal, s. 29-49. The local Marshal is required to report fires within ten days to the State Fire Marshal, s. 29-50. The State Fire Marshal and ultimately the Commissioner of Public Safety is then responsible for the thorough investigation of the cause and circumstances of all fires to which his attention has been called in accordance with these statutes.

To accomplish this, he may take testimony under oath; he may issue subpoenas; and he may request a warrant for the arrest of an arsonist. He may search a building where a fire has occurred. He may also order the abatement of any fire hazard, s. 29-57. These statutes in the aggregate give the State Fire Marshal adequate authority to keep complete records of all fires and to do complete investigations of all significant fires. The constraints on the Fire Marshal in Connecticut are primarily budgetary rather than statutory.

b. The Commission of Fire Prevention and Control is

responsible for: initial and continuing training of fire fighters; for assuring that they meet standards established by the Commission under C.G.S. s. 7-323j to 7-323o; for developing a master plan for fire prevention and control, s. 7-323n; and for setting standards for an in-service fire fighting training program of at least six months, s. 7-323(1)(b). Completion of the program is necessary for certification as a professional fire fighter. The Commission may also recommend an in-service fire fighting training and education program, s. 7-323(1)(c). Both of these programs may include training in the detection and investigation of arson fires. The Commission has promulgated a regulation which prescribes fire fighter training standards. These are not concerned with arson detection and investigation except for one section on inspection, s. 7-323(1)(12). This section requires no more than knowledge of standard inspection procedures. The Commission is also authorized to receive and distribute federal funds for these purposes, 7-323(1)(d).

The Office of State Fire Administrator is responsible for carrying out the above statutory provisions. It also administers the State's responsibilities under federal laws relevant to fire and in particular to arson. In addition, this office is required to develop a master plan for fire prevention and control, a plan which should logically include measures to deal with arson, s. 7323n. The State Fire Administrator is responsible for carrying out these requirements and has additional duties such as the administration of federal funds and grants allocated to the fire services of the state, s. 7-323o.

c. The Connecticut Justice Commission is charged with the development of a comprehensive statewide action plan to prevent crimes, including arson, and to improve the criminal justice system through policy and problem analysis and technical assistance, C.G.S. s. 29-180 to 29-188. Its mandate includes the collection of data and development of statistics pertaining to the enforcement of the arson laws. Once problems are defined and goals set, the Commission is responsible for the implementation of the statewide action plan and any programs related to it. It is responsible for obtaining and administering grants of funds from the federal government and all other sources. Its functions in this area include the evaluation of proposals and applications for financial assistance from other entities of state and local government. Finally, it provides information and technical assistance to prospective aid recipients and other interested state and local agencies, s. 29-181.

d. The Chief State's Attorney is responsible for the enforcement of the State's Penal Code, including the statutes proscribing arson. These are contained in the Penal Code

at s. 53a-111 to 53a-114. At the local level there are 11 State's Attorneys, one for each Judicial District, and they have 28 assistant state's attorneys. Each has primary responsibility for the prosecution of arson and other crimes. The degree of emphasis placed on arson is largely a matter of discretion. The number of arson cases for each State's Attorney's Office varies widely, depending both on the number of arson fires and the development of the cases by the particular State's Attorney (See local laws as well).

e. The Insurance Department regulates property insurance both before and after fires under C.G.S. s. 38-97 to 38-114h. It is responsible for the supervision of the FAIR Plan and helping to reduce its arson losses; s. 38-114f, and regulations.

The Insurance Department has broad responsibility for the regulation of property insurance which can provide incentives for the arsonist and involve fraudulent claims by him. The Commissioner has the power to set rates s. 38-201(a-p); to enforce the requirement that the level of coverage, except where there is replacement cost coverage, not exceed the actual cash value of the property, s. 38-98. The purpose of this is to reduce the possibility of fraud. The Department's concern with claims handling and with the enforcement of the criminal statutes pertaining to arson is discussed in the next section on arson laws.

2. State Arson Laws

The Connecticut Penal Code is currently under review by the Task Force, and the initial review suggests the definitions of arson are too complex and they may limit prosecution for other lesser crimes. When the review is completed, the Task Force will make specific recommendations for improvements. The laws can be summarized as follows:

Arson in the first degree under section 53a-111 is now a Class A felony punishable by imprisonment. It defines this crime as intentionally setting fire to a building which is inhabitable or causing injury to a person or placing a fire fighter in substantial risk of injury.

Arson in the second degree currently s. 53a-112 is now a Class B felony punishable by up to 20 years imprisonment; and with the passage of P.A. 79-570 which will be effective October 1, 1979, more severe penalties may apply. For example, arson which causes the death of a person is now punishable by life imprisonment. The definition of arson has also been broadened to include starting a fire either to damage a building belonging to another or to collect insurance for damage to the building, whether or not it belongs to another if setting such a fire subjects another person to a substantial risk of harm or another building to a substantial risk of damage.

Arson in the third degree s. 53a-113 is a Class D felony. This constitutes starting a fire intentionally and in this way recklessly causing damage.

Reckless burning s. 53a-114 is a Class A misdemeanor, and involves intentionally starting a fire and thereby recklessly placing a building belonging to another person in danger of damage. Finally juveniles charged with a serious arson fire may now be bound over to Superior Court.

These statutes, subject to interpretation, reach the owner who causes a fire to be started in his building by another person.

In addition to the statutes which provide the Insurance Commissioner with his broad power to set rates and to control levels of coverage there are several pertaining to claims handling and enforcement. The one pertaining most directly to the enforcement of the Penal Code is the immunity statute, s. 38-114h, which was amended this year. This law now requires insurance companies upon request to furnish fire officials with information relating to losses. Insurers must provide all relevant material from their investigations of any fire loss to the following officials when they are involved: the State Fire Marshal; federal, state, or local police officials or local Fire Marshals; the state or federal prosecuting attorney; and the insurance commissioner. In turn, law enforcement officials may be required to testify in a civil action involving an insurer's attempt to recover for a possible arson loss. Immunity, in the absence of fraud, malice, or a criminal act, is provided to those who provide information.

Other statutes relevant to enforcement include provisions of the standard form fire policy, s. 38-98. The second paragraph of the policy, which begins with the words "Concealment, fraud," provides for denials of claims where the insured has willfully made a material misrepresentation. Such a misrepresentation, whether made before or after a loss, can be sufficient to void the entire policy. The misrepresentation may be, for example, the exaggeration of the value of the property either when coverage was obtained or a claim made. This provision allows an insurer to deny a claim, even if the owner is not convicted of arson, by showing fraud.

Paragraph fifteen of the policy requires the insured to show the damaged property to the insurer and to submit to examinations under oath as often as may be reasonably required. In addition, the insured must submit for examination all relevant records. Both these provisions enable insurers to investigate intensively and to hold insureds to

what they have stated on the application, the proof of loss, and otherwise.

The Commissioner in 1978 promulgated regulations pursuant to s. 38-72(b) governing public adjusters in their adjustment of claims for fire damage. The regulations include an extended list of prohibited practices, and prescribe all conflicts of interests and any modifications of the employment contract which is required by statute. The regulations further require that no fee shall be in excess of 10% of the settlement of the loss in question. These innovative regulations deal directly with a common source of problems pertaining to insurance fraud.

Another recent law pertaining to arson amended the statute which concerns liens on the proceeds of fire insurance in order to pay outstanding taxes and demolition expenses. The law clarifies when municipal tax liens may be placed on fire insurance claim proceeds; and it enables municipalities to subject these insurance proceeds to liens for demolition costs. Both provisions of this recent law will sometimes significantly reduce the gain for the potential arsonist.

These insurance laws and the Penal Code, particularly as strengthened by the legislature this year, provide law enforcement officials and insurers with adequate powers to fully investigate arsons, actively prosecute offenders and deny fraudulent claims.

3. Local Laws

The most important local agencies and individuals are of course those directly responsible for preventing and controlling fires. These include the fire departments, C.G.S. 7-301 to 7-313e, the volunteer firemen, s. 7-314 and 314a, and the local Fire Marshal, s. 29-45 to 29-52. In addition, the local police departments often contribute to the investigation of arson.

In addition to the normal powers of local police and the local Fire Marshal, the Chief State's Attorney and the State's Attorney in each Judicial District have very substantial powers to investigate arson under their powers to investigate crimes (CGS s.51-276 to 278). Inspectors appointed by the Chief State's Attorney are authorized to make investigations of criminal offenses believed to have been committed, and may assist in all investigations pertaining to criminal business of the Office, and in procuring evidence for the State in any criminal matter.

The Division of Criminal Justice may also require the assistance of state and local police departments in the investigation of any matter in which the Division is concerned. All Departments are required to cooperate with the Division. (CGS s. 51-286).

The Superior Court may order an inquiry into whether or not there is probable cause to believe that a crime or crimes within a particular judicial district has been committed.

APPENDIX D. - AREA TO BE SERVED
BY DEMONSTRATION GRANT

APPENDIX D

AREA TO BE SERVED BY DEMONSTRATION GRANT

A. Demonstration Communities

The primary areas which this project will serve are the six communities designated as demonstration sites - Bridgeport, Enfield, Hartford, New Haven, Stamford and Waterbury. In selecting these communities, the members of the Task Force considered several key criteria. First, they sought to include communities with serious arson problems, which these six communities are experiencing. As a group they report 42% of the total fires in the state, and they have 37% of the total reported incendiary, suspicious and unknown fires. (See Table 1).

Second, these communities have been designated for special assistance by the Governor's Urban Action Policy Statement which targets special assistance and gives priority in funding to the cities in Connecticut which are trying to cope with serious urban problems, particularly those with high crime.

Third, these communities constitute the core of Connecticut's urban corridor, which runs from Greenwich to New Haven to Hartford, and focused efforts in these communities will have far greater impact on the state's urban areas than they would in any other communities. Perhaps equally important is the impact of reducing arson in these communities on the state's minority population. While these six communities contain 24% of the state's total population, 72% of the minorities in Connecticut live in these six communities.

Table 2: Population and Race in Demonstration Communities

	Total Population (1970)	Minority Population	%
Bridgeport	157,000	26,000	16%
Enfield	45,000	675	2%
Hartford	158,000	44,000	28%
New Haven	138,000	36,000	26%
Stamford	109,000	13,000	12%
Waterbury	108,000	11,000	10%
<hr/>	<hr/>	<hr/>	<hr/>
Total	715,000	130,000	18%
Connecticut pop.	3,032,000	181,200	6%
Total as % of Conn. pop.	24%	72%	

Table 1: CONNECTICUT FIRE STATISTICS
FOR DEMONSTRATION COMMUNITIES

<u>Demonstration Communities</u>	<u>(1) Incendiary</u>	<u>(2) Suspicious</u>	<u>(3) Unknown</u>	<u>(1-3) Total</u>	<u>1978* Total Fires</u>	<u>%</u>
Bridgeport (7/78-6/79)	149	128	75	352	542	65%
Stamford (7/78-6/79)	18	18	238	274	497	55%
Waterbury (7/78-6/79)	91	502	1,097	1,690	1,757	96%
D-2 Enfield (7/78-6/79)	10	131	30	171	368	46%
Hartford (7/78-6/79)	251	6	399	656	1,031	64%
New Haven (1/78-12/78)	155	951	759	1,865	4,798	39%
TOTAL for Demonstration Communities	423	1,730	2,598	5,008	8,993	56%
TOTAL for State (1978)	1,473	3,677	8,355	13,505	21,369	63%
% of State Total	29%	47%	31%	37%	42%	

* Note: The fires by cause, columns 1-3, is data from the individual cities. Data for total fires is based on 1/1/78 - 12/30/78. There is no data kept at present for total times by fiscal year by the communities. Source: Connecticut State Fire Marshal

While many people think of Connecticut as a suburban state, in fact the urban problems of these core communities are as real as any in the nation. In terms of violent crime, Connecticut is well below the national average, but in terms of crimes against property, Connecticut is very close to the national average. These six demonstration cities all have crime rates above the national average for crimes against property.

Fourth, these communities vary greatly in the size, structure and sophistication of their fire departments and their approaches to arson. New Haven, which has one of the most professional departments in the country, is a national leader in developing its Arson Warning and Prevention System. Enfield on the other hand has five (5) fire departments composed primarily of volunteer fire fighters, and reports a higher fire incidence ratio (8 fires/1000 pop.) than Bridgeport (3.4/1000); Hartford (6.5/1000) and Stamford (4.5/1000).

Fifth, the Task Force was looking for communities which had expressed a serious commitment to reducing arson. The letters of agreement, and the willingness of these communities to act within the short time frame for developing this program demonstrates that level of commitment.

B. Statewide Benefits

While the primary efforts of the first year are focused on the six demonstration communities, the statewide implications of the program must not be overlooked. First, adding new personnel to the investigative staff of the Bureau of the State Fire Marshal to work with these cities will enable the existing personnel to provide better service to the remainder of the state. Second, the improved forensic services will be available for all communities even if priority is given to the demonstration communities. Third, improving the data analysis capacity of the Bureau of the State Fire Marshal will immediately benefit all communities. Fourth, the public education program will impact the entire state, as the newspapers and other media report on these efforts. Fifth, developing a coordinated training program during the demonstration year will facilitate training for all communities in the future. Sixth, the technical assistance program for determining the cause and origin of fires will be available to all communities, though the grant will pay for these services during the project for the demonstration cities only. Seventh, a successful program will facilitate having these programs continued at state expense. Also it will demonstrate the cost effectiveness of the local programs which will facilitate their adoption in other communities.

Although the program operates as a demonstration project in six communities, the end product is a comprehensive statewide support system which will facilitate similar efforts to fight arson by any community in the state.

Table 3:
ETHNIC COMPOSITION OF POPULATION: 1970

Percent of population that is:

	<u>Non-White</u>	<u>Foreign Stock</u>	
		<u>Total</u>	<u>Foreign Born</u>
Connecticut	6.5	32	8.6
Bridgeport	17.3	36.6	12.8
Enfield	1.1	26.8	5.2
Hartford	29.2	33.7	15.6
New Haven	27.4	30.8	10.0
Stamford	13.0	35.4	15.6
Waterbury	10.5	39.4	11.6

Table 4: Source: The Population of Connecticut Town and County Fact Book, 1970

TOTAL NONAGRICULTURAL AND MANUFACTURING EMPLOYMENT: JUNE 1972

	<u>Total Employment</u>	<u>Manufacturing Employment</u>	<u>% Manufacturing</u>
Bridgeport	77,190	31,040	.40
Enfield	8,220	1,040	.127
Hartford	133,780	15,710	.117
New Haven	91,240	18,070	.198
Stamford	51,690	19,460	.376
Waterbury	47,450	18,670	.393
Total	409,570	103,990	.25
Connecticut	1,252,400	431,420	.34
% of Connecticut	.327	.24	

Source: Connecticut Department of Commerce

Table 5. - Total Number and Percentage of Negro and Spanish American Occupied Housing Units by Tenure Status for Selected Towns¹

	<u>Owner</u>		<u>Renter</u>	
	<u>Number</u>	<u>Percent</u> ²	<u>Number</u>	<u>Percent</u> ³
<u>Negro Occupied</u>				
Connecticut	11,664	23.2	38,586	76.8
Hartford	1,973	15.2	10,967	84.8
New Haven	1,837	18.1	8,294	81.9
Bridgeport	1,415	20.1	5,613	79.9
Stamford	507	12.9	3,435	87.1
Waterbury	596	20.1	2,364	79.9
<u>Spanish American Occupied</u>				
Connecticut	4,816	26.8	13,171	73.2
Bridgeport	447	13.0	2,986	87.0
Hartford	176	5.9	2,789	94.1
New Haven	173	14.2	1,049	85.8
Stamford	185	18.5	817	81.5
Waterbury	149	15.1	841	84.9

Source: 1970, U.S. Census

Table 6:

TOTAL HOUSING UNITS BY OCCUPANCY AND STATUS (1970)

	Total Units	Year Round	Vacant/ Seasonal	Total Occupied	Owner Occupied	Rental
Bridgeport	54,674	54,655	19	52,923	20,507	32,416
Enfield	12,103	12,090	13	11,964	9,625	2,339
Hartford	58,250	58,247	3	55,805	11,916	43,889
New Haven	48,893	48,887	6	46,741	14,818	31,923
Stamford	35,336	35,307	29	34,461	17,809	16,652
Waterbury	36,618	36,611	7	34,921	17,427	17,494
Total (of 6)						
Total (Conn.)	980,849	968,815	12,034	933,050	583,370	349,680

Table 7:

PERCENTAGE OF HOUSING UNITS IN STRUCTURES CONTAINING

	1 Unit	2 Units	3+4 Units	5 to 9 Units	10 or more units	Mobile Homes
Bridgeport	24.4	23.2	22.1	9.6	20.7	0
Enfield	28.9	11.0	6.9	2.6	.6	0
Hartford	12.6	13.4	22.9	18.2	32.9	0
New Haven	21.1	22.7	26.1	11.6	18.5	0
Stamford	49.4	12.3	10.5	8.1	19.7	0
Waterbury	37.8	14.0	28.0	10.1	10.1	.1
Conn.	59.1	13.8	11.0	5.5	9.6	1.0

Source: 1970, U.S. Census

END