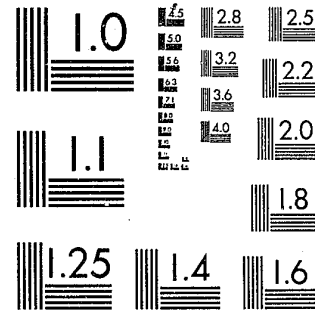


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National Institute of Justice  
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Washington, D. C. 20531

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# FBI LAW ENFORCEMENT BULLETIN

OCTOBER 1981

U.S. Department of Justice  
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## Driver Training For Your Department???

# FBI LAW ENFORCEMENT BULLETIN

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## Contents

- Training** [1]  **Driver Training for Your Department???** <sup>80134</sup>  
By Lt. James J. Barron and Sgt. Steven L. Aurilio
- Communications** 8 **Small Department Communications for Small Dollar\$**  
By Jerry W. Lowe
- Training** [11]  **Designing a Training Response to Stress** <sup>80135</sup>  
By John C. LeDoux and Henry H. McCaslin, Jr.
- Firearms** 16 **The Sighting Shadow Box**  
By Robert W. Harmon
- Arson** [19]  **New York State Gears Up to Fight Arson** <sup>80136</sup>  
By Francis A. McGarry
- The Legal Digest** 24 **Conspiracy and the Defense of Feigned Acquiescence**  
By Jerome O. Campane
- 32 **Wanted By the FBI**



Driver Training For Your Department???

The Cover: Driver training for police officers can reduce accidents and minimize revenue loss of departments. See article p. 1.

Federal Bureau of Investigation  
United States Department of Justice  
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William H. Webster, Director

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Arson

# New York State Gears Up to Fight Arson

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## ARSON!

It kills, it cripples, it destroys. It can rival earthquakes or floods in death and destruction, and in many communities, it has reached epidemic proportions.

Nationally, the direct loss due to arson is estimated at over \$1.3 billion annually. The losses in employment, income, and taxes may multiply these losses several fold. Apart from the direct loss of life, injury, and the destruction of property, the crime of arson has a sizeable fallout of indirect costs. When assessed in "real world" dollars in terms of lost jobs and income, erosion of the tax base, medical costs for the injured, increased expenses paid to firefighters, and increases in insurance premiums paid by the policyholders, the true cost to society is 2.5 to 4 times higher than the direct loss report. Add to this the loss of an estimated 1,000 lives to arson each year, according to the National Fire Protection Association.<sup>1</sup>



*With the use of hydrocarbon detector, testing for accelerants can be an effective tool in determining the cause and origin of incendiary or suspicious fires.*

In 1978, New York State began a concentrated effort to combat the "arson epidemic." It was recommended that a strong, coordinated State arson control program be developed. A Governor's Arson Task Force was appointed to study the problem and recommend solutions.

The task force convened to discuss both arson and arson-for-profit in New York State. Over 100 key individuals from the fire service, law enforcement, prosecution, insurance and banking industries, and State and local officials attended. The major issues relating to the State's arson problem were identified and discussed. Following the conference, the task force submitted a final report recommending a State arson control program. Subsequently, legislation for a \$2 million program to combat arson was initiated by the Governor of New York.

It is difficult to determine the reasons for arson. The arsonist's motives may range from revenge to arson-for-profit. The roots of the crime lie not only in criminal involvement but also in human behavior, social trends, and urban decay. There is no question, however, that no matter what the cause or the devastating aftereffects, arson must be stopped!

Traditionally, there is a division of responsibility and authority between fire protection and law enforcement agencies. Arson, a fire-related crime, lies within the province of both entities. The result has been that arson control too often "falls through the cracks," receiving the full attention of neither. The responsibility for stopping arson lies not with one, but with a multiplicity of agencies in both the public and private sectors. Arson is a crime that crosses municipal boundaries and controlling it requires broad-based countermeasures.

New York State's Division of Criminal Justice Services recognized this and in its 1979 comprehensive crime control plan, identified arson as one of its priority multiyear objectives

**"The responsibility for stopping arson lies not with one, but with a multiplicity of agencies in both the public and private sectors."**

for concentrating law enforcement resources on specific crime targets. A bill was later signed into law charging the Office of Fire Prevention and Control (OFPC) with the responsibility of administering the statewide arson control program. The concept of this legislation places the responsibility for arson control at the local level and identifies the State's role as one of assistance in the support, guidance, and development of local efforts.

Lack of information on arson occurrences, characteristics, and motivations are significant obstacles to an effective response to arson. Without such information, the true extent of the problem is not identifiable, thus delaying necessary priorities and impeding the allocation of resources.

Because of a variety of factors, including poorly trained investigators and a lack of thorough cause and origin investigations, many fires are classified as unknown or "undetermined," seriously hindering arson control efforts. New York State's arson control program is attacking this weakness by improving training, raising public awareness, developing a fire and arson data system, improving arson evidence analysis, and providing planning, technical, and financial assistance for local arson control efforts.

**Awareness**

The awareness program is provided for all probationary firefighters and police officers through the State fire training and the State municipal police training programs, respectively. During the 12-hour program, firemen are made aware of the need for determining the cause of all fires. It is also stressed that their activities in suppressing and overhauling a fire can have an impact on accurately determining the cause of the fire.

The program is taught regionally by State fire instructors; 130 instructors were certified at conferences in August and September 1980, and in January 1981. Begun in October 1980, this course is presently the most heavily attended course in the fire training curriculum. To date, over 3,000 firefighters have been trained.

In conjunction with this, the Bureau of Municipal Police has developed a 4-hour course as part of its basic program to make police officers aware that their skills in crime scene observation, interviewing witnesses, and evidence handling can be used productively in working side-by-side with firefighters. The OFPC's course for firefighters is also open to police officers.

**Training**

The probability that an arsonist will set a fire decreases in proportion to the perceived criminal risk. Providing an adequate number of well-trained fire and police personnel increases both the arrest conviction rates for arson and the perceived criminal risk. To increase the skills of firefighters, police officers, and prosecutors, a comprehensive training program has been developed. This program, coordinated by the OFPC, is delivered jointly by those State agencies responsible for providing training to local personnel. These agencies include the OFPC's Division of Fire Services Education and Training, the Division of Criminal Justice Services' Bureau for Municipal Police, and the Bureau of Prosecutorial and Defense Services (BPDS).

The training program identified three levels of skill requirement, as shown in figure 1:

- 1) Awareness level—For all fire-



Mr. McGarry

**"Arson is a crime that crosses municipal boundaries and controlling it requires broad-based countermeasures."**

fighters and police to increase observation skills on the fire scene;

- 2) Cause and Origin Determination—Primarily for fire personnel to increase cause determination skills;
- 3) Investigation—For fire and police personnel whose duties include the full investigation of incendiary fires to increase fire investigative skills of both groups.

Concurrently, training for prosecutors to improve case preparation skills is being conducted regionally. Prosecutors are also being invited to participate fully in the investigation training.

**Cause and Origin**

To meet the mandate of Section 204-d of the New York State General Municipal Law regarding the duties of the fire chief, a 24-hour detection course entitled "Cause and Origin De-

termination" (C.O.D.) has been developed. This law states:

"The fire chief of any fire department or company shall, in addition to other duties assigned to him by law or contract, to the extent reasonably possible, determine or cause to be determined, the cause of each fire or explosion which the fire department or company has been called to suppress. He shall contact, or cause to be contacted, the appropriate investigatory authority if he has reason to believe the fire or explosion is of incendiary or suspicious origin."

The cause and origin course is taught regionally by three full-time senior training instructors. Since its introduction in November 1980, 700 firefighters across the State have received the training. In addition, a 3-day detection training course is under development by the Bureau of Municipal Police, designed as an inservice program for all police officers in the State.

**Investigation**

The 80-hour investigation course provides training to police and fire personnel who conduct arson investigations. Based on the U.S. Fire Academy investigation course, the program provides instruction in fire investigation, case preparation, and hands-on investigative training. Since its beginning in January 1980, three courses have

Figure 1

New York State Comprehensive Arson Training Plan

Target Population	SKILL LEVEL			Continuing Education Inservice Refresher Program
	I Awareness	II Detection	III Investigation	
Fire	12-hour course by OFPC part-time program	24-hour course by OFPC full-time program	80-hour course	TO BE
Police	A 4-hour course included in the BMP's basic 8-week course is in progress.	A 24-hour detection training course for police - inservice is being conducted by the BMP.	Training program for designated arson investigators Based on US Fire Academy course at NYS Academy of Fire Science	
Prosecution	I and II Case preparation skills—based on seminar program of the National College of District Attorneys 2.5-day regional seminars		DA's and Assistant DA's invited to participate	DEVELOPED





Arson can rival earthquakes or floods in death and destruction. In many communities it has reached epidemic proportions.

an informed public, such programs can reduce the incidence of arson by meeting three objectives:

- 1) Awareness must be created by informing the public of the seriousness of arson and the toll it takes in their community;
- 2) Through fostering involvement, the assistance of the public must be attained to aid in combating arson; and
- 3) Potential arsonists must be warned that antiarson efforts are underway and the possibility of being apprehended and convicted is increasing.

Efforts on the part of the State are coordinated and implemented cooperatively with local governments and the private sector, particularly the insurance industry. The State is concentrating on projects that are statewide in scope and those that are unable to be undertaken at the local level due to fiscal limitations.

In addition, the State, through the OFPC's Public Education Unit and the Division of Criminal Justice Services' Crime Prevention Agency, will provide technical assistance to local govern-

been completed, with one course per month being scheduled. Fire and police personnel participate in each course and district attorneys and assistant district attorneys are also invited.

Prosecution training is provided by BPDS' prosecutor training system. The arson prosecution seminar program of the National College of District Attorneys is the basis for this training. In addition, police and fire investigators are invited to participate in the program. Cross-training at all levels is a vital element of the overall training plan.

Juvenile firesetting is the cause of a significant percentage of fires in many communities. Because of concern with this issue, dealing with juvenile firesetters is an objective identified in the Guidelines for Arson Control Plans, Section III, C.6(b). As part of the State's arson control effort, the Office of Fire Prevention and Control presented a series of workshops in September 1980. Entitled "Interviewing and Counseling Juvenile Firesetters," these workshops trained local government

Learning what to look for at the fire scene is an important part of the investigative training program. A firefighter removes a floor sample for analysis.

personnel to establish and conduct juvenile firesetter counseling programs in their communities. In the future, the juvenile firesetters program will be institutionalized and seminars will be held annually throughout the State.

#### Public Awareness and Education

Public awareness and education programs are effective tools in the fight against arson. Using the resources of



**"There is no single, simple solution, nor is there one that will totally eliminate the arson problem."**

ments in the development of programs and serve as a clearinghouse for public arson awareness and education information.

A bid was recently awarded to a research firm to determine what type of media campaign would be most effective in making the public aware of the arson problem in New York State. A pamphlet entitled "Arrest Arson" has already been developed and distributed to the public. In working with the Department of Commerce, three public service announcements have been developed and sent to all radio stations across the State. Finally, also available is a fire "800" telephone number, manned 24 hours a day, on which information on suspected incendiary fires can be forwarded to the appropriate enforcement agency.

A bid proposal for developing a model curriculum to be used in schools is to be developed in compliance with the New York State education law. This law requires 45 minutes of fire and arson prevention education for all students each month.

#### Arson Data System

The base of the arson data system was determined to be the State fire reporting system. This system, however, was inadequate and the data had to be improved. Only 950 of the 1,870 fire departments were reporting data, representing less than 30 percent of the State population. Efforts to improve this system have begun, including faster processing time, earlier data collection methods, and prompt issuance of reports. These efforts produced immediate results. Fire department participation has increased significantly. Presently, over 1,000 departments are submitting more accurate and meaningful data. Data for 1980 were delivered to each fire department during the first quarter of 1981.

In addition, the system for arson pattern development and recognition is being installed and tested with actual case data. It is anticipated that the pattern recognition system, once tested, will be available for use by various local investigative agencies throughout the State.

#### Planning and Technical Assistance

In recognizing the need for increased arson prevention and control efforts at the local level, the New York State Legislature enacted a new section of the general municipal law which requires each county and the City of New York to prepare a plan to prevent and control arson within its jurisdiction. The completed plan must be submitted to the OFPC for approval. No plan will be approved unless it provides for coordination of fire, law enforcement, and prosecutorial services.

To assist counties in this task, the State legislature appropriated \$595,000 for grants for the preparation of these plans. To date, 58 of 60 counties have been awarded grants, and 24 have submitted tentative plans.

In addition, eight regional workshops were held with the assistance of the U.S. Fire Administration to present the arson task force concept—a management system for arson prevention and control that has been established as the organizational model for all county plans.

*There is no single, simple solution, nor is there one that will totally eliminate the arson problem.* Yet, with the cooperation of concerned individuals and groups at the local, county, and State levels, a positive step can be made toward controlling arson.

New York's statewide arson control program, administered by the OFPC, is moving New York State closer each day to more effective arson prevention and control.

FBI

#### Footnote

*Target Arson.* A series of recommendations adopted by the Insurance All-Industry Committee for Arson Control, September 1978.

Due to the limited availability of equipment, productivity in handling fire-generated evidence is relatively low. Certain areas were found to have a large backlog of these submissions. In addition, significant time was lost due to changeover and required instrument calibration procedures necessary to handle fire-generated evidence. In view of this, OFPC developed an arson laboratory improvement program. The plan calls for the acquisition of laboratory equipment that would be placed in selected State and local facilities. Specifications have been prepared and 10 gas chromatography analyzers have been ordered. Provisions for eliminating existing backlogs and for implementing technician training are also included in the plan in order to standardize testing and evidence handling procedures.