



# TRAINING BULLETIN

Los Angeles Police Department

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## ARSON INVESTIGATIONS

Each year, the Los Angeles Fire Department (LAFD) responds to thousands of residential, commercial, and mobile (vehicle, plane, and boat) fires. The economic loss ranges into the millions of dollars, and the toll in human lives, injury, and suffering are incalculable. A significant amount of all reported fires are caused by arson.

The purpose of this Training Bulletin is to examine the crime of arson, review the responsibilities of police officers at the scene of a fire, and present arson related Penal Code Sections.

### ARSON

The crime of arson occurs when a person willfully and maliciously sets fire, or burns, or causes the burning of any structure, forest land, or property. This includes the aiding, counseling, or procuring of arson. A single act of arson can bring about widespread destruction, create lasting pain and suffering to its victims, and occasionally cause death and/or serious injury to innocent victims and firefighters.

### Motives for Arson

The crime of arson often has a rational motive behind it. There is usually something to be gained such as money from insurance policies. However, there may be an intangible motive such as revenge arising out of anger or jealousy, labor trouble, racial and/or religious strife, or concealment of other criminal acts such as embezzlement, burglary, extortion, or murder. Some arsonists set fires for totally irrational motives; for example, fires set by juveniles or vandals out of boredom or by people diagnosed as pyromaniacs who get a thrill out of seeing things burn.

### ROLE OF FIRST RESPONDER

When officers at the scene of a fire, potential fire (e.g. unignited fire bomb), or extinguished fire (e.g. torched stolen vehicle) determine that a call has not been sent to the Fire Department, they shall notify the Fire Department of the circumstances through Communications Division.

The first responders' foremost concern at a fire scene is to ensure the safety of victims, bystanders, and public safety personnel. Officers must exercise due caution to avoid injuries to themselves to ensure being available to assist others.

Officers responding to a fire can gain valuable information for the investigation during their approach to and arrival at the scene. Officers should note the following conditions and activities:

### **Observations Enroute to Fire**

- Weather conditions. (Is it hot, cold, cloudy, or clear?)
- Natural hazards. (Has there been lightning, flooding, fog, or an earthquake?)
- Wind direction and velocity will aid in determining the natural path of fire spread.
- Manmade barriers could be indications of a suspicious fire. (Are there barricades, downed trees, cables, or trash containers obstructing the Fire Department's arrival?)
- Vehicles speeding from the scene. (Attempt to obtain a description/license number.)

### **Observations Upon Arrival**

- Observe the color of smoke/flame. Flame color can provide an important clue in establishing the type of combustibles and cause for fire intensity.
- Unusual characteristics of the scene, e.g., exterior burning or charring on the building, unusual odors, etc.
- The status of fire alarms, security alarms, security bars, and sprinklers.

### **Establish Security and Control**

Fire suppression and rescue efforts can be performed more efficiently and effectively if only essential authorized personnel are permitted access to the area. Officers should always consider that a fire scene may also be a crime scene. Restricting access also ensures the safety of civilians and helps to preserve the scene for subsequent investigation. Any scene should be processed as a homicide when a body is found.

**COMMAND OBJECTIVES (I/C OPERATIONS)**

- Provide a detailed **Size Up including:**
  - Location of the emergency;
  - Size of the involved area (actual and potential);
  - Apparent direction of the fire;
  - Immediate threat (business, residential, hillside, etc.);
  - Ingress/egress routes for emergency vehicles;
  - Additional Department personnel required and location of Staging Area (emphasize numbers of people, not units);
  - Location and radio designation of the Operations Post.
- Maintain ingress/egress routes. (Ensure initial responders do not block roadways).
- Contact the Fire Department Incident Commander as soon as possible to determine appropriate staging area.
- Establish a perimeter and devise a traffic plan in accordance with direction from Fire Department Incident Commander.
- Evacuate designated area if needed.
- Provide security for the Incident Command Post.

Supervisor's Field Operations Guide – Volume 2 of the LAPD Emergency Operations Guide

When officers at the scene of a fire, potential fire, or extinguished fire have reason to suspect that arson is involved, they should notify LAFD Metropolitan Fire Command and request an Arson Unit at (213) 847-5340, via Communications Division without delay. Officers will provide a call back number for the Arson Unit.

### **Conduct Field Interviews**

Locate and identify people who can provide important details which may reveal the motive and identity of a suspect. This includes the person discovering the fire, owner/tenant of the building, anyone with access to the building, neighbors, and bystanders. Observe spectators for anything obvious, such as fully clothed occupants who claimed to have been in bed, or someone who appears overly happy, watching the fire operation.

Identify and record the names of personnel that have entered the scene. It may be necessary to obtain reference DNA samples from the personnel on scene to eliminate their DNA type from other profiles of a potentially probative nature.

### **Preserve Fire Scene Evidence**

Officers at the scene should identify and preserve all arson evidence for LAFD personnel and, if possible, use personal protective equipment (i.e., gloves, face mask, etc.) to minimize potential DNA contamination while on-scene. This includes:

- Burn injuries to victims and fire patterns on clothing.

- Shoe prints and tire impressions.
- Indication of forced entry (tools and tool marks).
- Accelerant containers with materials used to initiate or increase spread of a fire, i.e., gasoline, paint thinner, lighter fluid, etc.
- Ignition devices or substances (mechanical, chemical or electrical) used to ignite the fire. DO NOT touch any suspected incendiary or explosive device. Arsonists have been known to set booby traps specifically to kill or maim public safety responders.
- Trailers are fast-burning materials used to spread the fire from one area to another (e.g., string or cord soaked in oil, rope soaked in kerosene, dynamite fuses, etc.)
- Trace evidence (e.g., hairs, fibers, fingerprints, blood, other body fluids).
- Biological evidence such as blood, saliva, and other body fluids. Forensic Sciences Division may be contacted for advice and direction in processing evidence of a complex nature.
- Minimize the risk of DNA contamination by limiting access into the scene.

**NOTE:** Any known or unknown substance, suspected of being toxic, corrosive, explosive, or flammable, that has the capacity of inducing bodily injury or illness, should not be handled or booked until approval is given by the Hazardous Materials Unit or the Explosives Unit (Bomb Squad), Emergency Services Division.

### **Special Considerations for Touch DNA**

Epithelial or touch DNA is transferred via handling (physical contact) of the item in question. Touch DNA is latent (invisible) to the naked eye, but may be enough to develop a full DNA profile that can be uploaded and searched in the Combined DNA Index System (CODIS), a national DNA database of suspect and crime scene DNA profiles.

Matchbooks, strikers or ignition buttons on cigarette lighters, a torch, incendiary devices or flammable liquid containers are items that are commonly associated with arson that may have sufficient quantities of touch evidence for successful DNA typing. Such items should be handled with clean, disposable gloves while donning a face mask to minimize the possibility of contamination. For advice and direction contact the Field Investigation Unit, Forensic Science Division.

### **Arrest & Crime Reports**

When an arson is immediately associated with the commission of another crime which is the investigative responsibility of a unit within the Los Angeles Police Department, that unit

shall be responsible for conducting the investigation. The LAFD, Arson Investigation Section, will provide technical expertise and properly collect and document evidence in support of the investigation of cause and origin of the fire.

Commercial Crimes Division, Complex Financial Crimes Section will assume investigative responsibility in arson cases where there is a rational motive of concealment of a financial crime such as embezzlement, or any other type of motive involving a criminal, financial component other than a simple fraudulent/false insurance claim.

When an arson-related fraud does not involve another crime other than arson itself, the Fire Department will be responsible for conducting the investigation. Commercial Crimes Division shall provide investigative assistance to the Fire Department investigators.

When an arrestee is to be interviewed regarding an arson-related offense, the investigating officer shall, whenever practicable, request the presence of a Fire Department arson investigator.

Fax and/or e-mail ([lafdarson@lacity.org](mailto:lafd arson@lacity.org)) a copy of all arson and arson-related crime reports to the LAFD, Arson Investigation Section, at (213) 893-9801. All arrest and crime reports should be marked, "Copy to LAFD Arson Investigation Section," in the left margin of report. When possible, photograph the fire scene, emphasizing the point of origin and any incendiary devices on the premises.

## **CONCLUSION**

The detection and apprehension of arsonists in Los Angeles requires full cooperation between our Department and the Fire Department to ensure thorough arson investigations. The actions taken at the outset of an investigation at a fire and arson scene by first responders can play a pivotal role in the resolution of a case. Careful, thorough investigation is key to ensuring that potential physical evidence is not tainted or destroyed or potential witnesses overlooked.

Inquiries regarding arson crimes may be directed to the Los Angeles Fire Department, Arson Investigation Section, at (213) 893-9800.

**This Bulletin cancels and supersedes Volume XXXII, Issue 8, Arson Investigations, December 2000.**

Field Training Services Unit  
Police Training and Education

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**CALIFORNIA PENAL CODE ARSON & ARSON RELATED CRIMES**

	<b>Crime Elements</b>	<b>Crime Classification</b>	<b>Penal Code Section</b>
<b>Arson Definition</b>	A person is guilty of arson when he/she willfully and maliciously sets fire to or burns or causes to be burned or to aid, counsel, or procure the burning of any structure, forest land, or property.		451
	Arson that causes great bodily injury.	Felony	451(a)
	Arson that causes an inhabited structure or inhabited property to burn.	Felony	451(b)
	Arson of a structure (building, commercial or public tent, bridge, tunnel or power plant) or forest land (brush covered land, cut-over land, forest, grasslands, or woods).	Felony	451(c)
	<p>Arson of property (real or personal property, other than structure or forest land).</p> <p><b>NOTE:</b> Personal property may be a vehicle, clothing on a person, trash container, etc.</p> <p>Arson of property does not include one burning or causing to be burned his or her own personal property unless there is an intent to defraud or there is injury to another person or another person's structure, forest land, or property.</p>	Felony	451(d)
<b>Unlawfully causing a fire</b>	A person is guilty of unlawfully causing a fire when he/she recklessly sets fire to or burns or causes to be burned any structure, forest land, or property.	Felony	452
<b>Possession of destructive device</b>	Every person who possesses, manufactures, or disposes of any flammable, or combustible material or substance, or any incendiary device in an arrangement or preparation, with intent to willfully and maliciously use this material, substance or device to set fire to or burn any structure, forest land or property.	Felony	453(a)

	Crime Elements	Crime Classification	Penal Code Section
<p><b>Attempted Arson</b></p>	<p>Any person who willfully and maliciously attempts to set fire to or attempts to burn or to aid, counsel or procure the burning of any structure, forest land, or property, or who commits any act preliminary thereto, or in furtherance thereof.</p> <p><b>NOTE:</b> The placing or distributing of any flammable, explosive or combustible material or substance, or any device in or about any structure, forest land or property in an arrangement or preparation with intent to eventually willfully and maliciously set fire to or burn same, or to procure the setting fire to or burning of the same shall, for the purposes of this act constitute an attempt to burn such structure, forest land or property.</p>	<p>Felony</p>	<p>455</p>
<p><b>Interference: Illegal conduct at burning of building</b></p>	<p>Every person who willfully commits any of the following acts at the burning of a building or at any other time and place where any firefighter or emergency rescue personnel are discharging or attempting to discharge an official duty is guilty of a misdemeanor:</p> <ol style="list-style-type: none"> <li>1. Resists or interferes with the lawful efforts of any firefighter or emergency rescue personnel in the discharge or attempt to discharge an official duty.</li> <li>2. Disobeys the lawful order of any firefighter or public officer.</li> <li>3. Engages in any disorderly conduct which delays or prevents a fire from being timely extinguished.</li> <li>4. Forbids or prevents others from assisting in extinguishing a fire or exhorts another person from assisting in extinguishing a fire.</li> </ol>	<p>Misdemeanor</p>	<p>148.2</p>

<b>Destructive Device Definition</b>	<p>Any projectile containing any explosive or incendiary material or any other chemical substance, including, but not limited to, that which is commonly known as tracer or incendiary ammunition, except tracer ammunition manufactured for use in shotguns, any bomb, grenade, explosive missile, or similar device or any launching device therefor, any weapon of a caliber greater than 0.60 caliber which fires fixed ammunition, or any ammunition therefor, or any rocket, rocket-propelled projectile, or similar device of a diameter greater than 0.60 inch, or any launching device therefor, and any rocket, rocket-propelled projectile, or similar device containing any explosive or incendiary material or any other chemical substance, other than the propellant for that device, except those devices as are designed primarily for emergency or distress signaling purposes.</p> <p>Any breakable container that contains a flammable liquid with a flashpoint of 150° F. or less and has a wick or similar device capable of being ignited, other than a device which is commercially manufactured primarily for the purpose of illumination.</p> <p>Any sealed device containing dry ice (CO<sub>2</sub>) or other chemically reactive substances assembled for the purpose of causing an explosion by a chemical reaction.</p>		16460
<b>Possession of destructive device</b>	Every person who willfully carries any destructive or any explosive device on any vessel, aircraft, car or other vehicle that transports passengers for hire.	Felony	18725(a)
<b>Possession of destructive device</b>	Every person who recklessly or maliciously possesses any destructive device or any explosive on a public street or highway, in or near any theater, hall, school, college, church, hotel, public building, private habitation, aircraft, railway passenger train, car, cable road, cable car, or vessel engaged in carrying passengers for hire, or any other public place ordinarily passed by human beings.	Felony	18715(a)
<b>Possession of destructive device</b>	Every person who possesses, explodes, ignites, or attempts to explode or ignite any destructive device or any explosive with intent to injure, intimidate, or terrify any person, or with intent to wrongfully injure or destroy any property.	Felony	18740
<b>Exercise of caution with fire</b>	No person shall construct, erect, install, locate, equip, maintain, or use any incinerator, exterior fireplace or barbeque device, or burn any combustible material so as to constitute or occasion a fire hazard by the use, or burning thereof, or as to endanger the life or property of any person thereby.		LAMC 57.307.7