

**MINNESOTA DEPARTMENT
OF PUBLIC SAFETY**

STATE FIRE MARSHAL DIVISION



ESTABLISHED 1905

**FIRE, ARSON AND EXPLOSION
INVESTIGATION
SERVICES**

INTRODUCTION

When the office of the State Fire Marshal was established in 1905, one of its primary functions was the investigation of the origin and cause of fires. Although Minnesota Statute 299F.04 assigns the responsibility for determining the origin and cause of fires to the local fire chief, that function remains a high priority for the Division to this day.

This booklet is designed to provide information about the investigative functions of the State Fire Marshal Division's Fire Investigation Unit. Additional information may be found in the Division Web site. Questions may also be directed to the Division office or any fire investigator.

CONTACT INFORMATION

Minnesota Department of Public Safety
State Fire Marshal Division
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St. Paul, MN 55101-5145
Phone: (651) 201-7200
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State Fire Marshal

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(651) 201-7201
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Chief Deputy State Fire Marshal

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Chief Investigator

Richard Kleis
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MISSION STATEMENT

The mission of the State Fire Marshal Division is to protect lives and property by fostering a fire safe environment through investigation, enforcement, data collection and public education.

REQUESTING ASSISTANCE

Well trained fire investigators are located across the state and are available to assist with fire, arson and explosion investigations when requested. Investigators are subject to call 24 hours a day, seven days a week.

Investigation assistance may be requested by local fire service or law enforcement personnel. Investigators will not be dispatched when requests are received from private citizens or insurance companies.

To request the assistance of a fire investigator, contact the Minnesota State Duty Officer at:

Twin Cities Metro Area: (651) 649-5451

Greater Minnesota: (800) 422-0798

The Duty Officer will record basic information about your request and contact the appropriate investigator. ***An on-scene phone number should be provided whenever possible so that investigators are able to make direct contact with incident commanders.***

on Scene Response

When necessary due to call volume, requests for on-scene fire investigation assistance **may** be triaged as follows:

- Fatal Fires and Explosions. *Minnesota Statute 299F.04 requires that the State Fire Marshal be immediately notified of any fire resulting in a fatality.*
- Known or suspected arson fires.
- Fires and explosions resulting in serious or multiple injuries
- Large dollar loss fires and explosions.
- Fires occurring in occupancies inspected by the Division. *(e.g. health care facilities, K – 12 public schools, charter schools, hotels, motels and resorts, state owned correctional facilities, and county jails)*

When necessary due to the availability of the investigator normally assigned to a given territory, the Chief Investigator may assign an investigator from another territory to a request for on scene investigation assistance. Any such assignment is subject to the availability and work load of the investigation staff.

Phone Consultation

Investigators are also available for phone consultation with local authorities conducting their own investigations. This type of contact may prove valuable in several ways. State and local investigators will also be able to share information which could prove pertinent to investigations being conducted in other jurisdictions. In addition, state fire investigators will be able to:

- Provide advice on legal issues.
- Share experience gained from their investigation of similar fires.
- Offer suggestions on ruling out other possible causes.
- Confirm the conclusions reached by local investigators.

NO RESPONSE

Investigators will not be dispatched to fires involving:

- Natural cover
- Hay bales
- Undiscovered losses (Fires where no fire department response occurred or loss was unreported.)
- When requested by private citizens or insurance companies.

OTHER EMERGENCY RESPONSES

The State Fire Marshal will also dispatch investigators to assist local fire authorities with the coordination of response actions during a major emergency or disaster. Assistance provided may include:

- Securing additional firefighting and other emergency response resources.
- Coordinating mutual aid response.
- Serve as liaison with media.
- Coordinating the response of other Division personnel and state agencies.

OPERATIONAL CONSIDERATIONS

OVERHAUL OPERATIONS

If an investigator is going to be requested to determine origin and cause, overhaul operations should be limited to necessary areas only, and the scene remain as undisturbed and as free of contamination as possible.

SCENE SECURITY

Scene security is extremely important during any fire investigation. The United States Supreme Court has ruled that the investigation of a fire must be a continuation of the initial response to that fire.

If the scene has been unsecured, it will be necessary to obtain either the voluntary consent of the owner /occupant, or a search warrant, in order for investigators to enter that property. A copy of a Consent to Search authorization is included with this document. This authorization may be copied and used in any investigation to obtain consent.

To properly secure a fire scene while waiting for an investigator, entry must be limited to only those authorized personnel with duties in the structure. Personnel need to be posted at all points of entry into the structure to keep unauthorized individuals out. Even with the use of security tape, guards should be posted at access points. It may be necessary to explain to the occupants that they will need to remain out of the building until the investigation has been completed.

EVIDENCE

The admissibility of evidence is another important factor to consider with scene security. If the scene has been left unsecured or released, any evidence obtained at a later time may be considered

tainted and inadmissible in court.

Evidence should be left where it is found unless there is a possibility of further destruction by fire. If it is necessary for local personnel to seize evidence prior to arrival of the investigator, it must be secured in unused airtight metal containers, and secured to prevent the possibility of tampering. Fire service personnel may elect to place possible evidence in the custody of law enforcement personnel.

The location from which the evidence was taken should be documented and the evidence photographed in the location it was found prior to removal (whenever possible). At a later time, personnel who have seized possible evidence may be called into legal proceedings to identify the evidence and the procedures used, as well as where it was collected from.

SCENE ASSISTANCE

The investigator may require additional assistance in processing the fire scene to determine the origin and cause of the fire. Local assistance may include the following:

- Personnel to assist “digging out” and reconstructing the fire scene.
- Power supply and auxiliary scene lighting.
- Additional hand tools.
- Personnel to assist with documentation of the scene.

CRIMINAL INVESTIGATION ASSISTANCE

FOLLOW-UP INVESTIGATIONS

An important part of any fire investigation is the follow-up investigation if it has been determined that a crime was committed.

Although State Fire Marshal investigators are not law enforcement officers, they are trained in criminal investigation techniques and are available to assist local law enforcement authorities in the conduct of a follow-up investigation and the preparation of a case for prosecution.

SUBPOENA AUTHORITY

The State Fire Marshal Division has the power to issue subpoenas to obtain information required to develop a successful case. When requested, investigators may be authorized to issue subpoenas to assist local authorities conducting their own investigations.

TYPES OF FIRES

FATAL FIRES

Minnesota Statute 299F.04 requires that the State Fire Marshal be immediately notified of any fire resulting in a fatality.

Fires involving fatalities have the highest priority for the State Fire Marshal Division. It is vital that the scene of a fatal fire be secured until the investigation has been completed. This can be more difficult than usual due to the concern of the victim’s family and the publicity surrounding a fatal fire.

If there is a chance of foul play being involved, the body should be protected and left where found until the investigator can arrive. Many times, the area surrounding the victim and the body, itself, may contain valuable evidence.

All efforts must be made to advise other agencies with duties involving a fatal fire of the necessary precautions to protect any possible evidence and the need to conduct a thorough investigation.

KNOWN OR SUSPECTED ARSON FIRES

Known or suspected arson fires are also a high priority for the Division. An investigator should be requested as soon as it is determined that a fire is suspected of being the result of arson. Suspected arson scenes should be disturbed as little as possible in order to preserve any potential criminal evidence. Follow the instructions of the investigator for maintaining scene control and security.

LARGE LOSS / TOTAL LOSS FIRES

Investigators are available to assist with the investigation of large loss / total loss fires. The major problem encountered in this type of structure fires is the difficulty in determining the area of origin, particularly when the structure is completely destroyed. Even though there may be no utilities in service to the structure, a valid fire cause cannot be determined if the area of origin is not located.

When requesting assistance, the investigator should be advised of the condition of the remaining structure. It is acceptable for the investigator to advise the fire department to leave the scene of a total loss fire when overhaul has been completed. The investigator will then request a consent to search from the owner/occupant.

The exception to this procedure is when a fatality has occurred. In the event of a fatality, the investigator will respond to the scene as soon as possible while the fire department remains to secure the scene.

EXPLOSIONS/BOMBINGS

Explosions and bombings typically cause a great deal of concern among local authorities. Since these types of incidents are not common, specially trained investigators may not be locally available. State Fire Marshal investigators have received specialized training for the investigation of explosions and bombings. The investigator will also request the assistance of Office of Pipeline Safety inspectors and engineers when an explosion involves a flammable gas system.

Scene security can be extremely difficult in these incidents due to the widespread destruction and scattering of debris over a large area. All precautions should be taken to protect any possible evidence and the incident scene.

Personnel should take extra care at the scene of an explosion. Structural stability is always questionable following an explosion. If there is a possibility that the incident was the result of an explosive device, there is a chance of undetonated explosives or a secondary device being present.

If assistance is needed in these types of incidents, an investigator should be contacted immediately. State Fire Marshal investigators are not trained or equipped to disarm potential bombs. The closest bomb squad should be requested through the State Duty Officer for any "render safe" procedures. State Fire Marshal investigators are available to assist with the investigation of the circumstances surrounding the construction and placement of the device.

VEHICLE FIRES

The investigation of vehicle fires presents additional problems for both the fire department and the fire investigator. Scene security is much more difficult as is the preservation of possible evidence.

Unless a fire fatality is involved, vehicle fires will be investigated when caseload and staff availability permits.

When assistance is approved for this type of fire, the assigned investigator may advise that the vehicle be towed to a secure area for examination at the first available opportunity. This is an acceptable procedure for State Fire Marshal investigations.

When this occurs, the investigator must be provided with contact information for the vehicle's owner/driver, local fire personnel, and the location of the tow facility.

NATURAL COVER FIRES

State Fire Marshal investigators do not normally investigate natural cover fires involving wildland, grass, brush, or hay bales. Natural cover fires are investigated by the MN Department of Natural Resources - Forestry Division. A DNR fire investigator may be requested by contacting the local forestry station or the MN State Duty Officer. State Fire Marshal investigators may assist DNR investigators when requested by the DNR.

UNDISCOVERED LOSSES

State Fire Marshal investigators do not investigate fires to which a fire department did not respond or fires which were not reported to a fire department and discovered at a later date.

MAJOR INCIDENT INVESTIGATION VEHICLE

The State Fire Marshal Division maintains a vehicle specially equipped to provide support for the investigation of major fires. Equipment available on this vehicle includes:

Scene Lighting
15 KW PTO Generator
Small Generators
Exhaust Fans
Shovels, Rakes, and Sifting Screens
Assorted Hand Tools
Atmospheric Monitoring Equipment
Evidence Collection Supplies
Protective Clothing
Computer Equipment
Communications Equipment

This vehicle will be dispatched to a scene when requested by a Division investigator.

MINNESOTA STATE FIRE MARSHAL DIVISION FIRE / ARSON INVESTIGATION STAFF

Investigator	County Assignments
DeMars, Denise	Anoka, Isanti, Sherburne
Christensen, Terry	Carlton, Cook, Itasca, Koochiching, Lake, Pine, St. Louis
Germain, Mark	Aitkin, Cass, Crow Wing, Kanabec, Mille Lacs, Morrison, Todd, Wadena
Kellen, Steve	Big Stone, Chippewa, Cottonwood, Jackson, Lac Qui Parle, Lincoln, Lyon, Murray, Nobles, Pipestone, Redwood, Rock, Swift, Yellow Medicine
Kleis, Rick	Wabasha
Mahle, Kevin	Becker, Beltrami, Clay, Clearwater, Hubbard, Kittson, Lake of the Woods, Mahnommen, Marshall, Norman, Pennington, Polk, Red Lake, Roseau
McLaughlin, Bruce	Chisago, Dakota, Goodhue, Ramsey, Washington
Rahman, Ron	Carver, Hennepin, Rice, Scott
Steinbach, John	Benton, Douglas, Grant, Kandiyohi, Otter Tail, Pope, Renville, Stearns, Stevens, Traverse, Wilkin
Stotts, Casey	Blue Earth, Brown, Faribault, LeSueur, Martin, McLeod, Meeker, Nicollet, Sibley, Watonwan, Wright
Wolf, Steve	Dodge, Fillmore, Freeborn, Houston, Mower, Olmsted, Steele, Waseca, Winona

To request a Fire / Arson Investigator, Contact the State Duty Officer at 800-422-0798 or 651-649-5451

Investigator	Location	Work Phone	Radio Number
Christensen, Terry	Grand Rapids	218-326-4422	FM 812
DeMars, Denise	Andover	763-323-2908	FM 835
Germain, Mark	Merrifield	218-765-4259	FM 815
Kellen, Steve	Granite Falls	320-564-5641	FM 854
Kleis, Rick	Hastings	651-437-7450	FM 833
Mahle, Kevin	Bemidji	218-444-6420	FM 814
McLaughlin, Bruce	Eagan	651-344-2427	FM 852
Rahman, Ron	Northfield	507-645-7888	FM 834
Steinbach, John	New London	320-354-5137	FM 832
Stotts, Casey	Hutchinson	320-234-0377	FM 851
Wolf, Steve	Stewartville	507-533-6609	FM 853

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CONSENT TO SEARCH

I, _____, being the owner/occupant/other _____ of the property located at _____, which was damaged by fire on or about _____, do hereby authorize fire investigators of the _____, and other personnel under their direction and control (including, but not limited to investigators, _____ and _____), to conduct a thorough search of the entire above mentioned property to aid in the investigation of this fire.

Furthermore, I consent to allow said investigators and other personnel under their direction and control to take anything that may be of evidentiary value in the investigation of this fire.

This consent is given by me freely and voluntarily, without promises or threats. This consent is valid from today's date to _____.

I have read (been read to) and understand the above written language.

Signed: _____

Dated: _____

I have received one (1) copy of this consent:

Signed: _____

Dated: _____

Witnesses:

Minnesota Department of Public Safety
State Fire Marshal Division
444 Cedar Street, Suite 145
St. Paul, MN 55101