

POLICE DEPARTMENT HANOVER PARK, ILLINOIS



DIRECTIVE: 486-I

REFERENCE STANDARDS:

SUBJECT: Arson Investigation

POLICY: It will be the policy of the Hanover Park Police Department to work jointly with the Hanover Park Fire Department to investigate fires occurring within the Village of Hanover Park that have been determined to be the result of Arson or an undetermined cause.

Joint investigations shall involve investigators from both the fire department and the police department in various aspects of the investigation process. This may include on-scene operations, victim and witness interviews, suspect interviews and interrogations, evidence collection, lab follow-ups, and other aspects of the investigation process

PURPOSE: It is the intent of this procedure to establish guidelines for a Joint Fire Investigation Team. This unit will be comprised of Fire Department and Police Department personnel. The joint unit will be responsible for the investigation of fires that occur within the Village that are determined to be the result of Arson or an undetermined cause.

I. A. Definitions

Arson.

For purposes of this directive, the term Arson will apply to any offense included in 720 ILCS Chapter 20-1.

Fire Department Fire Investigation Unit

A unit within the Hanover Park Fire Department that is comprised of members of the fire department who shall conduct a preliminary investigation of the scene for determination of cause and origin of the fire.

Joint Fire Investigation Team.

The Joint Fire Investigation Team is a joint unit, comprised of designated members of both the Hanover Park Police and Fire Departments and are specifically trained in Fire Investigations. This Team will investigate fires that are determined to be incendiary in nature, undetermined cause and any fire that results in human injury or death.

II. A. The Fire Scene

1. The on scene Hanover Park Fire Department Incident Commander is in charge of any fire scene.
2. Upon extinguishment of the fire, the fire department shall perform all necessary overhaul of the scene, a process to ensure a complete extinguishment of the fire, with consideration for the preservation of fire scene evidence.
3. Members of the fire department shall conduct a preliminary investigation of the scene for determination of cause and origin.
4. The on scene Fire Department Incident Commander shall make decisions regarding the use of a Fire Department Fire Investigator to determine the cause of the fire. A Fire Department Fire Investigator will be used in every incident involving a fire resulting in human death or serious injury.
5. Fires, in which human death or serious injury is involved shall immediately be reported to the Police Department Shift Supervisor by the Fire Department Incident Commander.
6. The Fire Department Incident Commander shall also make the required notification to the Office of the State Fire Marshall, in the event of human death.
7. The Police Department Shift Supervisor shall ensure that the Medical Examiner's office is notified of the death.
 - a. Prior to removal of the deceased body, the medical examiner or Coroner must grant approval;
 - b. Removal shall occur only when the police members of the Joint Fire Investigation Team are on a scene and authorize removal.
8. The Police Department On Duty Supervisor will be notified by the Fire Department Incident Commander of the fire department's determination of cause and origin of the fire.

B. Activation of the Joint Fire Investigation Team

1. If the Fire Department Fire Unit investigation determines that arson has occurred, the cause is unknown or the fire results in human death or serious injury, this information shall be reported immediately to the Police Department Shift Supervisor by the Fire Department Incident Commander and shall be cause to activate the Joint Fire Investigation Team.
2. The Police Department Shift Supervisor shall ensure that the police members of the Joint Fire Investigation Team and the Investigations Division Supervisor are notified.
3. Removal of injured person(s) from the fire scene is the responsibility of the fire department. (Consideration concerning minimizing the possible elimination and/or contamination of evidence from the fire scene shall be made prior to removal, without jeopardizing the safety of the victim or rescuer .)
4. Once a request for the Joint Fire Investigation Team has been made, the Incident Commander shall ensure that all overhaul activity and debris removal is

suspended pending the arrival of the Joint Fire Investigation Team, except what is necessary to ensure extinguishment of the fire.

5. If overhaul is suspended, fire personnel shall exit the scene and the Fire Department Incident Commander will notify the On Duty Police Supervisor to have the police secure the scene.
6. The police scene supervisor shall ensure that security of the scene perimeter is maintained. The police department Investigations Supervisor or The Fire Department Prevention Services Division Battalion Chief shall coordinate activity with the Joint Fire Investigation Team and make the determination regarding the release of the incident scene.

C. Fire Scene Investigation by the Joint Fire Investigation Team

1. The police department investigator shall assume control of the criminal investigation upon arrival at the scene.
2. The Joint Fire Investigation Team shall avail itself of and utilize the services of the State Fire Marshall, the DuPage Fire Investigation Task Force, The Cook or DuPage County Bomb / Arson Team and the Bureau of Alcohol, Tobacco and Firearms (ATF) when appropriate, as authorized by the Hanover Park Police or Fire Incident Commander
3. The Joint Fire Investigation Team shall contact the Fire Department Incident Commander or designee, when heavy equipment is required for examination of the scene.
4. The Joint Fire Investigation Team investigators shall prepare a report describing their efforts.
5. This report shall be made available to both the police and fire departments, with copies of all photographs and video tape taken at the scene.
6. Investigation status reports shall be forwarded to the fire chief from the police department during all phases of the investigation.
7. Investigative information, records and/or reports regarding any on-going investigation shall be kept private and confidential and shall not be released to any parties unless authorized by the police department investigations supervisor. This is to preserve the integrity of the investigation

D. Discovery in Criminal Cases

1. Pursuant to 725 ILCS 5/114-13, the Hanover Park Police Department shall provide to the authority prosecuting any homicide offense:
 - a. all investigative material, including but not limited to reports, memoranda, and field notes that have been generated by or have come into the possession of the Hanover Park Police Department concerning the offense being investigated.
 - b. Any reports, memoranda, and field notes within its possession or control that would tend to negate the guilt of the accused of the offense charged or reduce his/her punishment for the homicide.

2. Pursuant to 725 ILCS 5/114-13, the Hanover Park Police Department shall provide to the authority prosecuting any “non-homicide felony”:
 - a. all investigative material, including but not limited to reports and memoranda, that have been generated by or have come into the possession of the Hanover Park Police Department concerning the offense being investigated.
 - b. Any reports and memoranda within its possession or control that would tend to negate the guilt of the accused of the offense charged or reduce his/her punishment for the homicide or “non-homicide felony”.