

# FIRE FAX

VOLUME 32

MAY 2019

ISSUE 1

## FROM THE DESK OF



*Greg Siembieda*  
PRESIDENT

2019 is off to a good start. The Board has acted on member feedback in an effort to enhance participation in the annual seminar. We have also taken steps to promote the scholarship program, the Honorary Life Member recognition and Arson Investigator of the Year award. We are anticipating good things from these actions.

We are looking forward to this year's annual seminar. It will prove to be a high-quality seminar full of a variety of interesting and useful information. In response to member feedback, the seminar will start with a class Tuesday evening as in the past but will end after class on Thursday afternoon instead of Friday morning. This change was made to accommodate increas-

ingly busy schedules and travel arrangements. The seminar starts Tuesday September 10, 2019.

Along with the seminar schedule change, improvements have been made to the online registration process. Thanks to Paul O'Connell, it is now possible to register multiple attendees at the same time. Online registration can be accomplished on our site's webpage, [iowaiaaichapter.org](http://iowaiaaichapter.org).

Improvements to our social media has made it possible for our members to easily stay informed. O'Connell keeps the webpage current while Cory Bengel is the Facebook (IAAI Iowa Chapter) administrator. These two ensure that the latest communications regarding general information, training and other local and national activities are communicated in a timely manner. We appreciate their efforts in this endeavor.

An Honorary Life Member (HLM) is a special honor that can be awarded to up to two members annually that have provided distinctive services to the association or its purposes. The HLM will have the same rights and privileges of an active member, but without payment of dues. We have a great membership so please submit nominations to the Board no later than 30 days before the seminar

(no later than August 9, 2019 to be considered for this year).

We also need to promote our Scholarship program. The R.C. Hentges Scholarship was established in 1997. The scholarship was founded and named after our chapters first President and Life Member R.C. Hentges. Each year our chapter can select two recipients to receive one thousand dollars each to go towards their education in the professions of Fire Service, Fire Science, Fire Protection Engineering and Technologies, Insurance, Law Enforcement and Law. For more information on the scholarship program and on submitting nominations, visit the [iowaiaaichapter.org](http://iowaiaaichapter.org) webpage. Nominations are due June 30 for consideration this year.

Last, but definitely not least, is the Iowa Governor's Award for the Arson Investigator of the Year. Over the past several years there have been many interesting and complex investigations that have led to arson convictions. These have unfortunately gone unrecognized. Let us make sure this is no longer the case. It is important to recognize and nominate our members that are deserving of this award; members that have made a significant contribution to reducing arson in the state of Iowa. Nominations are

awarded at our seminar. Nominations are due August 1, 2019 and go directly to:

Governor's Award Nomination  
Attn: Bureau Chief  
Fire Service Training Bureau  
1015 Haber Rd  
Ames, Iowa 50011

I'm proud to say our chapter is always looking to the future and finding ways to overcome any and all obstacles that might get in the way of improving our ability to determine fire origin and cause, to identify arson and to prosecute this crime. Stay safe.

#### FROM THE DESK OF



*Jeff Haler*  
PAST PRESIDENT

Greetings members, since I became the past president my life has changed considerably. I took a job with NEFCO Fire Investigations and retired from the Cedar Falls Fire Department. This was something I had not planned on doing this soon. I have moved to the Memphis, Tennessee area as a fire investigator. NEFCO has been keeping me busy investigating fires in Tennessee, Mississippi, Alabama, and Arkansas. I have enjoyed the challenges and look forward to what lies ahead of me.

One thing that I do not miss in Iowa is working in frozen conditions and waiting for scenes to thaw out. I do miss working with everyone in Iowa, and all of the friends I have

made through the Iowa IAAI Chapter. I hope that my schedule works out so that I can attend the seminar in Cedar Rapids in September. I do plan on keeping my membership with the Iowa chapter and will be joining the Tennessee, and Arkansas chapters. I hope that the seminars here are as good as the Iowa chapter has put on.

I have enjoyed all of the seminars since I joined the chapter in 2004. What a ride it was. I remember the first seminar I attended in Waterloo and not knowing anyone. That was when my journey began meeting other members and officers and board members. The more seminars I attended the more I became interested in what the chapter had to offer and wanting to become more involved. Then when President Chris Van Vleet asked me to fill in on a vacated board position I thought what a great opportunity. I never thought that I would become president and then to be past president. I would tell everyone if the opportunity arises to take it and do whatever you can do to help the chapter. Becoming a board member and officer is a lot of work, but well worth it. I am always available if anyone would want to talk to me.

Thanks for the opportunity to serve the chapter.

**Mark Your  
Calendar**  
for the  
**Iowa IAAI  
Fire Investigation  
Seminar &  
Annual Meeting**  
**Sept. 10 – 12, 2019**

#### FROM THE DESK OF



*G. Terry Smith*  
DIRECTOR OF INSURANCE

#### **Investigators Need Some Help**

Fire investigators are sometimes hampered at fire scene investigations because of changes of the conditions at the scene prior to their arrival. Some of the information needed may be gleaned from speaking with first-in fire crews and other fire personnel and law enforcement officers that were present at the fire scene. Those present may have seen or heard something that may be of value to the investigator in his/her fire cause determination.

Fire investigators should try to do some "in-house" training of situations that will assist them in their fire cause determination efforts. Presenting information in casual conversations, at training sessions, county or MABAS type meetings, Lunch-and-Learns, etc. will help get the information out to needed parties.

Many times an event witnessed by a law enforcement officer or fire fighter at the fire scene will tremendously assist the investigator. An example of this would be the witnessing of a kitchen range gas or electric burner in the on position being turned off to assist in the extinguishment of the fire. Simply passing this information on to superiors at the fire scene or making notes to be entered into reports later will assist the investigator. This information combined with fire

pattern analysis will lead to a conclusive fire cause determination. Many times tenants or property owners do not recall or will not admit to leaving cooking unattended.

In reference to appliance controls and their locations at a fire scene, please request that they leave them alone. Unless a burner needs to be shut off as previously mentioned do not move controls for any reason. Once an appliance knob or control has been moved it cannot be returned to its original location and condition for investigative determinations. Shutting-off, moving, or "playing with" appliance controls following a fire do not allow forensic electrical or mechanical engineers or fire investigators to witness and assess these controls to help with their investigation.

Another area that may help fire investigators is the maintaining of the circuit breaker of fuse panel in its pre-fire condition, if possible. Many times fire investigators arrive at the fire scene only to find all circuit breakers in the off position and/or fuses removed from the fuse box. If the power company has responded to the fire scene and interrupted electrical service to the structure by cutting the service entrance lines and/or interrupting electrical service at the meter box, there should be no need to shut off all circuit breakers. If the electrical service is installed as designed, electrical service to all branch circuits in the panel is interrupted when the main breaker is turned off. Shutting off all branch circuits may hinder the fire cause determination efforts. If branch circuit breakers are left untouched fire investigators and forensic electrical engineers can see which circuits may have tripped, been shut off prior to the fire, or remained energized until power was interrupted to the panel. Also, the unnecessary removal of electrical conductors from their original location may severely hamper an investigation.

Another area that would assist investigators is maintaining the area/room(s) of origin. Try to leave furniture/items in their original location as much as possible. Years ago, one investigator was walking toward a house in which the fire occurred. A fire fighter on scene asked him where he thought the fire started. The investigator replied, "The front yard, that's where everything is at". Items removed from the area/room of origin may need to be placed back in their original locations to assist the investigator by looking at damage to items in reference to determining the area of origin. This fire scene reconstruction is necessary with many fires.

In years past, items were sometimes removed from fire scenes for other than investigative purposes. Any removal of items from the fire scene could destroy an investigator's ability to bring his or her investigation to the needed finalization. There should be no reason fire department personnel, other than investigators, should remove items from the fire scene. Also, protecting the fire scene is necessary. If there is any possibility that the fire was intentionally set, a member of the fire department or a law enforcement agency should maintain control of the fire scene until investigative authorities arrive. The local fire investigator and law enforcement, or the special agent from the fire marshal's office, should have a fire scene that has been continually secured until their arrival.

Fire investigators and engineers for insurance companies will also need the fire scene to remain as much intact as possible. Insurance company and industry fire investigators and engineers work includes subrogation, liability, and product liability associated areas. In the area of product liability, insurance, local, state, and federal

investigators work helps in the removal of fire causing products from the market.

In conclusion, the fire department should extinguish the fire, limit overhaul to necessary work, and protect the fire scene for investigators. Try to relay this and associated information to your fire fighters and other first responders to help in the proper fire cause determination conclusions. If any department, county group or association would like someone to attend a meeting to cover this topic, please contact the Iowa Chapter of the IAAI.

#### FROM THE DESK OF



*John Ticer*

2<sup>nd</sup> VICE PRESIDENT

Below is the language for the new legislation regarding the crime of arson. The bill was signed by the governor on Thursday May 16, 2019 and is part of a larger crime bill that was passed in the legislature this year. The increase in the dollar amount for Arson Second is an across the board dollar increase for all property crimes and I was told it is due to the dollar amount having not been changed in over twenty years. It was basically a cost of inflation adjustment. I was a little unclear about the two added sections for Arson First, but as it was explained to me, it is still a Class B felony punishable by 25 years (nothing changed). The defendant must now serve at least 50%. The last paragraph simply

means at sentencing, the court can take those listed factors into consideration, and specify how much of the sentence the defendant must mandatorily serve but it cannot be less than 50%. This is the same wording that occurs for all other mandatory minimum sentences. This was a change initiated by Senator Dan Dawson of Council Bluffs after numerous conversations where I questioned why Arson First was the only or at least one of the few Class B felony's, that did not have a mandatory minimum.

**712.3 Arson in the second degree.** Arson which is not arson in the first degree is arson in the second degree when the property which is the subject of the arson is a building or a structure, or real property of any kind, or standing crops, or is personal property the value of which exceeds seven hundred fifty dollars. Arson in the second degree is a class "C" felony.

NEW SUBSECTION . 4. A person serving a sentence for a conviction for arson in the first degree in violation of section 712.2 that occurs on or after July 1, 2019, shall be denied parole or work release until the person has served between one-half and seven-tenths of the maximum term of the person's sentence as determined under section 901.11, subsection 4.

NEW SUBSECTION . 4. At the time of sentencing, the court shall determine when a person convicted of arson in the first degree as described in section 902.12, subsection 4, shall first become eligible for parole or work release within the parameters specified in section 902.12, subsection 3, based upon all pertinent information including the person's criminal record, a validated risk assessment, and the negative impact the offense has had on the victim or other persons.

## RECALLS

### FIRMAN Power Equipment Recalls Portable Generators Due to Fire Hazard; Sold Exclusively at Costco (Recall Alert)

27



FIRMAN portable generator front right view

## Recall Details

### Description:

This recall involves FIRMAN P03615 generators. The gas powered portable generators are yellow and black and are equipped with remote start up to 165 feet away. The model number P03615 and date code 10/2018, 11/2018 or 12/2018 are printed on the white nameplate on the generator's fuel tank. Serial numbers range from 4829200012 through 4833913602 and are printed on the white nameplate on the fuel tank.

### Remedy:

Consumers should immediately stop using the recalled generators and return them to the place of purchase for a full refund or take the recalled generator to a FIRMAN service center for a free inspection and repair.

### Sold Exclusively At:

Costco Wholesale warehouse stores and online at Costco.com and Costco.ca from January 2019 through March 2019 for about \$500.

*The opinions expressed in this publication are not necessarily those of the IAAI or the Iowa Chapter IAAI.*

*Please, if you have any suggestions for improvements or changes to the newsletter send me an e-mail at:*

[Becky.Nelson@grinnellmutual.com](mailto:Becky.Nelson@grinnellmutual.com)

or

[Melaine Whitchelo at f555@ci.davenport.ia.us](mailto:Melaine.Whitchelo@f555@ci.davenport.ia.us)

**This edition of Firefax was presented by  
Melaine Whitchelo, Director at Large, East, Firefax Editor**

**Printed by Grinnell Mutual Reinsurance Company**