

**WINTER HAVEN POLICE DEPARTMENT**

**GENERAL ORDER 42.5**

**FIRE INVESTIGATIONS OF A CRIMINAL NATURE**

**ACCREDITATION STANDARDS:**

**EFFECTIVE DATE: April 7, 2003**

**RESCINDS: G.O. 42.5, May 20, 2013 and all applicable Amended/Temporary Orders prior to January 5, 2018**

**LAST REVISED DATE: January 5, 2018**

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**CONTENTS**

This General Order contains the following numbered sections:

- I. Investigations
  - II. Administration
  - III. Definitions
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**POLICY**

It shall be the policy of the Winter Haven Police Department to coordinate efforts with the Winter Haven Fire Department to investigate and prosecute fire related crimes.

**PURPOSE**

The purpose of this General Order is to establish procedures for coordinating with the Winter Haven Fire Department for investigating fires of a criminal nature.

**SCOPE**

This General Order shall apply to all Department members.

**DISCUSSION**

The nature of fire related crimes constitutes a significant threat to public safety. The Winter Haven Police and Fire Departments shall conduct an effective and efficient response to fire related crimes.

**PROCEDURE**

**I. Investigations**

- A. The initial response and investigation of all fires shall be the responsibility of the Winter Haven Fire Department. It is their responsibility to secure the scene and determine the fire's origin, cause and circumstance.

- B. A Fire Department investigator(s) shall respond to fires that are found to be of an undetermined origin, arson, suspicious origin, or results in a fatality.
- C. The Fire investigator(s) shall determine whether arson or other criminal activities have occurred at the incident scene and whether further investigation is required. The fire investigator(s) shall contact the Police Department and request that a Detective respond to the scene of the fire. The Fire Investigator or Detective may request a Crime Scene Investigator respond to the scene.
- D. Until otherwise requested, the Police Department's responsibility is to secure, provide security and control traffic and other access to the scene. However, this does not preclude any police members from providing information they may develop or receive concerning the fire, to Fire Investigators or Detectives.
- E. The Fire Investigator and Detective shall jointly be in charge of the scene and criminal investigation. The Crime Scene Investigator shall be directed by the investigators as to their responsibility, once at the scene.
- F. Any evidence collected, at the fire scene, during an investigation, shall be processed and stored by the Fire Department's Fire Prevention and Investigation Bureau, until it can be forwarded to the State Fire and Arson Laboratory or F.D.L.E. Crime Lab for analysis unless other arrangements are made between the investigators.
  - 1. All the rules of evidence pertaining to the chain of custody shall be followed.
- G. The Fire Department Investigator shall be the point of contact for the State Fire Marshal's Office, regarding any investigation.
- H. The investigators for both Departments shall meet, as necessary, to share information and coordinate activities as it relates to the investigation and its prosecution. Each investigator shall provide testimony, as determined by the State Attorney's Office.
- I. The investigators for both Departments shall keep their respective Chiefs informed of the investigation, through their formal chain of command.

## **II. Administration**

- A. A Fire Investigator is a dual certified member, who is certified by the State of Florida as a police officer, fire fighter and fire investigator.
- B. The Winter Haven Fire Department shall be responsible for the pay, benefits, vehicles, two way radios, fire uniforms and equipment for Fire Investigators.
- C. Winter Haven Fire Department Fire Investigators shall be under the administrative command of the Winter Haven Fire Department Fire Marshal. The Fire Marshal shall be responsible for all scheduling, pay and other necessary administrative duties for Fire Investigators.
- D. The Winter Haven Police Department shall provide the following equipment, to include, but not limited to:
  - 1. Police Uniforms and gun belt;

2. Ballistic body armor;
  3. Police badge/identification; and
  4. Department issued handgun.
- E.** Fire Inspectors that are certified police officers shall complete annual training on use of force, show proficiency with any issued firearms, less-lethal weapons and other training required by the Police Department.
1. Fire Investigators shall complete any mandatory training as required by FDLE to maintain their police certification.
- F.** The Winter Haven Police Department Training Officer shall maintain records of all law enforcement training for Fire Investigators.
- G.** If a Fire Investigator is assisting the Police Department with an assignment that is not related to a fire investigation, the Fire Investigator shall be under the command of the appropriate supervisor (e.g. patrol supervisor, ERT supervisor, etc).

**III. Definitions – NONE**

APPROVED   

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**Charles E. Bird**  
**CHIEF OF POLICE**