



HOT • ISSUES

Special combined spring/summer Hot Issues...

This issue features the important partnership between the fire service, law enforcement, and juvenile justice and their roles in the intervention process.

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...it is critical that the responsible juvenile be identified in order that future fires can be prevented through appropriate intervention.

The critical role of investigation in firesetter intervention

by Jeff Howard

Fire departments routinely investigate the origin and cause of fires so that similar incidents can be prevented in the future. Many of our current building codes came into effect as the result of fire investigations that showed sloppy and unsafe building practices led to an increase in the risk of fire.

Nowhere is the proper investigation of fires more important than in the area of juvenile-set fires. Research has shown that a juvenile firesetter will be involved with multiple fires before being discovered unless someone intervenes. This intervention is often done by apparent before the behavior results in a fire that requires action by the fire department.

However, in those cases where a juvenile-set fire results in a response by the fire department, it is critical that the responsible juvenile be identified in order that future fires can be prevented through appropriate intervention. It has been my experience that juvenile-set fires that result in fatalities are rarely the firesetter's first experience with fire, making it all that more important to identify juvenile firesetting activity early.

The investigation

The first step in this process is a complete and thorough investigation. There are no shortcuts in a fire investigation. I cannot over-emphasize this point. Even small, straightforward fires must be completely investigated and documented. Initially cooperative witnesses or family members may later change their attitudes or even recant their initial statements; promises to seek professional help for the young firesetter may be forgotten or put off indefinitely; easily explained "accidental" fires may take on additional significance in light of other similar fires in the same vicinity. Proper documentation of a thorough investigation will overcome many of these problems.

Legal authority

The first step in any investigation is to determine the legal authority to conduct the investigation. Many states have enacted statutes giving fire departments the legal authority to conduct fire investigations. It is essential that all fire investigators be well versed in their individual state statutes in

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this regard. (Authority to investigate fires in Oregon can be found in ORS 476.210)

Right to enter

Authority to investigate the fire does not automatically give the investigator the right to enter the property involved in the fire. Private property rights are protected by both the US and individual state constitutions. There are four ways to legally gain entry to the property: consent, exigent circumstances, administrative warrant and criminal search warrant. The courts have ruled that due to exigent circumstances a fire department has the right to enter private property to suppress a fire and may remain on site for a reasonable amount of time for the purpose of determining the cause and origin of the fire in the interest of the public good. (*Michigan v Tyler*, 436 U.S. 499) However, this authority does not extend to any criminal investigation that may result from a fire.

Since the nature of the fire is unknown at the outset of the investigation, the easiest way to avoid potential legal problems regarding your right to enter the property and conduct an investigation is to obtain the consent of the property owner or person in lawful control of the property. Many fire departments obtain a signed "permission to investigate" form on every fire as a matter of routine. If consent cannot be obtained, an administrative warrant to conduct a fire investigation can be easily obtained in most jurisdictions. An administrative warrant cannot be used to conduct a criminal investigation. If consent cannot be obtained and there is clear evidence of criminal action, a criminal search warrant will be necessary.

The fire investigation must start from a clean slate. We never know where an investigation will lead. The investigator should follow a set routine on each fire. A proper investigation should work from outside to inside and from least damage to greatest damage. It is too easy to focus on the obvious cause and miss other telling details. As an example, a small fire set in a child's bedroom closet that is caught early with damage limited to the bedroom of origin may seem pretty straightforward. However, an initial walk around the outside of the house may reveal indicators of other fire sets that self-extinguished or other prior firesetting behavior. This information could be crucial to making an arson case or even countering the parent's later claim that this was an isolated incident. As the fire investigator eliminates all accidental or natural causes and moves toward a conclusion that the fire was incendiary in nature, it is essential that law enforcement be notified and respond to the scene.

The role of law enforcement

Law enforcement has a duty and a responsibility to investigate all crimes, including those that are fire related. Lack of training or experience in fire investigations does not absolve a law enforcement agency of this responsibility. While special training may be necessary to make a determination that a fire is incendiary, the follow-up investigation to determine who committed the crime will proceed like any other criminal investigation. Collecting and preserving evidence and interviewing witnesses and suspects are the keys to building a case that will hold up in court. Law enforcement involvement is even important in those cases where the likelihood of solving the crime is low. Proper documentation of every fire is crucial in the event that the activity continues and a suspect is later identified.

Law enforcement involvement is especially important in those cases involving juvenile firesetters. In this regard it is important to keep our focus on the goal—the prevention of future fires. When charges are filed, the goal is not punishment but proper intervention. What do we need to do to insure that the firesetter receives the help they need to keep themselves, their family and the community safe? Once the investigation has been completed and properly documented, referral to juvenile authorities is often the key to making the process work.

The juvenile department, working with mental health, the courts and other JFS intervention professionals, is in the best position to determine the appropriate course of action in each particular case. With the juvenile department involved, the parents are often more motivated to pursue treatment options for their child.

The team approach

Law enforcement involvement does not signal the end of the fire service role in the investigation. A successful fire investigation, particularly one involving juveniles, is most often the result of team work. Each team member has a role to play and each is important to the successful outcome of the investigation and subsequent referral. It is also important to remember that each of these entities has resources that can be accessed to keep the case moving forward. In addition to local resources, the state of Oregon can assist. The local deputy state fire marshal, and the State Police Arson Unit can help with the fire investigation, and the State Fire Marshal's juvenile firesetter intervention program can help with intervention resources. By working together, we can reduce the number of juvenile-set fires. ■

Jeff Howard is the retired Commander of the Arson and Explosives Section of Oregon State Police.

Conferences

Expanding the Circles of Care

November 10-13, 2002

Sheraton Hotel

Framingham, Massachusetts

The Massachusetts Statewide Coalition for Juvenile Firesetter Intervention Programs presents its eighth annual conference...thirty nationally-recognized speakers, three full-day institutes, forty-eight break-out sessions. Instructional tracks for clinicians, investigators, juvenile justice officers, educators, youth programs and residential facilities are featured. Class sizes are small and provide intense learning opportunities. Early-bird registration is \$385 for the three days. For a complete description of the conference events, and to download a registration form, go to the Massachusetts Coalition Website: www.kidsandfire.com/ If you want to receive a copy of the registration materials in PDF format via e-mail, contact Coalition Director Irene Pinsonneault at ilp@tiac.net.

Summit enhances collaboration

Fire investigators in Clackamas County, Oregon, recently learned the challenges facing the juvenile court system with youths who are cited on fire offenses. A coalition of the county's Fire Investigation Team, Juvenile Fire-setter Intervention Network, and network Advisory Board arranged a special summit for the investigators in March.

Participants heard from and were able to question Juvenile Court Judge Deanne Darling and Deputy District Attorney Summer Gleason. A panel discussed an apartment fire started by a twelve-year-old: they presented the specific role and responsibility of each agency in addressing a youth's firesetting incident and the limits placed on them by statute, funding, and time. Panelists were Marla Lundquist, Juvenile Counselor; Ed Bonollo, Deputy Fire Marshal, Tualatin Valley Fire and Rescue; and Captain Randy Barry, Sheriff's Office.

New resources for Clackamas County were distributed: a training video developed by the Advisory Board outlining the protocol for dealing with juvenile firesetters which is being distributed to all county law enforcement agencies; and standard operating guidelines for dealing with juvenile firesetters which have been recommended by the Fire Defense Board for all fire departments.

As a result of the summit, enhanced understanding

Case study

by Carla Pusateri

In 1999, Corvallis, Oregon, experienced several small grass/brush & rubbish fires in the same area of town, all at night. They occurred near a park; one spread to a trestle bridge. All were suspicious in origin; two were believed to be caused by fireworks, possibly by children.

One weekend the Corvallis Fire Department was dispatched to a daytime brush/grass fire located near one of the prior fires sites. Ten to twelve children showed up when the engines arrived to watch us put out the fire. Several of them were very excited. I got the Polaroid camera and started taking pictures of all the children. They thought it was great fun and many actually posed for their picture, asking if they would be in the newspaper.

After we'd been there for some time, most of the children left and several new ones arrived. One of the new arrivals was the boy who had called 9-1-1. He said he thought neighborhood children had started the fire so I showed him the Polaroid photographs,

and a closer partnership between law enforcement and the fire service will improve collaboration with the juvenile court on holding youths accountable for their firesetting behavior. ■

and he pointed out two brothers. They were among the children who were most excited about the events and had "posed" for their picture.

I called for police assistance. The officer took the photographs and spoke to other witnesses who identified the suspects. The officer visited the suspects' home and the boys admitted to setting the fire, as well as the others leading up to the incident. They were arrested through Benton County Juvenile Department and assigned to the Juvenile Firesetter Diversion Program. The boys received fire safety education but failed to complete their assignments, mostly because their family was not committed to bringing them in for the rest of their appointments. The boys were referred back to the juvenile department. Later, in a new incident, the younger brother was involved in our program again after setting off a false alarm at school. This time, he was escorted to his appointments by his case worker, and he completed the community impact portion of the program. ■

Carla Pusateri is a lieutenant with the Corvallis Fire Department.

The state police role in juvenile firesetter intervention - a personal odyssey

by Paul A. Zipper, Ph.D.

“Juvenile firesetting” is a term that does not seem to have a place in any state police vocabulary. At least that is what I thought. Most of the troopers I know endured twenty plus weeks of an academy, then paid their dues on midnights, with the ultimate goal of being promoted into a state police detective unit. Once they achieved this prized assignment, the last thing they expected to hear was a directive to start chasing kids who “play with matches.” It seemed so demeaning to have a state police detective waste his most valuable resource—time—investigating and arresting children. What kind of satisfaction and sense of accomplishment is there in investigating children who play with matches?

I was first assigned to investigate fires in Lawrence, Massachusetts, in 1992. Lawrence, a city of four square miles with an estimated population of 70,000 people, experienced a 100 percent arson increase for four straight years. In May of 1992 alone there were 137 set structure fires in Lawrence. This statistic doesn't include all the vehicle arsons or incendiary brush fires, both of which categories were also over the top, statistically speaking.

The Lawrence Arson Task Force

The Lawrence Arson Task Force was formed in order to stem the tide, using a multi-disciplinary approach that included local fire and police, State Police detectives assigned to the Office of Fire Marshal, the Bureau of Alcohol, Tobacco and Firearms (ATF) and the District Attorney's Office and local civic groups.

At the time of my assignment, I had done three years as a State Police detective assigned to the Essex County District Attorney's Office. I was sent to Lawrence to assist the newly formed arson task force in conducting criminal follow-up on set fires. At the time, I had no background in origin and cause investigation. With five years as a State Police officer, I had no idea there were troopers assigned to the Office of Fire Marshal and what they did. I was temporarily assigned to the Fire Marshal's office at the request of Detective

Lieutenant Robert A Corry, Commanding Officer of the Fire Investigation Unit. Upon my transfer, I asked Corry, “What do you want me to do?”

He responded, “Stop the fires!”

Working under Corry's tutelage, I learned that “stopping the fires” would involve a multi-disciplinary approach. Corry had led a similar effort in Holyoke and brought his knowledge to Lawrence. Corry's approach involved marshaling a massive effort that included boarding up abandoned buildings, running nightly patrols in targeted areas and intensive investigation. Civic meetings, round table discussions and nightly press conferences were held in an effort to elicit public support.

Within a few months we could see the results of this whirlwind effort because the arson problem was being brought under control. When the dust settled a little over two years later, the fires had come to a complete halt. During this time over one hundred adult “prisoners of war” had been taken off the streets and successfully prosecuted for arson-related crimes. The basement of the Lawrence office proudly displayed the photograph of every adult arsonist arrested. The lead story in the local paper, *The Lawrence Eagle Tribune*, was no longer about arson. Not surprisingly, the Lawrence Arson Task Force was nationally recognized as a model approach for responding to the arson problem.

Juveniles slipped through the cracks

However, the story did not end there. The investigation team had been so focused on arresting adults they paid no attention to juvenile firesetters when they encountered them. The incidences of children lighting fires throughout this ordeal had been completely overlooked as a significant factor in the Lawrence arson problem.

Yet the problem had been there all along, and once the investigators were able to catch their breaths, a troubling pattern was emerging—the incidence of children setting fires was starting to rise.

Once we began paying attention, it was obvious that juvenile firesetting had been an underlying theme in the Lawrence arson problem. The problem was, the task force was not set up to deal with juvenile firesetters, and there were no protocols on how to deal with them, so each investigator implemented his

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own form of “street justice” on a case-by-case basis. Once we began to see children as part of the problem, a proactive approach was taken to address this problem. Task force members were put in contact with Irene Pinsonneault, an advocate for the juvenile firesetting issue in our state. A community forum was organized to educate the arson task force on the juvenile firesetting issue.

The community forum was eye opening, especially for police officers like myself, who considered themselves seasoned on the arson issue. We were bombarded with information which strongly indicated that we were not only handling the situation incorrectly, but were very likely adding to the problem. We learned that the traditional police response to juvenile firesetters was not an effective means to stopping a behavior that research shows to be troublingly persistent and often progressive. The practice of the investigator handing out “street justice” in an attempt to reduce paper work and “give the kid a break” was not stopping juvenile arson. The practices of giving an offender a stern warning not to set any more fires, or deciding to have them wash fire trucks at the fire station, were well-meaning attempts to deal with the problem. Those types of solutions may have made the investigator feel good about himself, but they weren’t doing anything for the kids. They were also leaving the people who could have helped the kids virtually powerless to do so.

Development of protocols

Pinsonneault recommended crafting protocols that included a mandatory charging policy and interfacing with the District Attorney’s Office. As a result of those early meetings, the seeds for the Lawrence Juvenile Firesetter Program were planted. Today, Lawrence has a model program developed with the initiative and direction of Captain Bill Lannon, who heads up the city’s fire investigation unit. Under Lannon’s aegis, the Lawrence Juvenile Firesetter Program links nearly a dozen local and regional agencies—places like the juvenile courts, the housing authority, the public schools and local social service and mental health providers. As a participant in the grassroots effort of the Lawrence program, the value of this program became obvious to me. Over fifty kids a year are helped by it.

Once the attention had shifted from Lawrence to a more statewide focus, I began to realize that not enough communities had these kinds of programs and resources. Before I could turn my attention to the task of expanding access to Massachusetts Juvenile Firesetters Coalition programs, I realized we needed to first make changes in the State Police approach to

juvenile firesetting. I was subsequently assigned as the State Police liaison to the juvenile firesetting issue. This assignment involved my joining the Coalition, attending training sessions and educating myself on the issue.

As part of my research on the best way to deal with juvenile-set fires, I first looked to the law. It is a crime in Massachusetts for a child who has reached the age of seven years old to set a fire. This is referred to in Massachusetts as the age of “criminal intent.” Once a child has reached the age of seventeen in our state, they fall under the jurisdiction of the adult court system.

The question then became, what do we do with these statutorily-defined criminals? My Lawrence experience taught me there is no cookie-cutter program; participants need to look in-house to decide what works best for them.

Principles for intervention

I did, however, find guiding principles that make firesetter intervention effective. The first principle is to institute a mandatory charging policy for all juvenile firesetters who have reached the age of criminal intent. It is important to understand that Massachusetts is made of counties (Kingdoms) that are headed by district attorneys as the chief law enforcement officer of that county. Hence, each district attorney will have a different approach on how to process a juvenile through the legal system. The options in Massachusetts are arrest, summons in front of a judge, or the Clerk Magistrates Hearing.

Once a case has entered the legal system, there are also a variety of diversion programs for those juveniles who meet the criteria. Diversion programs operate differently from county to county; some diversions operate prior to the complaint being issued, while others operate after the complaint is issued. As you can see, there are a variety of options for each district attorney. Remember, these options only apply to those juveniles who fall within the statutorily defined parameters of the juvenile court. In Massachusetts, if the child is too young to be charged (less than seven years old) a Child In Need of Service petition (CHINS) or a Mandatory Report (51-A) can be made to the Department of Social Services (DSS) to activate services.

If you are thinking, “Let’s just get the kid help! Why bother with the court system?” you are not looking at the whole picture. One of the most startling things I have learned is that only one in five juveniles who are voluntarily referred to a firesetter program even

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show up for the first meeting. By contrast, those who are court-mandated have almost 100 percent completion rates. A more impressive statistic is that for those who complete a program there is almost no recidivism, which can be easily compared to the very high recidivism rates that accompany untreated fire setting. The lesson learned here is to use the courts to force compliance with a program and put a safety net around the child.

The importance of good investigation

Why so much investigative work for a kid who set a fire? Well, for one thing, juveniles have the same rights as adults have when it comes to the courts, and in particular, they have the right to an attorney when going through the legal system. A sloppy case file, resulting from a slipshod investigation, is not going to pass muster. What happens to a kid who is voluntarily referred to a program and decides “this is a drag”? Better yet, what about the parent who says, “My kid doesn’t need a program. He has learned his lesson,” and refuses to take him to a program? What leverage do you have if the kid has been voluntarily referred and decides not to go? Who will keep track of the kid to make sure he is going to a program? I don’t know of any state police detectives who have the time or energy to keep tabs on a juvenile who is involved in a twelve-unit program that lasts a minimum of twelve weeks. It’s beyond their jurisdiction. In fact, it’s what we have probation officers for. If everyone in the system simply did their jobs well, that alone would be an immense improvement over the status quo in many states.

If your answer to any of these questions is, “I’m a police officer, I don’t care about kids who play with matches,” you are missing the point. If you wait for the firesetter to become an adult before his firesetting behavior is taken seriously, you are putting your community in serious jeopardy. As a State Police detective who specializes in fire investigation, I can speak to the devastation a firesetter can cause a community regardless of his age. A case history here might provide a better illustration of these points.

A case history

In my position as liaison to the Juvenile Firesetter Coalition, I am often called in after the fact to clean up a mess that started with a fire that got complicated by good intentions and bad investigative practice. Often I will be called into a community that has had a rash of fires. They want immediate help. When the investigation begins you always inquire

about the local firebug. You know the type—early twenties, no job, no friends, never had a date in his life, still lives at home. Does this sound familiar?

My firebug, I’ll call him Rob, had a history dating back to when he was eleven. He started with brush fires, advanced to dumpster fires, and graduated to businesses. The local fire department would see him at every fire. He was full of suppression tips. They didn’t conduct thorough investigations of any of the fires, beyond the most rudimentary cause and origin stage.

The local fire inspector soon tired of responding to all these fires and seeing Rob at every one. He decided the best thing to do was take out a criminal complaint against Rob for the thirty fires at which he was present. His intention was to get Rob into a counseling program. His problem was that he had no crime scene photos, diagrams, origin and cause investigation reports, eyewitness statements and, more importantly, no statements by Rob incriminating himself. In summary, there was not one piece of evidence against Rob for setting any fires. Yet the inspector knew that this one person had been setting numerous fires for decades and, not only was he not stopping, he was getting more daring.

A sad truth I have learned is that juvenile firesetters don’t grow out of their firesetting behavior; they refine it with experience and become better at their trade.

I was brought in to assist the District Attorney in criminal follow-up prior to the prosecution of this case. The problem in this investigation was, once Rob was charged with a crime and appointed legal counsel, all access to him was stopped. The case was eventually dismissed against Rob. The local fire inspector couldn’t understand why Rob wouldn’t admit guilt and go to a program. The Assistant District Attorney assigned to the case pleaded with the defense attorney to enter

Rob into a firesetting program. Without evidence against Rob for the fires, and obviously nothing to hold over his head, the answer through Rob’s court-appointed lawyer was, “No.”

This was not the end of my dealings with Rob, only the beginning. A sad truth I have learned is that juvenile firesetters don’t grow out of their firesetting behavior; they refine it with experience and become better at their trade. Rob resurfaced a year ago. Within a three week span he burned down a business, two homes under construction, and a building on state property. This time, however, we were ready to deal with the likes of Rob. The investigation involved solid scene documentation, including an origin and cause investigation that included photos and diagrams. More importantly, we connected with our mental health partners in the

Juvenile Firesetter Coalition to try to understand Rob for interview/interrogation purposes. After that, we contacted our designated arson prosecutor to conference the case. Once the case file was put together, we brought Rob in for an interview. Our preparation paid off and Rob admitted to his recent rash of fires. He is currently resting comfortably in prison while waiting trial.

A complete background history on Rob revealed several other business fires, dumpster fires, and vehicle fires that he had set. The day Rob went to prison marked an end to the rash of arson fires in the area of the state where he lived. The good news is Rob can't light any more fires while he is in prison. The bad news is he is going to get out some day. And the reality is—there is no effective treatment program for adults.

When I think about Rob's situation, I often wonder what would have happened to him if someone had taken the time to conduct a thorough investigation and forced him into firesetting treatment when there was still hope. I have been told one of the most powerful tools a therapist can have when treating a juvenile firesetter is the ability to review an investigative file that lays out the case. Apparently, they can use this information to gauge the honesty and empathy in the kid. If you want to help kids, skip the part about washing fire trucks and putting a good scare into them, and conduct a thorough investigation. What's the best response for a police officer to this problem? Solid police work, plain and simple. Build the case, do your job so well that you will force every one else in the system to do their jobs. That's what gets the kids the help they need, every time, without fail.

Another hard luck story, which epitomizes the futility of treating an adult firesetter, is Francis's story. I have arrested him on four different occasions during the last ten years on multiple arson charges. Francis looks like a cartoon character—a pudgy little man in his mid-forties with Coke bottle glasses. He has lit countless fires. He is so pathetic looking, and has so few real skills beyond his knack with a lighter, that every time he is arrested and processed through the courts, he seems to be given a break. He has done two two-year stints in the local houses of correction for firesetting. Unfortunately, when he comes out again, he sets another fire. His most recent fire occurred while he was on pre-trial probation for attempting to light a monastery on fire. It was decided the interests of justice would be best served if he were sent to therapy during his pre-trial time instead of jail. While at his therapist's office, Francis set a fire

in the bathroom. The building contained a dozen businesses that provided various types of community services. Francis is expected to plead guilty tomorrow and earn another two-year sentence. Sadly, in both cases each of these adult firesetters will be back on the streets again. Jail is the only treatment option available and it only offers short-term solutions.

Each of the above adults had long-documented juvenile firesetting histories that were known by the authorities. Neither had the opportunity for court intervention during their formative years because the local investigators never built cases strong enough to

If you want to help kids, skip the part about washing fire trucks and putting a good scare into them, and conduct a thorough investigation.

get them charged and treated. Francis is conservatively responsible for over a million dollars in fire damage. Rob has lit hundreds of fires and I estimate the damage he has caused to be in the five million dollar range. After ten years, any police officer specializing in arson will know the frustration of repeat offenders who are not responding to this secure treatment. Sooner or later, one of these guys, or any one of the thirty or so others like them I have come to know and arrest often, will get out and start a fire that kills

someone. Most likely it will be an innocent victim, and all too likely, it will be a firefighter.

Lessons learned

My evolution in understanding the juvenile firesetter issue has taught me the value of assigning top detectives in this area. I have found fire investigation to be legitimate police work. One person asked why I was always arresting kids. I looked at him straight-faced and said, "That is who is lighting the fires."

The information I have learned by involving myself with the juvenile firesetting issue has been invaluable to my success in obtaining confessions from Francis and Rob. Both started their careers as juvenile firesetters and learning their thought processes has really helped me adapt my interrogation strategy, with much better outcomes. Confession follows a tight investigation. This is probably the best example I can think of to illustrate the concrete benefits that derive from the kind of partnership approach to this issue that the Coalition promotes in our state.

In our state, we cross-train. I attend the trainings presented by clinicians, they attend trainings at police and fire academies. I learn how children reason; they learn how fire works. I learn the ways that various disorders and learning disabilities could affect thought process, memory and communication; they learn how the laws of physics make most of the

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things kids say about their firesetting impossibilities on Planet Earth. I learn how the ever-lengthening list of psychotropic medications could impact an interview; they learn how a lapse in attention to criminal procedure could result in a big hole in our safety net. Our collaborations go past training, right into practice.

Using the Coalition's systems model we have detailed memorandums of understanding (MOU) between all the key players that enable us to work in concert and at a level of information exchange that would not be possible without these agreements. My role in investigating a fire, securing a confession and putting an air tight case together is something that mental health and social services professionals traditionally see as antithetical to their mission to help children. In this model, we are all members of a team, and even if we have very different roles, we share a common goal—keeping kids safe. By working as a team, I can access information about the child and family that is valuable in investigating and interviewing; therapists can benefit from reviewing the investigation file, with the photos and detailed information that can help place them at the scene and give them an objective understanding of what a child is capable of doing.

Formal structures like our unit's standard operating procedure on juvenile firesetting, and the MOUs the Coalition relies on, are an important part of the evolution of this work. But they are only a part, and really more of a way of removing obstacles and making it possible to work together. The most important part is the day-to-day working together, taking advantage of the structured partnership, and finding ways to make things work on a case-by-case basis so we don't have kids slipping through the cracks. This is what keeps the system working and useful for all participants.

I find that investigating even the smallest fires keeps me sharp for the next one. I tell my colleagues I am practicing for the big one, but, in reality, I know the world of fire investigation is made up of a lot of little ones. All those little ones need is a little more heat, a little more fuel, or a little more oxygen to become a deadly fire. At this stage of my career, I don't need to wait to solve a front-page fire for my job satisfaction. Hearing from a Coalition site coordinator that a kid is complying with his treatment plan, he's back in

school, attending counseling and it's been over six months since he's been in any trouble, that's more than enough reward. Like most of my law enforcement brethren, I am not just a police officer, I am also a father.

The benefits

Now, I don't want to shatter anyone's illusions, but it's not all noble goals and selfless dedication that drive the law enforcement community, particularly at the leadership level, where there has got to be buy-in if this approach is to work. There are also secondary, concrete benefits to being involved with investigating juvenile arson. First of all, these are not mastermind criminals. They are kids. They think like kids, they plan like kids, and they lie like kids. For the most part, these cases are pretty easy to solve, whether you are talking about the little guys with way too much access to ignition devices and an equal surplus of unsupervised time, or you are moving all the way up to the serious gang-bangers that mark their turf in cities like Lawrence, Lynn, Lowell, Boston and Worcester. By linking forces with the Coalition, we're not only getting called to fires that the local fire department responded to, we're getting called to schools and group

homes when the janitors discover evidence of a fire, or to homes when parents call to report that their kids have a problem.

By getting our unit systematically involved in investigating juvenile-set fires, we have increased our caseload significantly, and also brought a high closure rate with it. This means job security. When you couple that fact with the high rate of success our Coalition can deliver when we can get the cases to them with leverage to do whatever is needed, this means we know for certain that we are helping kids and this means job satisfaction. ■

Trooper Paul Zipper, Ph.D., is with the Fire and Explosion Investigation Unit, Massachusetts State Police, State Fire Marshal's Office

Hearing from a Coalition site coordinator that a kid is complying with his treatment plan, he's back in school, attending counseling and it's been over six months since he's been in any trouble, that's more than enough reward.

Ithaca case holds mom responsible for child's firesetting

by Karen E. Towne

Wednesday, February 21, 2001, 0129 hours: A Gratiot County 911 Dispatcher, listening to a frantic young mother seeking help, dispatches the Ithaca (Michigan) Fire Department to an apartment building fire. The dispatcher could hear the sounds of a baby crying, coughing and gagging in the background. Within minutes of arrival, Assistant Chief David Nelson was told people were still in the building. Under the command of Chief Gordon Larry, Ithaca Fire Fighter/EMTs Darryl Cooper, John Andrews, Jamie Gulick, Firefighter Brandon Smith, and Assistant Chief Nelson were able to rescue three individuals from an upstairs apartment.

As the residents of the building milled outside watching rescue and suppression efforts, a second mother, Karen Albers, stood with her three children, safe and unharmed, by her side. She was heard to say she didn't care what happened as long as her children were okay. The fire had started in her apartment.

In response to Chief Larry's request, Special Sergeant Greg Proudfoot, Michigan State Police, Fire Marshal Division, arrived on scene, anticipating a triple fatal investigation. He immediately began a detailed fire investigation. With the assistance of Detective Lieutenant Thomas Forsberg, Michigan State Police, Fire Marshal Division, and Ithaca firefighters, he was able to collect information and evidence. This led him to six-year-old Brent Albers.

As the investigation progressed, it became clear that Ms. Albers' story wasn't what had happened. Special Sergeant Proudfoot received permission from Ms. Albers to interview Brent, and he readily admitted that he had started the fire. Six-year-old Brent was able to explain, in detail, where and how the fire progressed, which matched all the evidence and Special Sergeant Proudfoot's conclusion that this fire was not accidental.

Rescuers attempted to revive twenty-two-month-old Christopher Byers as he was being transported to the hospital. Once there, he was placed on life support for the next two days. With the parents' permission, he was taken off life support. He died within minutes. Christopher's twenty-two-year-old mother, Melissa, had been treated for smoke inhalation, and ten-year-old Jeremiah Sykes, a neighbor and third victim of this fire, was hospitalized for six months.

He is now living with the support of an oxygen tank and feeding tube.

Now looking at a homicide, the Michigan State Police began initial follow-up, and the Ithaca Police Department, under the direction of Chief Lee Schlappi, continued to tirelessly gather information. Within two weeks of the fire, Chief Schlappi approached Gratiot County Prosecutor Keith Kushion. The combined investigative efforts and interviews revealed that Brent and his family had a long history of setting fires and involvement with the Family Independence Agency. Ms. Albers had been warned repeatedly by professionals and friends to keep the matches and lighters locked up and away from her children. She refused, and was known to reply, "I don't want to live that way. My boys know better than to touch my lighter."

With this information in hand, Prosecutor Kushion authorized a warrant for involuntary manslaughter against Karen Albers. In mid-August of this year (2001) the trial began. Over the course of the trial, the prosecution brought twenty-eight witnesses forward to testify to the various fires started by the Albers boys, and the repeated warnings to the mother to keep lighters and matches away from her children.

On Friday, August 17, 2001, a jury of twelve submitted a guilty verdict. Karen Albers was sentenced on September 17, 2001, to four to fifteen years for involuntary manslaughter. The case is pending review by the Michigan Court of Appeals. This case is one of the first, if not the only case, in this state to result in the conviction of a parent for keeping fire starting materials accessible, while knowing that her children had a propensity to set fires. This successful prosecution would not have happened were it not for the combined efforts of local, county, and state professionals. ■

Karen E. Towne is an analyst in the Juvenile Firesetter Intervention Program at the Michigan State Fire Marshal's Office

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Copycat firesetting in adolescents:

a contagious and inflammatory behavior

by Ian Lambie, Ph.D., and Ray Coleman

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Historically, there has been considerable discussion on “copycat crime” and its relationship to suicidal behavior in adolescents. Yet little is known about the true extent of copycat crimes. Questions arise as to how common it is, what are the motives and cognitive processes of copycat criminals, and which individuals are most susceptible to committing this behavior.

One of the most difficult issues in obtaining true prevalence rates is the difficulty in researching this area. How does one decide that the media portrayal of a crime was the catalyst for the behavior? For a crime to be considered “copycat,” there must clearly be a link to a publicized crime and aspects of the original crime must have been included in the new offending behavior.

Many crimes in the media are thought to contribute to offending behavior (e.g., television violence impacting on a child’s behavior, school shootings). Documentation of violence being perpetrated following movies highlighted the extreme end of copycat crimes. As well as the actual crimes being perpetrated, there is also the fact that media portrayal of violence is likely to result in pseudo-copycat behavior. For instance, in 1981 following the bombing of Kennedy Airport in New York City, over 600 bomb threats occurred the following week (Mazur, 1982). Also adding support to the phenomenon of copycat crimes is that copycat behaviors are more likely to occur in clusters following a particular event. Following September 11th, an adolescent flew and crashed an airplane into a high rise building in Atlanta, Georgia. This is a good example of copycat behavior.

A disturbing fact is that media reporting of a particular incident sometimes increases the likelihood of a crime occurring, despite the intention to the contrary. An example of this is an increase in suicides following news of actual incidents or the advertisement of prevention programs.

Studies on the phenomenon

Surette (1990) suggests that copycat crime can influence society in two ways: first, by triggering criminal behavior in individuals with the resulting effect of a direct increase in crime; second, by the influence of

the media on individuals who are already antisocial. In the latter case, the media coverage may determine the way the crime is executed, as opposed to whether or not it occurs.

In an interesting study undertaken by Hendrick (1977), 208 inmates at Michigan’s Marquette Prison were surveyed. He found that many prisoners took notes while watching television violence—ninety percent reported having learned new ideas which increased their criminal prowess; forty percent had attempted copycat crimes as a direct result of viewing television. While these results are interesting, the study did not use control groups, thereby making it difficult to determine the true extent of this problem amongst the general population.

Role of the media

The role of television in copycat behavior is thought to occur as a result of two different processes. First, by observational learning and modelling. Here a person learns by mimicking behavior they have observed. This has been particularly shown with children who watch aggressive behavior on television and imitate this immediately afterwards. The second is by influencing attitudinal changes. Specifically, the more violence an individual observes, the more accepting of those attitudes they may become. It should be noted that all people are obviously not influenced by the media in the same way. Rather, media-depicted violence is more likely to influence individuals with an existing propensity for violence.

The impact of the media on individuals is thought to occur as a result of three processes. First, as mentioned above, the psychological and emotional characteristics of the viewer, the setting in which the media is viewed, and finally the content of the material being viewed (Berowitz, 1984). Berowitz (1984) went further and proposed that a process called “priming” takes place in which associated ideas and concepts within the viewer are activated, with the increased likelihood that similar, but not necessarily identical, behaviors may occur. He argued that priming offers not only an explanation of antisocial behavior but also pro-social behavior. Priming takes place within a four factor process which includes the media content, viewer interpretation, viewer characteristics, and viewing settings.

Surette (1990) proposed a model to explain such behavior which encompassed an interaction of four areas: the initial crime, media coverage, societal-contextual factors, and copycat criminal characteristics. This model was used to explain how highly newsworthy stories, and high profile crimes and criminals, become glorified as objects to be copied.

In concluding, reviews of both qualitative and quantitative studies have all come to a similar conclusion, being exposed to media violence increases aggression (Surgeon General's Scientific Advisory Committee on Television and Social Behavior, 1972). So what, if any, are the possible effects of the media on firesetting in adolescents?

Documentation of copycat firesetting

The documentation of copycat fire setting in the literature is very scarce. One such example was in two psychiatric wards in England (Morgan, Cook, Dorkins and Doyle, 1995). Here the authors describe how six inpatients set eight fires over a five-week period. The authors' explanations for the firesetting was that once the taboo of lighting fires had been broken, it then spread through peer group identification and modeling in a group of what the authors term the "psychologically" vulnerable. Several of the fires were identical in both planning and nature. In one incident, one patient had informed another patient that they had lit a fire. Many of the patients were from the same ward and had spent time with each other. Hence, it is clear that the firesetting of one individual influenced another and that it spread throughout the two wards.

It is surprising that not more has been written about copycat firesetting and research undertaken on the role that the media play in fire planning and setting. Recently, in Auckland, New Zealand, a spate of fires were lit at a school and in close proximity in the surrounding neighborhood. The police originally thought they were all lit by the same person, but it became evident over time that multiple people were involved in setting fires. When caught, the main suspect admitted to setting two to three fires over a period of two weeks. However, the police later charged him for setting a further ten. Finally, over the course of a month, four young people were also caught and charged with arson. All these fires occurred in close proximity to the original school fire and all took place within close timing of the original fire.

The effect of these fires was not only the physical damage to the school and the psychological and emotional effect on the children and teachers, but the impact on the community as well. At the peak of the incidents, residents lived in fear of when and where

the next fire would occur and whether someone might be hurt. Thankfully, the extent of damage was kept to a minimum and no one was hurt, but a question remained: What, if anything, could the media do differently when reporting on such incidents?

Clearly the media have a role in reporting such incidents in an ethical and professional manner. This starts with not glorifying the fire incidents and the person(s) lighting them. It is important that those individuals who may be "at risk" to firesetting are not "primed" by the media in their coverage of any story. Possible strategies include avoiding live broadcasting, delaying the broadcasting of stories, restricting the amount of information on a particular fire and those suspected of lighting it, avoiding making heroes of individuals, and, finally, ensuring that the media coverage includes information about the subsequent arrests and prosecution of those responsible, and publication of the effects on the perpetrator's family and friends. Finally, emphasizing that it is common for such individuals to be caught is also necessary.

Conclusion

As advocates of fire safety and prevention, it is important to remember the potentially contagious effect of talking with the media about firesetting and arson. We must be cognizant of the potentially strong influence the media has on human behavior and educate them accordingly to produce media reports that are informative, responsible, sensitive, and that avoid being inflammatory. ■

Ian Lambie PhD, Psychology Department, University of Auckland, Private Bag 92019, Auckland, New Zealand, Email: i.lambie@auckland.ac.nz

Ray Coleman, Youth Liaison Officer, New Zealand Fire Service, Auckland, New Zealand, Email:Ray.Coleman@fire.org.nz

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Oregon Office of State Fire Marshal
Department of State Police
Juvenile Firesetter Intervention Program
4760 Portland Road NE
Salem, OR 97305-1760

Resources

New resource

Handbook on Firesetting in Children and Youth

Edited by David J. Kolko

Professor of Psychiatry, Psychology and Pediatrics,
University of Pittsburgh School of Medicine
& Western Psychiatric Institute and Clinic,
University of Pittsburgh Medical Center, Pennsylvania

This new reference book provides state-of-the-art information on juvenile firesetters and reviews the current research on youthful firesetters and arsonists. The book illustrates methods of fire scene investigation and assessment relating to child-parent and family factors.

The book also provides current information on fire safety education curricula, with explicit training materials. Finally, the book addresses the need for residential treatment centers and train-

ing schools to address methods of handling firesetting youths and maintaining a fire-safe environment.

Key features include:

- Description & illustration of current tools and techniques
- Includes materials encouraging both fire safety and mental health intervention
- Covers a full range of topics - content has both depth and breadth

Contributors are nationally known experts in their field.

Handbook on Firesetting in Children and Youth was released by Academic Press in July 2002. The price is \$59.95. ISBN: 0-12-417761-1

Your help is requested...

David J. Kolko, Ph.D., is conducting a survey of firesetter intervention programs to collect nationwide data on who has a program, where the programs are, and the kind of services that are provided. If you have not already participated (Or, if you have participated and your program has changed significantly) and you have access to the internet, you may complete the survey on Kolko's Web site, www.pitt.edu/~kolko. It's quick. It's easy. And your contribution will help advance the practice of juvenile firesetter intervention.

Hot Issues is a quarterly newsletter of information and ideas for those concerned about juvenile firesetting. It is published by the Oregon Office of State Fire Marshal. Please submit news, announcements, articles, suggestions or resources for review to *Hot Issues*. In compliance with the Americans with Disabilities Act, this publication is available in alternate formats by calling 503.373.1540, ext. 240. Subscriptions are free of charge.

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Editor: Carol Baumann