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RURAL ARSON PROBLEMS

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Why do we find problems involved in the investigation of rural fires that we do not find in the city fires? It is just as much a crime when committed in the rural areas as when it is committed in the city. People reside and are responsible in both areas for the crime. Not all the insane, irresponsible, neurotic people live in the city. The rural areas can provide their quota of juvenile problems, financial stresses, and domestic troubles. The rural resident is just as apt to get into an argument with his neighbor over property rights, politics, religion, etc. and as a result seek some sort of revengeful action. They tell that sex is also practiced in the rural areas, with its many deviations.

In short, we find, then, that the problem is not with the type of person that commits the crime, nor is it because the motives are any different. There are only two factors that create the problems so seriously affecting the rural investigation—time and witnesses.

TIME

In dealing with the time element, we are confronted with, and often confounded by, the fact that in the majority of cases a great deal of time will elapse before the fire is even discovered. Usually a fire is seen from a distance, consequently more time is expended in determining just where it is before an alarm is turned in. When the alarm is in, the volunteer department usually, not as well equipped as the large city department nor as well supplied with water, will find the fire beyond their control. Result—total destruction—the arsonist's delight.

Now, many readers are ready to jump to their feet and defend their own volunteer departments and their record of preserving life and property; but restrain yourselves, we are discussing arson, not fires in general, and in the majority of arson cases we find some sort of accelerant has been used, and in these cases that extra minute or two in getting there—that extra man or extra piece of equipment—added water pressure, etc. can be and is the difference between extinguishment and total destruction.

The time element also produces another problem peculiar to rural fires—the delay in the investigation, with all its incidental hazards, such as, the scene of the fire being left exposed to the wind, rain, and snow, and removal of portions of the debris by either innocent or guilty parties that may have had evidentiary value. The change that comes over the verbal evidence by that loss of time; what was a simple fire last

week has now become one hell of a conflagration with all of its extreme embellishments.

Now, just what can we do to overcome this time element as a problem in the rural fire. We can use the brains, eyes, ears, nose, hands, and feet of those people that were there, not only at the time of the fire. We must, because we are so late, go back to a period before the fire and attempt to revive that fire scene, with all its circumstances and the minutest of details. A man once asked the writer, as, no doubt, all investigators have been asked at one time or another—"What do you do when all you find at the scene is a pile of ashes?" The reply: "Put them back together again". Now his question pretty well describes the rural fire of incendiary origin—a pile of ashes. The reply briefly points out what you have to do; put them back together, or in other words, reconstruction.

This reconstruction problem very rarely confronts the investigator in the city fire, because there is nearly always some person or persons about the streets no matter what time of the day or night. Police cruiser cars, milk delivery men, shift workers in various industries, taxi drivers, etc. who will spot the fire in its early stages. The fire department has a chance to save a great portion of the building for you to check over and in many cases enable you to see the actual set and justify the placing of guards to preserve this and much other evidence.

In the majority of rural arson cases there will be no one to see the fire in its early stages, the arsonist being able to choose his own time will take care of that. Even if there should be, the time element and distance factor weigh heavily in favor of the arsonist. Therefore, great emphasis must be placed on the reconstruction of the scene. In the city fire, if the witness says the fire was in the center of the kitchen, we can, in most cases, walk in and examine the very area and spot, but in the rural fire, the kitchen, bedroom, and parlor are all mixed up together in the basement as a pile of ashes.

A SKETCH

We should first, then, get the information that will enable us to draw a sketch. It does not matter how rough it is to start, as your investigation proceeds you will gradually increase the accuracy of your sketch to the point where you will know just where the old man hid the jug.

It will not matter particularly whether you get the original sketch from the person who lived in the place, and then check back with the neighbors, or vice versa. The main thing is to get it and check it. Check it with both male and female; they have different points of view and will note different things. The women will be more helpful on the contents, and the men more helpful on the construction. Check with children also; don't forget them. You would be surprised what the child next door knows about your household. He does not want to talk about it because he does not want people to think he is nosy or prying; but you pry into him, and you will be surprised at the things he can add to your sketch.

We want the sketch in detail; yes, right down to where the old man hid the jug or where the old lady kept the sewing basket. Why do we want this detailed sketch? Why is it so important in the rural arson case? In the first place, it is going to substi-

tute for what you could actually see in the remains of the city fire; secondly, it will provide a check list that you can peruse at your leisure and compare with the list of contents, as given to the adjuster for the insurance company.

It will provide you with a chart that will assist in explaining just what is being found at various points in your examination of the debris. For instance, in the city fire, if you found a quart size mason jar in the center of the parlor floor it would be an unusual feature, but to find such a thing in a pile of ashes in the rural fire would be common place—yet, both factors could have been the main feature in the incendiary origin. Without the fully detailed sketch, however, we would not know whether the jar in the rural scene called for special attention, or whether it was just another jar from the fruit cellar, just another melted blob of glass in the usual place.

Sometimes you can succeed in asking questions AFTER you find certain material in the debris, but the quick thinker or the sharp wit will have an answer with which you will be stuck; on the other hand, if a denial has been made, and then the stuff found, that is a circumstance with which he is stuck. For example, reconstruction of a case one time disclosed that there should have been a one-gallon can on the premises, that was used to hold kerosene; that it should have been found in the debris of the pumphouse about fifteen feet from the dwelling; and that it should have been empty at the time of the fire. Now, you are all aware of the fact that the culprits do not expect you to make a minute examination of the debris, or else they would not tell the fanciful tales they do; so when two one-gallon cans were found, and both in the basement of the dwelling, that became the factor that guided the investigation into the right channel and resulted in a confession. If the original check points had not been made and verified by a couple of neighbors, our culprit would have had no trouble explaining two one-gallon cans for holding kerosene in a farm home.

This is pointed out to stress the importance of getting these details before you start digging in the debris of the rural fires, where you have had total destruction; afterwards can be too late, because nine times out of ten the culprit will be watching you clear the debris—surprised that you are doing it. Yet, now that he sees you doing it, he knows what you are going to find, and there is something else you are going to find—you are going to find that he is ready with the answers. As to digging in the debris of the rural arson case, that is a must. Many an investigator, or so-called investigator, just walks around the debris, and that was it as far as he was concerned. He was not going to get his hands dirty or his clothes also. He was not going to get the answer to that fire either; all that such a man ever comes up with was the fact that there had been a fire. Now, you will not solve all rural arson cases by digging in the debris, but you will have a chance; the fellow who does not dig never will. One of the most important things to remember about this digging business is that it will be there that you are actually going to find in the majority of cases, the corpus delicti; without which you are beaten.

It is possible with a rural fire to gather all of the information in note form; but a sketch has several advantages and particularly where a separate sheet is used for each room. The sketch can be a form of introduction to your subject—it can amount almost to an "Open Sesame". You approach a person with the intention of asking a series of questions but find the person unwilling to talk, reluctant to discuss the fire

or answer questions. This attitude may be caused by several factors, gossip in the district insinuating that the fire is not what it should be, close friendship with the arsonist, etc., but if the approach is made seeking his assistance and judgment of the sketch you have made so far, even if it is just started and only four straight lines, nine times out of ten he will want to help you, particularly, if you have made an error in the measurement or direction of one of those lines. It is one of our human weaknesses that hardly a person lives who can see a mistake or error made by some one else without wanting to correct it for him or show the correct way it should be done. You should capitalize on this weakness and having once asked his advice or opinion as to your sketch, the fact of the fire is gone, and he is lost in setting you and your sketch straight. He is no longer concerned about giving any information about his friend; this is merely about the house and everybody in the district knows that, except he knows it a little better and the next check point will know it a little better than the last and so on, each outdoing the other until you do know where that jug was hid.

This writer has actually entered a house and encountered five hostile people, as soon as they heard who he was. Not one of them would open his mouth to say, "Howdy". But, when he told them that he had just left the house where Joe had been staying since the fire, that Joe had not been in, and the two other folks in that house had not been able to agree as to the location of the stove in the kitchen, he had five people poring over the sketch and helping fill out the entire household, even telling the address of a former housekeeper so he could check on the amount of linens.

Total destruction resulting from this time element in the rural fires often makes it a considerable problem as to the point of origin of the fire. Here again we can use our sketch to good advantage by being able to note the location of various things in the debris. For instance, if our sketch shows the bedsprings and frames to be scattered through three bedrooms upstairs and we find them all topsy turvy, shall we say in the east portion of the dwelling. With all things being equal, it is reasonable for us to assume that the fire started in the east section, and as it ate its way through the floors in that section first, all heavy materials would slide in that direction as the floors collapse.

Equally important with the sketch is the verification. As mentioned before it can be a guide as to what you are finding when you search the debris. It is also a check list of what you are not finding. For example, no evidence can be found of certain materials that the owner claims were in the dwelling. When his attention is drawn to this fact, invariably his excuse will be that transients or kids, or someone, removed them from the debris. When you can point out that four or five or more of his neighbors can swear that he never had such an article to start with, then you are not far from the point where he will agree that he did not have such a thing. There we have the admission of an attempted fraud. Judicious interrogation will establish and get more of these admissions; then the step is not far from one crime to another and the confession of arson, as a reason for the fraud. Be sure it is judicious interrogation—once the first admission has been made, do not jump immediately into the accusation that there is more. Rather, sympathize with him, be understanding, make it out to be something that you can easily visualize doing yourself; however, point out to him—you have to report it—and therefore reduce it to writing and get it signed. Then

having got it signed, you can proceed slowly to introducing another piece, leading up to an admission. Get this one signed also. This writer has even gone so far as to get four of these admissions, all taken separately and signed separately before making an out and out challenge as to his veracity on the whole.

In the rural fire these factors are important because you find a confession is almost a must to bolster what circumstantial evidence you are going to unearth in these cases. Further, before the trial takes place, more evidence will be forthcoming from the witnesses when they know that he has confessed to the crime.

WITNESSES

Now, for the other factor which is a major rural arson problem, that of witnesses. In the urban area fire, out of every one hundred persons who attend that fire, ninety-nine of them will be strangers to the owner; now, not every one of these persons will be a valuable witness, but the percentage will remain the same among your valuable witnesses. It is quite common, in fact almost the rule, that a person living right across the street will not know the name of the person who has just suffered a fire.

The rural area is different and it does not matter how short a time you have lived in that spot; almost every person in the district knows your name, where you came from, and the longer you live there the more they are going to know about you and your business. You just cannot live in the country and live alone. Why, almost the first day you set foot inside your house, you have not been able to close the door before some one of the neighbors has stepped inside. All in a friendly gesture, the man to see if he can help in some of the heavy chores of moving and the woman to see if you would not like to have a little of her soup or maybe even drop over to their place for lunch, seeing everything is still unpacked.

Now, this friendly gesture is a natural thing in the rural areas. It is the only way you can live; your neighbor is going to almost live with you and you are going to almost live with your neighbor. You rely upon each other for amusement, companionship, and just plain every day-to-day living. Now, this picture of friendliness is painted to impress upon you just what type of witness it is you are going to face. Here you have an arson case in the country. You are a total stranger, trying to get to know in a few short hours everything that the district has taken years to find out, and the most difficult part is trying to prove that their neighbor is something that they know he just could not be—a criminal.

The same thing holds true in the nearest village—the banker, the merchant—they may not be personal friends, but they will have a real close attachment for this fellow by way of having extended him credit of one type or another. At the outset of this paper it was pointed out that not all of the nitwits live in the city—well, neither do all of the smart people, because these merchants have figured it out before you get there, that if anything occurs to stop our pal from getting his insurance, then we do not get paid. What help can you expect from that source? They do not want to assist anyone commit a crime, but at this stage of the game you only think you have arson on your hands, and you are trying to prove it; but you are trying to prove it against one of their friends. So, while they will tell you to a degree what they know, it will be just to a degree and no more.

Take the first man to see the fire. He lives on the next farm a quarter mile down

the road. He saw the fire about midnight, went over there, and when he got there he was surprised to see a fire going in the house, and another fire going in the pumphouse about fifteen feet away. Now the wind was blowing in that direction, but the fire he saw was all on the inside of the pumphouse and not a lick of fire on the outside. But by the time other neighbors had answered the alarm there was fire all over both house and pumphouse, and he was the only man who knew of the two separate fires. He talked it over with his wife, and their reasoning is just about the usual type that takes place in the rural arson case. "Let's just mind our own business. Maybe a spark could have whirled about the pumphouse and in through that little open space in the back. We would be pointing a finger right at Joe and maybe we would be wrong. Why, we could not live here any more if that happened." Then again, "Joe is a real great guy, look at the things he has done for us. Now, we are not going to shield him if he did commit a crime, but neither are we going to be the first to say he did." What is the first question that pops into their minds when they themselves think of arson. Why, the same one that pops into yours and mine—"Why should Joe do a thing like that?" That is the question that you have to be able to answer for them, as well as for your own case.

What can we do to overcome this friendly attitude on the part of our rural arson case witnesses? Capitalize again on the human weakness. Find and fasten on to Mrs. Grundy—there is a Mrs. Grundy in every district. You know who Mrs. Grundy is—she is the gal who knows all and tells all about everything. Now, why is this gossip mongering person, bless her little heart, so important to you as an investigator? You are looking for some chink in the armor of the arsonist—you are looking for the answer to that question previously propounded—"Why would Joe do a thing like that?" Mrs. Grundy, nine times out of ten, can supply it. She belongs to nearly all the clubs, attends the church socials, and other activities, picks up the receiver on every telephone call, and what is more important she remembers what she sees and hears. She will hear a lot of rubbish, and you are going to have to sit and listen to a great deal of it, because she cannot be hurried; she has got to tell it in her own way, and that is the only way you are going to get it from her. She is usually friends with everybody; the only difference with her is that she is nosy to a point of obsession. Where other neighbors are satisfied to be friends, she must, in order to live, feed on their private life and innermost secrets.

There will hardly be a thing you can use in court that will come out of the entire interview, because it will be something she has heard. It will go something like this, "Well, I don't know a thing about the man, except—". Brother, those exceptions are just what you are interested in, but they will contain material to keep you up all night sifting the wheat from the chaff and enabling you to end up with a number of leads to follow and break through the armor of your suspect. As mentioned before, you are going to have to break through this armor, this self-assurance, this confidence, that he has surrounded himself with by way of total destruction of the property, and by the fact that he is surrounded by friends. It is extremely difficult, if not impossible, to find a disinterested witness to the rural arson case. So we find the usual procedure completely turned about; whereas it is our usual habit to build up our case from our witnesses, we find here that our witnesses will not wholeheartedly assist us until

their neighbor has been brought to the confession point. You are seldom going to have the physical type of evidence to produce in your chain of circumstantial factors; it is going to be based mostly on the factors that the fire could not have been an accident—and the confession of the arsonist.

In such a setup the motive becomes a very important factor to your case. The motive is tied up in the mind of the arsonist, and it is up to you to extract it. From the dozens and dozens of motives that there are for committing arson, it is conceivable that in any particular case you can find at least a half a dozen, but which is the one that actually caused the fire to be set? Simply because a man is in debt would not in itself necessarily mean he would set the place on fire, although that has been in many cases the sole motive for arson.

The same reasoning applies to domestic troubles, mortgages, loss of employment, etc.; it all depends on the degree to which the particular person is affected. Mrs. Grundy is quite valuable here—she nearly always knows what any of the neighbors has to worry about and particularly the things they are hiding from the rest of the world. Getting these innermost secrets of your suspect is half the game in this business of interrogation. As mentioned before, he is the only person who actually knows the reason why he committed the crime. Consequently when he does propound that eternal question of “Why would I do a thing like that?”—if you can answer it for him, you can often knock the props right from under his feet. In a case in point, Mrs. Grundy steered the investigator by way of her suspicions to make inquiries, in a town twenty miles away from the scene of our fire. Mrs. Grundy had intimated that the owner of the place was not getting on with his wife and she had an idea of whom he was getting on—with. Mrs. Grundy told the investigators to find out why he went to this town every Saturday. At that town the taxi stand came up with a couple of drivers who recalled our man from description and were able to guide us to the little apartment, that turned out to be a love nest. The occupant of the love nest was a little chick who did not want the bars of her cage to be steel bars, and she was able to tell us that her sugar daddy was going to collect the insurance money and that he was going to leave his wife and run off with his little sweetums. That was why he had set the house on fire—he could not sell it, and they needed the money. Now, when he asked us that eternal question—and he could be told, why—he and his story collapsed completely.

Now, even if these little secrets are not so directly connected with the origin of the fire as that one, you still have a powerful card in your hand when you are able to toss in a casual remark such as might lead him to infer a great deal. In the case just quoted—if the little chick had not known all the facts, we could have caused his heart to skip a beat, by casually remarking what a nice town that was and such a nice place to visit, particularly on Saturday afternoon. He would not know how much or how little you knew, and immediately you have upset his mental reasoning; his story can no longer be told with the same assurance that you are just an outsider, fishing. Every word that he utters now will have to force its way through a doubting conjecture of “How much does this guy really know about me”.

In dealing with the owner of the rural property that is suspected of setting the place on fire, whatever you do or fail to do, make certain of getting a most elabo-

rate and detailed statement of his movements. Start out some little time before the fire; for instance, if the fire occurred in the late evening, start on his movements from early morning, commencing right at the time he got out of bed, and follow it minutely all the way through the day. There is no need to enlarge upon this, because you can all readily see the importance of such a step, in that it permits you more leeway in checking on him and more opportunity to uncover any false statements.

At all phases of the rural investigation, you are going to be faced with the shortage of witnesses, so it behooves us to make as much use out of those we have, as we possibly can. It does not matter who you are—police officer, fire inspector, adjuster, insurance investigator—you are not alone on this case; all of these types, and sometimes more, have an interest in this case, and possibly all have interviewed several witnesses. Here is one of the finest places—and it might be added, the rural fire is one of the most important of places, for cooperation among the various agencies.

In one case a young man and woman, married, bought a farm many miles out in the country. The dwelling was destroyed by fire. They alone were on the farm; no other person witnessed the fire, even though it occurred at about 1:00 P.M. Police investigated. Fire Marshal's staff investigated. Adjuster investigated. Insurance investigator had a hand. All took statements over a period extending from five to six weeks. When they all got together and began comparing their notes and statements, it became glaringly obvious that the statements had been memorized word for word by this young couple, right down to very small details, and it was this factor that became their undoing and resulted in the conviction of the husband on a charge of arson. If the various men had not worked together in comparing notes and statements, and if the statements had not been so detailed, it is quite certain that the case would never have been solved.