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## INVESTIGATIVE TECHNIQUES APPLIED TO ARSON INVESTIGATION

JOHN J. SAVAGE

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Webster's *Dictionary* defines "technique" as "the method of rendering details in the performance of any art or any process involving special skill or knowledge." There are a multitude of synonyms for "technique" such as skill, expert, adroitness, competence, and so on. Probably technique is best expressed in modern day language as "know-how". This phrase has become a part of our modern living, and all have heard it expressed many times in the press, public speeches, and private conversations.

Investigative techniques then means investigative know-how. While it is true that certain techniques are basic to all investigations, this paper will deal only with techniques in arson investigations.

There are as many techniques in investigations as there are investigators. We know of one that was used more frequently in the past than is common now. Sometimes it was successful but more often not—we refer to the "rubber hose technique" which some people still believe is effective but which no one surely advocates now. The investigator today certainly needs more than a strong arm to be successful.

On one occasion the writer saw a technique used that impressed him a great deal. Blackstone, the famous magician, had a group of six or seven men on stage. In the illusion he was performing at the time he needed a wrist watch with an expansion band. He turned to the group of men and asked: "What time is it?" Immediately, every man looked at his watch. With a quick glance, Blackstone noted the man who had the type watch he needed and borrowed it. With his one question "What time is it?" he used a technique that accomplished everything he wanted in the shortest possible time. Had he questioned each man as an individual he would have used up too much time. If he had asked anyone of the men to lend him his watch, he would have put each man on the defensive to protect his watch, but by his adroitness he got what he wanted quickly and effectively. So it is with investigators—we use techniques to get what we need as quickly and effectively as possible.

The whole purpose of techniques in an investigation is to arrive at some conclusion. In arson cases the conclusion to arrive at is whether the fire is "arson", and if so, who is responsible for it.

In order to arrive at a conclusion or to use techniques we must do a little thinking.

It is not easy. Some of us imagine we are thinking when we are only sitting down watching a memory movie. We may stop to ponder a problem, and with one eye on the truth may spend an hour wandering without profit amid things that interest us but are not important to the case at hand. The process of thinking may appear to be cold and intellectual, but we know that life calls for decisions and actions in which emotions and imagination play a part. Many of these decisions and actions are based, we say, on common sense. Well, logical thinking is merely the science of common sense.

To think straight, or to use common sense in our investigations, is a technique, and a thinking person's observations must include the unwelcome as well as the welcome facts. The man who wishes to think effectively cannot afford to wear blinkers. He must be able to separate the important from the unimportant. He must take note of uninteresting facts that have a bearing on the case, and not only of facts which have an interest to him.

An elementary rule or technique may be illustrated by the Boy Scout trick for finding a lost object. You decide approximately where the object might be and then start in a wide circle and walk in ever narrowing circles around the spot. The object may not be found precisely in the center—if it were, it would not be lost—but the system is better in its results than casting far and wide in erratic crisscrossing lines. So do not try to perceive the whole of a complex situation at once. Pay attention to details.

One basic technique in investigations is to write things down. Writing things down brings us face to face with facts and gives us a chance to study them minutely. It shows us the relationship between facts and gives us a chance to go back and check the correctness of statements or things we observed. The best time to write things down is as quickly as possible after we get the information or make the observation. Any of you who have been on investigations have had the experience of trying to recall a date, a time, or a place mentioned by a witness which you failed to jot down and which necessitated another interview to get the information.

The basic technique in every investigation is to get an answer to the questions—when? where? how? and why? Although the answer to the question “why”? is not as important as the answer to the others, each of the other questions is equally important. In obtaining answers to these questions it is important to remember as investigators that while we are concerned with getting answers to the questions in such form that the answers may be used as evidence we are *first* concerned with getting the answers to the questions.

So a technique in arson investigations is to note not only evidence as such but rumors and leads. The rumors and leads may eventually be converted into evidence.

In arson, as in other crimes, there are as many motives for setting fires as there are people in this world. As a matter of fact in the writer's opinion many of the so called “accidental” fires are “deliberate” rather than “careless” in origin. So one technique that is not only useful but necessary is to obtain a case history of persons involved in a fire. Sometimes the answer to a case can be found in a case history—especially where people are involved in several fires—in the same manner in which a doctor makes a diagnosis from a case history of a patient.

In discussing investigative techniques we cannot overlook one technique that is not used as frequently as it should be. That is the facilities of the various laboratories which are available to most of you. All of you will recall the recent kidnapping case in New York which was solved by the F.B.I. Laboratory. It was tedious work, but it paid off. Thousands upon thousands of records were searched by a squad of men looking for a similarity in handwriting that was in a ransom note. It worked, and the same thing will work in many arson cases. The F.B.I. Technical Laboratory is available to all law enforcement agencies and so is the Underwriters Laboratories. In addition there are many local agencies that have their own laboratories. In arson cases the laboratories are used primarily to determine whether some incendiary materials were present in the debris of fires. In the back of his car the writer carries several sizes of new empty paint cans to scoop in debris. They make convenient containers both for shipping and preserving debris from the scene of a fire.

Recently in Orlando, Chief Paul Pennington showed the writer the results of tests made by a laboratory in Miami, which reflected that a number of fires in laundries had been started by combustion of synthetic rubber shoulder padding in dresses and suits. The tests were important in that they indicated that *no* arson was present in the fires. He also showed me a clipping from a newspaper which stated that the origin of fires in a laundry had been caused by synthetic rubber used in making "falsies". So you see that "falsies" can cause more than one kind of fire.

It is important to remember that this technique of using laboratories is not effective as evidence unless the material is properly identified when it is found. Please identify the material sent to the laboratory by some distinctive mark, and do not just mark an "X" on it. Put your initial and date somewhere on the material or container so that you can readily identify it later and without hesitation. Also make some *written* notes in your records about the finding of the material.

This technique of using the laboratory is helpful in two ways. First, it may furnish an answer to a question in the case, and second, it makes available an expert witness who is of great assistance in the trial of the case.

In an arson investigation we usually start at the scene of the crime just like in every other investigation. The F.B.I. stresses this situation in its training program under the title of "Crime Scene Search". So we too must make a crime scene search. In addition to obtaining material from the scene for laboratory analysis there are several other techniques used at the scene.

One is photography. A good photograph is the best record of the condition of a scene, and this technique is not used often enough in arson investigation. Note technique of photographing crowd at fire. If a camera is not available, then the next best technique is to make a sketch of the scene together with plenty of notes. One of the things that has always troubled the writer and one that is very important in arson investigation is to determine, if possible, whether doors and windows were open or closed and whether they were locked. Many times this may be a deciding factor in an investigation because it may determine whether the house or building was entered by someone with a key or broken into by an outsider.

In addition to a search at the scene for evidence that a fire was deliberate in origin, the search may uncover clues as to the identity of the arsonist or in case of insurance fires clues to the motive. Recently, one of the Fire Marshals and the writer searched a building and found clues which enabled us by their use to determine that the suspect was a fugitive from justice. He is still being sought by police authorities, but we are satisfied that he is now our subject instead of our suspect.

One of the primary things to look for at the fire scene is the point of origin of the fire. This is difficult in many cases so do not guess at the origin. If the point cannot be found at the scene, it may be determined later by interviews with witnesses.

A crime scene search may determine many things—time of fire by noting the time electric clocks stopped. Motive—are normal contents of building present. Method—fire originated at point where no ignition ordinarily would occur.

The technique of a neighborhood investigation is basic to most investigations, but is especially important in arson cases. Not only may substantial information be obtained from neighbors concerning the time of fire and origin of fire, but valuable background may be obtained concerning suspects, their actions before and after the fire, and information which may disclose the motive for the fire.

A complete neighborhood is one of the best techniques known in arson investigations. Listen carefully to what neighbors have to say. Sometimes neighborhood investigations are made as a matter of routine, and the investigator does not spend enough time with neighbors. They are first line witnesses. One word to remember when talking with neighbors is "gossip". Gossip with the neighbors and learn all the neighborhood gossip you can. Some neighbors may not want to talk either through fear or through an unfounded sense of loyalty toward a suspect or because they are unwilling to go to court if the investigation reaches that status. It is up to you then to point out the fallacies behind their refusal. You may persuade them to talk, or you may have to use your authority to force them to talk. Personally, the writer believes persuasion is the better technique.

In our investigations we sometimes overlook the value of records. There are several points that can be mentioned under the heading of techniques. Always check the names of suspects and any other persons connected with the fire through police records, F.B.I. records if it can be done, and National Board records. This serves several purposes. It may give a background of previous fires or a background of being "fire prone". It may serve as a lever or wedge in later interviews with suspects, or it may enable you to determine the credibility of witnesses.

In connection with records, a good technique that is sometimes overlooked is a check of credit records. Credit records contain the result of investigations made by trained investigators who usually have good sources of information. They are valuable in determining motives and equally valuable as references during interviews with suspects.

In addition to neighbors, firemen, and records there are several sources of information available which should be probed—the insurance agent and the insurance adjuster. These men are usually members of the community where the fire occurs and have much information about local conditions and local people. They are usually anxious to cooperate and supply all the information they have.

What sort of technique do you use in getting information during investigations? Your technique must be your own. Don't try to imitate someone else. No one can teach you how to conduct a conversation or an interview except yourself. Remember that most of the information that is going to be obtained during an investigation will be obtained as a result of interviews. If you are successful in interviewing people you will be successful in your investigations. It may sound silly, but the only way that you can learn the technique of getting information by interviews is to go out and do it. There is no short cut in learning this technique.

There are some pointers which you may consider. First, you have to be interested in the case or investigation. Second, you must have some idea of what you are after, and third, you have to do a little thinking about what kind of questions you are going to ask. Personally, the writer keeps a small note book and many times makes notations about the subject matter he is going to take up with a witness. During the interview he glances at the notes to make sure all the subjects are covered during the interview.

In connection with interviews there is a good illustration of a technique which points out a common failure on all our parts. The playwright Ben Hecht once went to a doctor and complained that he was getting deaf. The doctor put him in a chair, held a watch to his ear, and asked if he heard it ticking. Receiving an affirmative reply he moved the watch a few feet away and got the same answer from Hecht. The doctor gradually increased the distance between the watch and Hecht until he was ten feet away. Each time Hecht heard the ticking. The doctor finally told Hecht that he had diagnosed his trouble. When Hecht asked what was causing his trouble the doctor said. "Your trouble is not with your hearing, you just don't listen." So it is in our interviews. We hear the words the witnesses say, but we just don't listen to their meaning.

It is not possible in this paper to discuss all the techniques that can be used during an investigation. For example, the lie detector is a modern technique which is becoming more and more available to investigators and should be used more often. But remember it is only one technique, and it is not infallible. It is only an investigative aid and will not solve all our cases.

No one expects you to be conversant with all the techniques of "know-how" of an investigation. No one person is. You must develop your own. There are many books available on investigative work, and many of them are in your local libraries or available to you. Read them. One readily available source on investigations is on every news stand in the form of *True Detective* stories and similar publications. Read them.

All have some skill in his field—obtained by experience and study. In investigative work you learn techniques the same way—by experience and study—there are no short cuts.

No one can give us an infallible method of interviewing suspects or subjects during our investigations. We are told that in some cases we must pound away at the suspect and in others we must tread safely, be sympathetic, and shed tears with the suspect. Both methods are successful, but the underlying principal behind both methods is this. We must be sincere. We must feel mean when we pound

away, or we must feel sad when we shed tears. Try it. It works. Frankly, the writer has been so sympathetic in some cases, especially in juvenile cases, that his tears have been real. You will know when you are sincere because you will have an emotional release yourself after the interview.

In conclusion let's make a summary then of investigative techniques:

1. Think about your investigation.
2. Pay attention to details.
3. Write things down.
4. Use common sense.
5. Use available records.
6. Use available equipment such as cameras.
7. Listen during interviews.
8. Be sincere in interrogations and interviews.

At last, but most important—be sincerely interested in your work. No amount of technique will keep you from being a frustrated investigator unless you cultivate a sincere interest in the work.