

1953

## Preventing Arson

Charles S. Morgan

Follow this and additional works at: <https://scholarlycommons.law.northwestern.edu/jclc>

 Part of the [Criminal Law Commons](#), [Criminology Commons](#), and the [Criminology and Criminal Justice Commons](#)

---

### Recommended Citation

Charles S. Morgan, Preventing Arson, 44 J. Crim. L. Criminology & Police Sci. 258 (1953-1954)

This Criminology is brought to you for free and open access by Northwestern University School of Law Scholarly Commons. It has been accepted for inclusion in Journal of Criminal Law and Criminology by an authorized editor of Northwestern University School of Law Scholarly Commons.

## PREVENTING ARSON

Charles S. Morgan

The author is Assistant General Manager, National Fire Protection Association, 60 Batterymarch Street, Boston 10, Massachusetts. The presentation is based on his lecture given at the Conference on Arson Detection and Investigation held on March 29, 1952, at Vanderbilt Hall, New York University Law Center, New York City.—EDITOR.

There's something intriguing about the phrase "prevention of arson" because it seems to be almost a contradiction in terms. One can readily understand "accident prevention" and "fire prevention" because practically everybody is opposed to accidents and fires as they are also opposed to sin, but arson is not just a matter of carelessness, it is committed, it is a deliberate act, and it is perhaps less obvious how society may go about preventing that act. This subject embraces everything which may be done to deter or dissuade potential fire setters from the act of setting fire. As such it is not so narrow a subject as appears at first glance.

Society reaches potential fire setters in many ways. For example, whatever constructive action is taken in the name of juvenile delinquency, whatever measures are taken to correct or improve conditions known to be conducive to juvenile delinquency are in fact a means to arson prevention. The setting of fires by children, or juveniles if you prefer, has long been a thorn in the flesh of fire officials just as the larger problem of juvenile delinquency has been and remains a threat not only to public safety but to society itself. Every measure that is taken to provide wholesome surroundings, moral and ethical guidance, and directed recreational facilities removes the factors which often lead to fire setting by juveniles either from malicious mischief or from mental and emotional conflicts.

There can be little doubt that deliberate fires are being prevented in many communities today as the result of the work of centers for mental hygiene and psychiatric examination. These are providing a public service that is quite new and reaches not only those who are in the toils of the law for reasons other than fire, but also in bringing aid to the apparently normal citizen whose burden of woe threatens to swamp him.

Then when we deal with the material rather than the personal aspects of the subject we must recognize that a vast array of protective facilities provide substantial obstacles to arson in properties so protected. Automatic fire detection and alarm systems, automatic sprinklers, watchmen, and central station supervision of all of these are factors

which must provide apparently insurmountable obstacles to successful arson and so deter many potential arsonists.

Arson like other crimes is a covert act, and as such the most effective deterrent, the most effective prevention, lies in the fear of detection. This is where the arson investigator comes in. Rational persons do not commit offenses when they know that there is a good chance of their being caught. Conversely, the secure feeling that they will not be found out is an open invitation to set fires.

The key to the cure of course lies in the reasons for arson, and all arson is not going to respond to the same treatment. We have already mentioned things that are being done which tend to prevent arson due to mental unbalance and emotional instability. The greatest amount of arson, however, results from a desire for financial gain, and this may be restrained to a substantial degree by the reputation of the fire department for effective investigation of fires.

This philosophy of arson prevention has been best expressed by former Detective Inspector R. K. Goeriz of Detroit in an address to the annual meeting of NFPA three years ago. His was a thought provoking and constructive message, and the writer could not do better than to draw heavily upon it in discussing this subject.

For the prevention of arson three recommendations are made:

1. Careful investigation of fires
2. Observation of conditions conducive to arson
3. Taking the profit out of a set fire.

If all but the most minor fires are carefully investigated by trained and competent fire investigators, not only will the distribution of fire causes be more accurate and provide a better tool for fire prevention than at present, but the knowledge that such investigation follows every significant fire as a matter of course acts as a powerful deterrent to arson, in the same way that the sight of a motorcycle officer in a rear view mirror checks speeding.

The overall quality of fire investigation leaves much to be desired. The answer lies neither in the assignment of plausible causes nor in building up a bigger category of fires of "undetermined origin" or "cause unknown." A generation or two ago the catchall phrases were rats and matches and spontaneous combustion. Today, careless smoking and defective electrical wiring are always available as a "cause" of least resistance. The answer is to be found in the employment and training of men to become skilled in determining the point of origin of a fire and in the characteristics of fires of natural or accidental origin as dis-

tinct from those of suspicious origin. While the fire fighting officer and fireman can be of great help to the fire investigator if they have been instructed in the observation of significant fire characteristics, it is unrealistic to expect a high percentage of accurate cause determinations by those whose principal or only training has been in fire extinguishment. Goeriz points this out by saying: "While many fire marshals have critical manpower problems, the job cannot be done effectively until fire investigation extends beyond merely these fires which are thought to be suspicious by the fire fighting officers." The arsonist is too clever to worry too much if that is all he has to contend with. If he is half as clever as he thinks he is, he can probably leave a trail so obscure as to be noticed only by a keen and well trained investigator. Provide such investigators, however, and use them on all but insignificant fires, let it become known through the local press that your agency is on the job and functioning, and the arsonist in the making may well decide that the risk is too great.

The second phase of this philosophy of arson prevention is the observation of conditions conducive to arson. These may be economic conditions; they may be physical conditions. A merchant overstocked with obsolete or seasonal merchandise which is well insured deserves watching. An operator with a bad record of fire and bankruptcy who buys a substantial interest in a local store may warrant a second look also. Certain occupancies and types of business are more prone to suspicious fires than others, as every fire official knows, and a frequent check and inspection of such places flashes a danger signal to anyone contemplating arson. Goeriz tells that in his work in Detroit he has found a close working relationship with various credit reporting agencies to be of great value. If you receive from such a source a tip that "The XYZ Furniture Company is in bad shape generally with inventories very high" you are not going to need a diagram to tell you what to do. A first-class fire inspection of the property and a review of the amount of insurance coverage are certainly indicated.

After determining what companies have the risk and acquainting them with the facts, make sure the assured knows that you know the score. Here the inspection service of the fire prevention bureau can become a valuable adjunct to arson prevention. A thorough inspection and repeated frequent checks with copious written notes will soon give pause to anybody with arson in his mind.

This leads to the third aspect of arson prevention which is in taking the profit out of it. Goeriz refers to this in words of encouragement to fire marshals who feel that convictions for arson are extremely difficult

to obtain. "In fraud fires particularly," he says, "if it is impossible to obtain a conviction, the next best thing is to take the profit out of the fire, i.e. to use every legitimate means to see that the insured does not profit from his criminal acts." When the word gets around that it is difficult, if not impossible, to make any money by a questionable fire, we then have a strong deterrent at work to stop crimes of arson. The first step in this direction is a thorough understanding with agents and adjusters representing the insurance companies that no loss be settled while any case is under investigation without the knowledge and consent of the investigating officials.

It is often said that there is nothing dramatic or very interesting about fire prevention, that all the drama is to be found in fighting the fire after it starts. While the writer has never agreed with this outlook, he understands its origin. Be that as it may, nobody can hold that arson prevention lacks dramatic quality or stimulation for the active mind. Quite the contrary, for arson prevention can only be achieved by the more efficient performance of one's work as fire investigators together with a generous measure of imagination and ingenuity in spotting promptly the social and economic conditions which are so often associated with arson. There are many, who should know whereof they speak, who insist that keener investigation of fires would reveal a substantial percentage of arson now undetected and presently classified in the "careless smoking," "defective wiring," or "cause undetermined" categories. True or not this is surely a challenge to the best that is in you and the best that you can develop through study, training, and experience.