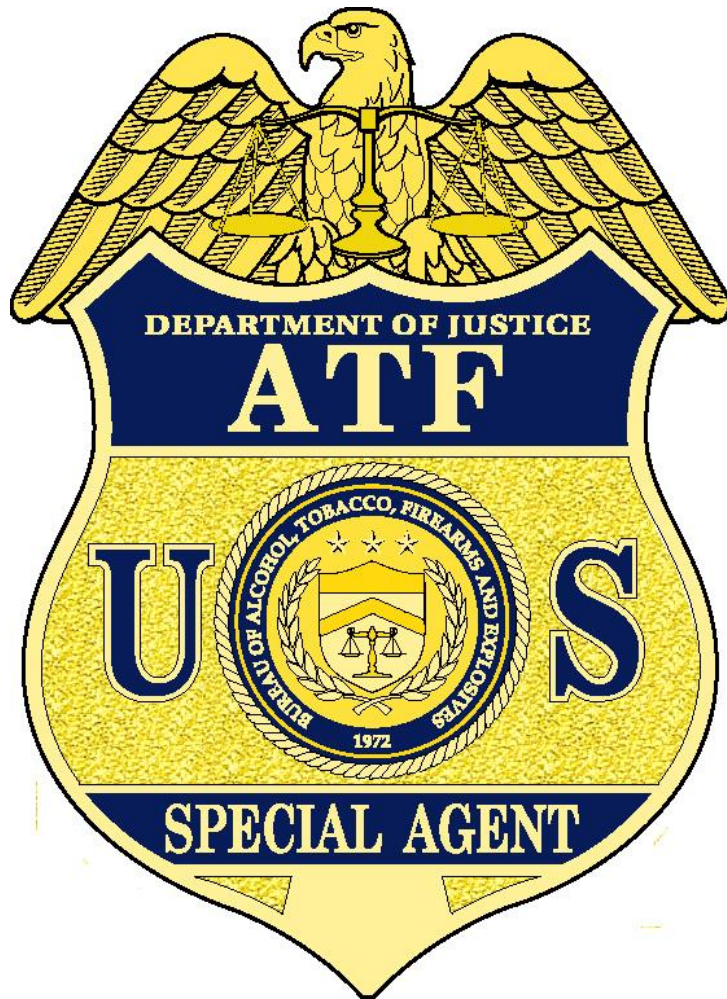


# ATF: The Arson Mission



U.S. Department of Justice  
Bureau of Alcohol, Tobacco, Firearms and  
Explosives

# Seattle Field Division



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Special Agent  
Certified Fire Investigator  
ATF National Response Team  
(862)219-9338

# Today's Presentation

- ▣ Why ATF is involved with arson – statutes
- ▣ ATF arson investigation resources
- ▣ ATF and the Insurance Industry

# Arson and Explosives

- ▣ ATF is the Federal government's "first responder" to fire and explosives incidents
- ▣ ATF regulates and inspects the explosives industry
- ▣ ATF investigates explosives and fire incidents



# *Why Is Arson a Federal Crime?*





## Authority

ATF's basic investigative jurisdiction in arson is delineated in 18 United States Code, Chapter 40, Section 844 (Title XI of the Organized Crime Control Act of 1970, as amended by the Anti-Arson Act of 1982); Section 846 and 26 United States Code, Chapter 53 (Title II of the Gun Control Act of 1968, as amended).





## Organized Crime Control Act of 1970 – (aka Explosive Control Act of 1970)

Established Penalties for the misuse of explosives and outlined regulations for the manufacture, importation, sale and storage of explosives





# Anti Arson Act of 1982



Amended the explosives laws, specifically criminalizing the use of fire to commit any federal felony. The Act made it unlawful to damage or destroy, by fire, any property used in activities affecting interstate or foreign commerce.







# The Federal Statutes



## 18 USC 844(i)

Whoever maliciously damages or destroys, or attempts to damage or destroy, by means of fire or an explosive, any building, vehicle, or other real or personal property used in interstate or foreign commerce shall be

- a. Imprisoned for 5-20 years
- b. Imprisoned for 7-40 years
- c. Life in prison or death penalty



# More Related Statutes

- Title 18 USC 1001                  False Statements      Up to 5 years  
Material false statement or document in matter before U.S.
- Title 18 USC 1341                  Mail Fraud                  Up to 20 years  
Use of mail in scheme to defraud
- Title 18 USC 1343                  Wire Fraud                  Up to 20 years  
Use of wire communications (fax, telephone, etc.) to defraud
- Title 18 USC 1344                  Bank Fraud                  Up to 30 years  
Attempt to defraud financial institution
- Title 18 USC 1956                  Money Laundering      Up to 20 years  
Attempt to conceal or change nature of illegally obtained funds
- Title 26 USC 7201                  Tax Evasion                  Up to 5 years  
Attempt to evade or defeat tax imposed



# National Firearms Act



Laws Passed by Congress in 1934 due to increased violence perpetrated by organized crime throughout the U.S.

Govern the possession and manufacture of machine guns, short barreled weapons, destructive devices, and “any other weapons” – e.g. **MOLOTOV COCKTAILS**

They must be “registered” with ATF



# ***Possession of Unregistered NFA Firearm***

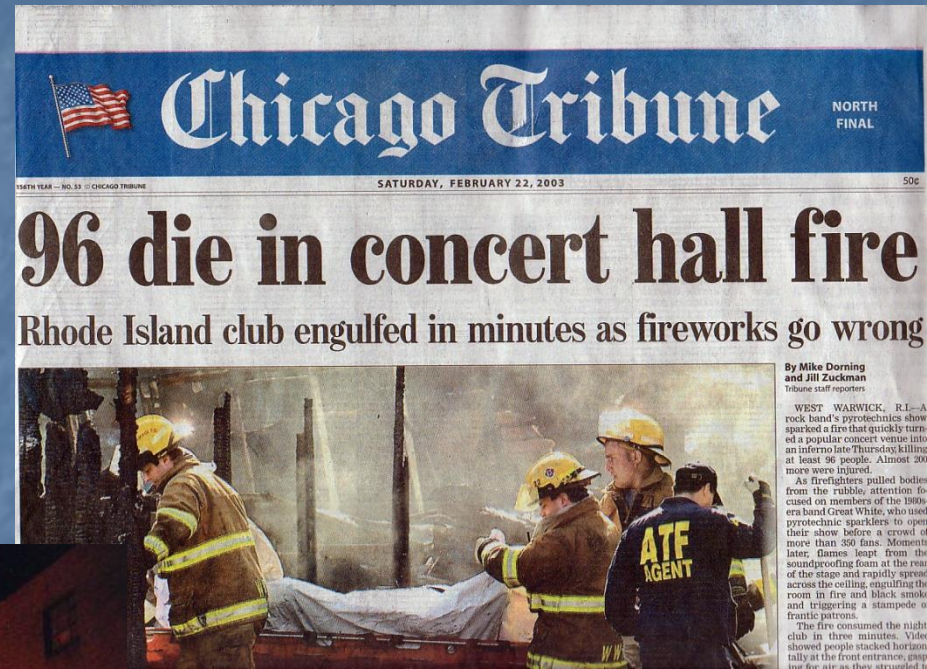
It is Illegal to Make, Possess, Transfer, or  
Receive an Unregistered NFA Firearm

***Felony – Up to Five Years***

***Mandatory Minimum Sentence of 30 Years in Federal  
Prison if Destructive Device Possessed in Furtherance of  
Drug Trafficking or Crime of Violence 18 USC 924(c)***

# Focus of ATF Arson Investigations

- Complex Arson Fraud
- Houses of Worship
- Serial Arsonists
- Fire Fatalities
- Domestic Terrorism



# Arson and Explosives Resources

- ATF resources in arson and explosives enforcement and investigations include:
  - Certified Fire Investigators
  - Arson Task Forces
  - National Response Team
  - International Response Team
  - Forensic Accountants
  - Explosive Enforcement Officers
  - Accelerant and Explosives Detection Canine Teams



# Arson and Explosives Investigative Resources

- National Laboratory Center
  - Fire Research Laboratory
  - Forensic Electrical Engineers
  - Fire Protection Engineers
  - Forensic Science Laboratory - Washington



# ***ARSON TRAINING FOR ALL ATF SPECIAL AGENTS***



**\* Special Agent Basic Training - Fire Investigation - Two Weeks**

**\* In-Service Advanced Fire Investigation Training**



# ATF CFI PROGRAM



# ATF CFI PROGRAM

Two year full-time training program during which special agent candidate must:

Examine a minimum of 100 structural fire scenes

Complete several weeks ATF class room and live burn training

Complete college courses at Oklahoma State University

Conduct research and write a thesis paper on relevant topic

Annual re-certification training & minimum requirements





# ATF National Laboratories



# FIRE RESEARCH LABORATORY (ATF - FRL)



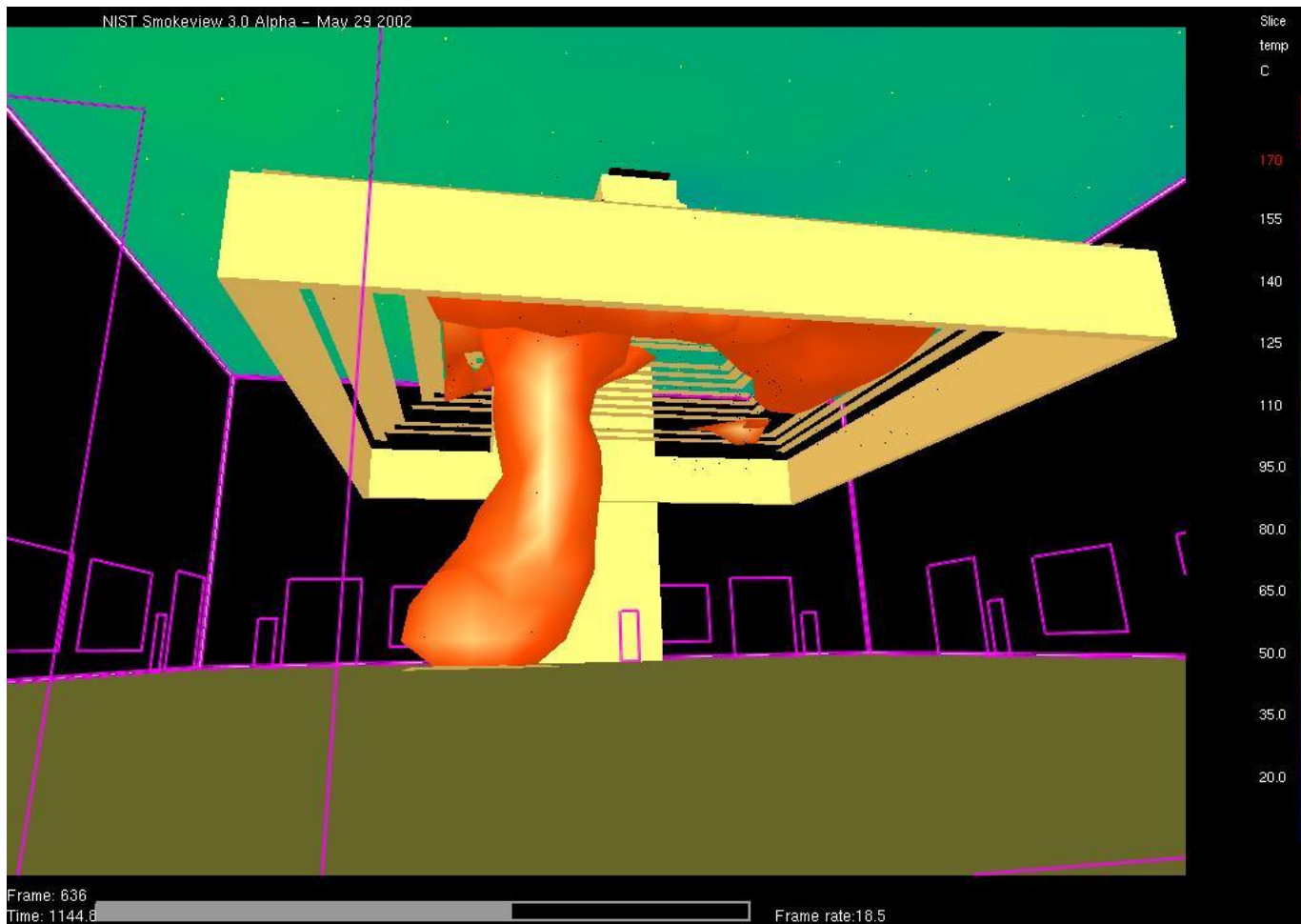


# Medium Burn Room





# Fire Modeling of Burn Room













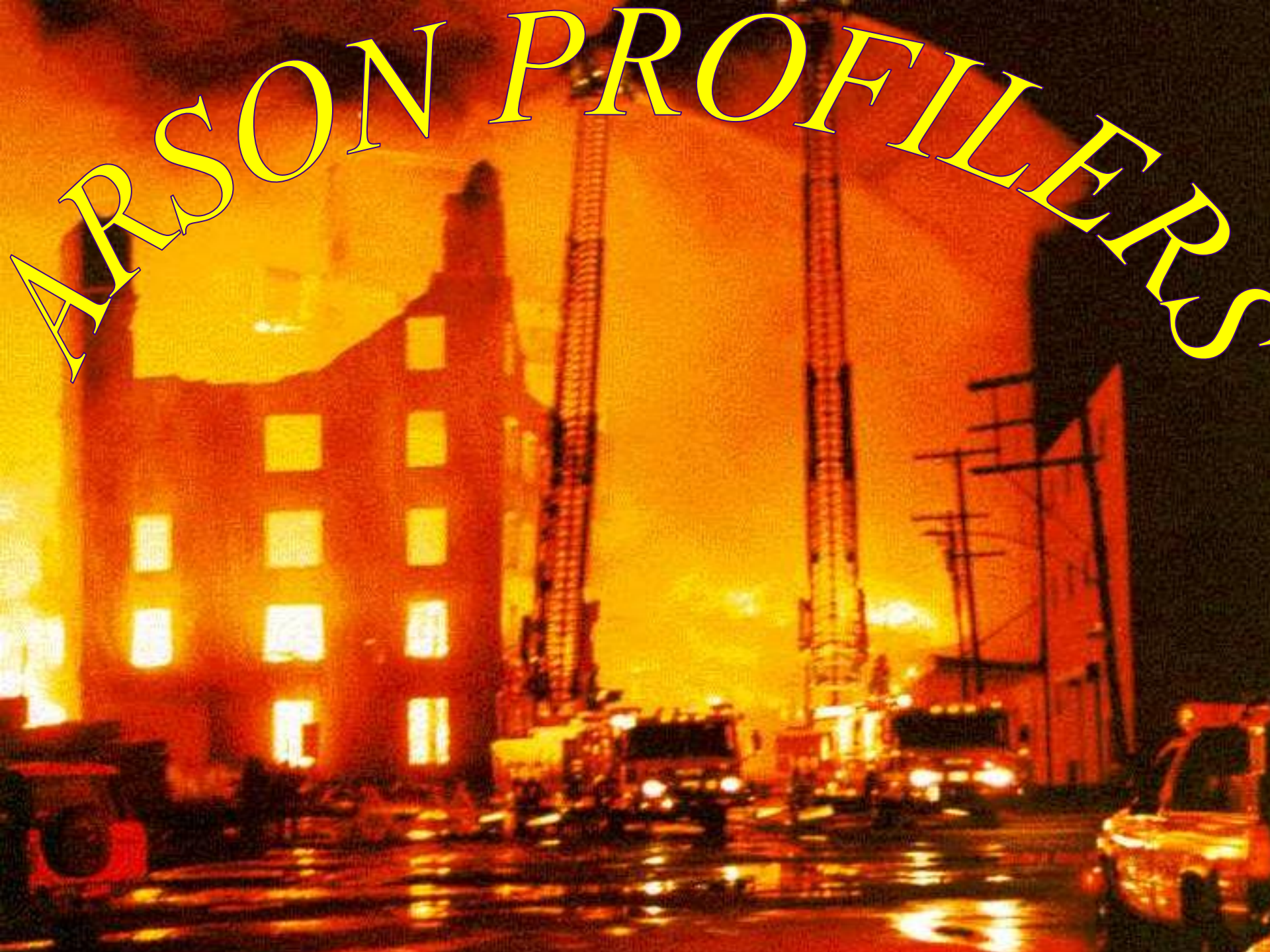
# Live Burns – Collaborative Efforts



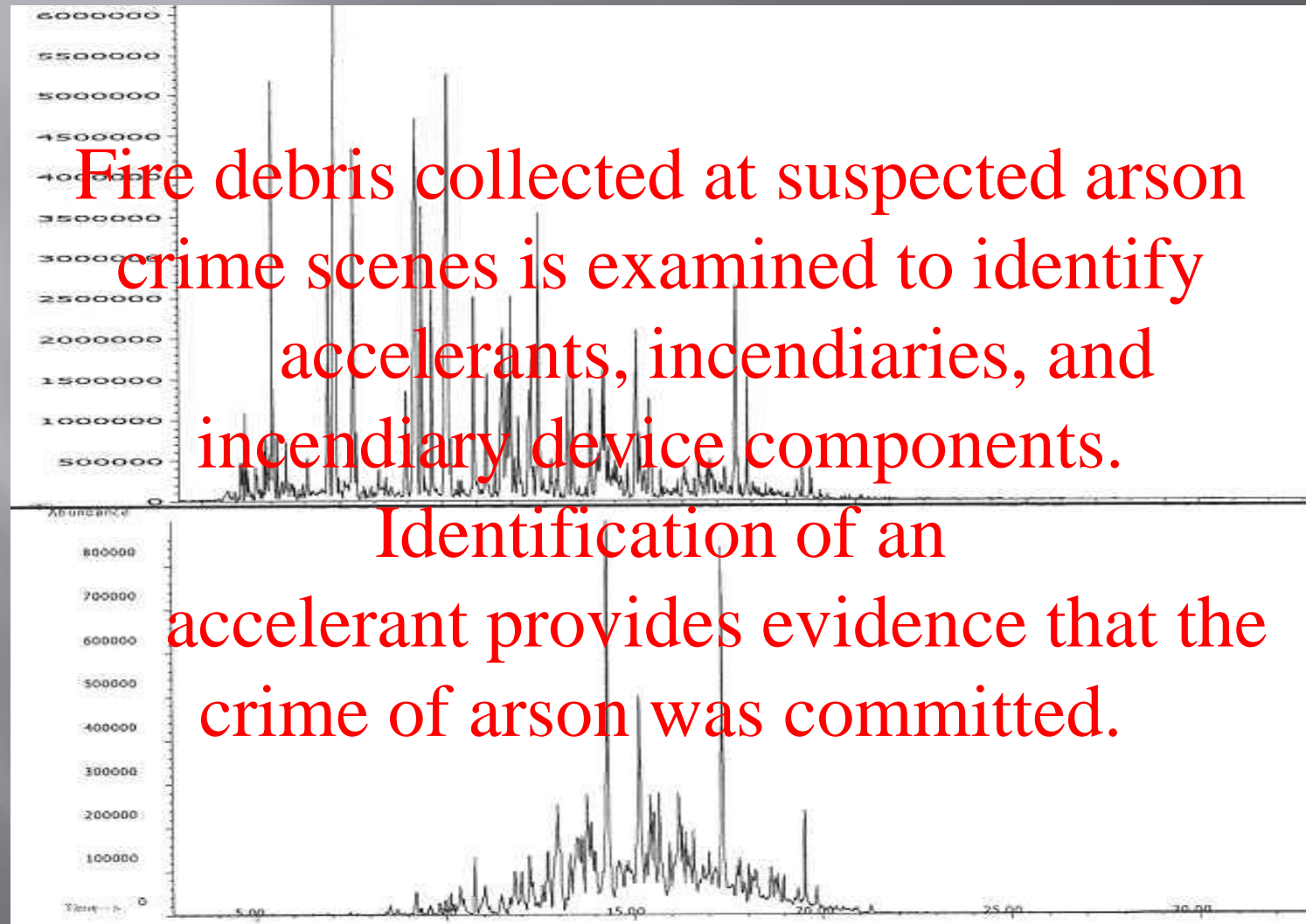
# ATF ACCELERANT DETECTION K-9 TEAMS



# ARSON PROFILLERS



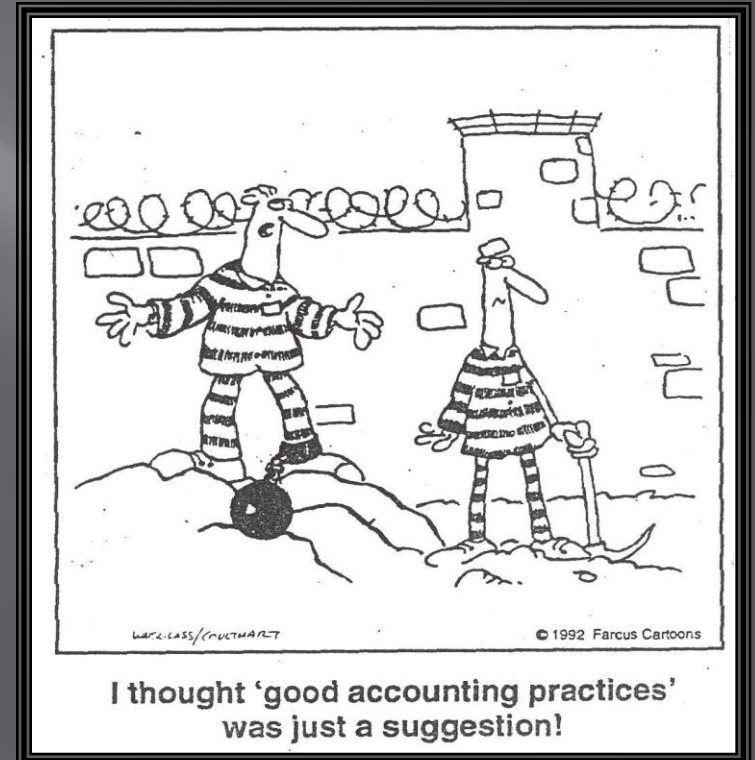
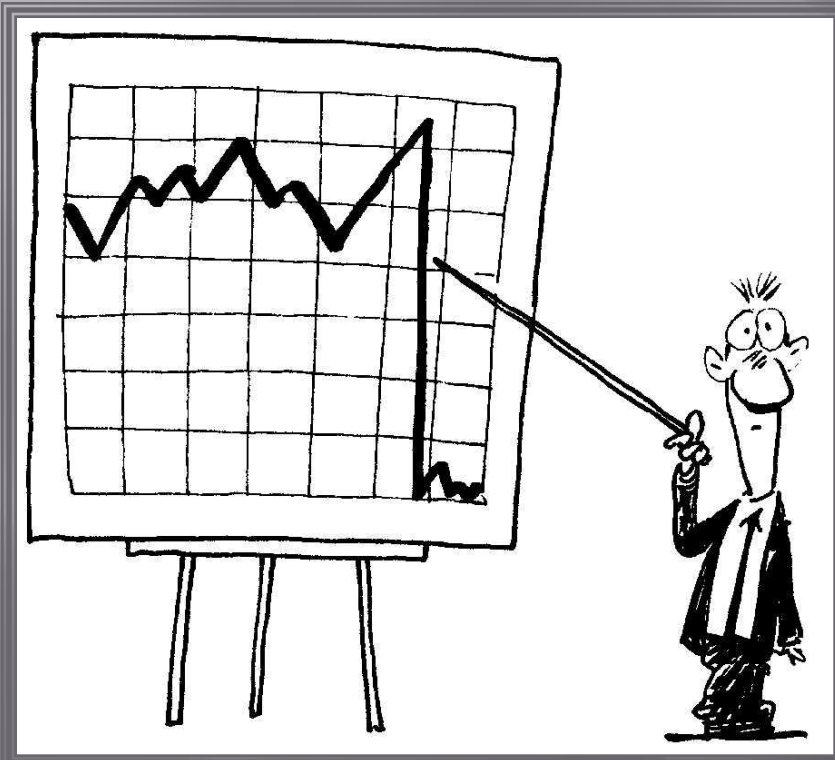
ATF Arson Forensic Laboratories  
Atlanta(GA),Ammendale(MD) & Walnut Creek (CA)



Fire debris collected at suspected arson crime scenes is examined to identify accelerants, incendiaries, and incendiary device components.

Identification of an accelerant provides evidence that the crime of arson was committed.

# AUDITORS



# COMPUTER FORENSICS





# ADVANCED ARSON TRAINING STATE /LOCAL & PRIVATE



*\*POLICE*

*\*PROSECUTORS*

*\*FIRE INVEST.*

*\*INSUR. INVEST.*

*ADVANCED ORIGIN & CAUSE – COURTROOM COURSE - FLETC*

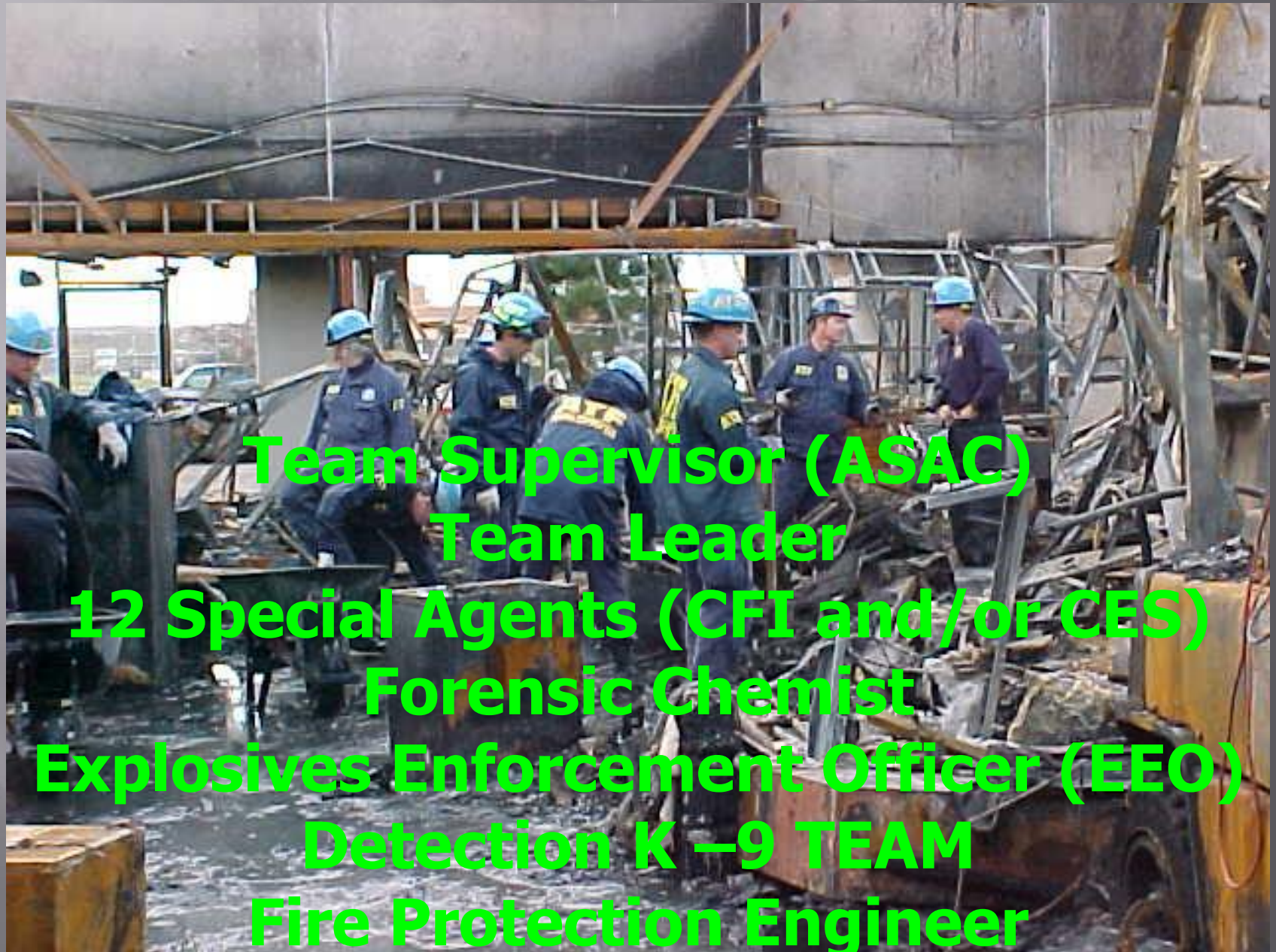
# NATIONAL RESPONSE TEAMS

## NRT



- *1 IRT Team*
- *3 NRT Teams*

# *NRT TEAM COMPOSITION*



**Team Supervisor (ASAC)**

**Team Leader**

**12 Special Agents (CFI and/or CES)**

**Forensic Chemist**

**Explosives Enforcement Officer (EEO)**

**Detection K-9 TEAM**

**Fire Protection Engineer**

# Why Federal Prosecution?



More resources for investigative and Prosecutorial efforts

Depositions not required, verbal statements to agents just as acceptable

Grand jury is used as investigative tool – and the subpoenas are enforced!!!

Stiffer sentences in some cases

No legal financial thresholds for frauds

