



Preparation for Legal Proceedings (2022)

Course Plan

Course Details

Certification:	Fire Investigator
CTS Guide:	Fire Investigator (2022)
Description:	This course provides the skills and knowledge needed for the Fire Investigator to safely, effectively, and competently address legal considerations for a court proceeding including gathering reports and records, evaluating investigative files, coordinating expert resources, formulating opinions, presenting investigative findings, and testifying during legal proceedings.
Designed For:	Personnel preparing to pursue Fire Investigator certification or anyone who performs the duties of a Fire Investigator within their agency.
Prerequisites:	Fire Investigator 1A: Basic Fire Investigation (2017 or 2022) Fire Investigator 1B: Evidence, Documentation, Interviews, and Wildland (2022) or Fire Investigator 1B: Evidence and Documentation (2017) and FI-110: Wildland Fire Observations and Origin Scene Protection for First Responders (NWCG) and Fundamentals of Interviewing (CFTITrainer.net) and Introduction to Evidence (CFTITrainer.net) or Fire Investigator 1B: Evidence and Documentation (2017) and Wildland Fires Investigation (CFITrainer.net) and Fundamentals of Interviewing (CFTITrainer.net) and Introduction to Evidence (CFTITrainer.net) Motive, Means, and Opportunity: Determining Responsibility in an Arson Case (CFITrainer.net)
Standard:	Complete all activities and formative tests. Complete all summative tests with a minimum score of 80%.
Hours (Total):	40 hours (18 lecture / 21 application / 1 testing)
Maximum Class Size:	30

Instructor Level: SFT Fire Investigator 1C Registered Instructor

Instructor/Student Ratio: 1:30

Restrictions: See Facilities, Equipment, and Personnel

SFT Designation: CFSTES

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Required Resources

Instructor Resources

To teach this course, instructors need:

- One of the following textbooks and accompanying tool kits and test banks:
 - *Fire Investigator Principles and Practice* (Jones and Bartlett, 6th edition, 2022)
or
 - *Fire Investigator* (IFSTA, 3rd edition, 2021)
- NFPA 921: Guide for Fire and Explosion Investigations (current edition)
- NFPA 1033: Standard for Professional Qualifications for Fire Investigator (current edition)
- ASTM E678 – Standard Practice for Evaluation of Scientific or Technical Data. (additional information regarding evaluation methods)

Online Instructor Resources

The following instructor resources are available online at

<https://osfm.fire.ca.gov/what-we-do/state-fire-training/professional-certifications>

- Fire Investigator 1C Activities

Student Resources

To participate in this course, students need:

- Required textbook chosen by the instructor
- Access to a computer and printer
- Documentation for developing a curriculum vitae
- Proper attire for the courtroom

Facilities, Equipment, and Personnel

Facilities

The following facilities are required to deliver this course:

- Standard learning environment or facility, which may include:
 - Writing board or paper easel chart
 - Markers, erasers
 - Amplification devices
 - Projector and screen
 - Laptop or tablet with presentation or other viewing software
 - Internet access with appropriate broadband capabilities

Equipment

- Evidence samples
- Sample curriculum vitae
- Criminal case files

Personnel

- Qualified persons for conducting a mock trial including lawyers or judges if possible (recommended)
- All instructors counted toward student ratios, including application components, must be SFT Registered 1C Fire Investigator Instructors

Time Table

Segment	Lecture	Application	Unit Total
Unit 1: Introduction			
Topic 1-1: Orientation and Administration	0.50	0.0	
Topic 1-2: Fire Investigator Certification Process	0.50	0.0	
Unit 1 Totals	1.0	0.0	1.0
Unit 2: Legal Considerations			
Topic 2-1: Gathering Reports and Records	2.0	0.0	
Topic 2-2: Evaluating Investigative Files	1.0	0.0	
Topic 2-3: Coordinating Expert Resources	4.0	1.0	
Topic 2-4: Formulating Opinions	4.0	0.0	
Topic 2-5: Expressing Investigative Findings	2.0	4.0	
Topic 2-6: Testifying During Legal Proceedings	4.0	16.0	
Unit 2 Totals	17.0	21.0	38.0
Formative Assessments			
Determined by AHJ or educational institution	0.0	0.0	0.0
Summative Assessment			
Determined by AHJ or educational institution	0.0	1.0	1.0
Course Totals	18.0	22.0	40.0

Time Table Key

1. The Time Table documents the amount of time estimated to deliver the content included in the course plan.
2. Time is documented using the quarter system: 15 min. = .25 / 30 min. = .50 / 45 min. = .75 / 60 min. = 1.0.
3. The Course Totals do not reflect time for lunch (1 hour) or breaks (10 minutes per each 50 minutes of instruction or assessment). It is the instructor's responsibility to add this time based on the course delivery schedule.
4. Application (activities, skills exercises, and formative testing) time will vary depending on the number of students enrolled. The Application time documented is based on the maximum class size identified in the Course Details section.
5. Summative Assessments are determined and scheduled by the authority having jurisdiction. These are not the written or psychomotor State Fire Training certification exams. These are in-class assessments to evaluate student progress and calculate course grades.

Unit 1: Introduction

Topic 1-1: Orientation and Administration

Terminal Learning Objective

At the end of this topic a student will be able to identify facility and classroom requirements and identify course objectives, events, requirements, assignments, activities, skills exercises, resources, evaluation methods, and participation requirements in the course syllabus.

Enabling Learning Objectives

1. Identify facility requirements
 - Restroom locations
 - Food locations
 - Smoking locations
 - Emergency procedures
2. Identify classroom requirements
 - Start and end times
 - Breaks
 - Electronic device policies
 - Special needs and accommodations
 - Other requirements as applicable
3. Review course syllabus
 - Course objectives
 - Calendar of events
 - Course requirements
 - Student evaluation process
 - Assignments
 - Activities
 - Required student resources
 - Class participation requirements

Discussion Questions

1. Determined by instructor

Application

1. Determined by instructor

Topic 1-2: Fire Investigator Certification Process

Terminal Learning Objective

At the end of this topic a student will be able to identify the courses and requirements for Fire Investigator certification and be able to describe the certification task book and testing process.

Enabling Learning Objectives

1. Identify the levels of certification in the Fire Investigator certification track
 - Not applicable
2. Identify the prerequisites for Fire Investigator certification
 - Not applicable
3. Identify the course work required for Fire Investigator certification
 - Fire Investigator 1A (2017 or 2022) (SFT)
 - Fire Investigator 1B: Interview, Evidence, and Documentation, and Wildland (2022)
or
Fire Investigator 1B: Evidence and Documentation (2017) **and** FI-110: Wildland Fire Observations and Origin Scene Protection for First Responders (NWCG) **and** Fundamentals of Interviewing (CFTITrainer.net) **and** Introduction to Evidence (CFTITrainer.net)
or
Fire Investigator 1B: Evidence and Documentation (2017) **and** Wildland Fires Investigation (CFITrainer.net) **and** Fundamentals of Interviewing (CFTITrainer.net) **and** Introduction to Evidence (CFTITrainer.net)
 - Fire Investigator 1C (2017 or 2002) (SFT)
 - PC832: Arrest (POST #80102)
 - Must be completed within two years of applying for certification unless candidate is employed as a peace officer
4. Identify the exams requirements for Fire Investigator certification
 - Not applicable
5. Identify the task book requirements for Fire Investigator certification
 - Fire Investigator Certification Task Book (2022)
6. Identify the experience requirements for Fire Investigator certification
 - A minimum of two (2) years' full-time paid experience with a recognized California fire or law enforcement agency
 - Investigate 25 fires as the lead investigator (verified in chief's, sheriff's, or equivalent's letter)
7. Identify the position requirements for Fire Investigator certification
 - None
8. Describe the certification task book process
 - Complete all prerequisites and course work
 - Submit application and fees to request certification task book
 - Complete all job performance requirements included in the task book
 - Must have identified evaluator verify individual task completion via signature

- Must have Fire Chief, Police Chief, Sheriff, or equivalent or authorized representative verify task book completion via signature
 - Must be employed by a California fire or law enforcement agency in the position prior to submitting completed task book to State Fire Training
9. Describe the certification testing process
- Not applicable
 - All formative and summative testing is completed in individual courses

Discussion Questions

1. Determined by instructor

Application

1. Determined by instructor

Unit 2: Legal Considerations

Topic 2-1 Gathering Reports and Records

Terminal Learning Objective

At the end of this topic a student, given no special tools, equipment, or materials, will be able to gather reports and records that are applicable to the investigation, complete, and authentic; the chain of custody is maintained; and the material is admissible in a legal proceeding.

Enabling Learning Objectives

1. Describe types of reports and records needed to facilitate determining responsibility for the fire
 - Police reports
 - Fire reports
 - Insurance files
 - Utility records
 - Financial records
 - Deeds
 - Private investigator files
 - County records
 - Death certificates/coroner's reports
 - Medical records
 - Outside photos and videos
2. Identify location of reports and records
3. Identify process of obtaining reports and records
4. Identify reports and records necessary for the investigation
5. Implement chain of custody
6. Demonstrate organizational skills

Discussion Questions

1. What type of information is available from local, state, and federal government?
2. What are some different processes for obtaining reports and records?

Application

1. Determined by instructor

Instructor Notes

1. None

CTS Guide Reference: CTS 7-1

Topic 2-2: Evaluating Investigative Files

Terminal Learning Objective

At the end of this topic a student, given all available file information, will be able to evaluate the investigative file to identify areas for further investigation, interpret the relationship between gathered documents and information, and discover corroborative evidence and information discrepancies.

Enabling Learning Objectives

1. Describe the file assessment and/or evaluation process
2. Identify requisite investigative elements
 - Determine an offense has occurred
 - Identify a victim or a place of incident
 - Determine incident circumstances
 - Identify investigative tasks to complete
3. Demonstrate information assessment skills
4. Demonstrate correlation skills
5. Demonstrate organizational skills

Discussion Questions

1. What are some ways to evaluate or assess an investigative file?
2. What is your AHJ's evaluation process?

Application

1. Determined by instructor

Instructor Notes

1. None

CTS Guide Reference: CTS 7-2

Topic 2-3: Coordinating Expert Resources

Terminal Learning Objective

At the end of this topic a student, given the investigative file, reports, and documents, will be able to coordinate expert resources to match the expert's competencies to the specific investigation needs, justify financial expenditures, and further the investigative goals of determining cause and responsibility.

Enabling Learning Objectives

1. Describe how to assess one's own expertise
 - Curriculum vitae
2. Identify qualifications of an expert witness
3. Identify types of expert resources
 - Forensic specialists
 - Polygraph examiners
 - Human behavior experts
 - Engineering specialists
4. Discuss the need and cost for expert resources
5. Network with other investigators to identify experts
6. Develop a plan for using expert resources
7. Question experts relative to their qualifications
8. Apply expert resources to further the investigation

Discussion Questions

1. What methods are used to assess one's own expertise?
2. Under what circumstances might you want to obtain the services of an expert witness?
3. Why are expert witnesses important in a fire investigation?
4. What are the types of forensic specialists and engineers?

Application

1. Activity 2-3: Curriculum Vitae

Instructor Notes

1. None

CTS Guide Reference: CTS 7-3

Topic 2-4: Formulating Opinions

Terminal Learning Objective

At the end of this topic a student, given all investigative findings, will be able to formulate an opinion concerning origin, cause, or responsibility for the fire that is supported by the data, facts, records, reports, documents, scientific references, and evidence.

Enabling Learning Objectives

1. Describe analytical methods and procedures
 - Hypothesis development and testing
 - Systems analysis
 - Time lines
 - Link analysis
 - Fault tree analysis
 - Data reduction matrixing
2. Describe how to use the scientific method to formulate your opinion
3. Discuss levels of certainty
 - Possible
 - Probable
 - Conclusive
4. Discuss California statutes, regulations, codes, and local ordinances relating to fire losses
5. Demonstrate analytical and assimilation skills

Discussion Questions

1. How would you use evidence from your investigation to form an opinion?
2. What steps are involved in determining your level of certainty?
3. How do the facts and evidence in the case support each element of the relevant statute?
4. What is the difference between possible and probable when rendering an opinion?

Application

1. Determined by instructor

Instructor Notes

1. Relate this topic to the scientific method.

CTS Guide Reference: CTS 7-5

Topic 2-5: Expressing Investigative Findings

Terminal Learning Objective

At the end of this topic a student, given investigative findings, notes, a time allotment, and a specific audience, will be able to express investigative findings so that the information is accurate, the presentation is completed within the allotted time, and the presentation includes only need-to-know information for the intended audience.

Enabling Learning Objectives

1. Identify types of investigative findings
2. Describe the legal ramifications and other impacts of releasing information
3. Demonstrate communication skills
4. Determine audience needs
5. Correlate findings

Discussion Questions

1. What are key points to share with an attorney about a fire investigation case?
2. What different types of information are useful to present to each particular audience?
3. What information is allowed to be released and to whom?

Application

1. Activity 2-5: Presenting Investigative Findings

Instructor Notes

1. None

CTS Guide Reference: CTS 8-2

Topic 2-6: Testifying During Legal Proceedings

Terminal Learning Objective

At the end of this topic a student, given investigative findings, will be able to testify during legal proceedings so that the testimony accurately reflects the facts, data, and scientific principles on which the investigator relied; clearly identifies and expresses the investigator's opinions and conclusions; and contains the reasoning by which opinion or conclusion was reached.

Enabling Learning Objectives

1. Identify types of findings within the investigative file
2. Describe professional demeanor and attire requirements
3. Describe due process and legal proceedings
4. Demonstrate listening and communication skills
5. Differentiate facts from opinion
6. Determine accepted procedures, practices, and etiquette during legal proceedings
7. Describe pretrial preparation
8. Describe the discovery process

Discussion Questions

1. What steps are part of pre-trial preparation?
2. What should and should not be brought to court?
3. Why is it important to consult with the attorney before testifying?
4. Who is a fire investigator's primary audience when testifying?
5. What is the difference between a trial and a deposition?
6. What is a preliminary hearing?
7. What should a fire investigator do if they misstate a fact during testimony?
8. What should a fire investigator do if they notice mistakes in a pretrial or deposition transcript?

Application

1. Activity 2-6: Courtroom Testimony

Instructor Notes

1. Consider inviting an attorney (that handles criminal cases) to be a guest speaker.

CTS Guide Reference: CTS 8-3

How to Read a Course Plan

A course plan identifies the details, logistics, resources, and training and education content for an individual course. Whenever possible, course content is directly tied to a national or state standard. SFT uses the course plan as the training and education standard for an individual course. Individuals at fire agencies, academies, and community colleges use course plans to obtain their institution's consent to offer courses and provide credit for their completion. Instructors use course plans to develop syllabi and lesson plans for course delivery.

Course Details

The Course Details segment identifies the logistical information required for planning, scheduling, and delivering a course.

Required Resources

The Required Resources segment identifies the resources, equipment, facilities, and personnel required to deliver the course.

Unit

Each Unit represents a collection of aligned topics. Unit 1 is the same for all SFT courses. An instructor is not required to repeat Unit 1 when teaching multiple courses within a single instructional period or academy.

Topics

Each Topic documents a single Terminal Learning Objective and the instructional activities that support it.

Terminal Learning Objective

A Terminal Learning Objective (TLO) states the instructor's expectations of student performance at the end of a specific lesson or unit. Each TLO includes a task (what the student must be able to do), a condition (the setting and supplies needed), and a standard (how well or to whose specifications the task must be performed). TLOs target the performance required when students are evaluated, not what they will do as part of the course.

Enabling Learning Objectives

The Enabling Learning Objectives (ELO) specify a detailed sequence of student activities that make up the instructional content of a lesson plan. ELOs cover the cognitive, affective, and psychomotor skills students must master to complete the TLO.

Discussion Questions

The Discussion Questions are designed to guide students into a topic or to enhance their understanding of a topic. Instructors may add to or adjust the questions to suit their students.

Application

The Application segment documents experiences that enable students to apply lecture content through cognitive and psychomotor activities, skills exercises, and formative testing. Application experiences included in the course plan are required. Instructors may add additional application experiences to suit their student population if time permits.

Instructor Notes

The Instructor Notes segment documents suggestions and resources to enhance an instructor's ability to teach a specific topic.

CTS Guide Reference

The CTS Guide Reference segment documents the standard(s) from the corresponding Certification Training Standard Guide upon which each topic within the course is based. This segment is eliminated if the course is not based on a standard.

Skill Sheet

The Skill Sheet segment documents the skill sheet that tests the content contained within the topic. This segment is eliminated if the course does not have skill sheets.