



*GLOBAL LEADERS IN
FIRE INVESTIGATION®*

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The International Association of Arson Investigators Endorses the use of Multidiscipline Science Review Panels

The International Association of Arson Investigators (IAAI) is the largest professional organization of fire investigators in the world, providing training, certification and leadership to the profession. The IAAI has more than 8,300 members worldwide who work in all aspects of the fire investigation profession, including the fire service, the criminal justice system, the legal profession, the insurance industry, and science and engineering disciplines.

The IAAI is committed to accuracy in fire origin and cause determination, and provides and supports training and professionalism under recognized professional standards and guidelines promulgated by the National Fire Protection Association (NFPA). In the past 25 years, the state of knowledge regarding fire science and behavior has dramatically improved due to rigorous scientific and technical research. As a result, the fire investigation profession has improved not only its

knowledge of fire science, but also the methodology that is accepted for use in performing reliable fire investigations.

In recent years, some previously adjudicated criminal cases have been reviewed and reopened in which individuals had been convicted of arson, or arson and murder. A limited number of these convictions were overturned either because they were based on determinations that have since been scientifically discredited, or because the findings presented in these cases were the result of an investigative methodology that is now understood to be flawed or incomplete.

Fire science and investigative methodology typically constitute only part of a criminal arson case. Still, in light of these court findings, the IAAI is concerned about the possibility that in the past, errors may have been made in fire origin and cause determinations that may have formed the basis for arson convictions. The majority of these errors were made based on the investigators' knowledge of fire science and methodology at the time the investigations were conducted; much of which has been disproved due to new advances in both scientific study and technical research. The IAAI believes that the fire investigation profession, as it matures, has a duty to correct past errors, including errors such as wrongful convictions. Further, a properly functioning judicial system not only endeavors to avoid such errors, but also attempts to identify and correct them.

Accordingly, the IAAI supports criminal justice agencies that engage in post-conviction review of the science and methodology underlying arson convictions

when there is a credible and substantial allegation that those convictions were based on outdated science or methodology.

In order to facilitate the review of older cases, the IAAI is offering to assist state and local jurisdictions to set up independent Multidisciplinary Science Review Panels, in the event that a jurisdiction determines the need to investigate the science underlying past arson determinations. The review panel could include frontline fire investigators, scientists, attorneys, chemists and/or engineers, depending on the needs of the review. The membership of the panels could be rotated so that the appropriate disciplines are involved in a given matter, and the workload of the panel members would be distributed appropriately.

The IAAI also believes that pre-filing review of the science and methodology being relied upon in any new arson case can be an appropriate approach to preventing potential wrongful convictions and strengthening cases with valid science behind them. To this end, the science review panels would not only be available to review old cases, but could serve as a resource to prosecutors considering bringing new cases. Even in jurisdictions without a science review panel, pre-filing expert reviews of arson cases are encouraged to assure that proper methodology and science are behind every arson filing.

The State of Texas has addressed this recognized need by creation of an independent multidisciplinary Science Advisory Workgroup. This group of experts has worked closely with local and State officials in the review of past fire

investigations. Several cases were identified where the convictions were based on outdated and/or incorrect evidence interpretation. This conclusion was then provided to the local authorities for their action in the manner they determined to be appropriate.

The IAAI believes every state should have a similar review panel and is offering to assist jurisdictions in locating resources for reviews of the science and methodology underlying arson convictions. In its efforts to support these jurisdictions in forming review panels, the IAAI has created the Public Agency Advisory Committee. The committee can be reached for assistance through the IAAI headquarters in Crofton, Maryland.