

FIREFIGHTER LINE-OF-DUTY DEATH AND SERIOUS INJURIES



**NJ Division of Fire Safety
Fire / Arson Investigation / K-9 Unit**

1-877-NJ-FIRES 609-633-6070

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Firefighter Death & Injury

The death or injury of a firefighter creates a physical and emotional hardship.

- firefighter families
- co-workers
- the community.



Firefighter Death & Injury

Steps must be taken to protect the FF and family interests.

- Evidence and scene must be secured.
- Proper notifications need to be made.
- Protocols need to be followed.

Your initial actions can greatly affect the future outcome of the case.



FF and Family Interests

Keep radio traffic to a minimum regarding the firefighter involved to protect the family.

- Keep news crews and "gawkers" away.
- Use cellular phones or landline telephones whenever possible.



FF and Family Interests

Send a fire department officer or senior member along with the injured or deceased firefighter to hospital (or immediately thereafter).

- Look after the firefighter's needs.
- Provide an initial fire department liaison at hospital for doctors and family.



Evidence Preservation

■ SECURE SCENE:

- Do not alter, add or remove anything from the scene, or allow anyone else to do so.
- Do not release custody of scene until authorized by Incident Commander to turn over scene to proper authority (fire official, police department, county prosecutor, state investigator).



Evidence Preservation

■ DOCUMENTATION:

- Notify appropriate agency/personnel (fire official, police department, county prosecutor, state investigator) to have a photographer document all which may be pertinent to the investigation.
- Using a video recorder to document the scene would also be beneficial.



Evidence Preservation

■ IMPOUND EQUIPMENT:

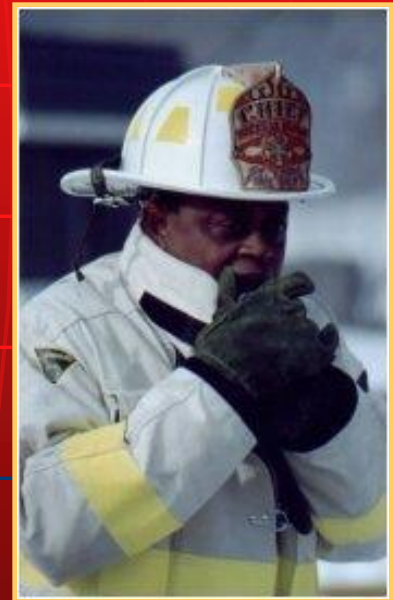
- Impound all personal and department property used by the firefighter, as well as any other items that may have played a part in the firefighter's injury/death or that may be significant to the incident investigation.
- Items impounded by the fire department must be secured by the fire department, or police department, and held in the same manner as any other legal evidence (chain of custody, *etc.*).



Evidence Preservation

■ RECORDS DOCUMENTATION:

- The immediate supervisor of the firefighter as well as the incident commander must be instructed to document all observations, decisions, orders and actions as well as any other pertinent information immediately.
- Notify dispatch center to hold radio communications tape.
- NFIRS reports.



Notifications

- Fire Chief.
- Fire Official.
- Police Department.
 - Remember: Fire scene may be a crime scene.
- Family member (should be in person if possible).
- Municipal Executive.



Notifications

- County Fire Coordinator.
- County Fire Marshal (if applicable).
- Other agencies (DFS, DOL, etc.).
- Clergy.
- Union (if career FF).
- LAST (Local Assistance State Team).
- Media.



Hospital or Medical Examiner Responsibilities

- Continue to impound equipment.
- Blood analysis for CO, alcohol, drugs, toxic chemicals, etc.
- Autopsy in case of death.
- Must have and follow FF Autopsy Protocol, as issued by US Fire Admin (USFA).
 - Failure to do so may forfeit survivor benefits.



Other Incident Contacts

- **NEW JERSEY DEPARTMENT OF LABOR:**
 - Contact at **1-(800)-624-1644** to report any firefighter hospitalization or fatality within 8 HOURS.
 - Employer's First Report of Accidental Injury or Occupational Disease form must be faxed to the Office of Public Employees Safety at **1-(609)-292-4409**.



Other Incident Contacts

- **NEW JERSEY DIVISION OF FIRE SAFETY:**
 - Contact the Division to report firefighter serious injury or fatality within 4 HOURS and to obtain immediate assistance.
 - Duty investigator on-call 24/7/365.

1-(877)-NJFIRES
1(877) 653-4737



Other Incident Contacts

- Workers' Compensation.
- Municipal or FD Insurance carrier.
- NJ Division of Pensions.
- 200 Club.
- NJ Firemens / Exempt Association.
- Critical Incident Stress Debriefing Team.
- LAST (Local Assistance State Team
- PUBLIC SAFETY OFFICERS BENEFITS PROGRAM (PSOB):
 - Contact PSOB at 1-(888)-744-6513 to begin processing of claim under federal PSOB statutes.



LAST TEAM

Through a collaborative effort between the US Department of Justice and the National Fallen Firefighters Foundation, resources and training have helped establish Local Assistant State Teams (LAST)

- Deploy and provide assistance to fire departments and the firefighters family immediately following a line-of-duty-death.



LAST TEAM

What assistance can LAST provide?

- Expert assistance in filing for Department of Justice Public Safety Officers Benefits (PSOB).
- On-site or remote support and guidance.
- Honor guard and ceremonial support.
- Information and access to behavioral health and peer support resources for family and department members.
- Information and access to state and local benefits that may be available to the family and department.



LAST TEAM

LAST will:

- Ensure family and fire department priority at all times.
- Ask before taking any actions.
- Maintain transparency, integrity and neutrality.
- Provide accurate and timely information.
- Focus on mission and tasks.



LAST TEAM



Contact LAST at:

1-(866)-736-5868



PSOB Benefit

- Currently \$339,310.
- Line-of-Duty Death Only.
- Traumatic death or exposure to lethal chemicals/combustion by-products.
- Death within 24 hrs. of a response may be eligible.
- Stress type fatalities are now eligible.
 - Heart Attack.
 - Stroke.
 - Effective December 15, 2003.



Investigations

Investigations may be undertaken by:

- State Agencies:

- DFS
- DOL
- DHSS

- Local Agencies:

- FD
- Police
- Prosecutor's Office



Investigations

Investigations may be undertaken by:

- Federal Agencies:
 - NIOSH
 - ATF
 - FBI
- Other Interested Parties:
 - NFPA
 - Insurance Carrier



Investigations

- The FD may be required to provide:
 - Incident Reports;
 - Written statements;
 - Photos/videos;
 - Communications info/dispatch tapes/transcripts;
 - Gear/equipment;
 - Records (training, certification, response etc.);
 - Interviews.



Investigations

- All involved agencies will work to coordinate activities to reduce burden and repetition on fire department.
- Initial consults may occur ASAP, but interviews and detailed follow-up usually begin after FF funeral is held.
- Investigators are sensitive to department's loss. Most have fire service backgrounds.



Investigative Report

- A Report(s) is issued after completion of investigation.
- Reports become public record.
- Timetable dependent on complexity of incident, workload of investigation unit and deference to possible criminal investigation.



Violations

- If violations of State or Federal laws or regulations are found, FD or municipality / employer may be cited by the various state agencies involved with the investigation.
- Volunteer firefighters are employees of their municipality or board of fire commissioners.
- PEOSH investigations: unlimited scope.



New Regulations

- Enhances DFS Investigative Ability
 - Issue and enforce subpoenas;
 - Secure or order to be secured, any and all evidence;
 - Test or order to be examined or tested, any and all evidence;
 - Preserve or order the preservation of buildings, structures, areas, apparatus or equipment from destruction or demolition.



New Regulations (cont.)

- Notification to the Division of any line-of-duty serious injury (hospitalization) or death as soon as possible, but no later than 4 HOURS from the time of injury or death.

1-(877)-NJFIRES

1-(877)-653-4737

- State agencies may issue penalties against an appropriate party for failure to timely notify or for hindering notification.



QUESTIONS ?



*THANK
YOU!*

