

Criminal Fire Investigations

Policy Statement

The Whatcom County Sheriff's Office and Whatcom County Planning and Development Services (through the Fire Marshal's Office) will coordinate the conduct of [criminal fire investigations](#).

Persons Affected

All law enforcement deputies and specially-commissioned fire investigators.

Directives Affected

Bureau of Law Enforcement and Investigative Services Operations Manual Policy P-047-R2 - canceled

Definition

Criminal fire investigation – an investigation performed by the Whatcom County Sheriff's Office, assisted by the Whatcom County Fire Marshal's Office, of:

- Any fire or explosion in which criminal activity is suspected (e.g., arson, reckless burning), or
- Any fire or explosion which causes death or great bodily harm as defined by [RCW 9A.04.110\(4\)\(c\)](#).

Authorities

Whatcom County Sheriff's Office

The Sheriff's Office is responsible for fire investigations in which criminal activity is suspected as provided in [Whatcom County Code](#) (WCC) Sections 2.04 and 15.04.040.

Whatcom County Planning and Development Services

Whatcom County Planning and Development Services is charged with administering adopted codes and regulations per [WCC](#) Title 15 (Buildings and Construction) including but not limited to investigation of building and fire code violations.

Whatcom County Fire Marshal's Office

The Fire Marshal's Office is part of Planning and Development Services. It investigates code violations, illegal burns and the origin, cause, circumstances and property destruction of fires per [RCW 43.44.050](#) and [Whatcom County Code](#) Section 15.04.040.

An agreement exists between the Sheriff's Office and Planning and Development Services whereby the Fire Marshal's Office will investigate the cause and origin of fires and coordinate with and operate under the direction of the Sheriff's Office to investigate fires that are suspected to be criminal in nature. Fire investigators from the Whatcom County Fire Marshal's Office operate under a special commission issued by the sheriff when conducting such [criminal fire investigations](#).

Policy

Investigation Protocol

The initiation and conduct of criminal fire investigations will follow the [Criminal Fire Investigation Protocol](#).