Fire Fighter Fatality Investigation and Prevention Program

Investigation Procedures, Outline, and Conduct

Working Draft
Effective May, 2002

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1. PURPOSE OF THIS DOCUMENT

The purpose of this document is to provide a description of investigative procedures for the Fire Fighter Fatality Investigation and Prevention Program. It covers important procedural issues necessary for efficient, effective, and safe implementation of fire fighter team investigations. It also provides guidance for the subsequent write-up and dissemination of clear, concise, final reports that are complete with recommendations to aid the fire service in preventing similar incidents in the future.

2. PRE-FIRE DEPARTMENT CONTACT PROCEDURES:

The Team leader will normally be notified of a trauma-related fatality. If an investigator is notified personally of a fatality, please collect the following information and relay to the team leader immediately: upon receiving initial notification of the fire fighter line-of-duty death or serious injury from the U.S. Fire Administration or other source: the type of fatality or serious injury, the date and time of the incident, the location (city and state) of the incident, the name, address (if different than incident site), and telephone number of the fire department and fire department chief, volunteer or career, a contact if other than the Chief, the names of any witnesses that were on site, and a short synopsis of the incident.

3. FIRE DEPARTMENT TELEPHONIC NOTIFICATION / PRE - INVESTIGATION PROCEDURES

The overall goal of the fire fighter investigation team is to investigate line-of-duty deaths or serious injury, and to provide recommendations for preventing similar incidents in the future. Part of the goal of the of this program is to respond within three weeks of the occurrence - whenever possible. If an investigation is not initiated with three weeks of the occurrence, the Team Leader will enter the reason(s) in the RIP database Anotes@ section. As soon as possible upon notification of the incident, the Team Leader will decide what investigation team will conduct the investigation, and will designate the lead investigator and author of the investigative report, if applicable. The lead investigator will contact the Chief or his/her representative of the fire department, and the procedures outlined in Appendix I (Lead Investigator Responsibilities) will be followed and documented in the case file. The lead investigator will identify him/herself as an employee with the National Institute for Occupational Safety and Health (NIOSH), Division of Safety Research (DSR), that is conducting investigations of line-of-duty deaths of fire fighters.

In addition, explain the following:

1. NIOSH is not a regulatory agency, that you are interested in research and the prevention of similar incidents, through recommendations for prevention, that will be disseminated across the country to interested parties in the fire

community.

2. You are not interested in assessing fault or culpability to the fire department or individual fire fighters, only gathering information on the incident.

3. Inform the Chief or his/her representative that the outcome of the NIOSH investigation will be a final report on the incident that will contain recommendations for the prevention of such incidents in the future.

4. Let the Chief know that this report will contain no personal or fire department identifiers.

5. Offer to fax a brochure of the program, and/or a sample investigation report. You should also provide the website address at this time.

Establish at least one additional fire department contact at this time, in the event your initial contact is not able to attend your scheduled opening conference. Also, this is a good time to ascertain if this fire department has a union, and if so, find out who is the local president and his/her telephone number. The union president is usually contacted after all dates and times have been established with the Chief. Be open with the Chief of the fire department and inform him/her that you will be contacting the local union president and will be inviting him/her to participate in the investigation.

The fire department and union will be informed that we will be faxing a document / information checklist (e.g. specific residential, commercial, MVA, wildland, diving - See Appendix II), and that it would be very much appreciated if the information could be provided as soon as possible. Ask them to stamp or mark all documentation that is being submitted to us that they consider confidential or sensitive with a Aconfidential@ or some other administrative control language stamp (e.g. AProperty of Fire Department@).

The lead investigator should also determine from the chief the condition of the site, and any known hazards (physical, biological, chemical, ect). Depending on the condition of the site, appropriate personal protective equipment (PPE) should be taken with the team. If you have a question as to the appropriate PPE, consult your Team Leader or Section Chief.

At a minimum, the initial information requested (Appendix II) from the fire department will include:

1. A list of the responding fire companies, (by alarm) and the names of the officers and fire fighters, listed as assigned.
2. All witness statements that have already been completed

After receipt of this preliminary information, the lead investigator will then meet with the Team Leader and possibly the Section Chief, to divide the companies (entire crews) equitably among the investigation team members. The witness statements will be cross-referenced and disseminated to the applicable investigator. Fire fighters that are identified in the witness statements as being directly involved in the incident may have to be interviewed. Each investigator will provide the lead investigator with a list of fire fighters to be interviewed within one day of receipt of the witness statements.

The lead investigator will then schedule to the extent possible the opening conference, site visit, equipment inspection, and all interviews (date, time, and place) immediately - before leaving Morgantown.

The lead investigator will fax a copy of the agenda to the fire department and union (if applicable) that will include, at a minimum: the opening conference, site visit, scheduled interviews, equipment inspection, and closing conference dates, times and locations. The lead investigator will then follow-up telephonically to verify receipt and concurrence.

4. CONTACT OF OTHER AGENCIES

Prior to traveling, the lead investigator will meet with the Team Leader to discuss other contacts that should be made, e.g., the state fire marshal=s office; National Transportation Safety Board; Bureau of Alcohol, Tobacco, and Firearms; the Chemical Safety Board; or other fire departments involved; and, if this is a union department, a representative from the International Association of Fire

Fighters. These contacts should always be made, even if these agencies have not had time to prepare a report. Useful information can still be gathered, and you will let people know who you are and appraise them of NIOSH=s involvement through the Fire Fighter Fatality Investigation and Prevention Program.

It is important not to draw conclusions as to how or why the incident occurred from the preliminary information, and this is very important: no investigator is to discuss their opinions or any possible recommendations with fire department or union officials prior to the release of the final report.

If they are needed, the lead investigator will send form letters requesting each of these agencies' (e.g. medical examiner, police, OSHA, county coroner, fire department, or emergency medical service) reports as soon as possible after being assigned an investigation. If the agencies' reports are not complete, the lead investigator should make contact with the investigator(s) so the report can be mailed to us upon its completion. Additionally, when obtaining photographs from any source, ensure that any applicable release forms (or written request - whatever the other agency policy) are forwarded for appropriate release signature(s). Keep copies of all correspondence in the case file (e.g. date, time, contact name, title, agency, phone #, and a short summary of conversation/plan).

5. TRAVEL ARRANGEMENTS AND INVESTIGATION CHECKLIST

The lead investigator will schedule a meeting with the Team Leader and possibly the Section Chief to determine the amount of time required for this type of investigation (travel time) and discuss your team=s travel. This should be planned to assure that the team arrives at any pre - scheduled meetings on time. The lead investigator is to ensure, to the extent possible, that all meetings and interviews are planned prior to travel. Time spent on the telephone prior to the investigation will save valuable time in the field and can help an investigation run very smoothly, while illustrating that we are very credible. Additionally, to the extent possible, you should try to travel and conduct the investigation within a normal 8 hour work day. The work day can only be extended beyond 8 hours with the prior approval of the Section Chief.

The pre-travel checklist on the next page should facilitate your preparation to conduct the investigation.

Date: ________________ Case # ________________

Pre - Travel Planning Checklist

- ☐ Make air line and car rental reservations - Omega Travel (or current contractor)
- ☐ Make hotel/motel reservations - keep confirmation number
- ☐ Hand-out information: investigation reports, alert, hazard Ids, etc.
- ☐ Business cards
- ☐ Cellular telephone if needed
- ☐ Camera equipment
- ☐ Contact list - names and telephone numbers
- ☐ Directions to the fire department or other meeting place with times agreed upon
- ☐ Core questionnaire and applicable supplement
- ☐ Investigation checklist
- ☐ Safety equipment and PPE if needed (i.e. hard hat, safety shoes, safety glasses, gloves, leatherman tool)
- ☐ Faxed itinerary from Omega (or current agent) with e-ticketes info

6. BASIC EQUIPMENT TO HAVE AT IMMEDIATE DISPOSAL

The lead investigator should have the following equipment packed and ready for immediate departure; if not plan on taking these materials with you for the team:

Materials Checklist (for every investigation)

G Camera Equipment (e.g. digital camera, Polaroid camers, 35mm

G Telephoto lens

G Wide angle lens

G Flash

G Extra film for all cameras

G Extra batteries for flash and cameras

G 12 or 25 foot tape measure

G 50 or 100 foot tape measure

G Flashlight with extra batteries

G Colored flags or markers to be used as reference markers

G Tape recorder with extra batteries and blank tapes

G Video camera with extra tapes and battery packs.

7. THE ON - SITE INVESTIGATION

7.1 OPENING CONFERENCE:

The Lead investigator will prepare a package of fire fighter reports and publications that will be given to the Fire Chief (or his/her representative), and the Union (if applicable) during your opening conference. Extra packets could be taken for dissemination to interviewees as well. Plan to arrive at least 10 to 15 minutes prior to your scheduled meeting time. If for some reason you cannot make the scheduled appointment time, call the Fire Chief and Union Representative (if applicable) and explain the reason for the delay and schedule a new time.

Conduct of the Opening Conference:

If the Chief does not want to be directly involved in the investigation, he/she should be urged to assign a safety officer or other representative. The lead investigator will complete Appendix III - Opening Conference Checklist, during the opening conference of each investigation.

Icebreaking:

- state your name, agency/department
- display your identification credentials

- establish an attendance list that includes the person=s name, title, affiliation, and phone number, at a minimum.
- discuss the NIOSH Fire Fighter Program with all attendees, which should include the focus for the program - which is not to assess blame, but is for future prevention efforts.

- provide the attendees with copies of other applicable NIOSH publications related to the NIOSH Fire Fighter Program.

- reiterate the purpose of the investigation to the attendees (emphasize the fact that our purpose is research, not to conduct a compliance visit or to assess blame on the fire department or individual fire fighters. Explain the basic differences between a compliance visit and a research study, e.g., the purpose of a compliance inspection is to enforce code violations, while a research investigation looks at the task the victim was performing, tools and equipment being used, and the working environment relevant to the time phases of pre-event, event, and post-event. Emphasize that the primary goal of the NIOSH investigation is the prevention of similar future events.

- offer to exchange business cards with all attendees. The exchange of business cards is a good practice and can be maintained in the case file to provide an instant reference should you need to contact the fire department. It is recommended you offer and exchange business cards at least with the following persons involved in the case:

- Officers and fire fighters interviewed
- Union representative(s) (if applicable)
- Medical examiner
- State Fire Marshal representative
- County coroner
- Police
- OSHA personnel
- EMS units.

This not only provides a means of contact for the investigation, but provides a means with which these individuals can contact you in the future.

Inform the attendees that NIOSH must conduct its own, independent investigation, and that their cooperation is very much appreciated. If the fire fighter wishes to have union or other representation present during his/her interview, that we will, of course honor that request.

Review the basic procedures for the investigation and what you would like to accomplish, (e.g., conduct a site visit, inspect equipment), interview fire fighters and officers <u>directly related</u> to the incident, review training requirements and records of the victim(s), review standard operating procedures, etc. (All of which should already have been previously scheduled or received).

Also, let the attendees know that technical information on safety and health subjects can be obtained by calling 1-800-35-NIOSH, or by visiting our website at:

http://www.cdc.gov/niosh/homepage.html

And in addition, safety and health information specific to the fire service can be found at:

http://www.cdc.gov/niosh/firehome.html

Inform the fire chief and the union (if applicable) that you will provide them with a draft copy of the investigation report for review of technical accuracy before it is released to the fire community (without recommendations). Each finalized report will contain a summary of the sequence of events with recommendations for prevention of similar occurrences in the future. No personal or fire department identifiers will be used in the report or kept on file after the report is completed and published. After any questions are addressed, you are to ask questions that will supply the information necessary to complete your survey instrument. (Appendix IV)

7.2 WALK-AROUND / INVESTIGATION

You may ask the Fire Chief to explain the circumstances surrounding the incident and extract information from that, or, you may ask questions directly. Some flexibility will be necessary during an investigation because not all investigations will follow a set formula or equation. It is important not to draw conclusions, convey opinions, or solicit opinions during the investigation.

SITE VISIT:

We must be accompanied to the site by someone in authority (e.g. fire department, fire marshal, insurance company). It is a good idea to request that the fire chief or his representative and the union representative accompany you on the site visit and to the various fire stations.

As you view the incident site, open-ended questions (requiring a comprehensive, not yes or no answer) to be asked of fire fighters should be formed and written down. Questions should address **who**, **what**, **when**, **where**, **why, and how?**

NOTE: There are documented cases of investigators being seriously injured while re-enacting an incident. It is not necessary to do so physically, and is not recommended. If you feel it is indeed necessary to "re-enact" the incident, do so on a series of sheets of paper.

If witnesses are present at the site visit, you can ask questions to clarify any questions that you might have -

document who says what - this may be important later if you need clarification. This is not to say that all of their answers will be accurate, but it might provide you with a solid starting point. This would be a good time to take a few polaroid or digital pictures of the incident site.

Remember, safety first during the investigation. Don't do anything that might place your safety in jeopardy. If there is a question as to how to address a situation, consult other investigators, your Team Leader, Section Chief, or competent persons at the scene before proceeding. If this is not possible, photograph questionable situations so that they may be discussed with the appropriate people at a later date. Make sure that all existing and potential hazards (e.g. downed powerlines, falling materials, toxic atmospheres) are identified and that all persons at the scene are alerted to the existence of these hazards. Under no circumstances are investigators to put themselves in an unsafe situation.

7.3 PHOTOGRAPHS

When taking digital photographs, ALWAYS set the dpi setting to the highest level. This will facilitate a crisp, clear photo that can be used by the information specialist (John Sines) in the layout of the report. Only print photo=s that will be used in the report.

Only photographs pertinent to the write - up of the investigative report will be acquired from the fire service or any other source. **UNDER NO CIRCUMSTANCES** will a photograph of **ANY** victim (dead or alive) be shown, displayed, or otherwise exposed to any employee or civilian other than the investigative team assigned to the investigation (for the purpose of this instruction, the investigative team will include the team leader and TIS Chief). **UNDER NO CIRCUMSTANCES** will **ANY** photograph of a victim (dead or alive) be photo-copied or otherwise mass-produced without the express written permission of the team leader **AND** TIS chief. Acting TIS chiefs are NOT authorized to approve this request.

7.4 WITNESS INTERVIEWS

Before commencing an interview, always inquire with each fire fighter whether they prefer to have union representation (if applicable) or other representative present during the interviews. It is recommended that the interviews be conducted in private, i.e., one-on-one, unless the interviewee has union or other representation in the room. This process should begin as soon as possible after the incident occurs.

Using the information that has been received prior to the interview, (i.e. the site visit and other informal interviews) the investigator should develop a probable scenario. Knowing what the incident site looks like, what type(s) of apparatus was/were used, or any difficulties the fire fighters were having performing their task before the incident occurred, will help the investigator prioritize the information received during the witness interview(s).

Use the questions that you formed while at the incident site, if applicable. If a site visit was not conducted, try to formulate questions from information gathered earlier. Again, questions should address **who**, **what**, **when**, **where**, **why, and how?** Fire fighters may be more comfortable during interviews if they feel the investigator has knowledge of the incident, the task being performed, or the problems being encountered during the performance of the task. It is helpful to draw a rough sketch of where various fire fighters, officers, command, and where the apparatus= were located at the incident. The investigator should be relaxed, receptive, objective, and should not offer opinions or draw conclusions.

INTERVIEWEES:

The personality and emotional state of the fire fighter may affect the manner in which the interview progresses. The investigator might encounter timid, open, hostile, egotistical, or fire fighters that fear retribution. No matter what type of interviewee is encountered, the investigator must remain open and objective. Try to find a common ground during the interview, let the fire fighter talk freely.

Polaroid snapshots, digital photos, or diagrams obtained during a site visit can be extremely helpful during fire fighter interviews, especially if the interviews are conducted away from the incident site. The investigator should not hesitate to use them to clarify points. The fire fighter will become more involved in the interview by being allowed to view the photographs. If the fire fighter feels an additional sketch or diagram is necessary to clarify a point, allow them to express themselves in that manner. These can also be used in future fire fighter interviews.

There may be times when a fatal incident is unwitnessed. When this occurs, it is important that the investigator work with other investigating bodies to formulate the most likely scenario. The possibility always exists that another investigator may have picked up on some type of evidence that the other investigators had missed.

People who had been on-site but did not observe the incident, often have detailed knowledge of the job routines and procedures which the victim may have followed. These can be useful to help reconstruct typical scenarios and corroborate existing physical evidence.

When the investigator is ready to begin the interview, it is essential that a non-threatening location be selected in which to conduct the interview. The fire fighter will be best able to recall their observations and provide the most useful information when they feel comfortable and secure.

Upon meeting the fire fighter, the investigator should introduce him/her self, show their identification, and explain the Fire Fighter Investigation and Prevention Program and their interest in the incident (i.e., for prevention). The investigator should assure the fire fighter that the purpose of the investigation is not to assess blame but to identify hazards and prevent similar incidents. The fire fighter should also be assured that the information they give will remain confidential. The investigator should tell the fire fighter that notes will be taken, but should assure the fire fighter that personal identifiers will not be used. The investigator should not rely on their memory for total recall of the fire fighter' comments. Notes taken during the fire fighter' interview can be used to restructure the events leading up to the incident. This will assist the investigator in report writing. Since constant writing could become a distraction to the fire fighter, only information essential to the investigation should be noted. If the fire fighter speaks too fast, do not ask them to stop for a moment or they may lose their train of thought. Record only essential points that can be clarified by follow-up questions after the fire fighter has concluded their comments. The fire fighter may feel more comfortable seeing the notes out in the open, but notes should not be taken in a manner that becomes distracting. If the fire fighter has no objections, the interview may be recorded. If recording takes place, the tapes are to be erased after the report is finalized. If the tapes are transcribed, they are to be erased immediately after transcription. Inform the fire fighter that this will occur. This would help the investigator with information partially missed during the interview. The fire fighter should also be told that a report of the incident will be prepared and that they may receive a copy of the final report if they wish. At all times, the fire fighters should be treated with courtesy and respect. Remember, this person has recently been through a traumatic experience, and may still be emotionally shaken.

To begin the interview, the investigator can ask for routine information such as the fire fighter' name, rank, job title and description, amount of experience at the job, and if applicable to the investigation, any training the fire fighter may have received. Routine questions such as these will help the fire fighter relax, and will allow the investigator time to evaluate the emotional state and attitude of the fire fighter.

After these routine questions, the investigator should ask the fire fighter to relate what occurred prior to, during, and after the incident. The investigator should allow the fire fighter to relate the circumstances surrounding the incident, as they remember, in their own words, and not lead them into statements that would support investigator theories.

Investigators should not discourage or interrupt pauses by the fire fighter. Sometimes the fire fighter will require time to gather their thoughts before continuing. Silence can also be a good prompt. **Try not to interrupt the witness!**

If follow-up questions are necessary, ask questions that require more than a yes or no answer. Questions that call for the fire fighter to make an assessment or offer second hand information are not appropriate. Sufficient questions should be asked of fire fighters to provide the investigator with all information necessary to complete the survey instruments and write the investigative report.

Try to direct the witness only to comment on what he/she witnessed and did. Depending on the time frame of the investigation vs. the incident, the witness may have collaborated with others to piece the incident together. You are only interested in what he/she saw and did.

It is possible that, after all witnesses are interviewed, a follow-up visit to the site may be necessary to clarify some points. Make sure to answer all questions that you may have pertaining to the incident so that a follow-up visit will not be necessary.

POSSIBLE INTERVIEW QUESTIONS:

The investigator should ask the fire fighter to explain in his own words what occurred from the time the alarm came in, until they returned to the station. The following questions may be asked to fill in the blanks and assist the fire fighter being interviewed:

- Date, time, and location of the incident
- Task or assignment at this incident
- First arriving companies
- Type of structure and occupancy
- What they observed upon arrival
- Size up and risk assessment
- Command structure (i.e., first arriving officer, next

to assume command, etc)

- Accountability
- Communications at the fire scene
- Type of attack (i.e., offensive, defensive)
- 2-in, 2-out
- Self-contained breathing apparatus worn and operating properly
- PASS devices worn and activated (type, e.g., integrated)
- Rescue involved
- Rapid Response Team
- Standard Operating Procedures followed
- Environmental factors during the pre-event, event, and post-event phases of the incident. These factors might include wind, rain, temperature, lighting, etc.
- The location of fire fighters, officers, apparatus, and equipment
- The names of other fire fighters present at the incident site - this may lead to the identification of additional fire fighters

In closing the interview, the investigator may want to go back over the important points covered during the interview to assure that everything is clear in their mind. After interviewing the fire fighters and analyzing their comments, complete the appropriate survey instrument, if applicable.

7.4 CLOSING CONFERENCE

Once the interview and site visit are complete, you can briefly go over the information you have collected and set time frames to receive materials that the fire department has not already provided. This is the time that you should complete the survey instrument with all available information if it has not been done already. (APPENDIX IV). You should inform the fire chief that the goal of NIOSH is to have the report (without recommendations) back to the fire department within four months for their review. The fire department/union will be asked to provide comments back to NIOSH within 10 working days of receipt. If no comments are received we will assume that no changes are necessary, and will proceed to finalize the report, unless contacted by the fire department or union for an extension.

At this point, do not offer conclusions, opinions or find fault. Do not ask his/her opinion or ask / discuss what recommendations they would make to prevent similar incidents, but you can ask if the department has made any changes after the incident. If someone asks you of your opinions, tell them that it is too early in the investigation to comment.

Make sure to reiterate to these attendees that the NIOSH fire fighter program and individual investigation case reports can be accessed via the NIOSH web page at http://www/cdc/gov/niosh/firehome/html.

8. REPORT WRITING / LENGTH OF REPORT

Within five working days, the lead investigator will call a team meeting of all availabe Fire Fighter Team members to informally present the case in an open-forum setting (for selected cases only). Possible recommendations will be brain-stormed and discussed, and potential references will be determined.

For investigations deemed Acomplex@ by the Team Leader and Section Chief, the write-up of the report will be divided somewhat among the team. Upon the teams= return to Morgantown, the lead investigator will also, within the five in-house working days, develop any film, and electronically design any diagrams that are applicable (i.e. structure, road, dive zone, wildland) to the development of the report. The information will be forwarded to the team members to facilitate the writing of their portion of investigation section of the report (i.e. write up of the interviews in story form by company, with time line, of the fire fighters that he/she interviewed). All team members will also complete the duties outlined in Appendix VI. Following receipt of the diagrams/photos, each investigator will have his/her portion of the report drafted and submitted to the lead author within 10 in-house working days, unless recognized extenuating circumstances exist and are documented by the investigator to the Section Chief through the Team Leader. The facts included in the write up(s) will be used by the lead investigator (in addition to meetings held with the investigation team) in making conclusions and developing recommendations. The lead investigator is expected to schedule meeting(s) so that the report can be written in an efficient time frame.

For all reports NOT deemed Acomplex@ each investigator will typed all inter views and provi de the lead with both hard and elect ronic

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The draft reports should be limited to 25 double - spaced pages or less (including photo=s and diagrams). A major goal for the author in writing the report will be, whenever possible, to limit the Summary/Recommendations section so that it will fit onto a single finalized page (following layout). This needs to be done in order to facilitate Atear off@ and posting capability.

It is imperative that we only write on the essential aspects of the case - **only that information necessary to tell the story and support our recommendations** in a clear, concise manner. If this is done efficiently, it will subsequently limit the length of the finalized report. (Refer to the Attachment: Format for Firefighter Fatality Reports)

9. CONDUCT

All investigators are required to reference and follow the instructions included in Appendix V and Attachment A whenever engaged in any type of interaction with our stakeholders. Our stakeholders include any individual of the general public, another government agency, or any organized labor group. In addition, our stakeholders include any person or entity associated with the fire service, or any other entity that could be affected by the performance of

our official duties.
The information specialist will enter specifics on the report into the Reports-in-progress (RIP) workspace using the process outlined in Appendix VIII within 3 working days of the return of the team. The lead investigator will be responsible for updating the RIP database info and notes section by close of business the Friday of every week until the report is finalized.

The information specialist will update the review status portion of the RIP following team review up to and including the date of publication.

The goal of the fire fighting team will be to have all fire fighter reports finalized and sent to the printing office within **6 months** of the opening conference date. The opening conference should be held within 15 working days of the assignment date, if possible. Exceptions to these goals will be made in certain cases and in extenuating circumstances. The reasons for delay will be discussed with the Team Leader and Section Chief and entered into the notes section of the RIP database by the lead investigator.

10. RECOMMENDATIONS:

In concert with the NIOSH FACE program, final recommendations will be developed through the utilization of the Haddon Matrix. (Training to be held in July, 2002). When the report is finalized, the author will update the Recommendations Database within five working days to ensure that the data is kept current.

11. ALL REPORT REVIEWERS:

The existing routing form for fire fighter reports will be used for report clearance (See the team leader for the most current version). In order to expedite the review process, the team member review goal will be performed within two in-house working days per investigator, and within three in-house working days each for the Team Leader and Section Chief. Deviations from this goal will be made on a case-by-case basis for extenuating circumstances.

The date received and the date the review is completed from investigator through Section Chief level will be entered on the report clearance sheet and RIP database. The lead investigator will be responsible for sending the report (minus recommendations) to the fire department and union in line with the review form, and will allow 10 working days for their review/comment. The lead investigator should inform the fire department and union of this goal, which exists in order to efficiently disseminate the information and better serve the fire service as a whole.

11.1 REPORT FINALIZATION / REVIEW/ CLEARANCE

The review process for Fire Fighter reports is divided into four sections (see the report folder routing form attached to the folder of each report): team review, editorial review (currently Linda Morton), expert review, and publication review. Each investigator will enter his/her information in the RIP database when the report is received, and when the review is completed. S/he will also enter the name to which the reports is given for subsequent review, and the date provided to that reviewer. The procedures below are the responsibility of the information specialist and branch secretary in the publication review phase of the reports.

11.2 INFORMATION SPECIALIST/TEAM LEADER/ BRANCH SECRETARY DUTIES: During the publication review phase:

The author submits to the information specialist (John Sines) the report folder (which contains hard copies of the reviewed report, photos, diagrams, attachments, etc.) and all electronic files (finished text, photos, diagrams, attachments) in accordance with the review routing form. John Sines (John) will then check the RIP workspace to ensure that the author has entered a date in the Apublication review@ field.

John will then prepare a new PageMaker report file from the report template. (PageMaker file and WordPerfect file of the text). When finished with layout of text, John will prepare all photo and diagram files for layout, including scanning, cropping, and editing using photo-editing software; completes layout of report by placing photos, diagrams, and attachments into the PageMaker file.

John will notify the branch secretary (Teresa King) to prepare an HHS26 for this report.

Teresa will provide the HHS26 to John, who will place it in the report folder.

After layout in Page maker, each reviewer completes their review, updates the RIP database with the date(s) of review, and returns the folder to John for revisions. John will complete the revisions and print a clean copy of the report. John will then enter the date that the file is forwarded to the next reviewer into the RIP database and forward the report to that respective reviewer. Each reviewer will also complete the appropriate date(s) on the RIP database when reviewed, the report=s signature page, and the report folder routing form. John will receive the report after each reviewer, and make appropriate changes and ensure appropriate dates have been entered. John will then send the report folder to the next reviewer.

When the report has been signed off by all reviewers, the following steps will be completed (Note: These steps are outlined on the report=s quality assurance checklist located in the report folder.):

BRANCH SECRETARY (Currently Teresa King)

a.. The Branch Secretary will Xerox the HHS26 and give one to Polly.

INFORMATION SPECIALIST:

b. John will then prepare the electronic files (PageMaker and all graphics) and move to the H drive for online publication, notify the computer specialist (currently Cheryl Paul) that this report is ready for online publication, and send directly to Cheryl.

c. Prepare the camera-ready copy and a color visual copy for hardcopy publication. Give these copies and the folder to the branch secretary to send to the PRL for printing. Enter the date on the report folder routing form under AInformation Specialist: final publication to secretary & computer specialist ________.@

c. Enter data on this report in the RIP database.

d. Print one copy and give to Nancy Romano for work on the Recommendations database.

e.. Email the author, Team Leader, Section Chief, Branch Chief, and Deputy Director DSR that this report has been finalized and sent forward for online and hard copy publication.

Note: When the branch secretary completes her work, she enters the date on the report folder routing form under ASecretary: final publication sent to Printer ____________.@

12. WEB PAGE POSTING / REPORT RELEASE

The information specialist will coordinate with Cheryl Paul and Herb Linn / EID to ensure the simultaneous hard copy and web posting release of the reports. [NOTE: It is important to verify that the fire department and union (if applicable) have received the final report **<u>before</u>** it is posted on the web. The information specialist will also ensure that email notification of the report release is made to firehouse.com, nvfc.org, firefighting.com, and ichiefs.org, etc. immediately after web page posting is confirmed. The information specialist will have the responsibility to maintain and update his/her portion of the RIP database, and will enter the applicable dates into the RIP database as soon as the information is available.

12.1 HIGH PROFILE CASES

High profile cases will be designated as such by the team leader and section chief based on information provided by the investigation team. The team leader will inform the information specialist of this designation within 1 working day via verbal and e-mail notification. The Section Chief will notify the Branch Chief and Deputy Director. The Deputy Director will coordinate with Fred Blosser (or current NIOSH press officer) regarding the anticipated press inquiries. The lead investigator and Team Leader will develop possible questions and answers (Q&A) and provide to the Section Chief, who will in turn provide to the Branch Chief and Deputy Director. The Deputy Director will discuss with the NIOSH press officer and coordinate any press interviews. All press contacts/interviews require the completion of the ARecord of News Inquiry@ form. The completed form is routed through the Team Leader, Section Chief, Branch Chief, and the Office of the Director, DSR.

13. EXTERNAL INQUIRIES

13.1 CALLS FROM ATTORNEYS

When an attorney calls and asks for a publication, or something already in the public domain, you can send the information to them. When an attorney asks for someone (e.g., a researcher), get more information on what they need, get their name and telephone number, determine who should respond to the call, then discuss with the Team Leader or Section Chief whether the division can return the call directly or if it needs to be referred to the NIOSH Office of the Director.

If the information requested by the attorney involves "policy" questions, the call should be referred to:

Director for Policy, Planning, and Legislation (currently Jane Roemer)
(202) 401-3748

If the attorney is seeking an **expert witness**, this call **must** be referred to the Attorney-Advisor to NIOSH, but first call them and give the background information on the caller and what they are requesting. The telephone number is (202) 401-0721. (Currently, Mary Armstrong)

If the attorney is seeking information under the **Freedom of Information Act (FOIA)**, refer the call to the FOIA Coordinator, NIOSH. The telephone number is (404) 639-3061.(Currently Mary Griffin).

13.2 CONGRESSIONAL CALLS

Form PHS-1553 (Record of Congressional Inquiry Received by Telephone) will be used to summarize conversations, including telephone calls, with Members of Congress or their staff members when a written reply is not required.

1. If you receive a call from a staffer, contact your Team Leader and Section Chief, and then call Director for Policy, Planning, and Legislation at (202) 401-3748 **before** you return the call. Do not return the call until you get the go ahead from the NIOSH Office of the Director
2. If directed, return the call and use form PHS-1553 to record the conversation.
3. Route completed form (typed) through applicable section/branch, then to Office of the Director, DSR.
4. The Office of the Director, DSR will fax and mail a copy to the Director for Policy, Planning, and Legislation.

13.3 CORRESPONDENCE FROM ATTORNEYS

Each request must be considered carefully, and decisions should be made on a case-by-case basis. Therefore, all written requests from attorneys for information--general or specific--are to be forwarded to your division Freedom of Information Act (FOIA) coordinator. Norma Bolyard is the FOIA Coordinator for DSR. The division coordinator will forward the request to the FOIA coordinator for NIOSH. A determination will be made there as to whether this request will become a FOIA request, or if division staff can respond directly to the request.

13.4 EXPERT WITNESS/SUBPOENAS/TESTIMONIES

Any written request from an attorney seeking an **expert witness** must be referred to your Team Leader and Section Chief for action.

13.5 MEDIA INQUIRIES/RECORD OF NEWS INQUIRY

Researchers receiving calls from any national media, including the Washington Post, the Wall Street Journal, the New York Times, CNN, CBS, NBC, and ABC, must coordinate through the Office of the Director, NIOSH **before** speaking with them. Call Fred Blosser at (202) 401-3749 for instruction regarding response to the inquiry. Complete form CDC/NIOSH 2.120 (Record of News Inquiry) (Attachment D) and process through normal channels.

The Record of News Inquiry is to be completed by investigators whenever they receive an inquiry from any individual representing the news media (print media, radio, or television). Special attention should be given to Attachment D, which indicates the need for prior clearance for each contact with a major news organization. It is the responsibility of the investigator responding to the call to obtain required information for completion of the typed form.

An electronic version of the Record of News Inquiry is available. After the form has been typed and routed in the division, an electronic copy of the form will be forwarded to Fred Blosser, NIOSH, Office of the Director, by Office of the Director, DSR.

If investigators are caught on the phone with a reporter unexpectedly, simply say, "We will be happy to answer your questions, but all media inquiries are coordinated through the NIOSH, Office of the Director.

13.6 PRIVACY ACT REQUESTS

Mary Griffin, NIOSH Privacy Act Coordinator, processes all Privacy Act requests (request by an individual for his own records about himself). If a division receives such a request, they are to immediately fax or mail a copy to Ms. Griffin.Ms. Griffin's mailing address is Office of the Director, mailstop D36, Atlanta. Her telephone number is (404) 639-3061; her fax number is (404) 639-2248.

Appendix I: Lead Investigator Responsibilities

13. Make contact with department and union

2. Serve as point of contact with department and union

3. Fax or e-mail checklist of Materials/Records ASAP that you are requesting. (Appendix II)
    - Secure list : responding crews (companies) and individuals= names and the duties they performed
    - Secure witness statements if available (to be used to determine fire fighters to be interviewed - if not available set up interviews in accordance with Team Leader input (i.e. 1st/2nd alarms)

4. With input from Team Leader (and possibly the Section Chief), on large cases, divide work (interviews, ect.) among investigation team members (with input from Team Leader, Section Chief, and Team members)
    - determine which investigator will interview which crews (have department schedule interviews by company)
    - determine information to collect (anything additional to initial request)
    - key points to bring out in interviews, etc

5. Arrange travel so Chief(s), officers, union representatives, fire fighters, fire marshals, arson investigators, fire fighters, etc. are available for us to interview. If credit hours or comp time may be needed to complete the investigation, this must be discussed and approved in advance by the section chief.

6. Set up and confirm with the department and the union:
    - the dates of investigation
    - the date and time of opening conference
    - the date and time of the site visit (same day as opening conference if possible)
    - officers/fire fighters to be interviewed
    - the date and time of equipment inspection (SCBA, turnouts, nozzles, pass, etc.)
    - the dates and times of interviews (fire marshal, arson bureau, etc.)
    - develop a tentative schedule for the investigation in advance. This schedule will be

provided to the team members after section chief approval.

7. On large cases, the lead investigator should plan on interviewing the following any Incident Commander(s), since he/she will be responsible for writing the summary, introduction.

8. Responsible for the conduct of the opening and closing conference

9. On large cases, the lead investigator is responsible for collecting each investigators= typed draft of his/her companies= fire-ground events/activities for the investigation portion of the report

10. The lead investigator will be responsible for updating the RIP database info and notes section by close of business the Friday of every week.

11. Responsible for setting up meeting(s) with his/her investigative teams for write-up and recommendation input

12. On large cases, set up team meetings for the writing of the summary and introduction sections - since this will coincide with the investigation team members company interviews

13. During the review stage(s), the lead investigator/author makes all revisions and prints a clean copy for subsequent review.

14. Before Page-maker layout, the lead/author will complete all revisions, print clean copy of the report and send this copy along with the folder to subsequent reviewers. The lead investigator will E-mail Team Leader, Section Chief, Branch Chief, and Deputy Director - DSR when the report is in the final sign-off phase.

15. When the report is finalized, the lead/author will update the recommendations database within five working days.

APPENDIX II - DOCUMENT / INFORMATION CHECKLISTS

This appendix is on the shared drive, and is to be completed electronically. It is located in the :

H: Drive under DSR/SFIB/Shared for Face & fire/Tarley/checklist.xls

1. Complete the appropriate checklist

2. Print off the list

3. Verify content with the Team Leader and Section Chief

4. Fax to contact in the Fire Department and Union (if applicable)

5. Follow up to ensure receipt and answer any questions

6. Develop Agenda from information received

7. Keep in case file until purged

APPENDIX III : Opening Conference Checklist

DATE:_________________ CASE #_________________

OPENING CONFERENCE CHECKLIST:

- State your name, agency/department
- Display your identification credentials
- Establish an attendance list that includes the person=s name, title, affiliation, and phone number, at a minimum.
- Discuss the fire fighter program with all attendees (provide copy of fire fighter brochure), which should emphasize the prevention aspect of the study.
- Provide the attendees with copies of other applicable NIOSH publications related to the Fire Fighter Program.
- Reiterate the purpose of the investigation to the attendees:
- Purpose is research, not to conduct a compliance visit.

- Explain the basic differences between a compliance visit and a research study, e.g., the purpose of a compliance inspection is to enforce code violations, while a research investigation looks at the task the victim was performing, tools and equipment being used, and the working environment relevant to the time phases of pre-event, event, and post-event.

- Offer to exchange business cards with all attendees. The exchange of business cards is a good practice and can be maintained in the case file to provide an instant reference should you need to contact the fire department. It is recommended you leave your business card at least with the following persons involved in the case:

  - Officers and fire fighters interviewed
  - Union representative(s) (if applicable)
  - Medical examiner
  - State Fire Marshal representative
  - County coroner
  - Police
  - OSHA personnel
  - EMS units.

- Inform the attendees that NIOSH must conduct its own, independent investigation, and that their cooperation is very much appreciated. If the fire fighter wishes to have union or other representation present during his/her interview, that we will, of course honor that request.

- Review the basic procedures for the investigation and what you would like to accomplish, e.g., conduct a site visit, inspect equipment), interview fire fighters and officers directly related to the incident, review training requirements and records of the victim(s), review standard operating procedures, etc. (All of which should already have been previously scheduled or received).

- Also - let the attendees know that technical information on safety and health subjects can be obtained by calling 1-800-35-NIOSH, or by visiting our website at:

  http://www.cdc.gov/niosh/firehome.html

- Prepare a package of fire fighter reports and publications that can be given to the Fire Chief (or his/her representative), and the Union (if applicable) during your opening conference. Plan to arrive at least 10 to 15 minutes prior to your scheduled meeting time. If for some reason you cannot make the scheduled appointment time, call the Fire Chief and Union Representative (if applicable) and explain the reason for the delay and schedule a new time.

- Inform the fire chief and the union (if applicable) that you will provide them with a draft copy of the investigation report for review of technical accuracy before it is released to the fire community. Each finalized report will contain a summary of the sequence of events with recommendations for prevention of similar occurrences in the future. No personal or fire department identifiers will be used in the report or kept on file.

APPENDIX IV: DATA COLLECTION INSTRUMENT

NIOSH FIRE FIGHTER INVESTIGATION AND PREVENTION PROGRAM

Go to:

H:\DSR\SFIB\Shared for Face and Fire\Fire Investigation Forms

Select the Proper Instrument.

Print and complete during field investigation.

The core forms will be due to Steve Proudfoot 6 calendar weeks from the closing conference date.

APPENDIX V: CONDUCT OF INVESTIGATIONS

While conducting any investigation, all investigators will observe the following to ensure that we are impartial, and are not acting in any way that gives the appearance of violating the Standards of Official Conduct dated January 20, 2001 (see attachment)

Do not accept free meals from the Union - we will gracefully decline free meals.

Do not accept free meals from management - we will gracefully decline free meals.

Do not accept any free food/drink or any other item unless is offered free to the public.

Do not trade or sell tee-shirts, items, or gifts, give items or gifts, or accept items or gifts from the fire service or unions - this may give the appearance of unethical conduct.

Do not engage in any discussion that indicates, however subtle, that we are "siding" with the union or management.

Do not investigate anything other than the circumstances directly related to the fatality/injury we are assigned to investigate - do not ask "is there anything else you would like us to look into while we are here@ - or anything to that effect.

Do not allow the investigation to appear to be directed by the management or the union- we are to perform our own (independent) investigations, directed by us.

Do not discuss any suggestions from either the Union or Fire Department regarding recommendations in any incident - we will report our findings when the investigation is complete.

NEVER discuss any possible recommendations that we may develop prior to release of the completed report.

Do not ask anyone what they think, or what they would recommend. Do not ask for opinions, or render yours. It is much too premature to discuss cause/effect relationships.

Use witness statements when available in lieu of actual interviews - we do not want to spend any excess time in the field where not necessary - this wastes time. If needed, utilize phone interviews to wrap up loose ends in a witness statement.

Do not accept or participate in any "ride-alongs" or training without permission from your Team Leader and Section Chief. We will NOT engage in a situation that exposes an investigator to unsafe conditions.

Perform single - witness interviews whenever possible.

Secure and utilize all available reports/investigations that have been started or already completed (e.g., Police, Internal Dept., Fire Marshal, OSHA, Medical Examiner). Get these before going on site - and have interviews scheduled prior to leaving Morgantown whenever possible.

To the extent possible, try to schedule 8 hour days while in the field. You are responsible to perform the investigation and maintain control over them to ensure this will be done. Credit time must be approved in advance by the Section Chief (or acting Section Chief) - for extenuating circumstances only.

Do not hold meetings exclusively with union or management - this may result in us appearing to favor one or the other - we MUST remain impartial and clearly display this to everyone present.

If you have any questions about anything outlined in the Appendix, ask the Section Chief.

APPENDIX VI - Team Member Responsibilities on Large Cases

1. Attend initial meeting with Team Leader (and possibly the Section Chief) to determine company assignments

2. After determination of crew responsibility and witness statements, compile a list of interviewees, and provide to the Lead Investigator (the lead will have all interviews scheduled in accordance with on-site dates and times

3. Determine information to collect (anything additional to initial request)

4. Take appropriate PPE to Investigation. If a site visit is planned and only safety hazards are present, take a pair of safety glasses, hard hat, safety shoes/boots, and gloves with you. If health hazards are known to be present, refer to the team leader and section chief for direction prior to departure from Morgantown.

5. Attend opening conference, site visit, equipment inspection, and closing conference with the rest of the team

6. Perform fire fighter interviews

7. Assemble a draft of your companies= fire-ground events/activities (real - time succession) for the

investigation portion of the report

8. Attend meetings with investigative team for report write-up and recommendation development