

ADMINISTRATION OF JUSTICE/PUBLIC SAFETY AND DISASTER/EMERGENCY RESPONSE & MANAGEMENT

Overview – Provide a brief, 25-word summary of your program or project.

The District Attorney's Arson Task Force. Its goal is to successfully educate, prevent, investigate and when appropriate, prosecute arson cases.

Challenge – Describe the challenge your County faced and the process used to address it. Explain the unique or critical factors that led to this project.

In 2008, 210 Santa Barbara County homes were destroyed by a fire which came to be known as the Tea Fire. The cost of this fire was approximately \$5.7 million, 10 people injured and 1,940 acres burned. It took the District Attorney's Office months to make a filing decision, and when they finally did, it left the People of Santa Barbara County feeling distrustful and frustrated because the charges that were filed were not as dire as the damage that occurred.

Solution – Describe the innovative steps taken by the County to solve the problem or overcome the challenge outlined above.

In 2010, District Attorney Joyce Dudley was elected and immediately formed the Santa Barbara County District Attorney's Arson Task Force. The goal was to collectively take on the issues of arson prevention, investigation and prosecution.

At the time, the Task Force had no model to follow. They just knew they needed to bring all the stakeholders involved in arson to the table to discuss improving their response to our community's reoccurring and life-threatening crime of arson.

Innovation – Describe how this program is innovative among California Counties.

Now in its 10th year, we are unaware of any other program like it in the state.

Show how your solution demonstrates creativity, uniqueness and an innovative spirit.

When the Task Force was first formed, all fire and law enforcement agencies were invited, but only 6 people showed up. After the District Attorney explained the task force mission and those present discussed relevant issues, the group disbursed, went back to their jurisdictions and discussed the meeting. At the next meeting, approximately 40 relevant-personnel attended. The group is now in its 10th year and the attendance has remained steady. The Arson Task Force includes participants from Santa Barbara County District Attorney's office, all local fire departments in Santa Barbara County, including the United States Forest Service, CalFire and Vandenberg Air Force Base, and law enforcement representatives from the California Department of Justice and local law enforcement agencies.

Results – Describe the results of the program/project.

The meetings educate attendees on relevant topics, make announcements, brain storm present cases and share lessons learned from cases presently going through the criminal justice processes, as well as cases that have been resolved.

Additionally, when a local agency believes an arson may have occurred, they may request assistance from fellow Arson Task Force members for investigative purposes and technical and legal advice. The District Attorney's Office may also provide a DDA, when requested, to respond to the scene of a fire. This accomplishes the dual purpose of allowing the legal professional to offer guidance, while being in a position to observe and understand the dynamics of these unique crime scenes. Such interaction allows for a more fluid and informed discussion of all aspects of a case as it moves through the process.

For the last 10 years the District Attorney's Office has had 4 members on the task force – 2 Deputy District Attorneys, one Investigator and the District Attorney herself, who also chairs each meeting - all of whom have attended and taught classes in the successful investigation and prosecution of arson cases. In turn, fire representatives have provided the District Attorney's office with live fire training and familiarization with the practical problems encountered with the chaotic nature of fire scenes and the follow-up investigation.

Furthermore, the Task Force has played a supportive role in helping Santa Barbara County Fire Captain Orr secure his arson dog Riley, who recently passed. Together Captain Orr and Riley were an incredible team for 7 years in every way, responding to numerous fires requiring the skills of an accelerant detection canine.

Discuss how the program or project has positively impacted the community, improved delivery of services to the public or improved administration of a program internally.

The anecdotal results are that investigations have become more successful, determinations about the investigation into the origin & cause of a fire have become timelier and the number of successful arson prosecutions have increased.

Furthermore, as a result of the connection between the Santa Barbara County District Attorney's Office and fire departments in Santa Barbara County, including the United States Forest Service, CalFire and Vandenberg Air Force Base, the District Attorney's Office has taken a leadership role in seeking and supporting First Responder Resiliency programs.

Replicability – Describe how your program can potentially be replicated by other California Counties. Can your program be promoted as a best practice that can be utilized by others?

Yes, and there have been NO additional costs related to the Santa Barbara County Arson Task Force. However, agencies may voluntarily offer employee assistance on fire investigations, and if so, the personnel costs are handled by the employee's agency.

Project or Program Contact – List the name, title, mailing address, phone and email address of the person who can be contacted about this program.

Santa Barbara County District Attorney Joyce Dudley jdudley@co.santa-barbara.ca.us
 Santa Barbara County Senior Deputy District Attorney Mary Barron mbarron@co.santa-barbara.ca.us
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 Santa Barbara City Fire Marshall Joe Poire jpoire@santabarbaraca.gov
 Santa Barbara County Fire Chief Mark Hartwig hartwig@sbfire.com

Optional Submission – If your project involved the development of a video, graphic design or PowerPoint, please include a link with your submission.

3 Newspaper Articles are attached.

https://www.noozhawk.com/article/051312_arson_task_force_santa_barbara_county_fire

https://www.noozhawk.com/article/santa_barbara_county_fire_department_mourns_death_of_canine_member_riley

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Investigations changed since Tea Fire : DA's arson task force 'success story and getting better'

By SCOTT STEEPLTON, NEWS-PRESS CITY EDITOR
November 10, 2013 12:41 AM

Some people rebuilt. Others moved on. And still others who lost everything to the Tea Fire only dream of the day their dream home can rise again.

The 1,500-acre blaze, which erupted five years ago Wednesday in the foothills above Montecito and burned into the city of Santa Barbara, scarred the earth and left even deeper scars in the psyche of those living in the more than 200 homes that it destroyed.

No one was held criminally responsible for setting the fire, of which ground zero was an abandoned hilltop party spot known as the Tea Gardens, but the owner of the property eventually paid \$6 million to a couple severely burned when the fire overcame their cottage on East Mountain Drive.

And the Santa Barbara County district attorney at the time, the late Christie Stanley, determined she lacked the evidence to file criminal charges related to the fire against a group of young people, primarily Santa Barbara City College students dubbed by the News-Press as the "Tea Fire 10," who trespassed in the area a day earlier and whose bonfire — which they said was put out — may have reignited less than a day later and grown into the devastating firestorm that was the Tea Fire.

Instead, members of the group were charged with unrelated misdemeanors.

Santa Barbara attorney David Nye's firm successfully won a multimillion-dollar judgment on behalf of Lance and Carla Hoffman, Tea Fire burn victims whose harrowing near-death story was the focus of profiles after their release from an Orange County burn center in January 2009.

Mr. Nye told the News-Press last week that most of the civil actions against Tea Fire 10 members were resolved with some kind of settlement through those with insurance.

Several, however, left the country and a judge could be close to granting default judgments against them, making them

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Carla and Lance Hoffman, who spent months in an Orange County burn center undergoing treatment for life-threatening injuries suffered in the Tea Fire, sat down with the News-Press in January 2009 to talk about their ordeal.

SCOTT STEEPLTON/NEWS-PRESS FILE

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liable for civil penalties should they return to the United States.

If the Tea Fire had a positive effect, fire officials across Santa Barbara County say it's the way they now work with the District Attorney's Office in investigating wildfires to make those responsible pay for their crime.

The result is the DA's Arson Task Force, brainchild of District Attorney Joyce Dudley, who pledged during her 2010 campaign to establish a new and improved system for investigating major wildfires.

Under her guidance, a prosecutor trained in arson investigation teams up with fire officials and law enforcement in the earliest stage of a wildland and structure fire inquiry to determine who's responsible and whether any criminal charges should be filed.

The group of 35 or so includes the crime lab, Sheriff's Department bomb squad and a dog trained in accelerant detection.

"There is no doubt in my mind that Joyce Dudley and her office have made good on her campaign pledge," said Michael Mingee, chief of the Carpinteria-Summerland Fire Protection District.

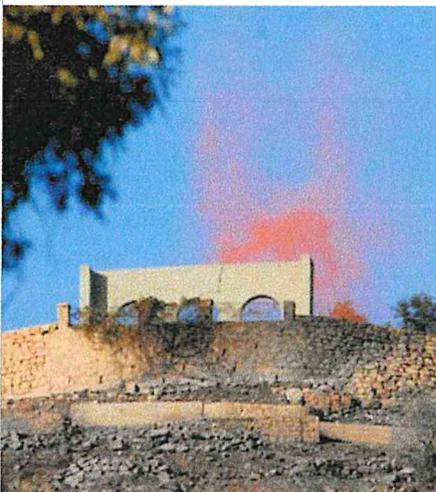
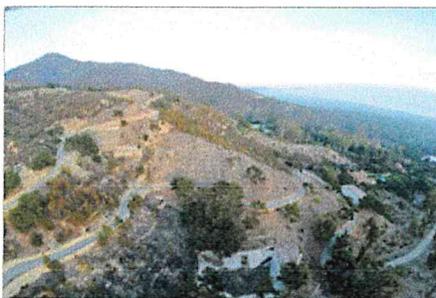
"As you can imagine, the sharing of fire activity information across jurisdictional lines is critical to investigating suspicious fires. As critical is the number of expert eyes that can look at a particular suspicious events," he said. "The Santa Barbara County Arson Task Force established by Joyce's office has given us that improved investigative ability. I have firsthand witnessed these improvements with the establishments of this task force."

Lompoc Fire Marshal Stanley Hart told the News-Press, "The concept of unifying fire investigators from different agencies has been around for quite awhile but was never able to get past the red tape. Joyce took the idea from concept to reality and has made it work.

"When we as investigators need additional resources from other agencies, we simply request their assistance. The Arson Task Force has given us the availability of the knowledge and expertise of not only other fire investigators but of law enforcement and the attorneys of the DA's office," said Mr. Hart. "Since the inception of the ATF, we have had monthly meetings where we can review our investigations, share our ideas, ask questions and look to each other for help."

Among the highlights of the task force is having a senior deputy prosecutor "who is available to respond to fire scenes — and does — for a firsthand look at the challenges and possibilities before the case even becomes a legal issue," said Joe Poire, Santa Barbara's fire marshal.

Mr. Poire said the group has taken part in a number of training exercises, and members share case information at quarterly meetings and in real-time by phone, text and email.



Long after the Tea Fire scorched a large swath of earth, the area today shows signs of growth.

MIKE ELIASON/NEWS-PRESS

As part of the investigation into the Tea Fire, authorities used colored smoke to track how wind may have affected the fire's progression.

STEVE MALONE/NEWS-PRESS FILE

Members of the county's Arson Task Force include, from left, fire investigator Ryan DiGuilio, Capt. Howard Orr, arson K-9 Riley, Senior Deputy District Attorney Mary Barton and District Attorney Joyce Dudley.

MICHAEL MORIATIS/NEWS-PRESS

"We have jointly studied problems that would previously exist in isolated jurisdictions, like the 'honey oil' conflagrations that seem to be coming up more often, and share intelligence on everything that affects our area of investigation."

"The DA's fire and arson investigation task force is a success story and getting better."

Chris Olmstead knows the Tea Fire all too well. He is one of the investigators for the Santa Barbara County Fire Department who assisted in the investigation of the Tea Fire.

Since its inception shortly after the election, the task force "has grown over the years and includes members of the U.S. Forest (Service), California Department of Justice, as well as all the local agencies."

"The development of the ATF has greatly improved our response to all fires affecting the community and not just wildland fires. Members of the team have been called out to assist in all types of fires," he said. "Because of this, we have had several arson fires cleared with arrests and convictions. Just recently we had a conviction of a person (Warren Clayton Berry) who started two separate wildland fires. This was made possible in good part because of the ATF.

"As an investigator within the county, I am able to do a better job with the ATF in place."

For Senior Deputy District Attorney Mary Barron, the case of serial arsonist Mr. Berry also stands out as a task force success story. On Nov. 4, the day trial was to start, the defendant pleaded guilty to two felonies of arson of forest land.

On Oct. 9, 2011, Mr. Berry set two fires outside Buellton, one along Alisal Road that burned one-half acre and the other 20 minutes later off Highway 101 on Nojoqui Grade that burned a quarter-acre of roadside vegetation.

A witness driving a semi-trailer alerted authorities and tried to follow Mr. Berry, who was ultimately pulled over and arrested near El Capitan State Beach.

Facing what would have been a vigorous prosecution, Mr. Berry admitted guilt to both counts.

The District Attorney's Office offered no plea bargain in the case. Sentencing is set for Jan. 27, with Mr. Berry facing nearly 7? years in state prison.

Ms. Barron credited work by county fire investigators Jay Snodgrass and Steve Link, district attorney investigator Bob Lowry and the sheriff's deputies who interviewed the defendant as well as witnesses for the outcome.

"Without that level of cooperation among agencies in the investigation, we would not have had the evidence to file and successfully prosecute both counts of arson of forest land," she said. "The case was developed through a very thorough multiagency investigation. As a result, the DA's office was able to file and convict the defendant of two counts of arson of forest land."

Ms. Barron's boss, Joyce Dudley, said the partnership is able to work round the clock, "not just when a case comes in to review for prosecution, which greatly enhances the ability to work cases from the ground level while they are in the investigation phase."

The arson prosecutors, she added, and DA arson investigator are often called to fire scenes as a training experience, Ms. Dudley said, "even those fires that are not necessarily being investigated as crimes."

"The Arson Task Force provides resources in the form of experienced arson investigators to those agencies who may not have investigators with the same level of experience. Additionally, it provides a forum for case review and training.

"All of this occurred without any additional expense to our budget."

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