



Chapter 900

Firefighter Fatality

Investigation Operations

900**PURPOSE AND AUTHORITY OF FIREFIGHTER FATALITY (FFF) INVESTIGATIONS**

The State Fire Marshal's Office is responsible for investigating firefighter fatalities in Texas.

If a firefighter dies in the line of duty or if the firefighter's death occurs in connection with an on-duty incident in this state, the state fire marshal shall investigate the circumstances surrounding the death of the firefighter, including any factors that may have contributed to the death of the firefighter.

These investigations are conducted in cooperation with fire-service organizations such as, but not limited to, the State Firefighter's & Fire Marshals' Association, Texas Fire Chiefs Association, Texas State Association of Firefighters, Texas Fire Marshal's Association, Texas Commission on Fire Protection, Texas A&M Forest Service, Texas Chapter International Association of Arson Investigators, and Emergency Services Training Institute.

900.001**PURPOSE**

The FFF investigations shall be conducted to provide valuable information to the fire service by examining the lessons learned from each incident in order to prevent future loss of life and property.

900.002**AUTHORITY**

The State Fire Marshal's Office has the authority to conduct FFF investigations under the authority of Texas Government Code § 417.0075.

900.003**COOPERATION**

It is the objective and the goal of the SFMO to conduct its duties in accordance with 900.002 while developing and maintaining productive and cooperative working environments with all entities involved in the investigation and support of a FFF and all of the circumstances surrounding the incident.

901 **DEFINITIONS**

To provide a consistent understanding of the terms and guidelines of this Chapter, the following definitions or acronyms, not previously mentioned in the *Manual*, are defined and explained.

901.010 **FIREFIGHTER**

The term "firefighter" is specified in Government Code §417.0075(a) to include an individual who performs fire suppression duties for a governmental entity or volunteer fire department.

901.020 **FIREFIGHTER FATALITY (FFF) COORDINATOR**

An individual appointed by the State Fire Marshal, to oversee firefighter fatality investigations and the published reports.

901.030 **FIREFIGHTER FATALITY INVESTIGATION REVIEW PANEL**

Shall be referred to as the "Review Panel" henceforth in the SOG. The review panel is a group of individuals appointed by the State Fire Marshal that provides review, input and suggestions as related to the reports of investigations conducted by the SFMO. Members are appointed by and serve at the leisure of the State Fire Marshal (SFM).

901.040 **FIREFIGHTER FATALITY TACTICS AND OPERATIONS REVIEW TEAM**

Shall be referred to as the "Tactics Review Team" henceforth in the SOG. The tactics review team is a group of fire service professionals who are appointed by the State Fire Marshal. The professionals may include personnel from any type of department listed in 901.070. The team will be responsible for reviewing the operational facets of the on-scene incidents at which a FFF occurs. Members are appointed by and serve at the leisure of the State Fire Marshal (SFM).

901.050 **LODD TASK FORCE**

The Texas LODD Task Force, referred to as "LODD Task Force" in this SOG, is an organization that would respond within 12 hours to a department that suffered a fatality. The LODD Task Force provides assistance, consulting and education to all fire and EMS departments whether union, private, government, industrial or volunteer. The team is made up of emergency workers of all ranks who volunteer their time to this important cause. The Task Force is funded through the donations and grants given by private citizens, organizations, and corporations and works under the 501 (c) 3 status of Firefighter Ministries.

901.060 **METROPOLITAN FIRE DEPARTMENT REVIEW TEAM**

Shall be referred to as the “Metro Team” henceforth in the SOG. This team shall consist of at least two personnel from the same department and must be from a department listed in 901.072. The Metro Team will be responsible for reviewing the operational facets of the on-scene incidents at which a FFF occurs and the FFF is a member of another department listed in 901.072.

901.061 **NON-METROPOLITAN FIRE DEPARTMENT REVIEW TEAM**

Shall be referred to as the “Non-Metro Team” henceforth in the SOG. This team shall consist of at least two personnel from a department(s) similar in size and makeup as the one affected. The Non-Metro Team will be responsible for reviewing the operational facets of the on-scene incidents at which a FFF occurs.

901.070 **FIRE DEPARTMENTS**

901.071 **Combination Department**

A combination fire department consists of both paid and volunteer firefighters.

901.072 **Metro Department**

The following city fire departments are classified as metropolitan departments.

- Austin
- Dallas
- El Paso
- Fort Worth
- Houston
- San Antonio

901.073 **Non-Metro Department**

All other paid departments will be considered non-metropolitan.

901.074 **Prevention**

Any department, paid or volunteer, that provides fire inspection, fire investigation or fire-related public education services. A prevention department does not conduct fire suppression duties.

901.075 **Volunteer Department**

A volunteer fire department has no paid members and consists solely of volunteer firefighters.

901.080 **“ON-DUTY”**

The term “on-duty” refers to being involved in operations at the scene of an emergency, whether it is a fire or non-fire incident; responding to or returning from

an incident; performing other officially assigned duties such as training, maintenance, public education, inspection, investigations, court testimony or fundraising; and being on call, under orders, or on standby duty except at the individual's home or place of business.

901.090 **OPR**

The SFMO Outreach, Policy and Research (OPR) group is the primary group within the SFMO responsible for the production and release of all written materials released by the SFMO. OPR is directly accountable to the ASFM.

901.090 **LINE OF DUTY OR ON-DUTY FATALITIES**

Line of Duty or On-Duty fatalities include:

- any injury or illness sustained while on duty that proves fatal;
- responding to or returning from an incident;
- performing other officially assigned duties; except at the individual's home or place of business.
- An individual who experiences a heart attack or other fatal injury at home while he or she prepares to respond to an emergency is considered on duty when the response begins. A firefighter who becomes ill while performing fire department duties and suffers a heart attack shortly after arriving home or at another location may be considered on duty since the inception of the heart attack occurred while the firefighter was on duty (*Ref: United States Fire Administration*).

902 **COMMAND STRUCTURE**

To ensure an effective and efficient operation when conducting FFF investigations. The SFMO will utilize NIMS/ICS for organizing and executing investigations.

902.001 **INCIDENT COMMANDER (IC)**

The IC for the SFMO, as related to FFF investigations, shall be the SFM, ASFM, SRT Lead or the person designated by the SFM or ASFM.

902.002 **COMMAND STAFF**

The command staff including the Public Information Officer (PIO), Safety Officer, and Liaison Officer shall be appointed by, and directly report to the IC.

902.003 **OPERATIONS CHIEF**

The Ops Chief shall be responsible for the Operations Section. The Ops Chief will be designated by the IC.

902.004 **PLANNING CHIEF**

The Plans Chief will be responsible for the Planning Section. The Plans Chief will be appointed by the IC. Depending on the magnitude or scope of the investigation, it is recommended the Texas Forest Service (TFS) be contacted to assist with planning functions.

902.005 **LOGISTICS, FINANCE, ADMINISTRATION CHIEFS**

All Section Chiefs will be appointed by the IC and the positions filled within the ICS structure as needed.

902.006 **FFF INVESTIGATION BRANCH**

The FFF Investigation Branch will be supervised by the SFMO FFF Coordinator. The FFF Coordinator will be the Director of the branch and will report directly to the Ops Chief.

902.007 **FIRE INVESTIGATIONS BRANCH**

The Fire Investigations Branch will be supervised by a certified fire investigator (CFI). The Ops Chief shall appoint a CFI to be the Director of the Investigations Branch. The Director for this branch will report directly to the Ops Chief. The Fire Investigations Branch will be referred to as “O&C” henceforth in the SOGs.

902.008 **INTERVIEW BRANCH**

As needed, the Ops Chief may appoint a Branch Director who will primarily be responsible for the coordination of all interviews conducted during the overall investigation. This position shall be henceforth known as the “Interview Coordinator.” All personnel will receive interview assignments from the Interview Coordinator. This includes interviews of witnesses and suspects. All personnel will provide a written *Report of Interview (ROI)* to the Interview Coordinator, on all interviews conducted. The ROI must be completed and submitted prior to the commencement of the next operational day. The Interview Coordinator will report directly to the Ops Chief.

902.009 **OPERATIONS GROUPS**

Groups will be formed within the Operations Section to perform necessary functions, as needed. The following groups or those similar will report to the FFF Coordinator:

- Fire Protection
- Tactics/ Command
- Fire and Life Safety Inspections
- Licensing Investigations
- Equipment/ PPE Inspections

The following groups or those similar will report to the O&C Director:

- Scene Examination
- Evidence
- Photography
- Building Construction
- Engineering
- Canine

902.010 **TACTICS REVIEW TEAM**

The Tactics Review Team will be appointed by the FFF Coordinator with the approval of the SFM. The team will be responsible for reviewing and analyzing all aspects of the fire suppression response during a FFF that occurs on a fire scene. The team will provide a written report of their findings and recommendations to the FFF Coordinator. The Tactics Review Team will review incidents in which a fire department, other than those listed in 901.072, have experienced a FFF. The Tactics Review Team will report to the Director of the FFF Investigation Branch.

902.011 **METRO TEAM**

The Metro Team will be established by an annual rotational assignment. Annually, a different metro department will be requested to provide assistance in the event of a FFF outside of their jurisdiction, and within the jurisdiction of a fire department listed in 901.072. The members of the team will be appointed by their respective

head of department. A Metro Team must consist of at least two members from the responding fire department. The team will provide a written report of their findings and recommendations to the FFF Coordinator. The Metro Team will report to the Director of the FFF Investigation Branch.

902.012 **NON-METRO TEAM**

The Non-Metro Team will be established from a list of qualified fire service professionals who have been approved by the SFM. The Non-Metro Team personnel that respond will be of similar size and makeup to the affected department. The team will provide a written report of their findings and recommendations to the FFF Coordinator. The Non-Metro Team will report to the Director of the FFF Investigation Branch.

902.013 **SFMO RESOURCES FOR FFF INVESTIGATIONS**

Any SFMO personnel resources that are not pre-dedicated for the response to a FFF investigation, shall be requested through the manager responsible for the SFMO section in which the employee is assigned. The Director of the applicable SFMO section will then approve the deployment of their additional personnel. Upon response, the SFMO personnel will check-in with the IC and then report to the Section and Branch of the operation as instructed.

902.014 **ORGANIZATIONAL CHART**

Appendix 902 to this SOG section is an example of an organizational chart for the structure of a FFF incident.

903

FFF NOTIFICATION

The immediate notification of a FFF is desired, especially when the FFF is the result of an on-scene incident. The expeditious notification helps ensure a secure scene with no or limited alterations. This allows for a complete and accurate investigation of the incident. The preferred method of notifying the SFMO of a FFF is via a direct telephone call to the FFF Coordinator, District Investigator or the SFMO answering service.

903.010

SFMO EMPLOYEE NOTIFICATION

SFMO staff may become aware of a firefighter fatality through various means, i.e. direct phone call, social media, news reports, etc. If a member of the SFMO staff becomes aware of a possible firefighter fatality or serious injury they shall immediately notify their supervisor who in turn will immediately notify the FFF Coordinator.

903.020

FFF COORDINATOR NOTIFICATION RESPONSIBILITIES

Once the FFF Coordinator is notified of a possible firefighter fatality or serious injury, he will contact the affected department and gather basic information in an attempt to confirm the circumstances. Upon confirmation of a FFF or a life threatening injury to a FF, the FFF Coordinator will immediately notify the SFM, ASFM, and Investigations Captain. The FFF Coordinator will then notify the State Response Team (SRT) Captain and provide a situational update. The FFF Coordinator and SRT Lead are responsible for maintaining the flow of information and communication to the SFMO Command Staff. The FFF Coordinator will notify as appropriate the following entities, at a minimum:

- Texas LODD Task Force
- Tactics Review Team
- Metro Team
- FFF Review Panel
- NIOSH

903.030

SRT LEAD NOTIFICATION RESPONSIBILITIES

The SRT Lead will be responsible for organizing and executing the initial deployment of the SRT in accordance with Chapter 615 of the *SFMO General Manual*. The SRT Lead will then notify the ASFM of the available team resources and initial response.

904 **FFF RESPONSE**

The response for firefighter fatalities may vary greatly. For example, a medical incident at the station will not usually warrant the same response as a FFF while engaged in fire suppression operations. Regardless of the SFMO response it shall be timely, professional, and effective. Generally, the SFMO responses will be in accordance with this Chapter.

904.010 **ON-SCENE OPERATIONS FFF**

If the incident involves an active emergency scene, the SRT Lead, in coordination with the FFF Coordinator, and approval of the SFM or ASFM, will determine the appropriate response tier in accordance with Chapter 615.

904.020 **NON-EMERGENCY SCENE FFF**

If a FFF is due to a traffic accident, possible medical condition, or other factors that occurred while not on an emergency scene, the FFF Coordinator will work with the ASFM and Investigations Captain to determine the appropriate response.

In a FFF incident in which the SRT is not deployed, the FFF Coordinator may be the IC.

Non-scene incidents should typically be investigated by the district investigator in which the incident occurred. The district investigator will conduct the investigation with the assistance of the FFF Coordinator. For purposes of the FFF investigation, the investigator reports to the FFF Coordinator.

904.030 **INITIAL RESPONSE TO ON-SCENE FFF**

For an on-scene, operations related FFF, the district investigator in which the incident occurred shall immediately respond to the scene. If the district investigator is unavailable to respond, the closest SFMO CFI will respond immediately.

904.040 **FIRST ARRIVING SFMO INVESTIGATOR**

The first arriving SFMO investigator shall be the IC for the SFMO until the arrival of the first SRT member. In addition to the tasks below, the investigator shall adhere to all principles of Unified Command on the scene.

The first arriving investigator shall:

- Establish contact with local Incident Commander.
- Introduce themselves and advise the IC the SRT is en route.
- Establish accountability with the local IC.

- Act as a liaison between the local IC and the SFMO until properly relieved by the SFM, ASFM, SRT Lead or FFF Coordinator or the person designated by the SFM or ASFM..
- Provide regular updates to the SRT Lead and FFF Coordinator
- Utilize the firefighter fatality workbook to aid in the protection of the scene and the protection and collection of evidence.

904.050 **FIRST ARRIVING SRT MEMBER**

Upon arrival of the first SRT member, they will become the IC for the SFMO response until relieved of command by the SFM, ASFM, SRT Lead or FFF Coordinator or the person designated by the SFM or ASFM.

The first arriving SRT member shall:

- Establish contact with the SFMO investigator on scene.
- Establish contact with the local Incident Commander.
- Coordinate response and investigative priorities and duties with the SRT Lead.

904.060 **COMMAND STAFF ARRIVAL**

Upon arrival the SFM, ASFM, SRT Lead, FFF Coordinator or their designee, may assume IC for the SFMO. At this time, priority investigative assignments shall be made. If staff member is other than SRT Lead, coordination of assignments will be made with the SRT Lead or their designee.

904.070 **IMPLEMENTATION OF SFMO ICS**

ICS will be implemented beginning with the response of the first SFMO personnel. As additional SFMO personnel respond the system will be expanded to meet the operational needs and will be structured in accordance with Chapters 615 and 902 of this manual.

905 **INVESTIGATION METHODOLOGY**

FFF investigations are complex investigative incidents. The investigation is a cooperative and unified effort between the FFF investigation team and the O&C team. The investigation of a FFF or serious injury will be conducted in accordance with SFMO policies, accepted treatises and literature, and Federal and State Laws.

905.010 **FIRE INVESTIGATION METHODOLOGY**

The O&C of the fire related to the FFF shall be conducted in accordance with this manual and established national and scientific best practices. Although not limited to, the following documents shall be considered when conducting the O&C investigation:

- NFPA 921: Guide to Fire and Explosion Investigations
- NFPA 1033: Standard for Professional Qualifications of a Fire Investigator
- Kirk's Fire Investigation Handbook
- NFPA Fire Protection Handbook
- Other applicable literature and treatises

905.020 **FFF INVESTIGATION METHODOLOGY**

The FFF investigation shall be conducted in accordance with this manual and established national best practices. In addition to other literature, the following documents shall be considered when conducting the FFF investigation:

- United States Fire Administration: Autopsy Protocol
- NFPA 1500: Standard on Fire Department Occupational Safety and Health Program
- NFPA 1561: Standard on Emergency Services Incident Management System and Command Safety
- NFPA 1582: Standard on Comprehensive Occupational Medical Program for Fire Departments
- All other incident applicable NFPA standards
- Other applicable literature and treatises

905.030 **CONFLICT OF METHODOLOGIES**

When a conflict among accepted methodologies occurs between the O&C investigation and the FFF investigation, the IC, Ops Chief, FFF Investigation Director and O&C Director shall discuss the conflict and resolve the conflict. The IC shall have final approval on the remedy of the conflict.

906 **FIREFIGHTER FATALITY TACTICS AND OPERATIONS REVIEW TEAM**

The FFF Tactics and Operations Review Team shall be referred to as the “Tactics Review Team.” This team shall provide invaluable assistance in evaluating and better understanding the events and circumstances that led to the FFF. The team shall consist of professionals, both career and volunteer, that have the ability to provide insight and recommendations to prevent future FFF, and loss of life and property.

906.010 **RESPONSIBILITY**

The responsibility of the Tactics Review Team will be to examine, evaluate and determine the circumstances that led to the FFF. Additionally the team shall prepare a written report of their findings and also recommendations to prevent future similar events. The team will be responsible for analyzing events that involve departments outlined in 901.070, with the exception of those named in 901.072.

906.020 **APPOINTMENT OF TACTICS REVIEW TEAM**

The team shall be appointed by the FFF Coordinator with the approval of the SFM. The team shall consist of at least three members. At a minimum, one member of the team shall have a fire service background applicable to the type or size of the department that has experienced the FFF. Members of the Non-Metro Team will be utilized when appropriate.

The FFF Coordinator shall be responsible for developing and maintaining a list of qualified team members that may be utilized, depending on the circumstances of the incident, for each FFF investigation.

The composition of the responding team may change with each FFF incident. Team members serve at the pleasure of the SFM.

906.030 **CONFLICT OF INTEREST**

No person may participate as a member of the tactics review team if they are or were a member of the affected department, provide automatic aid to the department, provide mutual aid to the department, or have any personal relationship with the FFF victim or any member of the department’s command staff.

906.040 **NOTIFICATION**

The team shall be notified of the need to respond by the FFF Coordinator. Upon activating the team, the FFF Coordinator will identify the supervisor of the team.

No member of the team may respond to a scene, to participate as a member of the team, without approval of the FFF Coordinator. Members may not self-dispatch to an incident.

906.050 **COMMAND STRUCTURE**

The team shall become a group under the command of the FFF Investigation branch. The group supervisor shall report to the FFF Coordinator for the duration of the incident.

906.060 **CONFIDENTIALITY**

No person participating in a FFF investigation, conducted by the SFMO, may communicate, by any means, any portion of an investigation, with any person or entity not directly participating in the investigation.

No person participating in a FFF investigation, conducted by the SFMO, may communicate with the news media unless authorized by the SFM, or their designee, and the TDI Public Affairs Division.

906.070 **COMMUNICATION WITH AFFECTED FIRE DEPARTMENT**

Team members may communicate with members of the affected fire department only for investigative purposes.

The SFM, or their designee, will communicate the progress of an investigation with the Head of Department of the affected department.

906.080 **WRITTEN REPORT**

The team shall produce a written report of their findings and recommendations. The findings shall be based on factual events of the incident and supported through interviews, documentation, evidence or a combination of these items. The recommendations shall be based on the facts of the incident and based on current and accepted fire service literature.

The written report must be agreed upon by all members of the team. If a conflict of opinion persists within the team, the FFF Coordinator shall have final authority to remedy the conflict as related to the content of the report.

The team shall not produce separate or independent findings, recommendations, or reports outside of the official report released by the SFMO.

The determination of the findings and recommendations published from the team rests ultimately with the SFM.

907 **METROPOLITAN AND NON-METROPOLITAN FIRE DEPARTMENT REVIEW TEAMS**

The Metropolitan Fire Department Review Team shall be referred to as the “Metro Team.” The Non-Metropolitan Review Team shall be referred to as the “Non-Metro Team”. These teams shall provide invaluable assistance in evaluating and better understanding the events and circumstances that led to the FFF in another metropolitan department within the State.

907.010 **RESPONSIBILITY**

The responsibility of the review teams will be to examine, evaluate and determine the circumstances that led to the FFF. Additionally the team shall prepare a written report of their findings and also recommendations to prevent future similar events. The Metro Team will be responsible for analyzing events that involve departments identified in 901.072. The Non-Metro Team will be responsible for all other departments.

907.020 **ROTATION OF METRO TEAMS**

Each year, one department identified in 901.072 may provide a team of at least two experienced fire suppression personnel to serve on the Metro Team. It is preferred that at least one member be in a chief officer capacity within the sponsoring agency. Each year, the metro department assigned to perform in the capacity of the Metro Team for the SFMO will rotate. The rotation each year will be based on the alphabetical listing of the departments in 901.072.

Annually, the FFF Coordinator will contact the metro department that is on rotation for the next year and confirm their participation.

In the event that the Metro Team on rotation for the year experiences a FFF in their department, the Metro team from the previous year will be requested to assist.

907.030 **APPOINTMENT OF METRO TEAM**

The team shall be appointed by the Head of Department for the participating department. The team shall consist of at least two members. At a minimum, it is preferred that at least one member is a current chief officer within the department. The Head of Department shall provide the FFF Coordinator with a contact name and phone number of the department member to contact if the Metro Team is needed for a FFF investigation.

907.031 **APPOINTMENT OF NON-METRO TEAM**

The team shall consist of fire professionals from various size departments. In the event of a deployment members will be selected to respond based on their similarities to the affected department. The FF Coordinator will maintain a list of those available to respond for a FFF investigation.

907.040 **CONFLICT OF INTEREST**

No person may participate as a member of the Metro Team if they are related by blood or marriage to any person within the metro department that has experienced the FFF.

907.050 **NOTIFICATION**

The team shall be notified of the need to respond by the FFF Coordinator. No member of the team may respond to a scene, to participate as a member of the team, without approval of the FFF Coordinator. Members may not self-dispatch to an incident.

907.060 **COMMAND STRUCTURE**

The team shall become a group under the command of the FFF Investigation branch. The group supervisor shall report to the FFF Coordinator for the duration of the incident.

907.070 **CONFIDENTIALITY**

No person participating in a FFF investigation, conducted by the SFMO, may communicate, by any means, any portion of an investigation, with any person or entity not directly participating in the investigation; except, the Metro team may discuss their investigative activities with their Head of Department. The Head of Department shall refrain from further discussing the investigation with other persons or entities not involved in the investigation.

No person participating in a FFF investigation, conducted by the SFMO, may communicate with the news media unless authorized by the SFM, or their designee, and the TDI Public Affairs Division.

907.080 **COMMUNICATION WITH AFFECTED FIRE DEPARTMENT**

Team members may communicate with members of the affected fire department only for investigative purposes.

The SFM, or their designee, will communicate the progress of an investigation with the Head of Department of the affected department.

907.090

WRITTEN REPORT

The team shall produce a written report of their findings and recommendations. The findings shall be based on factual events of the incident and supported through interviews, documentation, evidence or a combination of these items. The recommendations shall be based on the facts of the incident and based on current and accepted fire service literature.

The written report must be agreed upon by all members of the team. If a conflict of opinion persists within the team, the Head of Department for the Metro Team shall have final authority to remedy the conflict as related to the content of the report.

The team shall not produce separate or independent findings, recommendations, or reports outside of the official report released by the SFMO.

The determination of the findings and recommendations published from the team rests ultimately with the SFM.

908

FIREFIGHTER FATALITY REVIEW PANEL

The FFF Review Panel shall be referred to as the “Review Panel.” The Review Panel is a group of individuals appointed by the State Fire Marshal that provides review, input and suggestions as related to the reports of FFF investigations conducted by the SFMO.

908.010

RESPONSIBILITY

The responsibility of the Review Panel will be to review and evaluate the formal reports produced by the SFMO as related to a FFF. The panel will provide suggestions, feedback and critical insight into the findings, recommendations and overall report content.

908.020

MEMBERSHIP OF REVIEW PANEL

The Review Panel will consist, at a minimum, of one member of the following entities:

- State Fire Marshal’s Office
- State Firefighter's & Fire Marshals' Association
- Texas Fire Chiefs Association
- Texas State Association of Firefighters
- Texas Fire Marshal's Association
- Texas Commission on Fire Protection
- Texas A&M Forest Service
- Texas Chapter International Association of Arson Investigators, and
- Texas A&M Emergency Services Training Institute.

No entity listed above may provide more than one member to the Review Panel. No individual may be employed, full-time or part-time, with one of the entities listed above and represent another listed entity.

908.030

APPOINTMENT OF REVIEW PANEL

The Review Panel members shall be appointed by the entity which they are representing and approved by the SFM.

The Review Panel shall operate under the authority of the SFM and all activities shall be coordinated by the FFF Coordinator.

The Review Panel members serve at the leisure of the SFM. The SFM may at any time remove a member of the Review Panel. The removal may be communicated verbally or in writing.

908.040 **ALTERNATES**

Once approved by the SFM, no member of the Review Panel may designate another person to participate on the Review Panel without the permission of the SFM. Such request for an alternate should be made through the FFF Coordinator.

908.050 **INVOLVEMENT IN FFF INVESTIGATION**

No member of the Review Panel, except the SFM, or their representative on the panel, may participate in the FFF investigation.

908.060 **CONFLICT OF INTEREST**

No person may participate as a member of the Review Panel if they are a member of the affected department, provide automatic aid to the department, provide mutual aid to the department, or have any personal relationship with the FFF victim or any member of the affected department.

908.070 **NOTIFICATION**

The Review Panel will be notified of a FFF by the FFF Coordinator.

908.080 **CONFIDENTIALITY**

No person participating on the Review Panel may communicate, by any means, any portion of an investigation, with any person or entity not directly participating in the investigation.

No person participating on the Review Panel may communicate with the news media unless authorized by the SFM, or their designee, and the TDI Public Affairs Division.

908.090 **COMMUNICATION WITH AFFECTED FIRE DEPARTMENT**

Panel members may not communicate with members of the affected fire department, on any issues related to the FFF investigation.

The SFM, or their designee, will communicate the progress of an investigation with the Head of Department of the affected department.

908.100**POST-REPORT RELEASE ACTIVITIES**

Upon release of an investigation report, members of the Review Panel are encouraged to ensure that lessons learned from the FFF Investigation Program are integrated within the Texas Fire Service.

These efforts may include:

- Direct contact with the affected fire department as approved by the State Fire Marshal,
- Improvements to training plans,
- Firefighter certification requirements,
- Equipment design,
- Standards/policy development,
- Grant policy development, and
- Professional organization outreach.

Direct contact with the affected fire department may include discussion of findings, development of an implementation strategy for recommendations, and/or discussion of observations made during the investigation.

909 **FFF REPORT PROCESS**

A well formatted, written, timely, and comprehensive report is essential for communicating the findings and recommendations of each FFF incident. The effective communication is required to ensure the Texas fire service is aware of necessary factors to prevent future similar incidents. The process of producing the highest possible quality reports are outlined below.

909.010 **RESPONSIBILITY**

It shall be the responsibility of the FFF Coordinator to produce a final report of each FFF investigation conducted by the SFMO.

The SFM, or their designee, shall have final approval on the report prepared by the FFF Coordinator.

909.020 **INITIAL DRAFT REPORT**

Upon receiving the findings and recommendations from the assigned SFMO District Investigator, Tactics Review Team or Metro Team, the FFF Coordinator shall produce a draft of the investigative report. Upon completing the draft it shall be forwarded to the SFM, ASFM, SRT Lead, and SFMO OPR for review, input and corrections and review by TDI Legal. Upon accepting or completing the needed corrections, the initial draft shall be considered complete.

909.030 **REVIEW PANEL SUBMISSION**

Upon completion of the initial draft report, the FFF Coordinator shall submit the report to the Review Panel for review and input from the Review Panel. The Review Panel shall have no more than 10 days from the date the Coordinator sent the report, to reply to the Coordinator with their individual comments and feedback. When all feedback has been received, considered and if applicable, implemented in the report, the Coordinator shall submit the Review Panel draft to SFMO OPR for edits and corrections. Upon the conclusion of the including the OPR edits, the Review Panel draft shall be considered complete.

909.040 **ADMINISTRATIVE REVIEW**

Upon completion of the Review Panel draft, the FFF Coordinator, shall submit the final draft to the SRT Lead, ASFM and SFM for review. Upon acceptance of the draft by the SFM, or their designee, the administrative review shall be considered complete.

909.050 **CHIEF OFFICER REVIEW**

Upon the completion of the SFMO administrative review, the FFF Coordinator shall submit the FFF report to the Head of Department for the department which incurred the FFF.

The Head of Department shall be given no more than 10 days to review the draft and provide feedback to the FFF Coordinator. The Head of Department may not alter or change any findings or recommendations in the report unless the verifiable facts used to document the finding or develop the recommendation are clearly erroneous.

Upon the FFF Coordinator completing any corrections identified by the Head of Department, that are deemed appropriate, the Chief Officer review shall be considered complete.

909.060 **PREPARATION OF FINAL REPORT**

Upon completion of the Chief Officer review, the FFF Coordinator will submit the final draft of the FFF investigation report to the SFM, or their designee, for final approval. Upon receiving final approval, the FFF Coordinator will forward the report to SFMO OPR. OPR will be responsible for the final layout, editing and production of the report. OPR will also be responsible for obtaining approval, via the SFM, or their designee, from the Insurance Commissioner to publish the report.

909.070 **FFF INVESTIGATION REPORT DISTRIBUTION**

Upon receiving approval to publish the final report, the FFF Coordinator shall coordinate with the Head of Department to provide the report to the department and family of each FFF victim. The FFF Coordinator shall provide one printed copy of the report for the department and one for each family. The copies shall be delivered to the Head of Department of the affected department. The department shall have seven days to provide each family with a copy of the report.

On the eighth day, or next business day following the eighth day, after the delivery of the report to the Head of Department, OPR shall coordinate, through TDI Government Relations, the delivery of the FFF report to the applicable stake holders. On the business day following the delivery of the report to the applicable stakeholders, OPR shall publish the FFF report on the TDI/SFMO website.

909.080 **FFF REPORTING TIMELINES**

It is the goal of the SFMO to provide FFF investigation reports in a timely manner. As such, the following guidelines will be used for the completion and release of FFF reports. The following guidelines may be impacted by the cooperation of other agencies, the ability to obtain required documentation, or the completion of forensic

testing. Additionally, the amount of time to complete the report may be significantly impacted by the complexity of the investigation or the number of FFF victims. The timelines below are a guide and should not in any way be considered a mandate.

909.081 **ON-SCENE FFF INCIDENT**

The FFF Coordinator should strive to produce a report in accordance with 909.020 within 120 days of completing the investigative duties on the scene.

The FFF Coordinator should strive to achieve the completion of all factors identified in 909.070 within 180 days of completing the investigative duties on the scene.

909.082 **NON-EMERGENCY SCENE FFF INCIDENT**

The FFF Coordinator should strive to produce a report in accordance with 909.020 within 90 days of the FFF.

The FFF Coordinator should strive to achieve the completion of all factors identified in 909.070 within 120 days of the FFF.

909.090 **FFF REPORT PROCESS MAP**

For further information concerning the development and approval of SFMO FFF investigation reports, see Appendix 909 of this *Manual*.