

M E M O R A N D U M

September 7, 2022

TO: Public Safety Committee

FROM: Susan J. Farag, Legislative Analyst

**SUBJECT: Briefing: Montgomery County Fire and Rescue Service (MCFRS)
Fire and Explosive Investigations Unit (Bomb Squad)**

PURPOSE: To receive information on the FEI Unit. No vote is required.

Those expected for this worksession:

Dr. Earl Stoddard, Assistant Chief Administrative Officer
Chief Scott Goldstein, MCFRS
Charles Bailey, Division Chief, Operations, MCFRS
Rachel Silberman, Office of Management and Budget (OMB)

Today, Fire and Rescue Department staff will provide a briefing on the FEI Unit, including its history, responsibilities, staffing, and training. The Department's presentation is attached at ©1-12.

Background

MCFRS' Special Operations Section oversees 13 different specialty units that work to prevent and respond to specific fire and rescue-related emergencies,¹ including the Fire and Explosive Investigations (FEI) Unit. The FEI unit is responsible for rendering explosive devices safe and investigating the causes and origins of fires. Part of this work requires determining whether the fires were criminal acts, and if so, investigating and charging individuals when appropriate. Additionally, the FEI tracks trends in fires in an effort to prevent similar incidents.

The FEI Unit has 13 staff, of whom, 12 have law enforcement authority. The unit also has one certified fire investigator who is not sworn. The unit is considered a small police agency, and all sworn staff attend the MCPD Police Academy. Sworn FEI staff are similarly subject to the

¹ [MCFRS Special Operations Section](#)

Maryland Police Accountability Act of 2021. While most staff have law enforcement powers, it still works with the Montgomery County Police Department in certain circumstances. Additionally, staff have the same powers as the Office of the State Fire Marshal.

Discussion Issues

1. What are the FEI call and case volumes? Is current staffing sufficient for timely and effective investigations?
2. Do FEI investigators receive annual in-service training for both Fire and Police duties? Who provides the training (internal in-service and/or external instruction)?
3. Are there industry-established best practices, and if so, do FEI protocols conform to those standards?
4. MCFRS indicates that oversight could be improved. Will this include partnering with MCPD in any way?
5. If MCFRS receives complaints against sworn investigators, what is the process now for ensuring integration with the new Police Accountability Board's complaint system?
6. What are identified budget and staffing needs moving forward?

This staff report contains

MCFRS PowerPoint

MCFRS Organizational Charts

©

1-12

13-15



FRS
Fire &
Explosives
Investigations



Framework

Fire and Explosives Investigations Unit (FEI) has two core functions:

- Investigate the cause and origin of fires
 - Determine whether there are criminal acts, investigate those, and carry the cases to court as appropriate
 - Determine trends in fires for the purpose of improving prevent efforts
- Render safe explosive devices
 - Investigate the scene post-explosion
 - Determine whether there are criminal acts, investigate those, and carry the cases to court as appropriate

History I

- The unit is just under 25 years old in its current incarnation
- Investigating the cause (what started the fire) and origin (where did it start) are historical fire department functions
- In the late 1990's (1997-1998), two key changes occurred:
 - Addition of the role of "render safe" operations for explosives along with post-blast investigations
 - Addition of "police powers" for fire and explosives investigators

History II

- These changes were driven by two key factors:
 - Acts of violence against fire investigators
 - Increased use of explosives as a weapon
 - 1st World Trade Center Bombing (1993)
 - Oklahoma City Bombing (1995)
 - Atlanta Olympics Bombing (1996)
- Local Impact
 - While Montgomery County was not directly impacted by bombings the possibility was in the forefront of the local conscious and the number of calls for suspicious packages was high.
 - At the time, Montgomery County was reliant on the State Fire Marshal to investigate packages, render safe and investigate. This led to:
 - Extended delays
 - Associated local revenue losses from businesses being shut down for hours

History III

Fred. Post.
7/31/96

Montgomery moves to get own bomb squad

By SONIA BOIN
Montgomery Bureau Chief

ROCKVILLE - The bombing of Centennial Olympic Park in Atlanta and the explosion of TWA Flight 800 in New York have brought home the need for a Montgomery County bomb squad.

Lt. Michael Redding of the county Fire Marshal's office said Tuesday that calls regarding suspicious packages have jumped from one or

two a week to as many as three a day since the recent incidents.

Now totally dependent on the State Fire Marshal's bomb squad, the county's firefighters had to wait for them to come from Brunswick on Monday to check on a report of an abandoned suitcase in an office building and a package left on the stoop of a home here.

Noting that there is "a heightened awareness," especially since the explosion in Atlanta, Lt. Redding

said: "Montgomery County is a very large threat potential because we have so much research and development, federal installations, major international organizations' headquarters, diplomats, embassies and senators' homes."

The noted confluence of factors led to the first FRS personnel being trained by the FBI in 1997 and the formation of the unit, effective 1/1/1998.

Current State I

- FEI is a small, stand-alone police agency certified in the State of MD
- It is one of six similar agencies in the State of MD
 - Annapolis Fire/Explosive Investigations Unit
 - Anne Arundel Co Fire/Explosive Investigations
 - **Montgomery Co. Fire & Explosive Investigations**
 - Prince George's Co Fire Investigations
 - Hagerstown City Fire Marshal
 - Worcester Co Fire/Explosive Investigations

Current State II

- FEI has an authorized strength of 13
 - 12 have law enforcement powers
 - 1 support personnel (certified fire investigator **not law enforcement**)
- All law enforcement personnel go through the MCPD Police Academy
- The unit works in coordination with MCPD on certain cases

Statutory Background

- [Maryland Public Safety Code §3-201](#), the MCFRS FEI is a law enforcement agency: a governmental police force, sheriff's office, or security force or law enforcement organization of the State, a county, or a municipal corporation that by statute, ordinance, or common law is authorized to enforce the general criminal laws of the State.
- Personnel assigned to FEI are certified police officers (§3-201, f(2)(v)).
- [House Bill 784](#) (October 1, 2004) granted extended police powers to Fire & Explosive Investigators.
- The authority of MCFRS fire and explosive investigators is defined in MD Criminal Procedure Code [§2-208.1](#). FEI investigators have the same authority that is granted to the Office of the State Fire Marshal.
- FEI personnel are subject to the regulations set forth in [House Bill 670](#), Maryland Police Accountability Act of 2021 – Police Discipline and Law Enforcement Programs and Procedures and [Montgomery County Expedited Bill 49-21](#). This means:
 - They are subject to the rules establishing and empowering a Police Accountability Board and Administrative Charging Committee.
 - They are subject to the Uniform Disciplinary Matrix established by the MPTSC.

Training & Education (*role specific*)

More than 700 hours of spin up training

Fire Investigations Course
Structure Fire Course
Vehicle Fire Course
Vehicle Theft Course
Evidence Collection & Processing
Post Blast Course
Interview & Interrogation Course
Hazardous Devices School
Post Blast Investigative Techniques
Advanced Explosives Disposal Techniques
Homemade Explosives
Natl. Improvised Explosives Familiarization
Advance Electronic Course
Booby Trap Course

Fire Investigations Training
Bomb related Training
Recertification (3-year cycle)

More than 300 hours maintenance training/year

Strengths



Strong core of investigative experience



High competency with explosives



Well-developed relationships locally and federally (reachback & support)

Weaknesses



Insufficient oversight



Poor administrative support



Poorly articulated policy/direction



Poor data management

Next Steps

Near Term

- Continue to review operations
- Immediately address known weaknesses

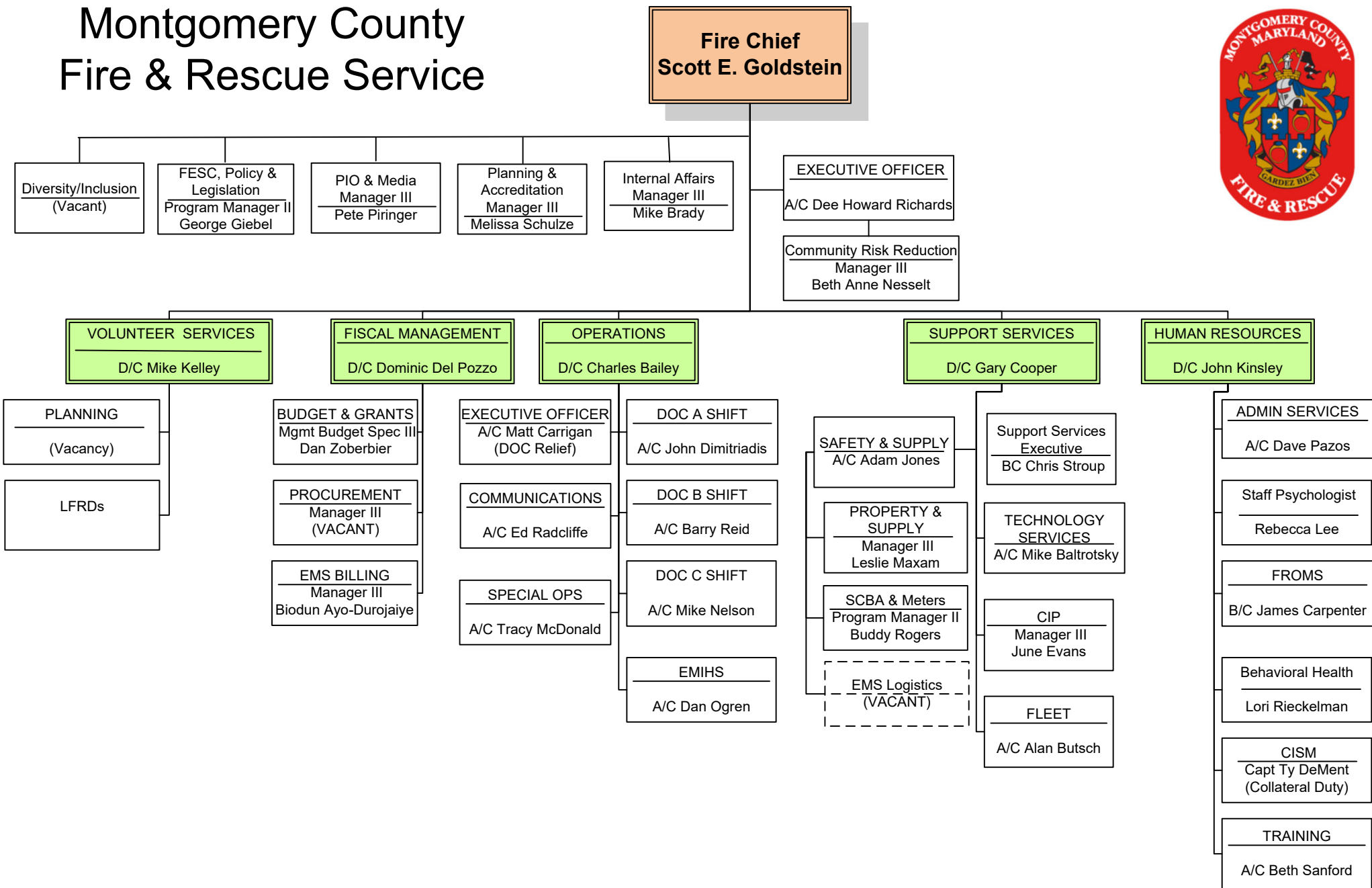
Mid-Range

- Increase oversight

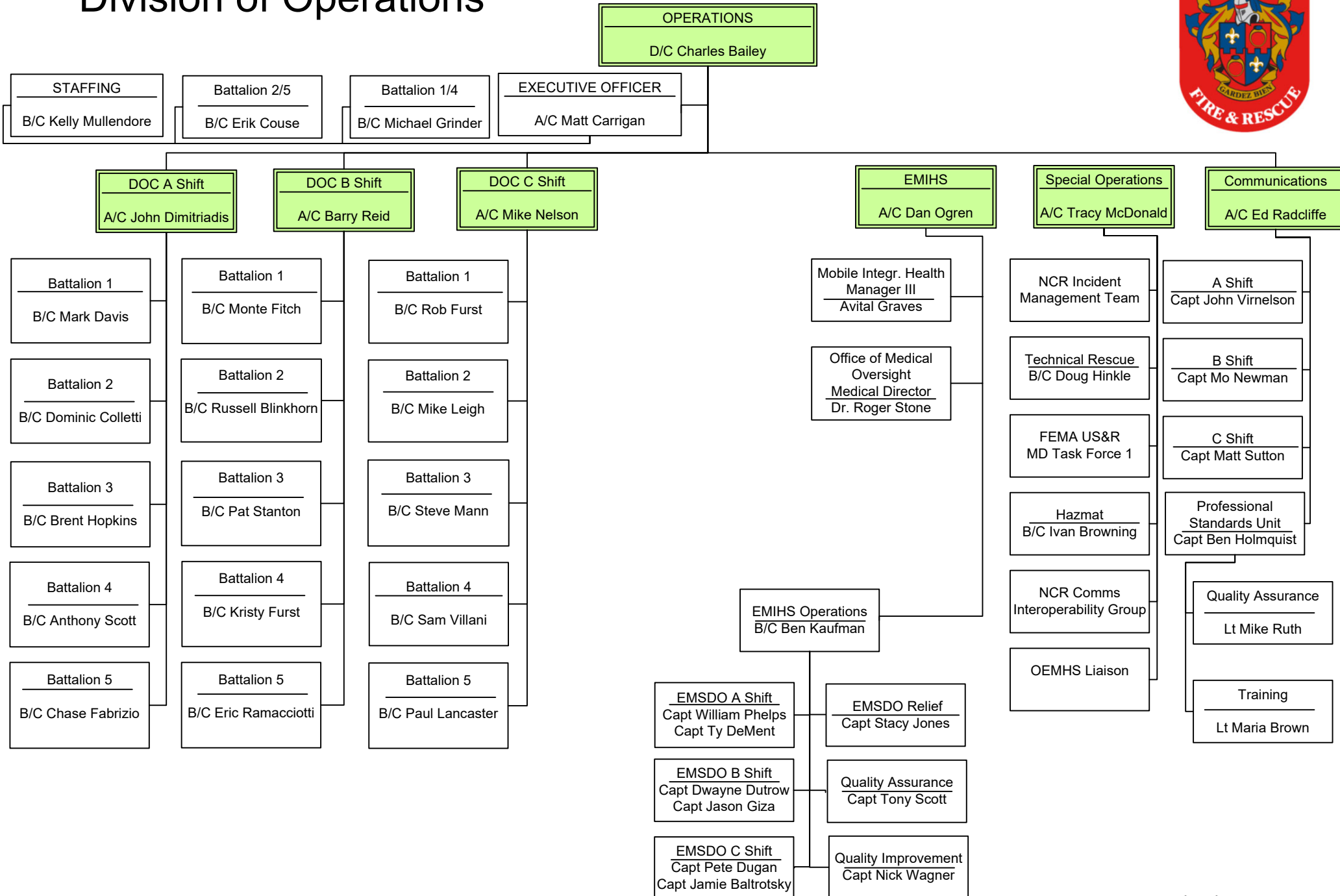
Far Term

- Determine the "ideal" configuration
- Establish performance measures, quality assurance, and quality improvement processes

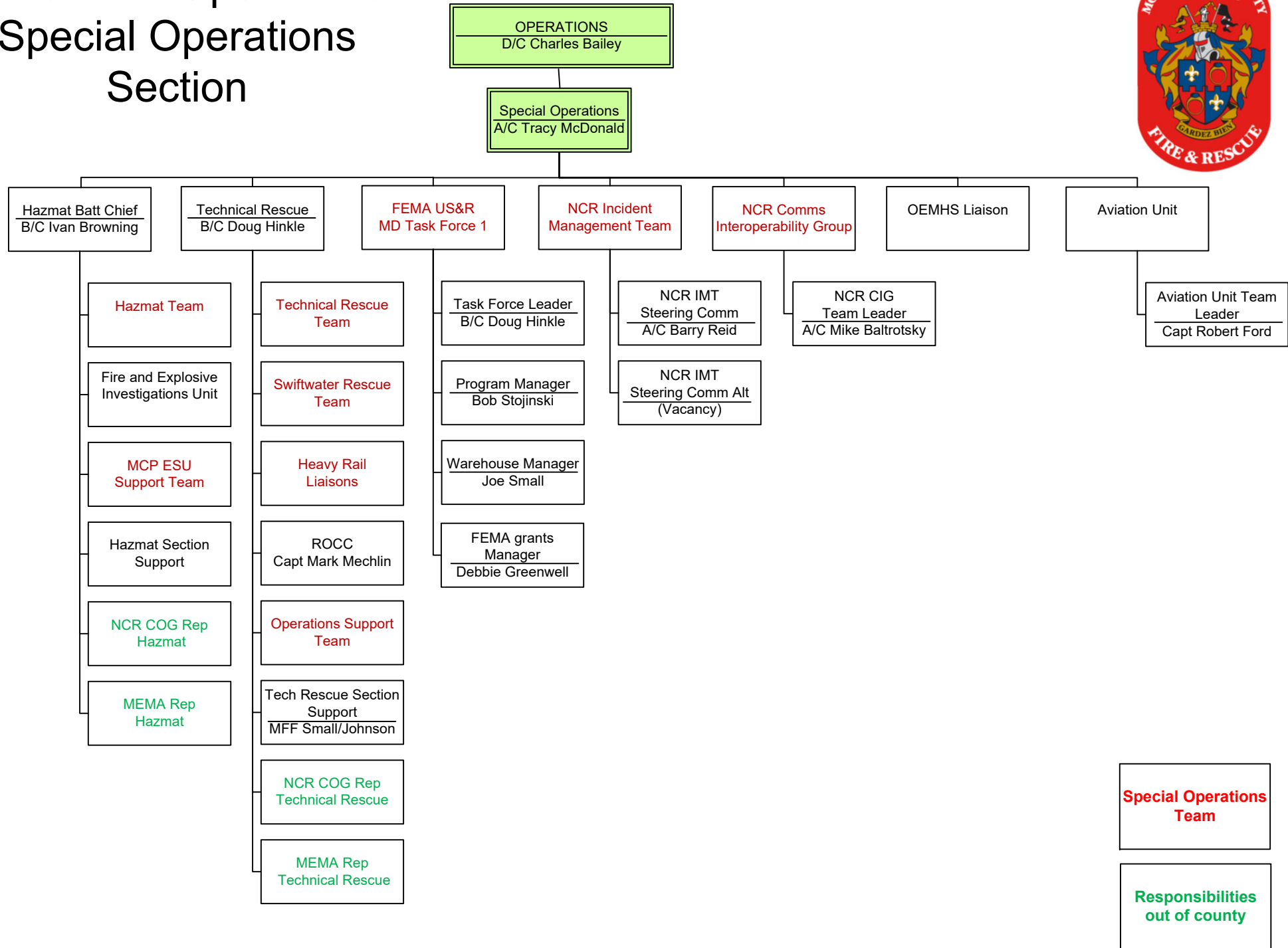
Montgomery County Fire & Rescue Service



Division of Operations



Division of Operations Special Operations Section



Special Operations Team

Responsibilities out of county