

Fire investigation is a science. Quite literally, as prescribed in NFPA 921, the national guide for fire and explosion investigation, fire and arson investigators must use the scientific method in order to meet or exceed the standards of admissible evidence in the cases that go before the justice system, both criminal and civil court. The knowledge of that science and the methodologies, requires a long-term dedication to understand thermodynamics, fluid dynamics, heat release rates of fuel packages, chemical, electrical, and structural engineering. The knowledge base is as deep as that of the disciplines of law and even medicine. Despite this, arson is still the most difficult criminal act to prove and finally convict. Evidence is often consumed and burned within the crime itself. In a vast majority of communities, not just in Ohio but across the nation, the long term dedication to understanding the aforementioned scientific disciplines, is left in the wheelhouse, so to speak, of the local fire department and fire investigators within those agencies. It is the firefighter who becomes the fire investigator who dedicates themselves to this pursuit of truth while conducting said investigations on behalf of the government. To the untrained eye, to the common citizen, and to the common criminal, the perpetrator of such crimes as arson, for whatever motive, that fire investigator acts, looks and displays themselves in the community as an enforcer of a narrow set of laws as it relates to criminalistic arson schemes.

The threat against fire investigators, in their duties to collect data as part of the scientific inquiry, to interview potential witnesses, potential criminals, and victims, creates real situational threats against fire investigators. The need for an updated codified statute that clearly articulates the training that corresponds with the carrying of firearms for self-defense is necessary. The need to fully articulate and codify the requirement for training and qualifications to hold that responsibility of carrying a firearm as an agent of the government is a necessary step forward. This bill is not a mandate by any means. It is another tool in a toolbox that more municipalities may be able to tap into in order to combat the growing threat of arson. As one Fire Chief recently told me, "this is not for me, this is not for my community, however I would never want to stop a community that does need this from having it". He also added that with the rapid pace in which a communities needs can change, he could see this in his agencies future.

In Ohio's larger municipalities, Cleveland, Toledo, Columbus, Cincinnati, Dayton and Akron, within those larger agencies, yes, they do send their fire investigators to become OPOTA trained police officers However that's just six cities within the over 1,000 municipal divisions within Ohio whom do not have the bandwidth, the capacity, the economy of size, to send firefighters to a police academy for six months. A large contingent of local municipal entities opt to rather arm their fire

investigators under the authority of 737.27 and deploy them more as peace officers, upholding specific laws within a narrow scope and narrow concept, and in this case, laws as it relates to arson. My own community that I serve qualifies its fire investigators on fire arms, however it is not required under current laws in Ohio. That is the crux of this bill. The issue is that the ORC still does not offer legal protections to the investigator nor the municipality they serve, leaving cities in a legal morass open to even more scrutiny. But again, 737.27 requires no training or qualification to responsibly carry a firearm despite position papers supporting the merits this bill addresses; papers that have been published by the Ohio Fire Chiefs Association and even the US Department of Justice, outlining the advantages of requiring firearms training and qualifications and cross training with law enforcement. That is the crux of this bill. To connect the responsibility to carry a firearm with *reasonable* training and qualification, mirroring the 2017 tactical medical provider bill which was passed with bipartisan support and legislative endorsement by both of the statewide associations of fire chiefs and police chiefs. Additionally, for the first time, the definition of what a fire investigator is in the state of Ohio is codified. The Ohio revised code has a definition for firefighter, for police officer, for barber and even nail technician; however it does not have a definition of what a fire investigator actually is and offers to public safety. We

think, actually we know, that as a niche public safety community, having a standard as it relates to our safety has been overlooked for too long, which has led to a patchwork of legal interpretations of an antiquated, 70 year old state code. Remember, that if this bill does not move forward, fire investigators in Ohio will still be carrying firearms without qualifications. That is a danger to the investigator and the public that needs to be corrected. The bill is not a question of “to carry firearms”. It is a question of “should they be required to qualify and train” in order to carry firearms. Having the privilege today before you, representing fire investigators in Ohio who want this clarification, I am hear to say that we want this requirement and the protections offered that come with training and qualifications of such a responsibility. Make no confusion on the issue at hand. The time to correct this interpretive patchwork, create a standard for our safety and the safety of Ohio’s nearly 12 million citizens is before you now and we hope that you will agree with our position and the position of the experts and positions papers submitted for review by this committee. On behalf of my colleagues and the numerous and statewide supporters of this bill, thank you for your time, careful consideration and ultimate recommendation for passage to the Seante and the Governor.