Arson Case Study
...Solve the Mystery
“Sex, Drugs, Rock and Roll”

- Daytime fire
- Occupant present
- Early detection

“Heroin Hill”
The Players

- Mr. - Lawyer
- Mrs. - Marriage and Family Therapist
The Players

- The Boyfriend
- The “Foster Daughters”
- The “Snitches”
The Months Before...

- Auto Policies cancelled for non-payment of premium
- Propane tank locked off for non-payment
The Month Before...

- Aug. 12: Notice of Cancellation sent
- Aug. 23: Bankruptcy Court garnishes Mr. Saunders wages (for mortgage)
The Month Before...

- Aug. 25
  Centennial Mortgage requests BK Court permission to foreclose on home.

- Aug. 30
  Policy cancelled for non-payment of premium.
The day before...

- Paid the Insurance Premium
  - Cancelled due to non-pay
  - Paid in person by Becky S.
  - Requested a receipt
The night before...

- Violent rage by Mr.

- Mrs. - Warned the guests...
  - “Something bad is going to happen” [Snitches]
The Day of the Fire

- Mr.: Off to work!
- Mrs.: Washed clothes in the tub (Washer broken)
- Boyfriend over to...
  - “repair broken car”
The Day of the Fire

- Mrs. sent all guests to “The River” for the day

- Stacy (12 yo foster daughter) returns
The Day of the Fire

- The 5 Dogs got out...
  - 2 Dobermans

- She went to search with “foster daughter”, Stacy
OVERALL VIEW OF FIRE SCENE

HILLSIDE

ADDICTION

SHELP

TRAILER

MAIN HOUSE

CEDAR BOARD FENCE

LPG

RED

GREEN

BLUE

MONTE VISTA TERRACE

HIGHLAND TERRACE

CENTER WAY

NOT TO SCALE

DRAWN BY:
ROD PEDERSEN
The Day of the Fire

- Returned and found gate open...

- “Must be a burglar!”
The Day of the Fire

- Kept dogs and Stacey at gate...
And, searched entire house...
Mrs. started on the 2nd floor in the kitchen
The Day of the Fire

- Turned stove off & extinguished “trash fire” in the fireplace
The Day of the Fire

- Checked - Stacy / Dogs still out
- Then went downstairs
The Day of the Fire

- Searched the library, dance room & guest room
The Day of the Fire

- Returns to 2\textsuperscript{nd} floor searches the pantry & breakfast room
The Day of the Fire

- She proceeds to the 3rd floor
The Day of the Fire

- Closes trap door searches the bedroom & music studio
The Day of the Fire

- Locks Cat Door
The Day of the Fire

- Took Stacey and dogs to neighbors’ deck
The Day of the Fire

- Brings “foster daughter” to propane tanks “wait here”
The Day of the Fire

- Inspects propane line and looked through door to basement
The Day of the Fire

- Returned with neighbor
- 2-3 minutes

“Fire in Basement!”
Fire was behind siding, had not burned thru yet. Boards was spaces between them, allowing him to see the fire. Very light colored smoke, light grey; not dark. Smoke was very wispy, not dense.
Post Fire

- Underwriter’s position:

“We will not reinstate this policy due to payment history. Whether or not there was a fire...is irrelevant.”
But...

- Insured’s check was deposited.

- Monthly Pay Plan sent insured a letter...”we will reinstate your payment plan”.

- Impact?
Post Fire

- Investigator smells gasoline in basement
- Dog “Alerts”
- Samples collected
Mr. Insured says...

- “Oil dumped”
- Tar paper in basement
- Creosote
Samples “negative”

- Delayed suppression
- Building collapse
- Hillside construction
- Rain
- Overhaul Activities
Impact?
Expert Findings

- CalFire: Arson
- Local FD: Arson
- SFM: Arson
- Private: Arson
Origin First
Then Cause Determination

Cause requires SPECIFIC DOCUMENTATION OF:
- Competent ignition source
- Competent first ignited fuel
- Mechanism / event that brought the two together
- Secondary fuel(s) / fire spread...
- Credible consideration and elimination of all reasonably viable alternative theories
Access / Opportunity

- Insured herself limits who could have had access / opportunity
Motive - Financial

- Washing clothes in tub
- Insurance cancelled for non-pay
- Propane shut off for non-pay
- Bankruptcy - Foreclosure proceedings and Wages Garnished
- $ stolen shortly before fire
Broken cars
Motive

- Abusive husband
- Weapons Charges
- Workplace Violence
- Sexual Predator
- Boyfriend is better!
To: ERIC
From: Judd Mike & Owen
 MANAGEMENT COMMITTEE, WPI

Re: Allegations of Misconduct

ERIC, We met with you on Feb 5 to discuss allegations from one of your co-workers of intimidation & sexual harassment. After discussing the specifics of your pattern of dialogue and behavioral relationship with Michelle, we found that although some issues were clouded in perception and in fact, that you confirmed the primary complaint which was your obscenity bearing threat of physical harm. However you meant it, there is no reasonable excuse for your action.
Conduct

- Warned guests
- Policy paid ... receipt (and Policy) not burned
- Made sure everyone was away from house
Conduct

- Didn’t take Dobie’s with her during search of house
- Ensured Dogs & Cats (and people) outside
- 23 phones – no call for help
Conduct

- Claims smelled propane on deck, but
  - didn’t hear or see anything unusual
  - And, propane locked off months earlier – non-payment of bills
  - “sure” was propane, then...
Lies

- No relationship – but:
  - Seen kissing (with gas can, pile of clothes)
  - Love Letters
IF I THOUGHT YOU HAD NOTHING ON YOUR MIND BUT SEX, I WOULDN'T SEND YOU A CARD LIKE THIS FOR NO OCCASION...

...I'D BRING IT OVER MYSELF!

Loved kisses

Tom Slick
TOM

Hi

Where the F are you? Your door was open but you aren't home. I don't want to be alone tonight. If you know what I mean, so it anyway possible come over to my house.

Love

[Signature]
To be able to grasp the highest knowledge, love, life, wisdom, faith of it all.

To be able to become the most powerful teacher to help all mankind and in the heavens.

To be able to share all I learn for all mankind & teach to my little sister Lucinda.

Saunders, I really want to be with my little sister some day forever. Please... and I want all written words on this paper.

I want I really want all these things & much more. Please very good care of my little sister. Please give her another chance. In Life please. I know I've been to much help towards her but I know what's in planed for her some what. I'm very hurt with so much sorrow because I do love her so much I can not see her go. But I know I have to God. Please I will apologize to her tomorrow for what I've done tonight to her.

Please from all my heart I want to be with her some day please. Don't take her away from me. Please from all my heart please let us be together forever for eternal existence please some day.

Thank you

Your Son Toms. Castellanos
I, Daniel, wish to put the following statements on record and wish to have them acknowledged.

1) I don't think or remember saying to anyone especially Detective McAmber, that Cindy or anyone that I knew set fire to the Residence. 

2) Det. McAmber mentioned that I would receive a reward possibly amounting to $25,000. I said no. I must receive any cash. He even became pushy and said that totally scared me so I lost my sensibility.

3) Becky & Darlene argued intensely with me, telling me that little girls like me that get involved are often killed.

Signed: Daniel Doe
(03/18/18)
I, Dwayne, wish to put the following statements on record.

1) Cindy did not tell me that she was going to burn down her house.

2) I do not think I have reason to believe that Cindy burned her house.

3) When I told Det. Dett that I did not think Cindy did it and that I did not want to testify against her, he said that I must testify and that he would see to it that I got 1/10 of the value of the insurance plus $500 from the Forest Service if I testified.

4) At no time has Cindy threatened me with physical harm or anything else if I testified against her. However, Darlene did threaten that she would kill me if I made a statement against Cindy.

Signed
Jury Questions

- Was the insurance policy properly cancelled?

- Was the policy reinstated by actions of the insurer?
Jury Questions

- Was this fire proven to be incendiary?
Jury Questions

- Was Mrs. Insured involved in the setting of the fire?
- Was Mr. Insured involved in the setting of the fire?
Jury Questions

- Did Mrs. Insured violate the “Concealment and Fraud Condition” of the policy?

- Did Mr. Insured violate the “Concealment and Fraud Condition” of the policy?
NOW, YOU TOO...

CAN SWIM WITH THE SHARKS!

© KURT JONES 2003
Thanks!
Arson Case Study

...Solve the Mystery

Juliet Schade
Capital Ins. Group

Douglas K. Wood, Esq
Morris Polich Purdy, LLC

Ulises Castellon, CPCU
Fire Cause Analysis