

An Interview with Dan Churchward

"The National Fire Investigator," Winter 2000

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Dan Churchward is the chairman of the NFPA Technical Committee on Fire Investigations. This committee produces NFPA 921: Guide for Fire and Explosion Investigations. Dan is the president of Kodiak Fire and Safety Consulting in Fort Wayne, Indiana, and serves as NAFL's Treasurer.

The National Fire Investigator: Give us a little background about yourself. How did you become involved in fire investigation?

Dan Churchward: In 1972, I was a new volunteer fire-fighter. The fire chief suggested since I was a full-time Sheriff's deputy and now a volunteer firefighter: I might as well become a fire investigator. That is how I became a fire investigator. I studied at a lot of fire seminars and then realized I needed a degree. I attended the Purdue University Campus in Ft. Wayne, Indiana. I studied electrical engineering technology at night for eight years.

How long have you been Chairman of the NFPA 921 Committee?

I have been Chairman of the committee since 1996 and will remain chair until 2006.

What are your responsibilities as chairman?

My job is really that of a facilitator. I set the meeting agenda and schedule, chair the meetings but I am really a facilitator. My job is to encourage the members to not only produce or modify the material as needed but to accept compromise when it is appropriate to get that material into the document. I also, as chairman, get the opportunity to present the document to the NFPA floor for votes.

What do you hope to achieve during your tenure as Chairman?

I hope to develop 921 to a point where it only requires maintenance. Secondly, I hope that I can get the fire investigation community to accept the document.

What do you consider your biggest challenge?

To maintain harmony among the committee members. We are all strong willed, egotistical people and it is very difficult to keep that harmony.

To what extent do group politics change/influence the production of the document?

Is this beneficial or detrimental? Everyone has an agenda. It's not the fact that every one has one that's the problem; it is when the agendas become contrary to one another. There is no one group that dominates agreements or which issues are resolved. As long as I can get 20 yes votes on the ballot, I get my consensus and everything moves forward. Compromise is an absolute necessity. No group is more represented on the committee than the IAAI, but NAFI is the dominant organization from the standpoint of participation, support and endorsement of the document.

What parts of 921 do you see changing in the future?

There will, most likely, be a rewrite of the Documentation chapter and there will probably be a spin-off of the Computer Fire Modeling section in to an entire chapter of its own.

Are there chapters or subjects that are missing from 921?

No I don't think there are, but I will entertain suggestions and put them on the agenda for the next meeting.

Which chapter is your favorite?

The chapter on Origin Determination (Chapter 11), because I was the principal author. I take great pride in, that of all the chapters that had any serious relevance to fire investigation, it is the least controversial.

What long-term changes do you see coming about as a result of NFPA 921? How will it effect litigation? General fire investigation?

I believe, in my heart, that 921 is the driving reason that fire investigation has improved in the last 10-15 years. It is causing bad fire investigators to become better and good fire investigators to improve their own level of performance. I believe that 921 is being recognized as a "Standard of Care" in the industry and by the courts.

What is the general level of acceptance for NFPA 921?

I believe the level of acceptance is high There is a vocal group of opponents out there but they are shrinking in number as we speak. A good example of this was the IAAI's very nice endorsement of 921 at the NFPA fall meeting. That was something we have been encouraging them to do and they have, 10 years after the document came out.

Why do you believe there has been so much rank and file opposition to 921? Is that a fair characterization?

Yes, that is a fair characterization. I don't know that it has been widespread but there has been a group of people that have opposed 921 because they didn't know it or understand it. As those people realized what the document says, they are coming aboard in large numbers. There will always be people who dislike the document because it forces them to do a more professional investigation than what they care to do.

Where does the most support for the document come from? The most opposition?

The most support right now comes from the legal community and NAFI. NAFI has been a staunch, certain and solid supporter of 921 since the day it was first discussed, well before the first printing. The legal community is a very strong supporter, as well because they know if the fire investigation is done by the recommended practices in 921, it will be done thoroughly. They want to go into the courtroom knowing as much as they can about the facts of the case rather than what somebody thought they should hear. The most opposition comes from individuals who have been doing fire investigations for years and doing them wrong. As a consequence of 921, they are now being forced to change what they have been doing for many, many years. You know the veteran investigator who says, "I've been doing it this way for 30 years" and unfortunately he's been doing it wrong.

What is the single most debated topic in 921?

The Scientific Method. In 1993, the US Supreme Court issued a ruling "Daubert v. Merrill Dow Pharmaceutical" and the issues they addressed related to expert qualification and experts being allowed to testify. They are the same issues that we had already itemized in the first version of Chapter 2. So, the 921 committee had literally preceded the US Supreme Court on that issue. Chapter 2 of 921 was cutting edge technology when it went to press. Fire investigators found out that they were going to be held by the legal community to the same standard as all other scientific endeavors. Many of those individuals rebelled because they were frightened. They didn't think they could do a scientific fire investigation, although many of them had been doing it for years. They just weren't calling it "scientific".

What area of the document do you feel is most often misused/ misinterpreted?

Basic Methodology, without question. The point of this chapter has been missed since the day it was printed and, of all the chapters in the book, I think this is the one that is most relevant and most significant.

NFPA 921 has been criticized for having too much theoretical science. Is this criticism justified?

In the beginning, people perceived 921 as being written by a bunch of white lab coat guys with pocket protectors and pocket calculators, who didn't know what the hell was going on in the real world of fire investigation. That just isn't true. More than half the original members of the committee were "dirty knuckle" fire investigators and I think that number has increased over time. They are not laboratory types. The committee is made up of people who are most aware of what is going on in the real life fire scenes.

Another criticism of 921 is that it is being used as a standard when it is really a guide.

This is a problem of semantics. 921 is a NFPA document and the NFPA calls it a guide. It isn't important what the NFPA calls it. It is what the legal community calls 921 that counts. The legal community considers it a "Standard of Care" in the industry. That sort of designation puts the document on a different plateau than it does with other NFPA documents called 'guides'. 921 is the only peer reviewed, consensus document on fire investigation in the world today. It is also the most significant document on fire investigation to hit the streets in its lifetime. Those two hurdles it has overcome are why the courts offer such strong support for 921. We shouldn't have to lower the river when what we should be doing is raising the bridge.

What parts of the document do you use most in your private practice?

I use every part of the document depending on the issues associated with my work. Systematic Methodology, Fire Science, Origin, and Cause are all chapters routinely addressed by me in fire investigation.

Has the introduction of NFPA 921 changed the way you do fire investigations?

You Betcha. There is no one in the world that gets cross-examined on 921 more than me. They say, "You are the chairman, you must have followed 921". If I haven't followed it, I had better have a good reason or I am going to get skewered on the witness stand. You can also bet that 921 has also changed my work. I do a better job today as a direct result of 921. I have to live in the same environment everyone else does; there are no exceptions for the members of the committee or me.

How do you use NFPA 921 as a training tool for your investigators?

I believe that 921 is, first and foremost, a textbook. It becomes, in essence, an outline for someone who has no experience in fire investigation. They can review it cover to cover and come out with a very strong basic knowledge of fire investigation. It is not the end all of fire investigation but it certainly opens the doors to all other lines of study for fire investigators.

What areas of the document are most important for a beginning fire investigator? For an advanced one?

For a beginning investigator, the information that is required before the investigator even goes to the fire scene: Fire Science, Investigative Methodology, and Pattern Recognition, are the three most important. Most new investigators, quite frankly, after having read this will realize how little they know. It will, hopefully, prompt them to study even more and go beyond the document. Advanced investigators will find the new chapters on Failure Analysis, Fatal Fires, Human Factors, and Building Systems most useful.