



## KEEPING YOU UPDATED

March 2, 2018

### Raleigh

#### Keeping my District & North Carolina Safe

Almost three years ago I was contacted by Derrick Clouston of the N.C. State Fire Marshall's Office to discuss some ideas to improve arson prosecutions in North Carolina. Though there are many instances of arson, they are very hard to prove and even harder to prosecute. For that reason, most people seem to think that arsons are rare. They are not! I set up meetings and over the next year Rep. Hurley and I met several times with representatives of the State Fire Marshall's Office, the NC State Bureau of Investigation, NC Conference of District Attorney's, and Legislative Bill Drafting Staff. From those meetings, it was determined that a Statewide Arson / Homicide Prosecutor was needed to provide assistance and training to prosecutors and fire investigators. There were also a couple of additions needed to the criminal statutes regarding arson crimes.

In March of 2017, I filed [HB325](#) which originally just had two new criminal statutes and the creation of an Arson / Homicide Prosecutor position for the Conference of District Attorneys. As that bill moved through the legislative process it changed several times and a section was added to restore language to the state statutes that allowed the State Fire Marshall to investigate fires.

[HB325](#) eventually passed the N.C. House and portions of it are now pending in the Senate. The statute changes to the arson statutes added a felony for persons who during the commission of another crime cause damage by fire or explosive. The new statute also adds law enforcement and fire investigators to the list of persons for whom another could be charged if they are injured responding to the emergency caused by that person. The language amending the state statute to allow the State Fire Marshall to investigate crimes and the creation of a Statewide Arson / Homicide Prosecutor both became law when they were included in the 2017 State Budget.



With the \$120,000.00 added to their budget, the NC Conference of District Attorney's hired an Arson / Homicide Prosecutor. I was honored to have been invited to the "UP IN SMOKE" training at Wake Tech Public Safety Center in Raleigh. This training was made available to prosecutors, Fire Marshalls, and firefighters from across North Carolina. The training was sponsored by the N.C. Conference of District Attorneys and taught by the new Arson / Homicide Prosecutor, ATF, SBI, and others. This training is an attempt to bring all those who have the hard job of investigating and prosecuting arson fires together with the common goal of better prosecution of those who commit arson crimes. Well over 100 persons signed up for the two day training and registration was so strong that the class had to be capped and over 40 persons were placed on a waiting list. I am proud of the fact that during budget negotiations in 2017, I was able to get funds appropriated for an Arson / Homicide Prosecutor.

This is an invaluable resource for training and assistance to prosecutors and fire investigators statewide. Further, restoring jurisdiction to investigate fires to the State Fire Marshall allowed that office to hire several new investigator positions. This is just a few of the many law enforcement and safety issues that I have worked on during my three terms in the NC House. Thanks to all those who met with me and helped make this happen and to Derrick Clouston from the State Fire Marshalls Office who first made me aware of this need.

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