



Quick Notes is an ICAC communication that will give you quick, timely links to recent news items impacting arson prevention, investigations, litigation and training. We trust that Quick Notes will be an easy way for you to remain current in news concerning arson control.

Events

2014 ICAC Webinar Series: Expert Witness



An ICAC Event | May 15, 2014 | 3:00 pm EST

One Dimensional vs. Two Dimensional Experts: Knowing the Difference Can Help You Avoid Costly Pitfalls in Selecting and Instructing Experts

Presented by Terry Dawn Hewitt and Rick Hammond.

Expert witnesses are the lynchpin of fire and explosion cases. If an expert is insufficiently qualified or performs poorly in the heat of litigation, even a most promising case can sour quickly. In many fire cases, the insurance claims handler or SIU supervisor are under severe time pressures to hire one or more experts for a given case, often without the help of the attorney who will ultimately handle the case. Without having experienced first-hand the ways that expert testimony can go wrong in depositions or trials, they are at a disadvantage in selecting and instructing experts.

This webinar will help you to distinguish between a one-dimensional expert who appears to have all of the requisites of an expert with sufficient expertise in his or her field; and a two-dimensional expert who not only has the requisite expertise, but has developed a crucial second dimension - the skills necessary to testify effectively. This webinar will provide:

- Examples of cross-examination techniques that can defeat even very knowledgeable one-dimensional experts at depositions or trial;
• Strategies that two-dimensional experts use to deflect such techniques; and
• A checklist for selecting and instructing two-dimensional experts.

Register

\$40.00 ICAC Member | \$60.00 Non-Member

Fire Investigations

Man faces arson and insurance fraud charges

Accused discovered a faulty coffee maker in the home in early 2013 after it caught fire in the kitchen but did not damage the home, authorities said. He stored the coffee maker in the garage. "At some point, it was determined that (the stepdaughter) would plug in the defective coffee maker and turn it on," court documents state.

insuranceneedsnet.com

Charge: Mom of sick infant set fire to home, collected insurance

Prosecutors formally charged a mother with first-degree arson Friday, saying she intentionally set fire to her home the day before her sick infant daughter was set to come home from the hospital.

www.komonews.com

Sheldon Pair Charged With Arson In Buddz's Blaze

Two Sheldon residents have been arrested and charged with arson, following an 11-month investigation into a fire that destroyed Buddz's Sports Bar & Grill in Sheldon in May of last year. To view the Complaint & Affidavit, which contains details of the alleged events addressed in the investigation, and was filed in District Court, click here.

Arson Trials

Prosecutors say appeals court can't consider Hitching Post arson appeal

Federal prosecutors say a Denver appeals court doesn't have authority to consider an appeal from a New Mexico man serving six years in prison for commissioning the arson that destroyed a landmark Cheyenne hotel.

www.therepublic.com

Case Law

STATE OF ARIZONA v. JESSICA ANNE CRAFT

Craft argues that evidence was insufficient to prove she damaged her car "unlawfully" and that burning one's own car is not always "unlawful" unless it violates a criminal statute. Craft argues that because she burned her own car in the middle of the night in the middle of a large, empty paved lot in an isolated area away from all structures, people and flammable material, she did not violate any criminal statute and the fire was, therefore, not "unlawful." She further argues her subsequent attempt to commit fraud did not retroactively convert the fire into "unlawful" arson.

http://scholar.google.com

News/Interest

USFA to emphasize vehicle arson awareness during National Arson Week

The U.S. Fire Administration will participate in National Arson Week May 4-10 to increase public awareness of the dangers of arson and to discuss collaboration amongst emergency response efforts. The theme of the program is "Vehicle Arson - A Combustible Crime."

www.gsnmagazine.com

Exonerated Michigan man sues sheriff's deputies, state police

The lawsuit alleges that in agreeing to a new trial, the state prosecutor stated that the newly discovered photographs had caused the state's experts to conclude that the fire should have properly been classified as "undetermined" and that "actual prejudice" had occurred; and that, based upon the newly discovered evidence, "there would be a reasonable likelihood of acquittal."

www.mlive.com

Fire/Arson Reports

NFPA issues errata on NFPA 921, Guide for Fire and Explosion Investigations

An errata is a correction issued to an NFPA Standard. NFPA has issued the following errata on NFPA 921, Guide for Fire and Explosion Investigations:

- NFPA 70, Errata 921-14-1, referencing Figure 27.8.1.2(b) of the 2014 edition, issuance date: April 24, 2014

Associate Member Profile

Smith, Rolfes & Skavdahl Company LPA Since its founding in 1989, Smith, Rolfes & Skavdahl Company, L.P.A. has grown to become one of the nation's most respected insurance services law firms. Our firm provides representation and assistance in litigation and claim investigations to insurance carriers throughout the United States and Puerto Rico.

From our four Midwest offices (Cincinnati, Columbus, Detroit and Ft. Mitchell, Kentucky) and two Florida offices (Orlando and Sarasota), we provide legal services within our six primary state jurisdictions of Ohio, Kentucky, Michigan, Indiana, West Virginia and Florida. Our firm focuses on insurance fraud investigations and related bad faith litigation.

http://smithrolfes.com

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