

# Alaska Association of Fire & Arson Investigators

**AAFAI**  
**P.O. Box 671468**  
**Chugiak, AK 99567**

*Brian Balega, President      Don Cuthbert, Vice-President      Yvette Jaegge, Secretary Treasurer*

February 12, 2014  
Representative Shelley Hughes  
District 8  
State Capitol Room 409  
Juneau, AK 99801

Representative Hughes,

We are writing to you regarding HB 253 which you co-sponsored with Representative Shelley Hughes. Fire origin and cause investigation is a specialty career requiring investigators to work hard to educate themselves and stay abreast of current trends. Fire origin investigators are very few and far between. There are an estimated 4 private investigators in the entire state which often requires our local businesses to hire out of state companies to conduct their investigations.

In reviewing the proposed HB 253 we understand its purpose and agree with the need to ensure the public is protected by assuring them that private investigators have been vetted by the state. We also understand the bill to prohibit peace officers or other government connected employees from conducting private investigations which by our reading will include fire investigators whether they are sworn or not.

Our association takes the positions that due to our unique skill set and minimal numbers there should be an exemption to allow all certified fire origin and cause investigators to obtain licenses to conduct private fire investigation business in the state. We understand the need to protect citizens as well as privileged personal information of citizens and business information of governmental entities.

We also believe the state currently has precautions in place to protect those systems including auditing users and their activities. In addition, it is our position that fire investigators whose sole purpose is to conduct origin and cause investigations rarely have a need to research an individual or their Criminal backgrounds. Investigators regularly are

*"Fire Prevention through aggressive investigation of every fire"*

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hired by insurance companies to examine fire scenes, interview witnesses, and render opinions as to the cause of the fire and those civilly responsible.

We have conducted some limited research on the topic and found two states; Arizona and Colorado have similar legislation with the proposed exemptions..

Arizona requires similar private investigator licensing. Under chapter 32-2414. Licensure or registration of peace officers prohibited: "The department may not issue a license or registration certificate pursuant to this chapter to a peace officer, including a reserve peace officer. This section does not apply to retired peace officers or peace officers, including reserve peace officers, who are accident reconstructionists or fire origin and cause investigators."

Colorado requires similar licensing as well. They have a bill before their legislature to re-work their current law. The section of their law pertaining to this issue is 12-58.5-105. [Formerly 12-58.5-103 (6) (b)] Exemptions. "(1) THIS ARTICLE DOES NOT APPLY TO: AN OWNER, EMPLOYEE, OR INDEPENDENT CONTRACTOR OF AN AGENCY CONDUCTING AN INVESTIGATION TO DETERMINE THE ORIGIN AND CAUSE OF A FIRE OR EXPLOSION;"

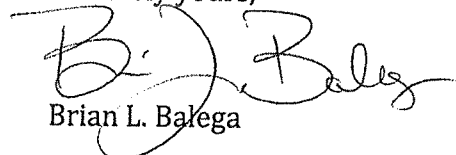
We offer our support of licensing private investigators as it is in the best interest of residents in this state. We ask you to consider authoring an amendment or co-sponsoring an amendment to exempt fire origin and cause investigators.

Suggested language could read:

Sec 08.85.125 Requirement exemptions. This section does not apply to: AN OWNER, EMPLOYEE, OR INDEPENDENT CONTRACTOR OF AN AGENCY CONDUCTING AN INVESTIGATION TO DETERMINE THE ORIGIN AND CAUSE OF A FIRE OR EXPLOSION

Please feel free to contact me if your have any questions regarding this information or our association. Thank you for taking some of your valuable time to consider our request.

Sincerely yours,



Brian L. Balega

President

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