

Investigation Process Summary

An Interagency Serious Accident Investigation Team (SAIT) was mobilized on the afternoon of October 26, 2006 for the Esperanza Entrapment/Fatality that occurred in the early morning of October 26, 2006 near Cabazon, California. The Team Co-Leaders were contacted on October 26, 2006 between 12:00 to 1:00 p.m. Pacific Daylight Time (PDT). When assembled, the SAIT team consisted of 18 primary interagency members and 14 technical specialist personnel.

Investigative Team Authority

The team was given full authority as described under the Cooperative Fire Protection Agreement (an agreement between the Bureau of Land Management; National Park Service; U.S. Forest Service; and California Department of Forestry and Fire Protection - 7/25/01 version), that states:

“67. Accident Investigations

Whenever an accident occurs involving the equipment or personnel of a supporting agency (USFS), the protecting agency (CAL FIRE) shall take immediate steps to notify the supporting agency that an accident has occurred. As soon as practical, the protecting agency shall conduct an investigation of the accident. A team made up of appropriate representatives from all affected agencies shall conduct the investigation.....

The sharing of information between agencies on accident investigations and their findings and probable causes is a valuable tool for safety and must be encouraged.”

The team had full authority to utilize technical support personnel necessary to complete the accident investigation. The team was directed to do the following:

- Identify factual data associated with the circumstances relating to the accident.
- Accurately and objectively record the findings of this investigation.
- Analyze the findings to determine factors involved and their relationship.
- Recommend actions that should be immediately implemented to prevent similar future occurrences.
- Develop and submit a Factual Report and Management Evaluation Report to the Chief of the Forest Service and the Director for the California Department of Forestry and Fire Protection.

Randy Moore received his Delegation of Authority from Hank Kashdan, Deputy Chief for Business Operations/Designated Agency Safety and Health Official for the United States Forest Service (USFS). Brad Harris received Delegation of Authority from Ken McLean, Deputy Director of Fire Operations for the California Department of Forestry and Fire Protection (CAL FIRE).

Investigation Process

A crosswalk was developed and used to ensure objectives established in the current USFS Serious Accident Investigation Guide (2005) and draft CAL FIRE Serious Accident Investigation Guide were met. The investigation process involved the use of the organizational structure of the Unified Command, Incident Command System (ICS) to manage team assignments, investigation protocols, briefings, witness interviews, and collection of evidence. A collaborative interagency effort was used to develop report findings, causal and contributing factors, and recommendations. Team expectations were that direction provided in the USFS 2005 Serious Accident Investigation Guide section “Report Use” would apply:

“Report Use - Information collected and developed during the course of an accident investigation is to be used only for accident prevention. It shall not be used for purposes such as:

- *Making any determination affecting the interest of an individual giving a statement*
- *Evidence (or to obtain evidence) to determine the misconduct of agency personnel*
- *Evidence to determine the disciplinary responsibility of agency personnel*
- *Evidence to assert affirmative claims on behalf of the Government*
- *Evidence to determine the liability of the Government for property damage, injuries, or death*
- *Evidence before administrative bodies*
- *Punitive or administrative action taken by agencies of the United States”*

Team Chronology

At 8:00 a.m. PDT on October 27, 2006, California Department of Forestry and Fire Protection (CAL FIRE) team members met at Beaumont CAL FIRE Fire Station. CAL FIRE SAIT members took custody of the site from the Riverside Operation Unit, as the USFS SAIT members were traveling to the area.

At 8:30 a.m. on October 28, 2006, the entire SAIT members met at the Cabazon Community Center. Also present were investigators from the Office of Inspector General (OIG) and Federal Occupational Safety and Health Administration (OSHA). The purpose of the SAIT, as stated by the co-leads, is to provide management with

information for accident prevention. Due to the interagency involvement at the time of the accident, the SAIT was selected to reflect the interagency cooperation.

A site tour was conducted by the CAL FIRE Chief Investigator, on October 28, 2006 at 12:00 p.m. All SAIT members, along with investigators from OIG and OSHA, were present. The purpose for the tour was to allow the SAIT members to have a visual understanding and familiarization of the accident site. SAIT members responsible for evidence collection and scene processing remained at the accident site after the tour.

The scene was secured by law enforcement personnel until November 3, 2006 at 6:00 p.m. This was the day that Fire Engine 57 was removed and scene processing was completed.

The San Bernardino National Forest issued a press release in lieu of the 24-hour report on October 28, 2006.

The CAL FIRE Blue Sheet (a preliminary 24-hour report) was prepared and submitted to the CAL FIRE Assistant Region Chief for review on October 28, 2006. It was approved and released that same day.

The USFS 72-hour report was prepared and submitted to the Chief of the Forest Service on October 30, 2006.

The CAL FIRE Green Sheet (a more detailed and comprehensive report than the Blue Sheet) was prepared and submitted to the CAL FIRE Assistant Region Chief for review on November 7, 2006. It was released on November 9, 2006.

The SAIT completed the evidence collection and processing, interviews, and document and information gathering on November 9, 2006. All SAIT staff returned to their respective home units.

On December 4, 2006, a Core Group of SAIT members met at the California Southern Operations Center in Riverside, California. The purpose of the meeting was to complete the Factual Report for both agencies. On January 17, 2007, an additional meeting was held in Auburn, California to finalize the Factual Report. The report was completed for final review by the team leaders on March 5, 2007.