

Survey Results

30-Mile Fire; Effects of Criminal Charges Conducted by the International Association of Wildland Fire January 28 through February 15, 2007



**International
Association of
Wildland Fire**
www.iawfonline.org

The Thirtymile fire, started by an escaped campfire near Winthrop, Washington, claimed the lives of four U.S. Forest Service firefighters on July 10, 2001. On January 30, 2007 the U.S. Attorney in Spokane, Washington, charged the Incident Commander of the fire with four counts of involuntary manslaughter and seven counts of making false statements.

The IAWF, a non-profit, professional association representing members of the global wildland fire community, initiated a survey of wildland firefighters after hearing speculation that some firefighters were no longer going to serve in certain key management positions on wildland fires due to the new threat of going to prison for making mistakes on fires. The objective was to collect data to determine the scope of the issue, and provide objective information to the wildland fire agencies. Wildland firefighters were invited by email as well as postings on wildland fire forums to take the survey which could only be taken once from each computer. The survey was taken by 3,362 people.

There were eight multiple choice questions plus the opportunity to type in remarks. Below, is a sampling of the 1,416 remarks. The other survey results are in a companion document and can be found on the IAWF web site at www.iawfonline.org/documents.shtml

Question 9. Optional remarks, or explanations for answers

Hanging fire managers out to dry will decrease the number of fire managers willing to take fire assignments.
Fire Commanders will be less aggressive in attacking fires resulting in larger acres burned and more structures lost. Disengaging will come sooner when fire behavior increases.
I am trying to not make any big decisions about these topics until after the trial. I am hoping there are circumstances that I do not know about that are making this situation with Ellreese more complicated than it appears on face value.
It seems to me the issue here is that the forest service employee lied during the investigation. This can not be tolerated.
A matter of great concern for the fire community
Firefighting is a risky business, with decisions having to be made in what can be very dynamic situations. Do we charge structural fire captains with manslaughter when a firefighter falls in the line of duty.

I used to be a primary firefighter until I took a position that was not. I would have had liability insurance if it were offered to me but it was not because I was IC5 and it supposedly was not allowed for less than IC3. It should be because we are just as responsible if something happens on our fires. I feel that the charges brought are a step to the rear and after talking to my fire co-workers, they are irritated and scared because of the detriment to their families that is possible if they are held liable in an accident. I feel that if someone is truly and willfully negligent then they should pay, but this was not the case to set the standard on. It seems that there is going to be a lot of positions that go UTF this year but that is speculation. I would think that a lot of people are scared but are going to suck it up for the better of the agencies lower ranked persons in order to try to keep them safe. The people who do this are just trying to keep some lower qualified person from not having guidance. We care about the people we supervise and we do not want to see them get hurt or act negligently so

This is precedent setting and could wreak havoc in getting anyone to take supervisory or command positions where human life is at risk for fear of being sued by attorneys who will have months to critique a split-second decision of some one under fire.

This will have a chilling effect on the ability of agencies to recruit and retain qualified supervisors and will have a detrimental affect on manager's ability to make decisions based on incident conditions as opposed to making decisions based on potential liability issues.

As of this date, I have removed some positions for which I am qualified on my red card and am refusing to take assignments as of February 1, 2007. I have informed all supervisors above me, my forest, my forest dispatch, and all other co-workers on my district, forest via email. As of this date, 7 other co-workers have opted for the same change in their availability status on my forest in R2

As a ST/TFLD, I will be reluctant to have FS folks working for me.

I am a Lead Crewmember on a Rappel Crew in Region 4. I am qualified as a CRWB, ICT4, and HELM. These actions will not effect my career, but will surely affect my decision-making process. Managing a helicopter, crewmembers and an incident is difficult enough. Fear of prosecution for doing your job is unfathomable. I applaud your efforts at helping resolve this situation.

I will manage fires in my unit because I have to. Unfortunately for others and other units, I am unwilling to assist them due to this case. I cannot risk the future well being of myself and family, it just isn't worth it. Sorry. Thanks for the survey Bill G.

We need the wildland firefighter series and fire needs to work for fire leaders! and Congress must stop this fiasco!

I am going to drop my DIVS quals now. I dropped my ICT3 quals two years ago due to the Cramer charges. I will continue to work on a type 2 team as FBAN and will continue to carry personal Liability insurance.

While I will continue to serve in the positions that I am qualified for, ICT3, DIVS and RXM1 during my everyday job as DFMO, these charges are very concerning for me and the employees that I work with. I feel strongly that legislation needs to be enacted to offset the Cantwell/Hastings act from 2002

As a relatively low level supervisor (ICT5/CRWB), I am finding myself not wanting to take on more of a supervisory role; why would I potential give myself more liability than I already have?

At my current level of supervisory duties I believe that this does not directly effect me, however it does make me carefully consider any further advancement.

I don't believe an AD can buy the same kind of liability insurance available to full-time federal employees. It would be appropriate if an equal insurance were available.

I am at mid management and will not seek to go any higher in my red card quals. Never will I put my family in financial danger or threaten that. If we need insurance for our jobs then its time to rethink what we are doing.

The scale has been tipped. I plan now to leave the USFS this year. My Qual's incl ICT3,SOF2,DIVS,RXB1. Lack of support, continued more with less, and questionable Forest leadership has finally made me realize that after 30+ years of the best job I could ever have is no longer the case. Couple the frequent uncertainty of the environment we work in and the Now uncertainty of Agency support, Risk what for Who? It's a cost/benefit thing. I will deeply miss those who I have worked,trained and fought fire with during my career.

I am a USFS Battalion Chief. I am a Qualified IC Type 3 and I plan on dropping it from my quals. I will also retire in 5 years as soon as I am 50, instead of working until I am 57. It is not worth it anymore. Fire Management being run by Line Officers with no practical experience or common sense is creating this coming train wreck.

I disagree with the manslaughter charges in this case. I think there may be cause to have brought the lying charges. I think that other managers often deserve any punishment more than Fire Fighters. Most of MY frustration is not a lack of accountability on the fireline, but a lack of accountability above the fire.

I will probably move towards being more of an technical advisor than a fully qualified fire position on fire assignments in the future. I expect this will have a huge detrimental effect to all wildland fire qualified personnel, especially the militia who leave their non-fire jobs to assist in the efforts.

Changes will be made as a result of the 30-mile indictment without firefighters making themselves less available or conducting what amounts to a worker strike.

I am still on the fence on this issue. If this issue is not resolved before this fire season I will have to re-evaluate my position.

I am embarrassed for my agency, USFS, for not standing up to this nonsense

Am I Looking for another career that pays better? YES

I am currently exploring all options to leave the Forest Service. This includes testing for city departments and looking at federal agencies other than the Forest Service. The Forest Service is no longer my employer of choice.

The reason I do not have liability insurance is because it is expensive and the 1 million dollar cap will not cover expenses. In my area 1 million dollars could just be a garage lost. Also, the manslaughter charges are a good thing for wildland fire because it may (hopefully) force agencies to stop taking such aggressive actions. People should not be sent into these situations. Unless human life is at risk wildland fires should more than likely be allowed to burn (obviously there are some exceptions such as cultural objects and endangered species). Perhaps, adding legal liability to the equation will force ICs and agencies into backing off.

I will not participate in any investigation without legal representation regardless of my involvement in any potential incident. If we are to be treated as criminals, I will demand my rights.

This is the most significant event to affect wildland firefighters! We have now entered into the world of Law Enforcement regarding Bivens issues. We should transfer responsibility to the all-knowing agency administrators and let them manage these fires! If they all knowing, then they can accept the indictments as well.

It is good to see that the IAWF is taking a stand on this case. I think IAWF is best poised to help the fire fighting community in expressing concerns of this case to those outside of the wildland firefighting community.

I have 23+ years as a firefighter with the USFS. I used to have "GREEN BLOOD" and am a highly dedicated & professional wildland firefighter with the USFS. Now I doubt the agency's leadership, motives, & absolutely KNOW I will NOT have any support or stance behind me should something unfortunate happen. It is a sad state of affairs when we have to get liability insurance to protect ourselves from our own agency!

I have been a US Forest Service wildland fire specialist for 32 years and I am retiring at age 50 rather than continue to expose myself and my family to the dangers of legal action that the Government would take against me should someone under my supervision be seriously hurt or killed. I believe that the leadership of the US Forest Service has become spineless and is completely unsupportive of wildland firefighters since the 30 Mile and Cramer incidents. The only way I would consider remaining as a Government employee is if there was a drastic demonstrable change in the way the Forest Service treats wildland firefighters and we were paid as professional firefighters and not as forest technicians and common forest laborers. Thank you for making this forum possible.

This could be my last year after 38 years depending on what happens.

As a civil servant for the government, why should I have to pay out of my own pocket for personal liability insurance after all the government has spent on me for training to get where I am today as an ICT4? This just makes me want to quit and go work at McDonalds.

Fighting fire is my job. I am a Forest FMO, OSC1 and on a team. What am I supposed to do quit. I am breaking the error chain not adding to it by continuing to go on incidents. I am also going to provide the leadership necessary at the local level to get my unit through this and a commitment to safe, aggressive, fire fighting. I think those that quit going on incidents are cowards, though will support their individual decisions. Just that in that sense support my decision to continue on. Thanks for the opportunity to respond to the survey.

I am struggling with this issue greatly. When thinking about it, if gross negligence was proven beyond a reasonable doubt...then one should be held accountable. Does that mean we hold the person accountable if they were not properly trained...how do we monitor that with the "standards"? (for example...agency training and experience vs. private industry training and experience)...should we lobby for funding to make sure compliance/standards are being met all-around? I realize the situation that is bringing this survey to question involves an "agency" person. My mind has been plagued for YEARS about the same situation, but with a "non-agency" personnel on the stand. It is vital that an employee has confidence in his/her work; a confidence that must include the support of the employing organization. Train, prepare, assure a circle of strength with your firefighters/supervisors. Maybe, more intense training of what our responsibilities are: we are responsible for the choices we make and lead others to carry out. More public education on how our tactics are

While I agree that is very bad in that it sets a precedent for future incidents where a firefighters negligence is grounds for criminal charges. But, this guy broke every rule in the book and was GROSSLY NEGLIGENT in performing his duties as a CRWB. If this was going to be an isolated case I can understand it's grounds and merits. But, the USFS will continue to seek criminal charges in fatality incidents until laws are changed because that is what they are directed to do. This is a congressional issue that needs to be addressed and either PL 107 needs to be stricken, or it needs to be ammended.

I had one Primary Firefighter (DIVS, ITC3) quit the Forest Service and accept a State Firefigting position over this incident and lack of support from the Forest over a similiar (non-fatality) incident on my Forest.

Criminal charges should only be considered in cases of gross negligence after an investigation by experienced firefighters who are knowledgable in fire behavior, strategy and tactics. Taking a firefighting course or having a few red card quals doesn't qualify anyone to investigate a near miss or fatal accident. In short if you haven't spent the majority of your life fighting wildland fire you're not qualified to investigate serious accidents.

Someone needs to grasp the importance and effect of this situation.

I have 27 years of experience as a wildland firefighter, currently a DIVS. I will not take another fire assignment until PL 107-203 has been repealed.

I hope the wildland fire community is successful in finding a legislative solution to this problem such as a Good Samaritan law. Fire management is a special case for a host of reasons. If you operate within the parameters of your job and act without malice you should not be liable to criminal prosecution or the fear of criminal prosecution. Ellreese Daniels's actions -- or lack of them -- were negligent to the point of incompetence, but many others acted with negligence that day. That doesn't make any of them criminals, which in my book requires malicious intent.

It seems that the FS is the only fire service agency that allows their firefighters to be criminally/civily charged for performing their duties. No one makes decisions that are meant to harm or kill others.

Pretty poor survey. What does having a firefighter charged on a wildland fire have to do with wildland fire? It will probably have no effect on wildland fire but wildland fire fighters might be effected. Frankly, a reduction in suppression efforts so that structure protection is primary function would be the best thing. Then the land management agencies can let leave wildland fire fighting to them municipalities and states, and we can concentrate on fire use/prescribed fire.

As a Asst Supt IHC, I am called on all the time to fill overhead postions (ICT3, DIV, DOZB, ect) I will no longer accept these assignements and just do my supervision duties over the crew.

As a Type 3 IC I worry about being held accountable for bad decisions that others may make. I will not take any ICT3 assignments out of region and probably none off of my forest.

I really interested to see if any active Forest Service upper management is going to help out when the trial comes around.

Accountability is vital in all fire operations, mistakes were made on 30 mile but I don't believe they warrant criminal action.

This whole wildland fire thing is getting to be a major pain! I have been invited to jion a FEMA team, sounds like a lot less hassel.(no red cards, no task books) I will make a decision later this year.

I am also a volunteer firefighter and EMT as well as a USDA FS Firefighter. How long till this affects my volunteer positions as well? It is making me take a hard look at changing my career to something that pays more with less risk of prosecution.

I'm taking assignments because I'm a firefighter and it would be wrong for me to train my folks but not be there if they need me.

I work for an organization whose primary focus is ecological prescribed fire. I feel this is an equally hazardous activity, and I am quite worried about an incident being attributed to me and my actions and I'm not sure how to proceed. I don't know what kind of insurance would be appropriate for me or the cost. I would like to believe my organization would cover me in the event of an incidet I'm involved in, and I will look into this further.

Prosecute the person that started the fire not the poor SOB that was assigned to put it out.

Not all firefighters are made or developed equal. If the agency allows unsatisfactory performance then it is the agency who should be liable.

I'll be cautious on what fire assignments that I take. I don't believe that it is right for me to have to purchase personal liability insurance while working as a full time employee for the federal government. I fall into one of the categories where my federal agency will not partially fund the insurance.

Where were the indictments from the Columbia Shuttle incident? The 30 Mile indictments were politically driven. The basis for the indictments was the FS review of this incident, whereas the law states that the investigation was to be independent of any agency review. This will have a great effect on people's participations in reviews and the lessons learned from them. My advice to anyone involved is to have a lawyer at their side. Those with lawyers get administratively transferred and protected (see Kramer incident), those without are left hanging in the wind.

This will destroy the learning culture we have strived so hard to develop in fire mgt. The only thing to be learned now is to keep your mouth shut unless you're in front of a judge or a lawyer...

The agencies must step up to the plate and support their employees more. Information needs to be made available upon where and when to acquire liability insurance. Also, the Cantwell legislation must be taken back and the federal government provide more support for their employees. Because of this legal action, i believe that the wildland fire community will loose most of their best employees. Uncertainty is running rampant and people are not willing to put their personal lives on the line.

I will seriously consider not becoming qualified as Burn Boss and ICT3. I am exploring the insurance issue, also.

The liability issues are too great of a risk; to my family, my future and my financial security, I am not willing to take the risk of being a Type 2 SOF or a type 3 I.C.

I am currently only an IC type 4 and going to hold off on becoming a Type 3 for a while.

In regards to question #3, I will still take assignments as that is my job. I will be more cautious and reserved in my directions for suppression activities. If this results in more acres burned, then so be it. I will follow the 10 & 18 to the letter. Until this is resolved, I will not participate in post incident investigations without a lawyer present.

Many people I know, myself included are only willing to IC fires on their home unit, where they are familiar with all the players and know they will be supported if something happens.

The fireline is a dangerous place. The environment is too dynamic to mitigate all risk. Human factors need to be acknowledged and further studied. Poor leaders should not be tolerated, nor should they be charged with involuntary manslaughter.

This whole thing stands to destroy the committment of many firefighters and well it should until some way is found to avoid making scapegoats out of the guys on the ground that are there doing this job!

I am done fighting fire. This all has put a bad taste in my mouth and as far as I care the FS can contract it all out. 16 years of training gone and I don't think anyone cares.

As long as the firefighter is working within the scope of their duties then the government should support their actions. Ultimately the government is the responsible agency whom places individuals in their duties. This is done through the red card process. Both firefighter and agency are accountable, but a qualified individual should not be held liable for an act of nature, when they have made the best judgement at the time. Wildland fire incidents is an emergency situation and is unpredictable at times, therefore one can expect things to go wrong and injuries occurred.

I am very leary about being a crew boss with a hand crew. I definitely will not be aggressive in fire suppression tactics.

For Question 3: I'm torn between doing the job I love and not being supported by my agency. As much as I'd like to get out of this situation, I feel a duty to do my job, as best I can, and continue to provide leadership and some experience to firefighters that will inevitably be out on the line, in danger.

I face mandatory retirement in March 2008. I just re-applied on one of the Ntional IMTs this year. I probably will not now honor my three year committment to the team once I retire. Before this indictment I was looking at continuing that committment until the end of the cycle in 2009.

Reference Question #3: I have not decided exactly how it will affect my participation. If I were younger, it would definitely affect my decision to choose a career in fire management.

I believe we have only begun to discover what the impacts of this are going to be on the wildland fire community and the wildland fire agencies.

Criminal charges of an individual supervisor without an equally serious "indictment" of our operational cultural and its associated habits and the general professional expertise and the certification of that expertise is a travesty. I am explicitly familiar with other fire fatality situations and the safety transgressions of those incidents are no less and perhaps worse than those of 30-mile. In addition, if we now hold supervisors criminally responsible, to what responsibility do we hold subordinates?... We are experiencing the extreme symptoms of a rule based organizational approach that inevitably fails in the face of highly complex processes (such as wildfire behavior). Safe and effective wildland fire operations require practitioners that can conduct thoughtful analyses as well as lead people. The military has faced this reality by distinguishing officers from NCOs and senior officers from junior officers and the different training and experience necessary to achieve such distinctions. What do we do?

This incident makes me want to be better at my job (type 4 IC, Task Force Leader, etc.), not stop what I am doing. It reminds me that I have to have the basics covered and be prudent or it may come back on me. I still think that liability insurance is unnecessary. To my knowledge there has never been a case where liability insurance has been used in wildland fire.

I think that the actions that were taken on the thirty mile, and other decisions (honesty decisions) that were made afterward, should most definatly be punished. It is important that it is made clear that these sorts of actions are not tollerated. My opinion however, is that the charges on this individual are too strong and that in the future, fire leaders may make poor descisions based on fear of litigation rather than from fire observations. I am torn weather or not this is going to be a good or bad thing for the fire community because leaders that are scared will be more timid about puting crews in even remotley dangerous situations. This timidity, however, may lead to poor discision making and therefore to other problems in the future.

I work behind the scenes in dispatch. I see a lot of highly qualified firefighters backing away from fire. The onus of additional paperwork and documentation will be a large workload on dispatchers.

I will be in the near future starting my ICT3 taskbook with these new events coming about I think that I will wait until they have been resolved and their is some guidance from the forest service.

If my employer, the State of Montana, recommends I have insurance, I will cease to accept any/all fire assignments.

The individual being charged is inocent untiil proven guilty. The proscutor and grand jury think there is enough evidence to proceed. I really don't see what the big deal is.

I am watching the case and, if the outcome is that a majority of firefighters begin to feel the need to carry personal liability insurance, I will likely resign and move into a new career.

Firefighting is a dangerous job just like being a soldier. But I don't see or hear anyone being brought up on manslaughter for those whom are in charge in the military. People may die when fighting fire, we train and train others to do our best to prevent it, but mistakes happen.

My concern is how we ourselves have defined our relationship to the Orders "We don't bend them, we don't break them", yet there are almost always situations or lapses where this occurs on fires. We have set ourselves up by claiming we ALWAYS adhere to them, when in reality we try but sometimes fall short. We are directed to base our actions on EXPECTED fire behavior; this is linked to our individual knowledge and experiences, not what someone else might expect. (Especially in hindsight) Yet, we have also been told to "Expect the Unexpected" in a recent annual refresher theme. In the name of safety we have made statements about how we work that are dangerously unrealistic and now we are being held to them. I believe mistakes were made at Thirtymile by fire management, the crew boss, and the victims themselves. But I don't believe the killing fire pulse was expected by anyone there. The mistakes and unexpected fire behavior do not add up to criminal negligence. My agency (state)is closely following this case with respect to liability and our use of federal firefighters.

I will not stop acting as an IC, Burn Boss, or other leadership position, because I am unmarried with no dependents. I can afford to do the 'right' thing. For those with families, mortgages, and other committments outside of work, I know this is going to have a chilling effect on their willingness to lead in a high-risk environment. We already have a hard enough time finding qualified Burn Bosses to conduct burns, and I've spoken to those who plan to let their qualifications lapse. There never has been an incentive to be a Burn Boss, now there is a disincentive. Go figure.

This is very troubling to me and really makes me rethink what i do and why.

I will not accept fewer assignments, however, I will carefully consider the risk I place my subordinates in. I think this is a positive step for fire management in that there is too much pressure to unnecessarilly place firefighters in harms way. Supervisors should pause and carefully consider if the benefits are always worth the risk - we need to redefine our level of acceptable risk.

I'm done with wildland fire. If the govt wont support me, why should I support it?

I have been asked to finish my ICT3 taskbook. It is not required by IFPM for my position and I have let my supervisor know I am no longer interested in pursuing ICT3 qualifications.

I'm a Squadleader on a Type 1 Regional Training crew (R5). I have put in for a job with the 4 neighboring CDF units as a seasonal FF1 this year. Yeah that's right, I'm demoting myself for a better future. Sorry USFS, but you've disrespected me long enough. Your "leadership" scares more Firefighters than broken 10's and 18's. I love you but I have to leave you...

I wish you would have had another choice option under question #3, which would have been: "continue working for the agency but make an effort to move/transfer into another non-fire or fuels related resource area."

If I did not have a wife and two kids I would quit the Forest Service. My job has enough stresses, I and we did not need this.

From the reports I've read the IC did nothing malicious leading to the deaths. I could see myself making similar decisions if I was in that position. Sometimes things just go bad no matter how much we try to prepare to avoid that. In the old days the agency said they would stand behind us and protect us if we made decisions that other rational IC's could make if they were in our boots. Do I want to continue putting myself in that kind of situation if the agency won't back me? Putting my future, my family, my life in that kind of position? I don't think so! The repercussions of this action will be far reaching. How can the agency let this happen?

#3 - although there is "no effect" here in this question, I will be ever more vigilant in putting myself into bad legal situations in the future. I will also be very reluctant to participate in efforts to determine "lessons learned" until I am positive there will be no repercussions from statements or information I give out in writing or verbally.

The State of Idaho fire fighting employees are protected under the liability statutes. That is why we don't need insurance to do our job fighting forest fires on or off district. Only if an employee is proven negligent in their decisions or actions will the State of Idaho not defend any IDL fire fighter who is involved with a fatality or serious injury.

As a Line Officer (Agency administrator) individual accountability (Criminal, civil, or administrative) for one's actions can only benefit the agency by tightening lax practices. If the employee was acting within the scope of his duty and without negligence then the criminal case should bare this out. On the other hand if the opposite is true then he should stand alone with the consequences of his own actions. As a firefighting workforce I think these actions will be a detriment to the agency, due to reluctance to take on positions of supervision and management. The need for a large degree of training and ongoing assignments and training is already problematic for militia firefighters to maintain qualifications so that workforce is dwindling. So the agency may end up with good process and quality training to turn out a good firefighter, but fewer firefighters to process and train.

#3-I will not ever promote further than CRWB.

I work in Alaska and we have one of the strongest discretionary immunity laws in the country. Lucky us!

We need to let this issue run it's legal course before we get too wrapped up.

The second guessing of fireline supervisors' decisions by those who don't understand the job and its dynamic nature, like lawyers, politicians and judges, will ultimately make it less safe for wildland firefighters. This slippery slope will result in fireline supervisors being more indecisive and less willing to take aggressive action when it is called for. This will lead to more indirect attack tactics being employed when not necessary, more delays in implementing effective plans, which will result in fires getting larger and ultimately more dangerous for the firefighter.

Difficult subject, is there precedent in structural fire leadership liabilities?

We will see emense fall out from this i am at the gs-6 level and myself and many others are getting out because of this. we are taking jobs elsewhere and for even less pay. its not worth it anymore

I will not take further fireline supervisory positions due to the financial threat to myself and my family. I guarantee you that if there is a situation where I would be in the position of possibly risking even injury let alone death to myself or my crew to save a civilian's life I will let the civilian die.

Question 3 leaves out a answer that should be address - "will take assignments as a IC but will be very cautious and conservative in my decisions as it relates to my personal liability".

There are other remedies for poor performance. Poor performance is not a criminal act.

I gave up my Type 3 IC quals. for this very situation!

This case will make the "CYA" attitude prevalent in some circles to expand throughout the fire services and will greatly diminish people's willingness to talk openly about incidents from the productive standpoint of sharing lessons learned. This case is "bad Joo Joo" for wildland fire. Nothing good about it.

I feel that the Agency should fully pay for Professional Liability Insurance. They should also come out publicly against criminal charges being brought against employees performing work for the Gov't.

My faith in the agency and the government as a whole is tested each day by the current situation that lies in front of all of us that want to do our jobs to the best of our abilities. I feel that I am part of a very small community that puts it's life on the line every day for people and property that I have no connection to, however I do it out of dedication and duty and yet the agency contiues to seek ways to penalize it's dedicated fire fighters. I find this disgraceful and demoralizing to say the least. Everyone seems to forget that we are only human even though at times we seem to do superhuman feats. I challange everyone to be perfect everytime.

Question 3. It is my job to suppress and or monitor wildfire/fire use fire and I will not let a federal case dictate whether or not I do my job. I have an obligation to the American public to do my Job and I intend to do it to the best of my capabilities. Although I do plan on getting PLI because the agency has proven it will not go to bat for those that do their job and things go south on them.

Can't have qualifications removed from red card as they are a requirement for my position. Or I would.

I work for the Ontario Ministry of Natural Resources in Wildfire Management and have been deployed to the US for fire assignment on several occasions, because of this ruling I will remove myself from any future fire assignments in the US.

I think this charge will further complicate filling the fire fighter ranks, which are already thin. Many of the firefighters who work for me, particularly as IC III, are thinking they don't want to be IC's any more due to the liability. These are our frontline troops. I feel the US Attorney is doing a great disservice to the fire community, and in the long run provide a disincentive for fire fighter in the future, especially in the management ranks.

I will only take Type III IC assignments locally to keep up my quals. Its not worth putting myself and family on the firing line.

The message that fire is NOT a science, it is at best an art. Fuels, weather and topography are major causal factors in accidents, but it is unjust to hold individuals accountable for fire behavior that is outside of the expected. For someone to sit back, study for months and then say "they should have known better" is asinine and egotistical.

The amount of concern over this issue at the ground level is overwhelming, while it appears that many other programs/levels in the agencies have no idea of the amount of concern there is at the groundpounder level.

This should be included in a "good samaritan" type act

The current situation guarantees that less firefighting will take place in future. More disengaging,standing/watching, creating bigger fires with less experienced leaders in place due to the failure of fireleadership at the national level combined with political medaling without competent advise...far greater danger for firefighters and the public!

I am eligible for retirement early next year. The decision to charge a wildland firefighter for manslaughter has helped make my decision to retire as early as possible an easy one. Until my retirement date I will be reluctant to put myself in the position where I might have to make any decision that could possibly result in any negative result. Remember today it is a manslaughter charge, tomorrow it could be a lawsuit because you didn't do enough to save someone's house.

I did not mark "I will retire or find another job within a year", however, I am currently employed by the Forest Service and I will actively look for employment in other fields or agencies. If the employee is found guilty I will have ICT3, FBAN, OSC2 (t), DIVS, LTAN, FUM1 & RXB1 removed from my redcard or I will fail to take the WCT required for these positions, this will leave AREP only. My current position description requires "experience" but not currency as an ICT3, DIVS and RxB2.

The Bureau of Land management should pay 100% of my insurance cost. If they cannot support the people they asked to do their dirty work then they should do something different. If Superviory gross negligence occurs on a fire there should be some accountability and 99% of it should be placed on the government since they hired and trained the individual.

I will be less likely to willingly participate in investigations/AARs due to potential liability.

If not corrected, this will be the start of a large scale migration of Federal FFTRs to other agencies and other lines of work.

Hadn't thought personal liability insurance was needed...until now. This will greatly affect future assignments for me.

This is a dangerous job, and accidents are going to happen. There is absolutely no possible way to make it 100% safe, except to stay home from work. If I am going to be held responsible for factors beyond my control, then it might be time for me to stay home.

With regards to questions 3,4,and 5: I will not remove qualifications from my redcard, or turn down assignments but this situation makes me hesitant to take on incident command duties. These charges have reduced my confidence and desire to manage wildland fire incidents.

Liability insurance is expensive for AD's who cannot get agency cost-shares, and given the relatively low pay scale for AD's. The risk of criminal prosecution is just too great a risk to bear. My over 25 years of wildland fire experience will not be available in this climate.

As an AOBD in charge of multiple aircraft this case gives me great concern since I am ultimately responsible for the safety of all aviation personnel. The potential for a fatality in an aviation accident is great and to think if they could somehow tie that to me for not dotting an i or crossing a t makes me think twice about keeping that position on my redcard.

It will continue to be more and more difficult to get people to fill fire management positions. Why would I want to put my quality of life on the line knowing that I could be held criminally responsible for something that is out of your hands? You can't micro-manage every resource on the fire line. There is no support in the federal gov. I know my Senior managers may want to help me if something happens but I feel Washington Officials will make them turn on you. There is no incentive to take on these positions.

I work in Australia for a Land Management Agency and I am very concerned about this matter.

I am not aware of a Professional Fire department in the Nation who has held the "Fire Chief" accountable for criminal charges in a tragic loss of life. The accident reviews, change of policy or OSHA change usually result in a safer workplace. Firefighting is inherently Dangerous. Lessons learned has reduced the number of fatalities. Holding a person criminally responsible, may reduce our ability to Learn and reduce tragic accident occurrence in wildland firefighting. The Law needs to be revoked.

Due to the lack of support and politics I have began attending school in the off season to train for work in another field so I can transfer out of fire altogether.

This criminal action will not only affect wildland firefighters, but will impact structural firefighters also - profession is hazardous, but so is police, loggers, truck drivers.....too politically driven

I have been involved in wild land fire every summer since 1969. I just retired and will not come back as an AD. I had originally planned of doing so. As a District Ranger if not retired I could not encourage any of my employees to take a fire assignment until this mess is cleared up. What about other work place injuries and fatalities, will supervisors be charged with manslaughter? I believe we need to do what the military uses with aircraft injuries and fatalities and that is "Priviledge". In other words the investigation is completed to prevent the same or similiar accidents from happening. Any information in the report can not be used against any of the individuals. It has made US flying the safest in the world.

As an ICT3, I probably will only fill that role when my Type 4 fire transitions to Type 3. I won't fill a resource order as an ICT3.

I am a recently retired Asst Forest FMO and have maintained currency as ICT3, RXB1, FUM1, AOBD, and ATGS. I have been an optimist encouraging younger fire professionals that if they perform to the best of their training and ability and still experienced an accident, FS line officers would back them up. Because of recent events, I can no longer offer this encouragment and will discontinue serving as an AD either performing the position or serving as a mentor to trainees.

This sets a dangerous precedent. My answers to your survey may be different as fallout from this case continues to unravel. I was always told the agency would support me as long as I wasn't grossly negligent. Tell that to Elreese Daniels.

It is a travesty that a "blow-up" fire situation that could not be predicted resulted not only in tragedy, but the tragedy is constantly being replayed by constant "finger pointing" at someone who did their job with the best information they had at the time. In my opinion this fire boss helped to SAVE the lives of those that followed his command in this blow-up fire situation. This criminal action will definitely deter future firefighters from pursuing command postions. High quality fireline leaders and potential leaders will decrease due to the high RISK of potential criminal action taken against them in an already high risk profession.

While I marked no effect on my carreer, I will be very cautious about taking certain assignments. I feel the current trend after accidents is for the agency to go on a witch hunt after the firefighters they have trained.

Dont like what is happening-- this will make me retire as soon as I can next three years but I could stay seven more but I probably won't.

Stress, lack of adequate rest, CO poisoning and inability to always be there when a subordinate makes a decision on the fireline are all reasons I fear that one day this could happen to me. I do this job with a sense of duty and service, all of this has and will continue to affect the way I do my job. I am looking at employment with other agencies where fear won't factor in to my work on the line.

Advise employees to decline to be interviewed by the OIG. You don't have to incriminate yourself.

While this has not affected any of my decisions yet, an adverse outcome could very well.

I really feel this won't end where it is right now...if the guy gets convicted, every aspect of wildland fire will be affected! No doubt this was a tragic incident, but we all know our jobs are dangerous and life threatening. We chose it and we most of us will continue to protect and serve!! It would make life a lot easier IF we knew our employers (mainly the Gov.) would support us, unless there is hard evidence of negligence. How in the world can ONE person be blamed for those deaths...I've been in some crazy ass places, I wasn't at this incident and wouldn't begin to second guess, but we all have the ability to make a choice.

As far as how this will effect my carrer, I put down "no effect." I think a lot of us are in a position that we can't choose whether or not we will take an assingment or not, due to finances or job obligations. The way we are headed with the gov. and head hunting after fatality fires I will be looking to move on out of fire.

I have committed to being PSC2 on an IMT this year. The IMT IC will be retiring after this fire season. At that point I will no longer committ to a IMT and may not even free lance even though I have 6-8 years prior to retirement.

I'm a state employee. We have not been given clear direction or clarification given the following circumstances: if we are acting in the capacity of ICT3 on a federal fire and something goes haywire, will we be culpable? We know that the state attorneys will go to our defense on a state fire, but will the same hold true on a federal fire if negligence is found while we are performing in the IC function.

Most of my assignments are as a Type 3 IC...I may have to rethink this. Armchair quarterbacks seem to rule the world. Put them on the line for a few hot shifts and see if everything is still so clear to them.

This has the potential to bring firefighting as we've known it to a standstill. This whole situation is symptomatic of the systematic decline and unraveling of the Forest Service in all functional areas for the past 15-20 years. It's an optimum time for leadership at the Regional, National, and local levels to stand tall, be courageous, and say something--anything---in behalf of employees--they're incredibly conspicuous in their silence.

I am still in the process of thinking this situation through. I do NOT have confidence that in the end the agency is looking out for me. There are so many SOP's, rules of thumb, orders, watchouts, acronyms, policies, etc., that it is almost impossible for an IC/supervisor to mitigate them all. I feel like this allows for too much "wiggle room" for the agency and that people at my level will get "clipped" for it. The aforementioned as well as the pathetic wage we earn is making me reconsider the decision I made to work for the USFS. My career radar is definitely energized and if the opportunity to leave the agency presents itself...well you can probably figure that one for yourself. -A concerned R-5er.

I have worked in this business for 16 years, 10 of which as an ICT4. It seems the majority of these situations are occurring during initial attack or the gray area between this and extended attack. The part I disagree with is the lack of accountability from the people killed, obviously they made the biggest mistake, but it is disrespectful to point the finger at deceased people. A fatality could have happened on many of the 200 or so fires I have IC'd, there is point where you have to trust the firefighters working for you not to make serious mistakes since you can't shadow every one of them. However, I think this lawsuit will help thin the ranks of fast-tracked fireline supervisors who either lack the experience or simply don't have the mental/physical aptitude for such positions (there are many out there). This situation is not black and white, I believe there should be accountability placed on fireline supervisors as well as the firefighter. However! I do not trust investigation teams to be objective and fair to IC's, theres simply too many distractions to warn firefighters about

I will soon retire. When I do I'm walking away from this business, and I'm not looking back.

I have mixed feelings about this. In some ways this may be good for fire fighting, in that, Some people who would have been fast tracked in to leadership positions, will now maybe be scrutized a little more before being signed off. On the bad side we are in a litigious society and I know the the right to sue will be abused. I once had ICT3T on my redcard but I won't assume the rsponsabilty now. Not after Kramer and 30 mile.

This turn of events makes me seriously question whether to take CRWB assignments on T2 or AD crews. What is the incentive for taking on additional responsibility? The government and public should thank their lucky stars that the wildland community is comprised of highly motivated individuals who are driven by challenge. It is the ONLY motivation for advancing qualification. There MUST be an acceptance by society and the legal community that wildland firefighting is an inherently dangerous job. "They" (whoever that is) reacted in a knee-jerk fashion following 30-Mile, putting far too much value on the emotional opinions and desires of affected family members who were unfamiliar with wildland fire. My wish, should I do something stupid to get myself killed on a fire, is that my colleagues NOT have to go through additional training or endure tighter constraints because of my mistake. How tragic that we live in a society that firefighters must buy liability insurance.

I feel that someone needs to be held accountable for firefighters getting dead. There is a lot of experinced firefighters / overhead out there, but there are some folks that I don't know how they got qualified (Red Carded) for there positions, I've seen and worked with some dandys.

I am both a Safety Officer (T-2) and a practicing attorney. While I believe strongly in accountability, grounding criminal charges on management decisions made in the fluid and sometimes unpredictable environment of combat fire operations can only result in (a) reluctance to take on IMT command positions and (b) those in command being inhibited in their decision making.

I'm currently an apprentice for the USFS. Though I love my crew and I love the team work of the forest service, I have turned in applications for CAL-Fire. I have my family and future wife and kids to think about. I need to work for an agency that is going to support me and call me a firefighter and pay me what I'm worth. This situation is the last straw.

I am not associated specifically with the forest service, but I have worked in prescribed fire and wildland fire in grassland and forest ecosystems for nearly 10 years. I feel that this is by far the worst thing that could happen to the firefighting profession. Although rules are in place and guidelines and standards are meant to be followed, the fire ground is a dynamic place where many decisions turn these hard and fast rules into mere suggestions and decisions must --- I repeat must --- be made on a per incident basis. The only thing that criminal charges will accomplish is to decrease the number of highly qualified, and experienced individuals in the field willing to take on incident command roles. The fire service and public as a whole will suffer greatly from the fallout of these charges.

I believe you will see more 'refusals to take assignments' in the upcoming fire season(s) until this case has been DISMISSED!!!!, not settled, or even with a favorable outcome for the individual. If it even goes to trial then you will see this.

I have sometimes made mistakes in the past, though none serious. If the intent of the criminal charges is to prevent mistakes, then it is working in my case as I will not accept a supervisory assignment and so will not make any mistakes as an IC3.

People should be held responsible for their actions on a fire but I don't know if this situation is being handled as it should be. I don't know enough about situation or what this person did or did not do to make judgement. You can rest assured that I will be more mindful of any decision I make on the fireline in the future. This will always be in the back of my mind that if things go wrong I can be held liable for it. I will be less aggressive and may become even more careful in my duties. It will take me longer to make decisions in the future and this could be a problem in itself. No matter what happens in the courts we all loose.

I will likely spend more time observing fire from a safe place rather than fighting it. If any risk or potentially dangerous situation exists I probably won't engage, especially if I am in a supervisory role. That's too bad, because most every aspect of wildland fire has some degree of risk regardless of the safety protocols put in place.

If this situation is not resolved satisfactorily I may drop my supervisory qualifications. The real criminal is the person that left the campfire burning! As agency personnel we deserve to be backed by the Agency.

Don't get your underwear in a bunch until the court systems plays out. This maybe in the court for years.

I supervise 36 individuals on a district, all of which are concerned with the outcome of this case. We as managers have been trying to resolve concerns of our fireline supervisors for past few years. The fire program is distracted waiting for the outcome of this case when we should be preparing for the upcoming year. This has upset the entire fire program and will continue to do so until we the firefighters feel the support of the Washington Office level management.

I am retired federal employee who has spent my entire career in fire. I will no longer take any assignments.

We will survive this.

This is the biggest travesty to hit us in my career.

Question #8 makes me laugh, "I think my employer will support me, making the insurance unnecessary." Please, if you know this employer, let me know who it is so I can go to work there!!!

I recently retired (2005) from the USFS (Civil Service - Firefighter) and serve as a cooperater on a Type II Team. I dropped my Type III IC quals with the FS following the Cramer Investigation and later re-activated as a cooperater (Rural Fire Department). I also switched to logistics and information to minimize personal risk. I have served as a fire guard, hotshot, smokejumper and fmo over a 35 year career in fire. Today I serve as a State Fire Trainer and Info Officer on a Type II Team. The Thirtymile lawsuit is a tragedy with the potential to destroy the fire corps. I will not accept line, IC or burn boss assignments (due to Thirtymile) and instead will serve only in information and logistics. Life is just too short.

The 10 Standard Orders and 18 Watchouts need to be scraped or revamped so that they are the training tools they were intended to be. It is a tragedy that they have become management's favorite tool to escape any culpability as well as an attorney's "checklist" to use against the wildland fire community.

If a Management Team or supervisory personnel make poor decisions and this causes injury or death, then I feel that they should be held responsible for their poor decisions/actions. If the decision was made with sound advice and follows the norms established by the fire service, then the person should be protected by their organization and should not be held personally liable.

I answered "no effect" to question #3 because I am still awaiting the outcome of the trial. If he is found "guilty", it would change my answer, as I would then be looking to change jobs.

Boycott fire assignments in the state of WA?

With over 20 years of firefighting experience, I will pick and choose my assignments. I will most likely retire within the next three years.

The ripple effect will be awesome.

I have began working towards other career options.
As a wildland firefighter, doing a duty to my country and protecting land and people, I feel that the Forest Service should back their people. We don't get paid sqat, and this is how things come out.
I will not in the future partcipate in fire investigations.
I plan to resign my Helicopter Captain Position for a position with CAL FIRE. Unless pay,retention and Liability issues are fixed. Thanks
After the 30 Mile Fire, I decided not to renew my IC Type III qualification. When all this legal stuff started to spiral out of control, I made the decision to retire this year, even though I have 5 years remaining with the Forest Service until mandatory retirement. The 30 Mile "Effect" will certainly restrain capable leaders from taking agressive, yet safe actions on fires. There will be no rewards for success on a fire, and only courtroom drama, alone, whenever something goes wrong. God help us all.
Q.8 - I'm a State employee and can't find a company that will provide Liability Ins.
I'm in a wildland fire mgmt. job from Canada, so the situation is somewhat different with liability - but we are watching closely as to what happens in the US because it may have an effect on how we conduct our business.
We are having a hard enough time trying to get people to "move up the ranks" in the fire service. This will be a huge set-back for those aspiring to become leaders and I fear we will lose many quality individuals.
Dispatchers beware. Document, document, document.....
By saying that I would be less available that means that I will probably not be available to assingment in Washington State. I've worked too long getting quals to drop them.
Because of what is going on, I will not be as aggresive in my firefighting decisons. I will be more apt to "hold and improve" rather than chaseing a fire up the hill. I will have to request higher qualified help (ICT3, ICT4) faster and more often. This will cause more orders to be placed in the already overtaxed ROSS system. All of this means that the fires I do goto as an ENGB/ICT5/ICT4(T) may escape IA when I would have caught the fire before the latest 30-mile investigation.
I am a retired USFS Battalion Chief, my highest Red Card ratings were OPBD, Type 3 IC, ATGS(t) after 32 years. I was a member of both Type 1 and 2 teams for over 20 years. The effect of this action against Mr. Daniels will be catastrophic to the agencies ability to retain highly qualified firefighths. It will also result in more acres burned with an increased threat to the public and to fire personel.
The liability issue has already driven many valuable leaders out of the fire suppression arena and will cause even more exodus this year. In 46 years of leading fire fighters on wildland fires, I have never meant one person who had wanton disregard for safety. However, there are many who have made bad decisions that have on occasion caused injury and even death, and there will always be more, regardless of how much we preach safety. At 30-mile, a few made the poor decision to run into the rocks instead of the river or road. We have learned from their mistakes, but there is NO justification to crucify a scapegoat. The USFS has done a terrific job in modifying training to help mitigate similar future risks based on this incident, but this impending trial will greatly damage all the positive results. It is unfortunate that we live in a litigious society. If this is to be the 'norm' of the future, I think the U.S. Government should pay for every leader's liability insurance. If they do not, it will be increasingly difficult to recruit future fire fighters into the supervisory roles. We
I know this has had an tremendous effect on Fire Line Supervisors accross the country, and even though my Heart goes out to the Families who lost their Loved ones, I think it is a travesty to try and Blame One person for the traject loss of 4 of our employees, when there were others in higher command that were involved and also played a role in the events of that day, along with very extreme fire behavior, This is going to cause this agency alot of problems down the road and alot of us Supervisors may just say enough and go find a job outside firefighting which in the end is going to really hurt the agency with not enough Qualified Supervisors put into Fire Operations that they may not be ready for, which could be the result of even more fatalities in the future.
I have my application in to 2 other agencies that support their firefighters, both financially and legally. I love USFS, but think it might be time to move on, unless something is done in the next 2 months (before hiring of seasonal employees is complete)
I'm a Type 1 Safety Officer - This situation will be putting added "pressure" on IMT's to be overly cautious in deploying personnel to fireline assignments. The result will be increased fire size & duration which will mean increased exposure and risk to both firefighters and the public.