

From the President's Desk

Dick Mangan
IAWF President, 2004-2005

Wildfire Magazine
January-February, 2005

Wildland Firefighting on a Slippery Slope

In May, 1987 along China's Great Black Dragon River that separates China and Siberia and is known in the West as the Amur River, brush cutter Wang started a wildfire as he was refueling his mechanical brush cutter without waiting for a cool-down period. The fire spread out of control, and burned together with other fires in the area that had been seen by satellites, but not reported to forestry officials. It eventually burned more than 3 million acres, and killed 220 people. The Chinese Red Army was brought in to suppress it, but the General in command was unable to control the fire, and consequentially was relieved of command and sentenced to time in jail for his failure.

The investigation of the 1994 South Canyon Fire in the US State of Colorado that killed 14 firefighters found that local fire managers had failed to follow their own rules and policies, but no one was held accountable, and some even received cash awards for their actions during that fire season.

Australia's "Linton Fire" in December 1998 resulted in the death of 5 volunteer firefighters from Victoria's Country Fire Authority (CFA). A "Coronial Inquest" was held to review all the events and facts (the equivalent of a US Grand Jury Investigation), involving over 100 witnesses, more than 17 lawyers, and thousands of pages of testimony. It was the longest running and largest "Coronial" in Australia's history at that time, but no one was charged with mis-conduct or went to jail.

And then, in July 2003 during the Cramer Fire above Idaho's Salmon River, 2 U.S. Forest Service helicopter rappellers were burned over and died on a "Type III" (Extended Initial Attack) fire on their home forest. Three (3)

separate investigations were conducted: one, by the USFS; another by the US Department of Agriculture's Office of Inspector General (parent organization of the USFS); and a third by the US Occupational Safety and Health Administration (OSHA), which is required by law to look at any fatality of Federal employees.

As a result of these investigations, the USFS decided to take "administrative actions" against some of their employees, ranging from letters of reprimand to termination of employment. Although it has been more than 18 months since the fatalities, most of those "administrative actions" have not been resolved within the USFS.

OSHA found the USFS liable for 5 Violations (3 "Serious", 1 "Willful" and 1 "Repeat").

But in my opinion, the most significant actions resulting from the Cramer Fire fatalities are those taken by the U.S. Attorney in Boise, Idaho: they explored, based on the findings of the 3 investigations as well as information that they had gathered, bringing **CRIMINAL** charges against the Incident Commander based on his actions, and the resulting deaths of the 2 helicopter rappellers. A news release in early December 2004 announced that a pre-trial agreement had been reached: The IC lost his job with the US Forest Service and would be on Federal Probation for 18 months.

Fighting wildland fires is a curious mix of science and art in a rapidly changing environment, with an often-unknown combination of factors determining what occurs. Since my 1st wildfire suppression action in the mid-1960's, I've never been 100% sure that all my actions and reactions were absolutely correct and "by-the-book". And the "book" keeps getting thicker and more complex every year! It's relatively easy for an outsider, with weeks and months of time, to review the decisions I had to make in seconds or minutes, compare them against the hundreds of pages of direction found in the *Fireline Handbook*, the "Red Book", the *Incident Response Pocket Guide*, and various Training Manuals that cover the past 40 years, and find errors in my judgment or decision-making. Does that make my conduct criminal?

Throughout my entire career, I've been blessed to never have a firefighter seriously hurt or killed while working under my direction. But, I'd be a fool to

think that this was all the result of nothing but skill, ability and experience: pure, dumb blind luck has kept me, and the firefighters who have worked with me, out of harm's way more than once - and out of the US Attorney's gunsight. For that, I'm eternally grateful!

So, where do the Extended Attack IC's for the 21st Century stand after the actions of the US Attorney in Boise? Are they going to risk their careers, homes and jail time to take charge of fires that are threatening to burn out of control into valuable natural resources and or into residential areas? How about Initial Attack IC's? What about Prescribed Burn bosses who knowingly and willingly light fires in the woods?

I've got this new-found fear that wildland fire has entered onto a "slippery slope" that we won't find it easy to get off of in the coming years, and that the fallout from the Cramer Fire will ripple throughout the wildland fire community world-wide, resulting in fewer and fewer folks willing to take the personal risks required to be an IC on a wildfire or prescribed burn. If that happens, the land and the public that we serve will suffer the consequences.

Maybe a US Attorney will step up and become an IC during a busy fire season.

Safety Summit 2005

Planning efforts are going full steam ahead for this year's 10th Anniversary of the 1995 *Human Factors Workshop* in Missoula, Montana on April 25-28. More details are being added to our web site daily, so check them out, and get registered right away. Information can be found at www.iawfonline.org.