

# EXHIBIT C



**Roanoke Fire-EMS Department**  
Fire Marshal

**ORIGIN AND CAUSE REPORT**

**SUMMARY OF EVENT:**

June 23, 2014 – An accidental fire occurred in a structure located at 3361 Ridgerun Dr, NE Roanoke, VA.

**NARRATIVE:**

1. On the afternoon of June 23, 2014, at approximately 1520 hours, the Roanoke City 911 Communications Center received a 911 call reporting a fire in a structure located at 3361 Ridgerun Dr, NE Roanoke, VA. The Communications Center subsequently dispatched units from Roanoke Fire-EMS Department. A copy of the Roanoke Fire-EMS dispatch summary for this incident (#2014012268) is included in this report (see attachment 1). Lieutenant Bryan Adkins, riding as Officer in Charge of Engine 5, arrived and advised smoke and fire were showing from the roof and Delta side of the structure. A second alarm was requested due to injuries to firefighters and reported victims still inside the building. Several units performed various standard fire scene duties and Battalion 1 requested the assistance of Investigator 1 per standard operating guidelines due to the fatality and damages. A copy of the National Fire Incident Reporting System (NFIRS) report as filled out by Lt. Adkins is included in this report (see attachment 2).



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**PARTICIPATING FIRE INVESTIGATORS:**

City of Roanoke Fire-EMS Department:

Firefighter Travis Collins – Fire Investigator

- Lead Investigator and Photography

Lieutenant Joseph Hodgkin – Fire Investigator

- Scene Processing and Interviews

Acting Assistant Fire Marshal Joey Pugh – Fire Investigator

- Photography

Captain Doug Hurd – Fire Investigator

- Mapping, Diagramming, and Scene Processing

Lieutenant Andy Foley – Fire Investigator

- Scene Processing

Fire Marshal Daniel Rakun – Fire Investigator

- Incident Command and Safety

Roanoke City Police Department: (PD Incident # 2014068039)

Detective Cris Bowling – Fire Investigator

- Interviews

Detective Alan Williams – Fire Investigator

- Interviews

Roanoke County Fire-Rescue Department:

Fire Marshal Brian Simmons - Fire Investigator

- Scene Processing

Deputy Fire Marshal Scott Jones – Fire Investigator

- Interviews

**WITNESS STATEMENTS:**

1. I, along with several other firefighters on scene had personally interacted with the victim on multiple occasions in the performance of our duties. On several occasions the victim had been warned of the dangers of smoking while on oxygen. Lt. Phillip Johnson was able to recollect a recent encounter with the victim in which she was smoking while on oxygen. Due to the frequency with which his unit has responded to the address, Lt. Johnson was able to

provide detailed information on the layout of the victim's house and bedroom as well as the location of electrical systems from memory.

#### OWNER:

3. The owner of this property as listed in the City of Roanoke Geographic Information System (GIS) is Rhonda Gayle McKinney. A mailing address for this subject was listed as the incident location. Insurance information was not reported at the time of the investigation. Ms. McKinney was reported as being the decedent during fire operations and this was confirmed by the Medical Examiner's Office. The Medical Examiner's report is included in this report (see attachment 3). Ms. McKinney's date of birth was reported as REDACTED and her social security number was found to be REDACTED. During the course of the necropsy processing Ms. McKinney's remains were found in the room of origin on the Alpha/Delta corner of the structure. The body had suffered 100% burns with approximately 90% being full-thickness burns and the remaining portions being either complete burn through or loss of body part. The right hand and portion of the radius and ulna had separated from the arm with the distal head of the humerus exposed and deeply charred. The right hand was found to have a ring resembling the one described by the victim's sister. The victim's left wrist had a nondescript bracelet, also described by the victim's sister. The body also displayed a set of dog tags belonging to James McKinney on a simple chain around her neck. No obvious signs of pre-fire, non-burn related trauma were found on the body. It was reported to investigators that Ms. McKinney had developed a habit of keeping her oxygen tubing nearby while smoking; if she smoked she would remove the tubing and lay it down beside her for easy access. A printed copy of the NFIRS Civilian Casualties report as filed by Lt. Adkins is included in this report (see attachment 4).
4. The other occupants and neighbors reported this property as being owned by Barry Wayne Reed. No contact or personal information was immediately available for Mr. Reed. The exact ownership of this property is still in question at the time of this report. After returning to the scene at the request of State Farm Insurance Investigator Gary Fetzelle and Unified Fire Investigator Mark Nash it was discovered that Mr. Reed had been granted one-half ownership at some point, however it was still not listed on the GIS.

#### OCCUPANTS:

5. Ty Clayton Sexton reported to investigators and stated he lives in the basement of this structure. Mr. Sexton stated his date of birth is REDACTED and his social security number is REDACTED. He further reported his contact telephone number as (540) 986-6129 and his mailing address as the incident location. Mr. Sexton stated he was awake and playing video games at the time of the fire. Mr. Sexton stated he woke his friend Ms. Whitney Hill up while playing and shortly thereafter she informed him she could smell smoke. When the basement began filling with smoke Mr. Sexton began to investigate and went outside to find the decedent's bedroom fully engulfed with fire. Mr. Sexton was reported to be the boyfriend of Ms. Chelsea Phillips (see section 8, who also is the daughter) of Ms. Smith in

- section 7). A written transcription of the interview of Mr. Sexton as conducted by Detective Bowling is included in this report (see attachment 5).
6. Whitney Denise Hill reported to investigators that she lives in and was in the basement at the time of the fire and that she called 911 to report it. Ms. Hill stated her date of birth is REDACTED and her date of birth is REDACTED. Ms. Hill stated her contact telephone number is (540) 397-9004 and her mailing address is the incident location. Ms. Hill stated she came home from her third shift job and went to bed at 0800 waking around 1500. When she woke up Ms. Hill began a meal preparation and smelled smoke and alerted Mr. Sexton. Ms. Hill stated she hasn't been home for a week or two due to work and helping her mother at her house. Ms. Hill stated Mr. Sexton had attempted unsuccessfully to enter the main body of the house through the front door and had left the door open. Ms. Hill granted verbal permission to enter and search the structure. A written transcription of Ms. Hill's interview as gathered by Deputy Fire Marshal Jones is included in this report (see attachment 6).
  7. Mary Jennifer Smith reported to investigators that she also lives in the basement of this structure and that she just moved in approximately two months ago. Ms. Smith stated her date of birth is REDACTED, and her social security number is REDACTED. Ms. Smith listed a contact telephone number as (540) 613-0831 and gave the incident location as her mailing address. Ms. Smith granted verbal permission to enter and search the structure. Ms. Smith stated she was at work in Salem when advised of the fire and had no knowledge of the incident until her arrival, well after the fire department had begun suppressing the fire. Ms. Smith stated she left the house at approximately 0800. Ms. Smith gave all reported information on her daughter Ms. Phillips. A written transcription of Ms. Smith's interview as conducted by Deputy Fire Marshal Jones is included in this report (see attachment 7).
  8. Chelsca Phillips was reported as being the daughter of Ms. Smith and a resident of the basement. Ms. Phillips was reported as being at work at the time of the fire. No additional information was gathered at the time of the investigation on this subject. See attachment 7 for what information is known on this subject.

**BUILDING CONSTRUCTION:**

9. Information on the structure was gained through the GIS, which provided square footage, property value, and owner history. The date of construction for this structure was listed in the GIS as 1980. The structure is a one-story wood frame construction single family residential structure with a finished basement. The structure is listed as being approximately 1,352 square feet in size. The property is listed as having a value of approximately \$129,300.00 dollars. No extraordinary alterations or construction materials were noted throughout the structure. A print-out of the GIS for tax map ID 7100318 (including an area map, deed cards, GIS information, and footprint sketch) is included in this report (see attachment 8). The structure was diagrammed and an enlarged view of the point of origin has been provided, printed copies are included in this report (see attachment 9 and 10).

**BUILDING ALARM:**

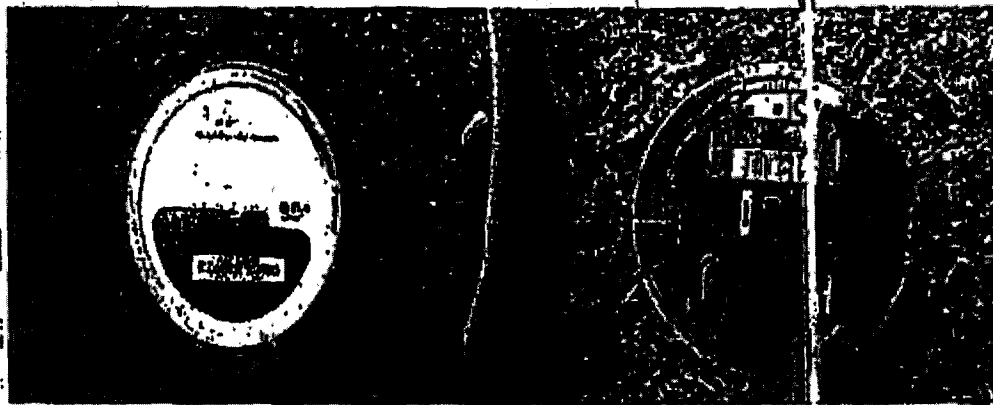
10. The structure was equipped with one smoke detector found in the hallway and it is unclear if this detector was functional or not. No other fire, smoke, heat, or other alarm systems were found during investigation.

**SCENE SECURITY:**

11. Processing of the scene was done through exigent circumstances as well as granted verbal permission as noted previously. No significant pedestrian traffic or bystanders were found at this scene. Roanoke City Police officers were on scene to protect responders and secure the scene. Prior to the arrival of Investigator 1 the scene was maintained by Roanoke Fire-EMS personnel and they reported no-one had entered the structure except suppression personnel.

**SCENE PROCESSING:**

12. The structure was processed first by performing an exterior walk around and surveying the damages and utility entrances. Structurally the building appeared to be sound and without failures with the exception of the brick veneer on the Delta wall, which appeared to be near failure. Heavy damages were noted to the roof and one-third of the structure on the Delta side. An electric meter entering the structure was provided by American Electric Power (AEP) on the Charlie side. Electrical power had been disconnected and the meter removed. Examination of the meter revealed no obvious failures or damages, as noted in the photographs below. A gas meter provided by Roanoke Gas Company was present and appeared to be fully functional and without obvious faults. This gas meter was located on the Charlie side of the structure behind an HVAC system near the electric meter. Gas flow had been shut off by suppression personnel during scene operations.



*Electric Meter front and rear*

13. Entry to the structure was made via a door located on the Alpha side of the structure. It was immediately obvious that heavy fire, smoke, heat, and water damages were present inside this area and throughout the main entry level. The ceiling had failed at multiple points throughout the structure due to both fire damage and water accumulation. All indications found in the living room (at entry point) pointed to the Alpha/Delta corner of the structure as being the area of origin. The remainder of the structure supported this initial theory. Discarded smoking materials were found on both levels in multiple rooms of this structure. On a couch in the rear (Charlie side) den area multiple burn marks were found that appeared to be from accidentally and improperly discarded smoking materials.
14. Walkthrough of the structure revealed continued damages from heat, smoke, and water at almost every point throughout the home. Several points of damage from overhaul and forced entry were found. At multiple locations 'piggybacking' of electrical extension cords and heavy use of power strips were found, but none appeared to be faulty or of uncommon construct. Otherwise the basement and areas removed from the fire proved unremarkable.
15. The basement area provided access to the breaker boxes. There were two boxes, one of which mentioned men & women's bathrooms, printing machines, and an office. None of these areas were discovered during fire investigation, so it is assumed the box was reused at some point from an undisclosed location. A breaker labeled smoke detector was found in the 'tripped' position; however no hardwired detectors were found. Two other breakers were also tripped and it is unclear what each of these breakers actually controlled. A copy of the Roanoke Fire-EMS electrical panel schematic is included in this report (see attachment 11).
16. Scene investigation was returned to the main level along the Alpha side near the Delta side where it was determined that the area of origin was quickly narrowed to the bedroom on the Alpha/Delta corner. A smoke detector was found lying in debris in the hallway near the bathroom. This detector still had a battery in it and was in remarkable condition for the amount of heat and damages in this area. During the fire suppression crew reported hearing the oxygen machine but not smoke detectors sounding. It is unclear if this detector was hanging on the ceiling, on the floor, or where during the initial phases of the fire. No other smoke, fire, or heat detectors were found throughout the structure.
17. Entry to a small room along the Alpha wall connecting to what has been determined to have been the victim's bedroom as well as the room of origin contained several medium to large sized oxygen tanks. Also in this room was the oxygen 'generator' that continued to sound a power failure alarm throughout the investigation. Inspection of the generator revealed connected oxygen tubing with noted burns to the inside of the tubing; indicating fire travel through the tube itself. The cord for the generator was undamaged and still connected to the wall outlet, which also was undamaged. The casing for the generator was moderately damaged from heat and falling debris but the internal components appeared functional. The power switch was in the 'ON' position. No breaches or leaks were noted in any of the oxygen tanks in this area.





*Oxygen generator machine*

18. Investigation of the room of origin revealed extremely heavy damage from fire. Measurements were taken of this area and recreated in an area near the Alpha/Delta corner on the exterior of the structure. Once the room of origin had been painted on the grass all items found in the room of origin were removed to the painted grid to reconstruct the scene; see the photographs below. The victim was located at the 'feet' of the body almost parallel to the Delta wall, with her head closest to the Alpha wall a diagram with the measurements of the victim's location is included in this report (see attachment 12). Multiple 'Natural Lite' beer cans along with several cigarette butts were found in this room.



*Grid system on Alpha/Delta corner of structure*



19. The patterns of burning and depth of char in the room of origin all pointed to the bed area as the area of origin for this fire. No other indicators suggested otherwise. The first-hand knowledge of responders and statements by witnesses all suggest the use of open flame sources in an oxygen rich environment and/or while on active oxygen delivery devices. This theory is supported by the findings of burn inside the oxygen tubing, the area of origin, and the high heat and intense fire conditions found within the area of origin.
20. No electrical systems were in place at the point of origin or within several feet of it. No signs of poured accelerants or incendiary devices were located in the area of origin. No mechanical processes were in the area that could have produced heat from operation or friction. No weather anomalies were reported in the area before, during, or immediately after the incident (as noted in section 25).

**EVIDENCE:**

21. No physical evidence was secured from this scene. Photographic evidence was secured and placed on the secure 'L' drive for storage. Additionally, photographs captured from various news outlets and social media have been included in the case file. A printed copy of the photo log (for photographs taken by investigators) is included in this report (see attachment 13).

**EXPOSURES:**

22. No exposures were in danger throughout this incident.

**NUMBER OF FATALITIES AND/OR INJURIES:**

23. The owner/occupant as previously noted was the only fatality resulting from this incident. The following firefighters were injured as a result:
  - a. Lieutenant Joseph B Adkins, Roanoke Fire-EMS Station 1, age 41 suffered second degree burns to his back after hot tar fell down the back of his coat. Lt. Adkins required transport to Carilion Roanoke Memorial Hospital where he was treated and later released to return to work. A printed copy of the Firefighter injury report for Lt. Adkins from the NFIRS is included in this report (See attachment 14)
  - b. Lieutenant Joseph G Hodgkin, Roanoke Fire-EMS Station 1, age 47 suffered a dislocated ring finger during deployment of large diameter supply hose. Lt. Hodgkin had his finger set on scene and declined transport to a local emergency room. A printed copy of the Firefighter injury report for Lt. Hodgkin from the NFIRS is included in this report (See attachment 15)

**ESTIMATED VALUE OF LOSS:**

24. Property loss on this incident was estimated at \$150,000.00 dollars. This estimate includes structural damages and contents lost. Expenses incurred to treat the injured firefighters have not been calculated in this estimate.

**WEATHER CONDITIONS:**

25. Weather was reported as the area having east-southeasterly winds blowing at 8.1 mph without significant gusting. Temperature was recorded at 77 degrees Fahrenheit and humidity was recorded at 66%. Sunny skies were reported throughout the area with no reports of precipitation. Information regarding the recorded weather conditions at the time of the fire was gleaned from the weather underground located at [www.weatherunderground.com](http://www.weatherunderground.com) and a printed copy is included in this report (see attachment 16).

**CONCLUSION:**

26. This fire has been determined to have begun by accidental causes. It is theorized that the fire began due to the victim smoking while on oxygen. The ready supply of oxygen super-fueled the fire which quickly consumed the victim and all easily combustible materials in the bedroom, spreading to the remainder of the structure.

**DISPOSITION:**

27. The case has been listed and filed as accidental and as such requires no additional follow-up.

TW Collins  
Lead Fire Investigator  
City of Roanoke Fire & EMS Department

June 30, 2014  
Date Report Prepared

**ATTACHMENTS:**

- 1 - Roanoke City 911 Communications Center Dispatch Summary
- 2 - City of Roanoke Fire-EMS Department NFIRS Report
- 3 - Medical Examiner's report
- 4 - Civilian Casualty Report
- 5 - Witness statement transcription for Mr. Sexton
- 6 - Witness statement transcription for Ms. Hill
- 7 - Witness statement transcription for Mr. Smith
- 8 - City of Roanoke GIS Report for 3361 Ridgerun Dr, NE
- 9 - Diagram of the structure as created by investigators
- 10 - Expanded diagram of room of origin
- 11 - Electrical panel diagram
- 12 - Diagram of room of origin with victim location measurements
- 13 - Photo Log
- 14 - Firefighter Injury Report for Lt. Adkins
- 15 - Firefighter Injury Report for Lt. Hodglin
- 16 - Weather Underground print-out