

First-Degree Arson: Sentenced 2020-2024

Minnesota Sentencing Guidelines Commission (MSGC) monitoring data are person-based, meaning cases represent persons rather than individual charges. Persons sentenced within the same county in a one-month period are generally counted only once, based on their most serious offense. This data request was prepared by the research staff of MSGC in fulfillment of the Commission's statutory role as a clearinghouse and information center for information on sentencing practices. This is not a policy document. Nothing in this request should be construed as a statement of existing policy or recommendation of future policy on behalf of the Commission itself, or as an authoritative interpretation of the Minnesota Sentencing Guidelines, Minnesota statutes, or case law.

FIRST-DEGREE ARSON

Analysis:

- Sentenced 2020-2024
- First-Degree Arson under Minn. Stat. § 609.561
- Excludes attempts under Minn. Stat. § 609.17 and conspiracies under Minn. Stat. § 609.175
- Departure rates by Criminal History Score (CHS)

From 2020-2024, 85 people were sentenced for First-Degree Arson. Of the 85 people sentenced, 49 (58%) received a mitigated dispositional departure. Of the 36 people who received an executed prison sentence, 10 (28%) received a mitigated durational departure and one received an aggravated durational departure. The average pronounced prison term was 62 months.

Table 1. Sentencing Information for First-Degree Arson, 2020-2024

CHS	Total	Dispositional Departure		Durational Departure (prison only)			Average Pronounced Prison Term (months)
		None	Mitigated	None	Aggravated	Mitigated	
0	40	16	24	14	0	2	45.7 months
	100.0%	40.0%	60.0%	87.5%	0.0%	12.5%	
1	17	6	11	5	0	1	52.3 months
	100.0%	35.3%	64.7%	83.3%	0.0%	16.7%	
2	6	1	5	1	0	0	68.0 months
	100.0%	16.7%	83.3%	100.0%	0.0%	0.0%	
3	6	2	4	0	0	2	46.0 months
	100.0%	33.3%	66.7%	0.0%	0.0%	100.0%	
4	4	3	1	1	0	2	70.3 months
	100.0%	75.0%	25.0%	33.3%	0.0%	66.7%	
5	4	2	2	0	1	1	133.5 months
	100.0%	50.0%	50.0%	0.0%	50.0%	50.0%	
6+	8	6	2	4	0	2	91.8 months
	100.0%	75.0%	25.0%	66.7%	0.0%	33.3%	
Total	85	36	49	25	1	10	62.1 months
	100.0%	42.4%	57.6%	69.4%	2.8%	27.8%	

The most common reasons cited for the mitigated dispositional departure were recommended by court services, shows remorse/accepts responsibility, amenable to probation, and amenable to treatment. The prosecutor agreed to/recommended/did not object to the departure in 65% of cases, objected to the departure in 14% of cases and in 20% of cases the position of the prosecutor was unknown.

The most common reasons cited for mitigated durational departures were shows remorse, and offense less onerous. The prosecutor agreed to/recommended/did not object to the departure in 69% of cases, objected to the departure in one case, and in 23% of cases the position of the prosecutor was unknown.

The reasons cited for the aggravated durational departure was dangerous offender statute and career offender statute.