

Third-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.

THIRD-DEGREE ARSON

Analysis:

- Sentenced 2020-2024
- Third-Degree Arson under Minn. Stat. § 609.563, subd. 1
- Excludes attempts under Minn. Stat. § 609.17 and conspiracies under Minn. Stat. § 609.175

From 2020-2024, 29 people were sentenced for Third-Degree Arson. Of the 29 people sentenced, 20 (69%) cases had a presumptive stayed disposition and 9 (31%) had a presumptive disposition of commit. None of the presumptive stayed cases received an aggravated dispositional departure. 5 (56%) presumptive commit cases received a mitigated dispositional departure. None of the four people who received an executed prison sentence received a durational departure. Three cases received a departure to a misdemeanor/gross misdemeanor sentence. The average pronounced jail term where jail was a condition of probation was 128 days. The average pronounced prison term for the four cases that received prison was 19 months.

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

CHS	Total	Presumptive Disposition		Dispositional Departure (presumptive commit)		Received M/GM Sentence	Average Pronounced Jail Term	Average Pronounced Prison Term
		Stay	Commit	None	Mitigated			
0	9	9	0	---	---	2	60 days	--
	100.0%	100.0%	0.0%	---	---	22.2%		
1	1	1	0	---	---	---	364 days	--
	100.0%	100.0%	0.0%	---	---	---		
2	2	2	0	---	---	---	87 days	--
	100.0%	100.0%	0.0%	---	---	---		
3	8	8	0	---	---	1	139 days	--
	100.0%	100.0%	0.0%	---	---	12.5%		
4	4	0	4	4	4	4	259 days	18 months
	100.0%	0.0%	100.0%	100.0%	100.0%	100.0%		
5	2	0	2	2	2	---	89 days	18 months
	100.0%	0.0%	100.0%	100.0%	100.0%	---		
6+	3	0	3	3	3	---	155 days	23 months
	100.0%	0.0%	100.0%	100.0%	100.0%	---		
Total	29	20	9	4	5	3	128 days	19 months
	100.0%	69.0%	31.0%	44.4%	55.6%	10.3%		

The most common reasons cited for mitigated dispositional departures were amenable to treatment, shows remorse/accepts responsibility, and amenable to probation. The prosecutor agreed to/recommended/did not object to the departure in all five cases.

The reasons cited for mitigated departures to a misdemeanor/gross misdemeanor sentence were offense less onerous, imposed restitution or other financial penalty paid, amenable to treatment, shows remorse/accepts responsibility, and amenable to probation. The prosecutor agreed to/recommended/did not object to the departure in all three cases.