

NIBRS Tip of the Month

Arson vs. Reckless Burning

What would be the offense classification for a dumpster fire?

In Washington State statute, the distinction between Arson and Reckless Burning is whether the intent of the act is **malicious or **reckless**.**

The FBI definition for Arson includes the offender's intention and the lawfulness of the act: **To unlawfully and intentionally damage or attempt to damage any real or personal property by fire or incendiary device.**



If the offender knowingly and *maliciously* causes a fire or explosion, it would be **Arson (NIBRS Offense Code 200).**



If the offender *recklessly* damages property with a lawful fire or explosion that becomes out of control, it would be **Reckless Burning (Arrest-Only NIBRS Offense "All Other Offense" Code 90Z).**

