

# **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)**.

