

2010 Arkansas Code
Title 5 - Criminal Offenses
Subtitle 4 - Offenses Against Property
Chapter 38 - Damage or Destruction of Property
Subchapter 2 - Offenses Generally
§ 5-38-203 - Criminal mischief in the first degree.

5-38-203. Criminal mischief in the first degree.

(a) A person commits the offense of criminal mischief in the first degree if he or she purposely and without legal justification destroys or causes damage to any:

(1) Property of another; or

(2) Property, whether his or her own or property of another, for the purpose of collecting any insurance for the property.

(b) Criminal mischief in the first degree is a:

(1) Class C felony if the amount of actual damage is five hundred dollars (\$500) or more; or

(2) Class A misdemeanor if otherwise committed.

(c) In an action under this section involving cutting and removing timber from the property of another person:

(1) The following create a presumption of a purpose to commit the offense of criminal mischief in the first degree:

(A) The failure to obtain the survey as required by 15-32-101; or

(B) The purposeful misrepresentation of the ownership or origin of the timber; and

(2) (A) There is imposed in addition to a penalty in subsection (b) of this section a fine of not more than two (2) times the value of the timber destroyed or damaged.

(B) However, in addition to subdivision (c)(2)(A) of this section, the court may require the defendant to make restitution to the owner of the timber.