

## Burning Cash

In 2017, a fire raged through the Columbia River Gorge in Oregon. Almost 47,000 acres burned. Months later, a local teenager admitted to starting the fire by throwing fireworks into a nearby canyon. It seems clear that the teenager did not intend to start a fire, especially one that was so destructive. However, the teenager's recklessness obviously had a huge negative consequence.

As punishment, an Oregon Circuit Court judge ruled that the teenager must pay \$36 million in restitution. In addition, he must write apologies to 152 people who were trapped on a trail (but not injured) by the fire, and complete 1,920 hours of community service. "The restitution, [the judge] wrote, includes more than \$21 million on behalf of the U.S. Forest Service, \$12.5 million to the Oregon Department of Transportation, more than \$1.6 million to the Oregon State Fire Marshal, more than \$1 million to Union Pacific Railroad and varying amounts to Oregon State Parks, Allstate Insurance, and Iris Schenk, who lost her home in the fire."<sup>1</sup>

Many, including the teenager's lawyers, have called this ruling absurd, noting that there is no way the teenager will ever be able to pay the fine. Paying \$10,000/month, it would take 300 years for the teenager to pay off his fine. However, anticipating this sort of objection, Judge John Olson writes in his opinion: "restitution is clearly proportionate to the offense because it does not exceed the financial damages caused by the youth."<sup>2</sup> Further, Judge Olson has allowed for the possibility that the teenager can make payments on his debt for 10 years and, so long as he commits no further crimes and satisfies the conditions of his probation, the debt can be forgiven.

### STUDY QUESTIONS

1. Is it just to punish a teenager with a fine of \$36 million, even when they have caused this much damage?
2. Does it matter that the teenager in this case did not intend to start the fire, and admitted to his actions and apologized?
3. Is it morally permissible to pursue extreme punishments in order to deter crimes?

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<sup>1</sup> <https://www.washingtonpost.com/news/post-nation/wp/2018/05/21/teen-who-started-massive-oregon-wildfire-with-fireworks-must-pay-36-million-judge-rules/>

<sup>2</sup> <https://www.npr.org/sections/thetwo-way/2018/05/22/613374984/judge-orders-boy-who-started-oregon-wildfire-to-pay-36-million-in-restitution>

