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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF BUTTE**

THE PEOPLE OF THE STATE OF)	Case No.: 25CF00018
)	
CALIFORNIA,)	STATEMENT IN AGGRAVATION
)	
Plaintiff,)	
)	
vs.)	Hearing Date: March 5, 2025
)	Time: 1:30 pm
KEVIN ALEXANDER CARLSON)	Dept: 9
)	
Defendant)	

TO THE DEFENDANT, KEVIN ALEXANDER CARLSON, BY AND THROUGH HIS
ATTORNEY OF RECORD, LARRY PILGRIM, AND TO THE CLERK OF THE SUPERIOR
COURT:

PLEASE TAKE NOTICE that on March 5, 2025, at 1:30 p.m., or as soon thereafter as
the matter may be heard, the People will submit the following Statement in Aggravation at the
sentencing hearing in the above referenced case.

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1 **STATEMENT OF FACTS**

2 I respectfully refer the Court to the Probation Officer's Report dated February 26, 2025.

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4 **Rule of Court 4.414 – Criteria Affecting Probation**

5 (a)(1): **The nature, seriousness, and circumstances of the crime as compared to other**
6 **instances of the crime:** Arson is always a grave offense, but the nature, seriousness, and
7 circumstances of this crime elevate it beyond a typical case of reckless or impulsive fire-setting.
8 The defendant deliberately set fire to a historic building of deep cultural and communal
9 significance, ensuring it would burn while taking steps to evade detection. Unlike cases where
10 arson stems from vandalism, negligence, or a single act of recklessness, this offense was
11 calculated and executed in a manner that endangered the public and caused devastating financial
12 loss—over \$37 million in damage. The destruction of such a landmark has inflicted not only
13 economic hardship but also a profound emotional toll on the community, stripping residents of a
14 piece of their shared history.
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16 (a)(4): **Whether the defendant inflicted physical or emotional injury:** While some arson
17 cases involve abandoned structures or wildland fires, this act targeted the heart of a community,
18 magnifying its impact beyond physical damage to a lasting social and psychological wound.
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20 (a)(5): **The degree of monetary loss to the victim:** The amount of loss is estimated at
21 \$37,414,083.
22

23 (a)(6): **Whether the defendant was an active or a passive participant:** The defendant was
24 not a passive or opportunistic arsonist but an active and deliberate participant in the calculated
25 destruction of a historic community landmark. His actions began well before the flames were

1 ignited—he intentionally purchased the necessary materials, acquiring accelerants and other
2 items to ensure the fire would take hold and spread rapidly. He utilized a significant amount of
3 gasoline, not only as an ignition source but as an accelerant, causing the fire to engulf the
4 structure with devastating speed and intensity. Moreover, his meticulous efforts to avoid
5 detection demonstrate a conscious awareness of the criminality of his actions. He took significant
6 precautions, including strategic planning of the fire’s ignition, concealing his identity, and
7 minimizing any traceable evidence. This level of premeditation distinguishes his conduct from
8 impulsive or reckless arson; rather, it was a carefully orchestrated act designed to ensure
9 maximum destruction while evading accountability

10 **(a)(7): Whether the crime was committed because of an unusual circumstance, such as**
11 **great provocation, which is unlikely to recur:** The evidence gives no indication of the
12 existence of any such unusual circumstance.

13 **(a)(8): Whether the manner in which the crime was carried out demonstrated criminal**
14 **sophistication or professionalism on the part of the defendant:** The defendant’s actions
15 reflect a significant degree of criminal sophistication. His ability to plan and execute the arson in
16 a way that maximized damage while minimizing his own risk of detection demonstrated
17 significant sophistication. The defendant’s actions were not indicative of one acting out of
18 impulse, but rather someone who took considerable steps to ensure the fire’s success,
19 demonstrating an awareness of how to exploit both the fire’s destructive potential and the
20 investigative process. This calculated approach sets this case apart from more spontaneous acts
21 of arson and reflects a higher level of criminal planning and execution.

22
23 **(b)(1): Prior record of criminal conduct, whether as an adult or a juvenile, including the**
24 **recency and frequency of prior crimes; and whether the prior indicates a pattern of regular**
25

1 **or increasingly serious criminal conduct:** The defendant does not have any prior criminal
2 history.

3 (b)(7): **Whether the defendant is remorseful:** While the defendant claims to feel remorse for
4 his actions, his failure to take responsibility for the destruction he caused is telling. Rather than
5 voluntarily coming forward to face the consequences of his crime, he was apprehended more
6 than three weeks after the fire—only due to a lengthy, resource-intensive investigation that
7 required significant public resources. This delay in his capture reflects a conscious effort to avoid
8 accountability, as he chose to remain free rather than self-report, allowing the emotional and
9 financial toll on the community to continue unchecked. His remorse, if genuine, is undermined
10 by his lack of proactive effort to make amends or assist in the investigation, demonstrating that
11 his concern for the harm he caused was secondary to his desire to avoid detection and
12 responsibility for the fire.

13 (b)(8): **The likelihood that if not imprisoned the defendant will be a danger to others.** If the
14 defendant is not imprisoned, he presents a significant danger to others, as his actions and
15 reasoning reveal a deeply troubling and dangerous mindset. The defendant's explanation for
16 starting the fire—that it was motivated by a depressed mood and a perceived societal injustice—
17 shows a propensity to resort to extreme and destructive measures when faced with personal or
18 ideological frustrations. His belief regarding how society treats the less fortunate, coupled with
19 his sense of needing to "do something," demonstrates a dangerous justification for acts of
20 violence and destruction. The scale of his crime, particularly the deliberate and devastating arson
21 of a historic mansion, causing over \$37 million in damage, underscores the extent to which he is
22 willing to take matters into his own hands without regard for the consequences. His actions were
23 fueled by an alarming sense of entitlement to impose his personal grievances on the community
24 at large. Without incarceration, the defendant could very well escalate his behavior, posing a
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significant risk to public safety as he attempts to address future perceived injustices through equally dangerous means.

Rule of Court 4.421 – Circumstances in Aggravation

(a)(1): **The crime involved great violence, great bodily harm, threat of great bodily harm, or other acts disclosing a high degree of cruelty, viciousness, or callousness:** The defendant's actions in starting the fire involved a clear threat of great bodily harm and demonstrated a high degree of callousness and viciousness. By deliberately setting a fire in a populated community, with the use of accelerants to ensure its rapid spread, he put not only the historic building but also the lives of residents and first responders at serious risk. The fire's potential to cause widespread harm, especially in a densely populated area, makes his actions far more dangerous than typical arson. His willingness to destroy an iconic structure, knowing the fire could result in injury or death, reflects a callousness marking his conduct as particularly heinous and deserving of serious consideration in sentencing.

(a)(8): **The manner in which the crime was carried out indicates planning, sophistication, or professionalism:** As stated above, the defendant's actions reflect a significant degree of criminal sophistication. His ability to plan and execute the arson in a way that maximized damage while minimizing his own risk of detection demonstrated significant sophistication. The defendant's actions were indicative of one acting out of impulse, but rather someone who took considerable steps to ensure the fire's success, demonstrating an awareness of how to exploit both the fire's destructive potential and the investigative process. This calculated approach sets this case apart from more spontaneous acts of arson and reflects a higher level of criminal planning and execution.

(a)(9): **The crime involved an attempted or actual taking or damage of great monetary value:** As stated above, the amount of loss is estimated at \$37,414,083.

Factors relating to the defendant

1 (b)(1): **The defendant has engaged in violent conduct that indicates a serious danger to**
2 **society:** The defendant engaged in violent conduct by deliberately setting a fire in a populated
3 area, using accelerants to ensure rapid spread, thereby endangering lives and showing a callous
4 disregard for public safety. His actions reveal a serious and ongoing danger to society, as he was
5 willing to risk great bodily harm and destruction for personal grievances, demonstrating a
6 capacity for extreme violence and a lack of concern for the consequences.

8 CONCLUSION

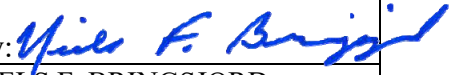
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10 The severity of the defendant's actions and their far-reaching consequences warrant a
11 sentence at the upper term of 11 years. The defendant's decision to set a fire that caused over
12 \$37,000,000 in damage is not merely an aggravating factor but a reflection of his reckless
13 disregard for public safety and well-being. His justification for this act is wholly inadequate and
14 underscores the inherent danger he poses to society. He has demonstrated a profound disregard
15 for human life and property, which highlights an unconstrained dangerous mindset. The
16 defendant has proven himself to be an extreme threat to public safety.

17 In *People v. Cordova*, (2015) 62 Cal. 4th 104, although related to the weighing of
18 aggravating factors in the death penalty phase, the court held it is not be a mechanical process
19 but should consider the moral weight of each circumstance, recognizing the significant harm
20 caused by the crime. And in *People v. Pensinger*, (1991) 52 Cal. 3d 1210, that court reiterates
21 that the weight of the aggravating factors, rather than their number, is decisive in determining an
22 appropriate penalty. And in *People v. Oberreuter*, (1988) 204 Cal. App. 3d 884, the court found
23 a single factor could justify the upper term. In the present case, the extreme nature of the
24 defendant's conduct, as reflected in the massive financial impact, the harm to the public and his
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1 efforts to avoid detection and apprehension, justifies the upper term. For the foregoing reasons,
2 11 years is not only appropriate but necessary to ensure justice is served and the community is
3 protected.

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5 Dated this 27th day of February, 2025

Respectfully submitted:
MICHAEL L. RAMSEY
District Attorney

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8 By: 
9 NIELS F. BRINGSJORD
10 Supervising Deputy District
11 Attorney
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