



# Juvenile Disposition Summary

## Fiscal Year 2004

During fiscal year 2004, Washington courts entered 14,336 juvenile dispositions<sup>1</sup>. Over three quarters (78.84%) of the dispositions involved young males and 21.16% females (table 1). Approximately 61.34% of the juveniles were Caucasian, 13.48% Hispanic, and 12.53% African American. Most of these young offenders were between the ages of 15 and 17 (69.2%), with approximately 30% between 12 and 14 years of age. The majority of juveniles (86.96%) plead guilty. Just 5.55% entered an Alford plea and 4.28% were found guilty following a hearing.<sup>2</sup>

**Table 1. Demographics**

	Number	Percentage
<b>Gender</b>		
Male	11,303	78.84%
Female	3,033	21.16%
<b>Race/Ethnicity</b>		
African American	1,797	12.53%
Asian/Pacific Islander	417	2.91%
Caucasian	8,793	61.34%
Hispanic	1,933	13.48%
Native American	675	4.71%
<b>Age</b>		
Under 12	181	1.26%
12-14	4,234	29.53%
15-17	9,921	69.20%
<b>Total</b>	<b>14,336</b>	
<i>Race/Ethnicity was missing on 721 dispositions</i>		

Juvenile dispositions are based on a sentencing model or grid, which prescribes presumptive sanctions based on the offender's age, the seriousness of the current offense and prior criminal history. Offenses classified as misdemeanors and gross misdemeanors carry a standard

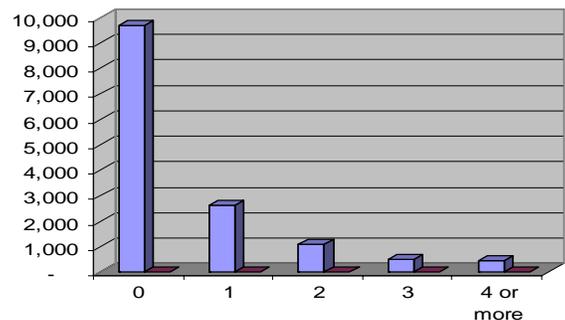
range confinement term in county detention of zero to 30 days. Community supervision terms for these offenses can range from zero to 12 months. Less serious felonies also carry a local sanction term for juveniles with little or no criminal history. Longer confinement terms to a state facility are prescribed for those with more extensive criminal histories. Crimes ranked at the highest seriousness levels, such as assault, arson and murder, carry a presumptive term to a state facility regardless of the juvenile's criminal history. (See RCW 13.40.0357.)

### Offender Score

Juvenile sanctions are determined by both the seriousness of the current offense and criminal history, which is assessed by computing an offender score. Prior felony adjudications count as one point each, misdemeanors and gross misdemeanors count as 1/4 point, with fractions rounded down.

The majority of juvenile dispositions (9,676) were based on offender scores of zero, meaning the juvenile had no criminal history, or three or fewer gross misdemeanors or misdemeanors (Figure 1). Approximately 18.21% (2,610) of dispositions included a score of one, 7.64% (1,095) a score of two and 3.37% (483) a score of three; and 3.29% (472) a score of 4 or more.

**Figure 1. Number of Juvenile Dispositions by Offender Score<sup>3</sup>**



<sup>1</sup> Juveniles adjudicated for criminal offenses receive a disposition rather than a sentence. The term disposition is used interchangeably with "sentence" in this report.

<sup>2</sup> Dispositions entered due to revocation of deferred dispositions accounted for 3.22% of the dispositions entered in fiscal year 2004.

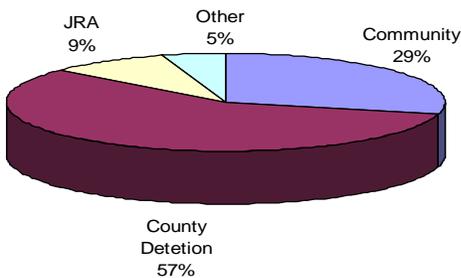
<sup>3</sup> Fractions are rounded down; meaning a score of 1.75 is reported as a score of one.

## Sanctions

Juveniles are often ordered to perform community service as part of their sanction. Over half of juvenile dispositions (65.67%) involved an order of community service. The court generally ordered an average of 28.59 hours of community service work.

Just over half of juvenile dispositions (57.63%) imposed a term of confinement in a county detention facility. About nine percent resulted in confinement in a facility operated by the Juvenile Rehabilitation Administration (JRA) and 28.78% resulted in community sanctions rather than confinement (Figure 2).

**Figure 2. Type of Placement**



Juvenile dispositions involving local sanctions included an average detention term of 15.1 days (table 2). Dispositions committing a juvenile to JRA included an average minimum term of 32 weeks and a maximum term of 47 weeks. Work crew sanctions generally involved a term of around 5 days, while electronic home monitoring terms usually lasted an average of 18.2 days.

**Table 2. Average Term by Placement Type**

Placement Type	Average Confinement Term	
County Detention	15.1	days
JRA	32 to 47	weeks
Work Crew	4.6	days
Electronic Monitoring	18.2	days

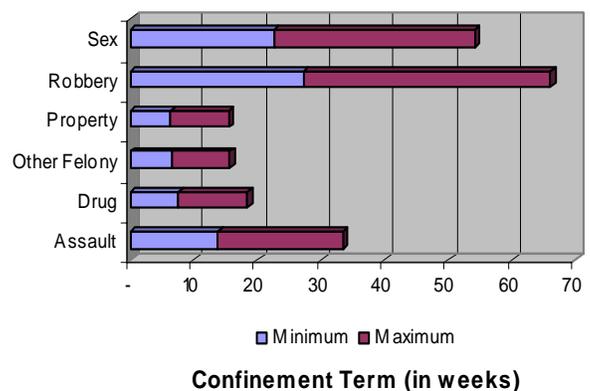
## Felony Offenses

Property offenses were by far the most common felony, with most such offenders receiving an average term of 6 to 9 week confinement (table 3, figure 3). Dispositions for assault generally involved a term of 14 to 20 weeks confinement, drug crimes a term of 8 to 11 weeks, and sex crimes 23 to 32 weeks. On average, felony dispositions included 6.4 months of community supervision.

**Table 3. Average Felony Confinement Term by Offense**

Offense	Number	Avg Term (in weeks)	
		Minimum	Maximum
Manslaughter	7	41.4	59.4
Sex	349	22.6	31.7
Robbery	194	27.3	38.8
Assault	600	13.8	19.6
Property	2,981	6.4	9.1
Drug	347	7.6	10.8
Other Felony	393	6.7	9.0
<b>Total</b>	<b>4,871</b>		

**Figure 3. Average Confinement Term by Type of Offense. Misdemeanor Offenses**



The courts entered 7,956 gross misdemeanor dispositions during fiscal year 2004, with an average term of approximately 10.6 days. Misdemeanor dispositions were much less common, with just 1,495 dispositions, and an average term of 6.0 days confinement. The average community supervision imposed for misdemeanors was 5.3 months and 5.7 months for gross misdemeanors.

**Table 4. Average Misdemeanor Confinement Term**

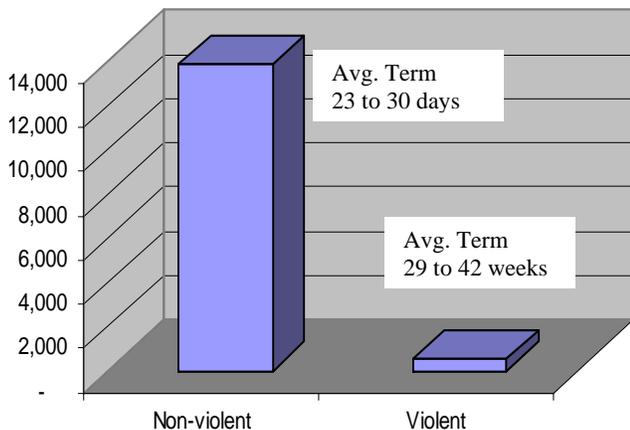
Offense	Number	Avg Term (in days)
Gross Misdemeanor	7,956	10.9
Misdemeanor	1,495	6.0
<b>Total</b>	<b>9,451</b>	<b>8.45</b>

## Violent Offenses

Among juvenile dispositions, 96.5% (13,837) involved non-violent crimes (Figure 4). These sentences carried an average confinement term of 23 to 30 days. Just 3.5% (503) of dispositions involved violent offenses. Dispositions involving violent offenses carried an average minimum term of 29 weeks and a maximum term of 42 weeks.

Firearm enhancements among young offenders are extremely rare. Just 5 juvenile dispositions involved a firearm enhancement. These enhancements ranged from two to six months, depending on the felony class of the offense. On average, these 5 juveniles received two and one-half month confinement due to a firearm enhancement.

**Figure 4. Number of Non-Violent and Violent Juvenile Dispositions**



**Special Sex Offender Disposition Alternative**

During fiscal year 2004, 239 Special Sex Offender Disposition Alternatives (SSODA) were imposed. SSODA authorizes the court to suspend the standard range disposition and impose inpatient or outpatient treatment for certain sex offenders. The court may impose a number of special conditions, as a prerequisite of the suspended disposition. SSODA dispositions carried an average confinement term of 7.9 to 8.5 days, along with 27 months of community supervision (table 5). On average, 224 to 395 days were suspended under the alternative.

**Chemical Dependency Disposition Alternative**

In addition, the court imposed 391 Chemical Dependency Disposition Alternatives (CDDA). The CDDA provides chemically dependent youth with an alternative disposition that includes drug or alcohol treatment. Chemical Dependency Alternatives involved an average confinement term of 7.2 days, along with 9.4 months of community supervision. These dispositions had an average of 76 to 101 days suspended.

**Option-B Suspended Disposition**

The court imposed 30 Option-B Suspended Dispositions. The Option-B Suspended Disposition provides youth with an alternative disposition. Option-B Suspended Disposition involved an average confinement term of 18

to 23 days, along with 13 months of community supervision. These dispositions had an average of 202 to 339 days suspended.

**Mental Health Disposition**

The court imposed only 4 Mental Health Dispositions during fiscal year 2004. The Mental Health Dispositions provides youth found to be suffering from a mental disorder with an alternative sanction. During fiscal year 2004, this alternative resulted in an average confinement term of 8 days, along with 12 months of community supervision. Youth receiving this alternative received dispositions averaging 170 to 303 days suspended.

**Table 5. Juvenile Disposition Alternatives**

Alternative	Number	Average Terms (in days)			
		Confinement		Suspended	
		Min	Max	Min	Max
Other	17,456	38.73	52.29	0.58	0.78
SSODA	239	7.87	8.49	224.21	394.88
CDDA	391	7.21	7.21	76.31	100.51
B-Option Suspended	30	17.60	22.50	202.37	339.33
Mental Health Disp.	4	8.00	8.00	169.75	302.75

**Manifest Injustice Dispositions**

In addition to the alternatives described above, the court may depart from the standard range by imposing a manifest injustice disposition either above or below the range<sup>4</sup>. The SGC recorded 565 manifest injustice dispositions, just 3.94% of the total dispositions entered during fiscal year 2004. The majority of these dispositions (390) were above the standard range; 145 were below the standard range (table 6).

**Table 6. Manifest Injustice Dispositions by Type and Direction**

Type of Disposition	Number
Aggravated	390
Mitigated	145
Within	30
<b>Total</b>	<b>565</b>

The most frequently cited reasons for aggravated manifest injustice dispositions included a recent criminal history, a failed diversion agreement, the agreement of the parties and the vulnerability of the victim (Table 7). By far the most common mitigating reason was conduct that neither caused nor threatened serious bodily injury.

<sup>4</sup> A “Manifest Injustice” will be found when the facts and circumstances of a case or characteristics of the juvenile lead to the conclusion that a disposition order within the range would be unfair or unsupportable. The court’s findings of a Manifest Injustice must be supported by clear and convincing evidence.

**Table 7. Manifest Injustice Reasons**

Reason	Number
<b>Mitigating Reasons</b>	
The conduct neither caused nor threatened serious bodily injury	81
All parties agree to mitigated (down)	32
One year or more between current offense	41
Suffered mental or physical condition that reduced culpability for the offense	4
Acted under strong and immediate provocation.	3
Other Mitigating Factors	16
<b>Aggravating Reasons</b>	
Recent criminal history or failed to comply with diversion agreement.	446
All parties agree to aggravated (up).	104
Victim was particularly vulnerable.	109
Std range too lenient considering priors.	30
Other complaints resulting in diversions or guilty plea not listed in history.	9
While committing or fleeing from offense inflicted or attempted to inflict injury	75
Heinous, cruel or depraved.	41
Finding of sexual motivation.	8
Leader of criminal enterprise.	3
Other Aggravating Factors.	109
* Many dispositions include more than one reasons	

**Juvenile Declines to Adult Court**

In some instances adult criminal courts have original jurisdiction over certain violent criminal offenses committed by juveniles who are 16 or 17 years old. Some crimes result in an “automatic decline” to adult court. In fiscal year 2004 there were approximately<sup>5</sup> 64 juveniles automatically declined to adult court. Nearly half (28) of these cases involved juveniles that were under 18 at the time of the offense, but 18 or older at the time of sentencing.

In addition, adult criminal courts are authorized to assert jurisdiction over juveniles when the juvenile court exercises its discretion to decline jurisdiction. The SGC identified 123 possible discretionary declines in fiscal year 2004. A number of these cases (44) involved juveniles that were under 18 at the time of the offense, but 18 or older at the time of sentencing. At issue in identifying juvenile declines to adult court is whether the

<sup>5</sup> Adult Judgment and Sentence forms provided to the SGC by the courts do not specify which cases arise out of a decline from juvenile court. Age at the time of criminal filing is not recorded on the Judgment and Sentences forms provided to the SGC. Using the offense, the age at the time of the offense and the age at time of the sentence, the SGC estimates the number of juvenile declines to adult court.

court based jurisdiction on the offender’s age at time of the offense, or the age at which the juvenile is charged and tried. The state Supreme Court recently resolved this issue, with respect to declines, in *State of Washington v. Dynamite Salavea, 151 Wn2d 133 (2004)*, concluding that age at the time of criminal filing controls the jurisdiction decision.

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<b>Data</b>	
The juvenile disposition data contained in this report come from Washington Disposition forms sent to the Sentencing Guidelines Commission (SGC) by the courts. Data include all juvenile dispositions known to the Commission that were imposed between July 1, 2003 and June 30, 2004 (Fiscal Year 2004). Data elements entered into the SGC database and used in this report include race, ethnicity, gender, type of sentence, current offense, offense history, offender score, the imposed confinement term and community supervision term.	
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