



## Juvenile Disposition Summary

### *Fiscal Year 2010*

During fiscal year 2010, Sentencing Guidelines Commission (SGC) received a total of 10,282 juvenile dispositions<sup>1</sup>. Over three quarters (78%) of the dispositions involved young males and 22% involved females (Table 1). Most of the dispositions were for Caucasians (55%) while Asian/Pacific Islander had the least at 3%. Approximately 75% of the dispositions were for offenders age 15 and above. The majority of dispositions (96%) were the result of guilty pleas, 2% were revoked deferreds, 1% entered an Alford Plea, and 1% were found guilty following a hearing.

**Table 1. Demographics**

| Gender  | Number | Percentage |
|---|--------|------------|
| Male  | 8,043  | 78.22%     |
| Female  | 2,239  | 21.78%     |
| Race/Ethnicity*   |        |            |
| Caucasian   | 5,633  | 54.79%     |
| Hispanic**  | 2,090  | 20.33%     |
| African American  | 1,633  | 15.88%     |
| Native American   | 419    | 4.08%      |
| Asian/Pacific Islander                                  | 288    | 2.80%      |
| Age   |        |            |
| Under 10 years old                                      | 2      | 0.02%      |
| 10 years old  | 8      | 0.08%      |
| 11 years old  | 63     | 0.61%      |
| 12 years old  | 304    | 2.96%      |
| 13 years old  | 753    | 7.32%      |
| 14 years old  | 1,446  | 14.06%     |
| 15 and above  | 7,706  | 74.95%     |
| *Race/Ethnicity was missing on 219 dispositions (2.1%). |        |            |
| **Hispanic is included as a race category.              |        |            |

Juvenile dispositions are based on a sentencing model or grid that prescribes presumptive sanctions based on the offender's age, the seriousness of the current offense and

<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.

criminal history. Offenses classified as misdemeanors or gross misdemeanors carry a standard range confinement term in county detention of zero to 30 days. Community supervision terms range from zero to 12 months. Less serious felonies also carry a local sanction for youth with little or no criminal history. Longer terms of confinement to a state facility are ordered for those with more extensive criminal histories. Crimes ranked at the highest seriousness level, 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).

**Table 2. Number of Juvenile Dispositions by County**

| County       | Number | Percentage |
|--------------|--------|------------|
| Adams        | 19     | 0.18%      |
| Asotin       | 48     | 0.47%      |
| Benton       | 606    | 5.89%      |
| Chelan       | 167    | 1.62%      |
| Clallam      | 133    | 1.29%      |
| Clark        | 983    | 9.56%      |
| Columbia     | 19     | 0.18%      |
| Cowlitz      | 294    | 2.86%      |
| Douglas      | 129    | 1.25%      |
| Ferry        | 2      | 0.02%      |
| Franklin     | 280    | 2.72%      |
| Garfield     | 1      | 0.01%      |
| Grant        | 231    | 2.25%      |
| Grays Harbor | 120    | 1.17%      |
| Island       | 102    | 0.99%      |
| Jefferson    | 35     | 0.34%      |
| King         | 1,462  | 14.22%     |
| Kitsap       | 473    | 4.60%      |
| Kittitas     | 21     | 0.20%      |
| Klickitat    | 17     | 0.17%      |
| Lewis        | 165    | 1.60%      |
| Lincoln      | 3      | 0.03%      |
| Mason        | 75     | 0.73%      |
| Okanogan     | 188    | 1.83%      |
| Pacific      | 48     | 0.47%      |

| County             | Number        | Percentage     |
|--------------------|---------------|----------------|
| Pend Oreille       | 13            | 0.13%          |
| Pierce             | 1,172         | 11.40%         |
| San Juan           | 24            | 0.23%          |
| Skagit             | 277           | 2.69%          |
| Skamania           | 14            | 0.14%          |
| Snohomish          | 707           | 6.88%          |
| Spokane            | 404           | 3.93%          |
| Stevens            | 79            | 0.77%          |
| Thurston           | 718           | 6.98%          |
| Wahkiakum          | 6             | 0.06%          |
| Walla Walla        | 163           | 1.59%          |
| Whatcom            | 312           | 3.03%          |
| Whitman            | 25            | 0.24%          |
| Yakima             | 747           | 7.27%          |
| <b>Grand Total</b> | <b>10,282</b> | <b>100.00%</b> |

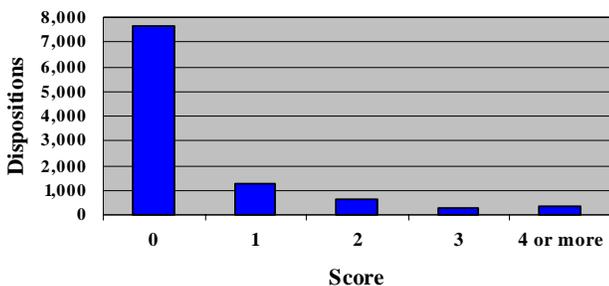
Table 2 shows the number of juvenile dispositions among the counties. King County had the highest number of dispositions (1,462 or 14.2%), Pierce County had the second highest number (1,172 or 11.4%), while Clark County had the third highest amount of dispositions (983 or 9.6%), in fiscal year 2010.

### 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 and misdemeanors and gross misdemeanors count as ¼ point, with fractions rounded down.

The majority of juvenile dispositions (74.5%) had an offender score of zero. Approximately 12.6% of dispositions had a score of one, 6.4% had a score of two, 2.8% had a score of three, and 3.6% had a score of four or more (Figure 1).

**Figure 1. Number of Juvenile Dispositions by Offender Score<sup>2</sup>**



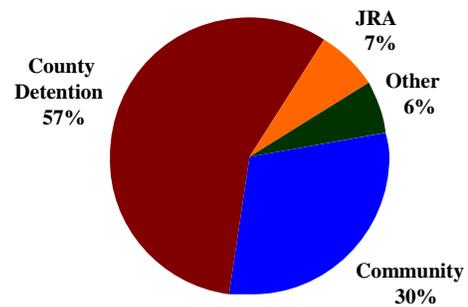
<sup>2</sup> Fractions are rounded down meaning a score 1.75 is reported as a score of 1.

### Sanctions

Over half of the juvenile dispositions (58.9%) included an order of community service. The court generally ordered an average of 29.7 hours of community service work.

There were 5,864 (57%) dispositions that contained orders of confinement in a county detention facility. Seven hundred forty-six (7%) resulted in confinement in a facility operated by the Juvenile Rehabilitation Administration (JRA), while 3,079 (30%) dispositions were 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 days. Work crew sanctions generally imposed a term of about 4 days, while electronic home monitoring terms averaged 21 days. In JRA the average term increased to 35 weeks to 52 weeks (Table 3).

**Table 3. Average Term by Placement Type**

| Placement Type        | Average Confinement Term |       |
|-----------------------|--------------------------|-------|
| JRA                   | 35 to 52                 | Weeks |
| County Detention      | 15.1                     | Days  |
| Work Crew             | 4.4                      | Days  |
| Electronic Monitoring | 20.6                     | Days  |

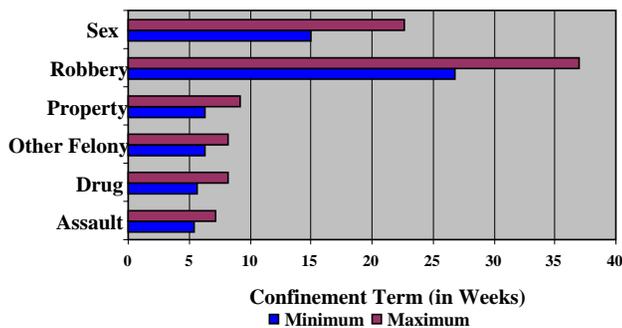
### Felony Offenses

There were 4,485 dispositions for felonies. Assault offenses were the most common felonies committed by juveniles, with such offenders receiving an average term of 5 to 7 weeks confinement. The second most common felonies were property offenses, with an average term of 6 to 9 weeks (Table 4). On average, felony dispositions included 6 months of community supervision.

**Table 4. Average Felony Confinement Term by Offense Category**

| Offense      | Number       | Avg. Term (in Weeks) |         |
|--------------|--------------|----------------------|---------|
|              |              | Minimum              | Maximum |
| Assault      | 1,983        | 5.4                  | 7.2     |
| Property     | 1,666        | 6.3                  | 9.2     |
| Other Felony | 262          | 6.3                  | 8.2     |
| Robbery      | 205          | 26.8                 | 37.0    |
| Drug         | 198          | 5.6                  | 8.1     |
| Sex          | 165          | 14.9                 | 22.6    |
| Manslaughter | 4            | 15.8                 | 21.0    |
| Murder 1     | 2            | 151.1                | 193.1   |
| <b>Total</b> | <b>4,485</b> |                      |         |

**Figure 3. Average Confinement Term by Type of Offense Category**



**Non-Felony Offenses**

In FY10, there were 3,497 gross misdemeanor dispositions with an average term of confinement of 14 days. There were 2,300 misdemeanor dispositions with an average term of confinement of 9 days. The average community supervision imposed for both gross misdemeanors and misdemeanors was 5 months.

**Table 5. Average Non-Felony Confinement Term**

| Offense           | Number       | Avg. Term (in Days) |
|-------------------|--------------|---------------------|
| Gross Misdemeanor | 3,497        | 14.4                |
| Misdemeanor       | 2,300        | 9.4                 |
| <b>Total</b>      | <b>5,797</b> |                     |

**Violent Offenses**

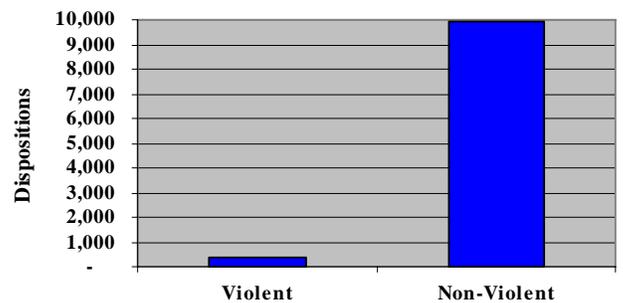
Among juvenile dispositions, 96.4 % (9,911) involved non-violent crimes, 3.5 % (359 dispositions) included violent crimes, and 0.1% (12 dispositions) involved serious violent offenses. There was a total of 15 juvenile dispositions that involved a firearm enhancement. These enhancements ranged from 2 to 6 months and averaged 5 months.

**Table 6. Violent and Non-Violent Dispositions**

| Offense         | Number        | Average Term         |
|-----------------|---------------|----------------------|
| Serious Violent | 12            | 137.1 to 161.9 Weeks |
| Violent         | 359           | 30.8 to 40.0 Weeks   |
| Non-Violent     | 9,911         | 18.7 to 24.3 Days    |
| <b>Total</b>    | <b>10,282</b> |                      |

Serious Violent carried an average term of 137 to 162 weeks, violent dispositions carried an average term of 31 to 40 weeks, and non-violent crimes carried an average term of confinement of 19 to 24 days.

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



**Special Sex Offender Disposition Alternative (SSODA)**

During fiscal year 2010, 154 dispositions were imposed under the Special Sex Offender Alternative option. SSODA authorizes the court to suspend the standard range disposition and impose in-patient or outpatient treatment for certain sex offenses. The court may impose a number of special conditions as a prerequisite of the suspended disposition. SSODA dispositions carried an average confinement term of 4 days, a suspended term of 175 to 218 days, and 15 months of community supervision.

**Chemical Dependency Disposition Alternative (CDDA)**

During FY10, 197 dispositions were imposed under the Chemical Dependency Disposition Alternative option. 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 4 days, a suspended term of 43 to 67 days, and 7 months of community supervision.

**Option-B Suspended Disposition**

The court imposed approximately 21 Option-B suspended dispositions. Option-B provides authority to the court to suspend a portion of the standard

confinement time in order for the offender to participate in a treatment or education program. Option-B carried an average term of 13 days, a suspended term of 137 to 254 days, and also 11 months of community supervision.

### Mental Health Disposition

The Mental Health option is rare in juvenile dispositions. There was only one disposition that was imposed under this option. It carried a confinement term of 30 days, a suspended term of 364 to 455 days, and 12 months of community supervision.

**Table 7. Juvenile Disposition Alternatives**

| Alternative          | Average Terms (in days) |             |      |           |       |
|----------------------|-------------------------|-------------|------|-----------|-------|
|                      | Number                  | Confinement |      | Suspended |       |
|                      |                         | Min         | Max  | Min       | Max   |
| <b>CDDA</b>          | 197                     | 3.6         | 3.6  | 43.0      | 66.8  |
| <b>Mental Health</b> | 1                       | 30.0        | 30.0 | 364.0     | 455.0 |
| <b>Option-B</b>      | 21                      | 13.3        | 13.3 | 137.4     | 254.4 |
| <b>SSODA</b>         | 154                     | 4.1         | 4.1  | 174.6     | 217.8 |

### 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>3</sup>. The SGC recorded 278 (2.7%) manifest injustice dispositions in fiscal year 2010. The majority of these dispositions (71%) was above the standard range or aggravated; 70 dispositions were below the standard range or mitigated.

**Table 8. Manifest Injustice Dispositions by Type**

| Type of Disposition | Number     |
|---------------------|------------|
| Aggravated          | 198        |
| Mitigated           | 70         |
| Within              | 10         |
| <b>Total</b>        | <b>278</b> |

The most common reasons for mitigated manifest injustice dispositions were “all parties agree to mitigated sentence” and “other mitigating factors”, while the most cited reasons for aggravated manifest injustice dispositions were “other aggravating factors” and

<sup>3</sup> “Manifest Injustice” will be found when the facts and circumstances of a case or characteristics of the juvenile lead to the conclusion that dispositions ordered within the range would be unfair or unsupportable. The court’s findings of a Manifest Injustice must be supported by clear and convincing evidence.

“recent criminal history of failed to comply with diversion agreement” (Table 9).

**Table 9. Manifest Injustice Reasons**

| Mitigating Reasons   | Number |
|--|--------|
| All parties agree to mitigated sentence.   | 15     |
| Other Mitigating Factor.   | 7      |
| One year or more between current offense and prior offense.  | 6      |
| The conduct neither caused nor threatened serious bodily injury or contemplated the conduct would. | 5      |
| Suffered mental or physical condition that reduced capability for the offense.                     | 3      |
| Acted under strong and immediate provocation.  | 2      |
| Compensated or attempted to compensate victim.   | 2      |
| Aggravating Reasons  |        |
| Other Aggravating Factor.  | 116    |
| Recent criminal history or failed to comply with diversion agreement.                              | 93     |
| All parties agree to aggravated sentence.  | 67     |
| Std range too lenient considering priors.  | 44     |
| No Reason Provided, inquiry made   | 36     |
| Other complaints resulting in diversions or guilty plea not listed in history.                     | 24     |
| Victim was particularly vulnerable.  | 22     |
| While committing or fleeing from offense inflicted or attempted to inflict injury.                 | 12     |
| Finding of sexual motivation.  | 8      |
| Heinous, cruel or depraved.  | 7      |
| Leader of criminal enterprise.   | 2      |

*The juvenile disposition data contained in this report come from Washington Disposition forms sent to the SGC by the courts. Data include all juvenile dispositions known to the Commission that were imposed between July 1, 2009, and June 30, 2010 (Fiscal Year 2010). Data elements entered into the SGC database and used in the report include race, gender, and type of sentence, current offense, offense history, offender score, the imposed confinement term and community supervision term.*

Comments or questions may be directed to:

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