

Washington State Caseload Forecast Council

February 2012

Juvenile Disposition Summary *Fiscal Year 2011*

During fiscal year 2011, the Caseload Forecast Council (CFC) received a total of 10,211 juvenile dispositions¹. Over three quarters (77%) of the dispositions involved males and 23% involved females (Table 1). Most of the dispositions were for Caucasians (54%) while Asian/Pacific Islander were least frequent at 2%. Most of the juvenile offenders age were 15 years old and above. The majority of dispositions (95%) were the result of guilty pleas, 3% were revoked deferreds, 1% entered an Alford Plea, and 1% were found guilty following a hearing.

Table 1. Demographics

Gender*	Number	Percentage
Male	7,907	77.44%
Female	2,299	22.51%
Race/Ethnicity**		
African American	1,571	15.39%
Asian/Pacific Islander	250	2.45%
Caucasian	5,477	53.64%
Hispanic***	2,265	22.18%
Native American	450	4.41%
Age Range		
Under 10 years old	4	0.04%
10 years old	4	0.04%
11 years old	49	0.48%
12 years old	342	3.35%
13 years old	745	7.30%
14 years old	1,533	15.01%
15 years old	2,334	22.86%
16 years old	2,771	27.14%
17 and above	2,429	23.79%
*Gender was missing on 5 dispositions (.05%)		
**Race/Ethnicity was missing on 198 dispositions (2.1%).		
***Hispanic is treated 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

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

offense and criminal history. Offenses classified as misdemeanors or gross misdemeanors carry a presumptive "Local sanction" which can include a confinement in county detention of up to 30 days and up to 12 months of community supervision. Less serious felonies also carry a local sanction for youth with little or no criminal history. The guidelines call for confinement of more than 30 days in a state facility for those with more extensive criminal histories and/or more serious offenses. 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	47	0.5%
Asotin	53	0.5%
Benton	572	5.6%
Chelan	138	1.4%
Clallam	163	1.6%
Clark	1,027	10.1%
Columbia	9	0.1%
Cowlitz	319	3.1%
Douglas	94	0.9%
Ferry	3	0.0%
Franklin	288	2.8%
Garfield	2	0.0%
Grant	257	2.5%
Grays Harbor	161	1.6%
Island	64	0.6%
Jefferson	37	0.4%
King	1,394	13.7%
Kitsap	477	4.7%
Kittitas	30	0.3%
Klickitat	35	0.3%
Lewis	168	1.6%
Lincoln	3	0.0%
Mason	81	0.8%
Okanogan	182	1.8%

County	Number	Percentage
Pacific	38	0.4%
Pend Oreille	18	0.2%
Pierce	1,124	11.0%
San Juan	15	0.1%
Skagit	241	2.4%
Skamania	10	0.1%
Snohomish	688	6.7%
Spokane	407	4.0%
Stevens	58	0.6%
Thurston	655	6.4%
Wahkiakum	2	0.0%
Walla Walla	168	1.6%
Whatcom	348	3.4%
Whitman	19	0.2%
Yakima	816	8.0%
Grand Total	10,211	100.0%

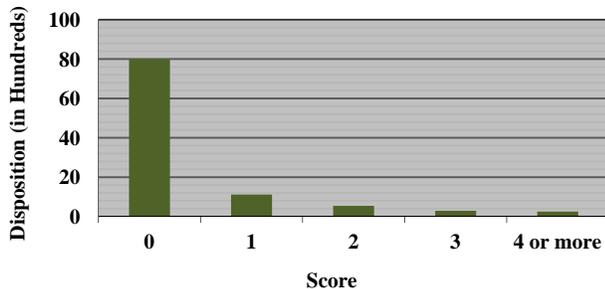
Table 2 shows the number of juvenile dispositions among the counties. King County had the highest number of dispositions (1,394 or 13.7%), Pierce County had the second highest number (1,124 or 11.0%), and Clark County had the third highest amount of dispositions (1,027 or 10.1%), in fiscal year 2011.

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 (78.4%) were first offenses with an offender score of zero. Approximately 10.9% of dispositions had a score of one, 5.3% had a score of two, 2.9% had a score of three, and 2.5% had a score of four or more (Figure 1).

Figure 1. Number of Juvenile Dispositions by Offender Score²



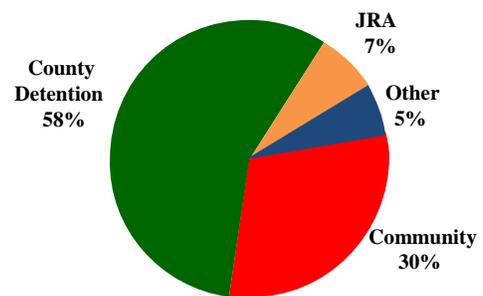
² Fractions are rounded down meaning a score 1.75 is reported as a score of 1.

Sanctions

Over half of the juvenile dispositions (58.5%) included an order of community service. The courts ordered an average of 28.7 hours of community service.

There were 5,954 (58%) dispositions that contained orders of confinement in a county detention facility. Seven hundred seven (7%) resulted in confinement in a facility operated by the Juvenile Rehabilitation Administration (JRA), while 3,058 (30%) dispositions included community sanctions rather than confinement (Figure 2).

Figure 2. Type of Placement



Juvenile dispositions involving local sanctions included an average detention term of 14.6 days. Work crew sanctions imposed an average term of 4.3 days, while electronic home monitoring terms averaged 20.8 days. The average term for JRA commitments was 36 to 52 weeks (Table 3).

Table 3. Average Term by Placement Type

Placement Type	Average Confinement Term	
JRA	36 to 52	Weeks
County Detention	14.6	Days
Work Crew	4.3	Days
Electronic Monitoring	20.8	Days

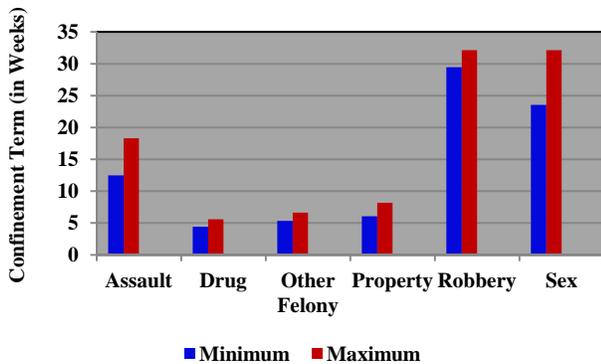
Felony Offenses

There were 2,903 dispositions for felonies. Property offenses were the most common felonies committed by juveniles, with such offenders receiving an average term of 6 to 8 weeks confinement. The second most common felonies were assault offenses, with an average term of 13 to 18 weeks (Table 4). On average, felony dispositions included 5 months of community supervision.

Table 4. Average Felony Confinement Term by Offense Category

Offense	Number	Avg. Term (in Weeks)	
		Minimum	Maximum
Assault	539	12.5	18.3
Drug	230	4.4	5.6
Other Felony	146	5.3	6.6
Property	1,580	6.1	8.2
Robbery	220	29.5	41.7
Sex	188	23.6	32.1
Total	2,903		

Figure 3. Average Confinement Term by Type of Offense Category



Non-Felony Offenses

In FY11, there were 5,028 gross misdemeanor dispositions with an average term of confinement of 14.4 days. There were 2,280 misdemeanor dispositions with an average term of confinement of 10.1 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	5,028	14.4
Misdemeanor	2,280	10.1
Total	7,308	

Violent Offenses

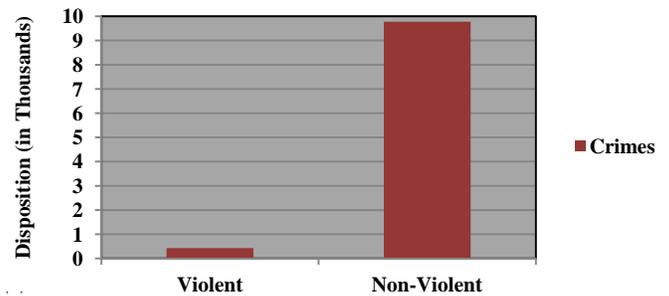
Among juvenile dispositions, 95.8% involved non-violent crimes, 4.2% included violent crimes, and 0.1% involved serious violent offenses. There were a total of 14 juvenile dispositions that involved a firearm enhancement. These enhancements ranged from 2 to 6 months and averaged 4 months.

Table 6. Violent and Non-Violent Dispositions

Offense	Number	Percent	Avg. Term
Serious Violent	6	0.1%	117.2 to 144.2 Weeks
Violent	426	4.2%	26.7 to 39.8 Weeks
Non-Violent	9,779	95.8%	18.5 to 22.7 Days
Total	10,211		

Serious violent dispositions carried an average term of 117 to 144 weeks, violent dispositions carried an average term of 27 to 40 weeks, and non-violent crimes carried an average term of confinement of 19 to 23 days.

Figure 4. Number of Violent and Non-Violent Dispositions



Special Sex Offender Disposition Alternative (SSODA)

During fiscal year 2011, 134 dispositions were imposed under the Special Sex Offender Disposition 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, an average suspended term of 179 to 215 days, and an average of 18 months of community supervision.

Chemical Dependency Disposition Alternative (CDDA)

During FY11, 127 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 7 days, an average suspended term of 54 to 72 days, and an average of 8 months of community supervision.

Option-B Suspended Disposition

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. The court imposed approximately 22 Option-B suspended dispositions with an average suspended term of 201 to 330 days, and also an average of 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 105 to 252 days, and 9 months of community supervision.

Table 7. Juvenile Disposition Alternatives

Alternative	Average Terms (in days)				
	Number	Confinement		Suspended	
		Min	Max	Min	Max
CDDA	127	6.6	6.6	53.9	71.7
Mental Health	1	30.0	30.0	105.0	252.0
Option-B	22	-	-	200.6	329.8
SSODA	134	4.2	4.2	179.0	215.2

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 standard range³. The CFC recorded 335 (3.3%) manifest injustice dispositions in fiscal year 2011. The majority of these dispositions (70%) were above the standard range (aggravated); 89 dispositions were below the standard range (mitigated).

Table 8. Manifest Injustice Dispositions by Type

Type of Disposition	Number
Aggravated	236
Mitigated	89
Within	10
Total	335

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

³ “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.

injustice dispositions were “other aggravating factors” and “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.	18
Other Mitigating Factor.	10
One year or more between current offense and prior offense.	8
The conduct neither caused nor threatened serious bodily injury or contemplated the conduct would.	6
Acted under strong and immediate provocation.	3
Compensated or attempted to compensate victim.	1
Suffered mental or physical condition that reduced capability for the offense.	1
Aggravating Reasons	
Other Aggravating Factor.	174
Recent criminal history or failed to comply with diversion agreement.	130
All parties agree to aggravated sentence.	100
Std range too lenient considering priors.	64
Other complaints resulting in diversions or guilty plea not listed in history.	35
Victim was particularly vulnerable.	34
Finding of sexual motivation.	19
While committing or fleeing from offense inflicted or attempted to inflict injury.	15
No Reason Provided, inquiry made	13
Heinous, cruel or depraved.	9
Leader of criminal enterprise.	1

The juvenile disposition data contained in this report come from Washington Disposition forms sent to the CFC by the courts. Data include all juvenile dispositions known to the Council that were imposed between July 1, 2010, and June 30, 2011 (Fiscal Year 2011). Data elements entered into the CFC database and used in the report include race, gender, 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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