

# Washington State Caseload Forecast Council

January 2016

## Juvenile Disposition Summary *Fiscal Year 2015*

The Caseload Forecast Council (CFC)<sup>1</sup> received 6,217 juvenile dispositions rendered by Washington State juvenile courts in fiscal year 2015. This report describes those dispositions.

### Washington State Juvenile Sentencing Guidelines

The Washington State juvenile code mandates a system of presumptive sentencing guidelines for juvenile offenders.

The presumptive standard range for an offense<sup>2</sup> is a function of the offender's age, the seriousness of the current offense (current offense category) and criminal history (prior adjudication score).

Although the level of presumptive sanction increases with age, offense seriousness, and prior adjudication score, the increase is not linear (see Figure 1).

Generally, current offense seriousness outweighs prior adjudication score. Age is only a factor for first time offense category "A-" offenders.

Courts also have the option of using several sentencing alternatives to the standard range.

### Current Offense Category

While the juvenile system utilizes adult crime statutes, individual offenses are assigned a more differentiated juvenile "current offense category" (with + and - added to differentiate within a class) for sentencing purposes.

<sup>1</sup> Juvenile courts are required by statute (RCW 13.50.010(8)) to report all dispositions to the Caseload Forecast Council.

<sup>2</sup> Washington's juvenile code, while paralleling the adult criminal justice system in most respects, retains traditional juvenile court terminology where juvenile offenders are "adjudicated" rather than "convicted" of "offenses" rather than "crimes." This report uses the juvenile and adult terms interchangeably, recognizing that in some cases absolute accuracy is subordinated to readability.

While juvenile offense categories generally parallel adult felony classes (i.e., Class B felonies are typically B+, B, or B- category offenses), that is not universally the case.

### Prior Adjudication Score

The seriousness of criminal history is summarized by the "prior adjudication score." Prior felony adjudications count as one point each and misdemeanors and gross misdemeanors count as ¼ point. The prior adjudication score is the sum of the points for all prior adjudicated offenses, with fractions rounded down.

### Standard Range: Local Sanction vs. Confinement to JRA

The juvenile sentencing guidelines specify two types of presumptive penalties: a standard range of confinement under the supervision of the state Juvenile Rehabilitation Administration (JRA) for more than thirty days or a local sanction administered at the county level.

"Standard ranges" exceed 30 days, include a minimum and a maximum term, and are served in a JRA facility. JRA has the limited discretion to set a release date between the minimum and maximum term. Offenders do not earn a sentence reduction for "good behavior."

"Local sanctions" are supervised by county probation departments. Courts sentencing an offender to a local sanction have the discretion to select from a menu of options including confinement, home monitoring, community supervision, fines, community service and work crew.

The presumptive sanction for category "B+" or higher offenses (class A felonies and some violent class B felonies) is a standard range of confinement in a JRA facility.

Less serious offenses, the equivalent of B and C felonies, carry a presumption of a standard range of confinement or a local sanction, depending on the offense category and prior adjudication score.

Misdemeanors or gross misdemeanors carry a presumptive local sanction.

**Figure 1. Option A - Juvenile Offender Sentencing Grid Standard Range (RCW 13.40.0357)**

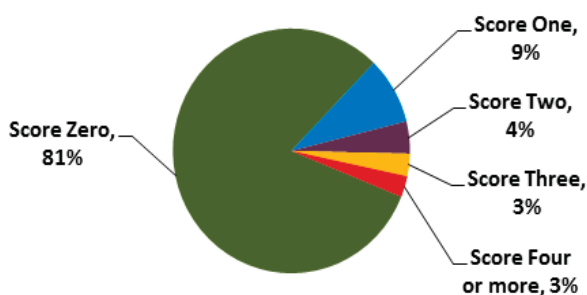
Current Offense Category	Standard Range Sanction				
A+	180 weeks to age 21 for all category A+ offenses				
A	103-129 weeks for all category A offenses				
A-	15-36 weeks*	52-65 weeks	80-100 weeks	103-129 weeks	103-129 weeks
B+	15-36 weeks	15-36 weeks	52-65 weeks	80-100 weeks	103-129 weeks
B	Local Sanctions	Local Sanctions	15-36 weeks	15-36 weeks	52-65 weeks
C+	Local Sanctions	Local Sanctions	Local Sanctions	15-36 weeks	15-36 weeks
C	Local Sanctions	Local Sanctions	Local Sanctions	Local Sanctions	15-36 weeks
D+	Local Sanctions	Local Sanctions	Local Sanctions	Local Sanctions	Local Sanctions
D	Local Sanctions	Local Sanctions	Local Sanctions	Local Sanctions	Local Sanctions
E	Local Sanctions	Local Sanctions	Local Sanctions	Local Sanctions	Local Sanctions
Prior Adjudication by Score**	0	1	2	3	4 or more

Note: Local sanctions may include up to 30 days confinement.

\*Except 30-40 weeks for 15 to year olds.

\*\*Prior felony adjudications count as 1 point each and misdemeanors and gross misdemeanors count as ¼ point. The prior adjudication score is the sum of the points for all prior adjudications, with fractions rounded down.

**Figure 2. FY2015 Juvenile Dispositions by Prior Adjudication Score<sup>3</sup>**



<sup>3</sup> Fractions are rounded down meaning a score 1.75 is reported as a score of 1.

## FY2015 Juvenile Court Dispositions

Most juvenile offenders sentenced in FY2015 had little or no criminal history. Over three quarters (81%) of those sentenced were first time offenders with no prior adjudications. Another 9% had a prior adjudication score of one. The remaining 10% had prior adjudication scores of 2 or more (Figure 2).

## Demographics

Table 1 shows the dispositions distribution by gender, race/ethnicity, and age range. Most offenders sentenced in FY2015 were male (76%), and a majority, Caucasian (51%). The least common racial group was Asian/Pacific Islander (3%).

Offenders ranged in age from 10 to 17, but most were clustered at the upper end of the age range. The most common ages at disposition were from 15 to 17.

**Table 1. Demographics**

Gender*	Number	Percentage
Male	4,708	76.1%
Female	1,479	23.9%
	6,187	100.0%
Race/Ethnicity**		
African American	1,030	16.9%
Asian/Pacific Islander	162	2.7%
Caucasian	3,126	51.3%
Hispanic***	1,447	23.8%
Native American	323	5.3%
	6,088	100.0%
Age Range		
11 years old or younger	29	0.5%
12 years old	236	3.8%
13 years old	535	8.6%
14 years old	967	15.6%
15 years old	1,419	22.8%
16 years old	1,645	26.4%
17 and above	1,386	22.3%
	6,217	100.0%

\*Gender was missing on 30 dispositions (.5%).  
 \*\*Race/Ethnicity was missing on 129 dispositions (2.1%).  
 \*\*\*Hispanic is treated as a "race" category.

## Race/Ethnicity: Dispositions vs. State Population

Minorities are typically disproportionately over-represented in juvenile offender populations. One common method of measuring disproportionality is to

construct a ratio of the percentage of a given race/ethnicity in a target population to the percentage in the general population. If the percentages are the same, the ratio or “coefficient of disproportionality,” is 1.0. If the percentage is greater in the target population (e. g., juvenile offenders) than in the state population, the ratio will be greater than 1.0 indicating over-representation.” Likewise, a ratio less than 1.0 indicates an “under-representation.” The magnitude of the ratio indicates the degree of disproportionality.

Table 2 presents the race/ethnicity breakdown of the FY2015 juvenile dispositions compared to the 2014 census state population.

The last column presents the coefficients of disproportionality. For example, the coefficient of disproportionality for African American offenders is 4.5. In other words, the proportion of African Americans sentenced (16.9%) was 4.5 times the proportion in the general population (3.7%). In contrast, the coefficient for Caucasians is 0.7, which means the proportion of juvenile dispositions involving Caucasians is less than the proportion of Caucasians in the state population. Asian/Pacific Islanders are the most “under-represented” racial group in the offender population with a coefficient of disproportionality of 0.3.

**Table 2. Racial/Ethnic Disproportionality**

Race/Ethnicity**	% FY2014 Juvenile Dispositions	% FY2014 Washington State	Coefficient of Disproportionality
African American	16.9%	3.7%	4.5
Asian/Pacific Islander	2.7%	7.9%	0.3
Caucasian	51.3%	74.2%	0.7
Hispanic***	23.8%	12.8%	1.9
Native American	5.3%	1.4%	3.9
Total	100.0%	100.0%	
(n)	6,088	6,646,311	
**Race/Ethnicity was missing on 129 dispositions (2.1%).			
***Hispanic is treated as a "race" category.			

Note: State population is taken from the Office of Financial Management (Census 2014)

### County

As would be expected, most juvenile dispositions occur in the more populated counties in the state.

Table 3 shows the number of juvenile dispositions by county. King County had the highest number of

dispositions (753 or 12%), followed by Pierce County (639 or 10%), and Clark County (586 or 9%).

Together, these 3 counties (King, Pierce and Clark) accounted for a third of all dispositions in the state. In contrast, 22 of 39 counties had less than 100 dispositions each and 6 of the smallest counties had less than a 10 dispositions per county.

**Table 3. Juvenile Dispositions by County**

County	Number	Percentage
Adams	38	0.6%
Asotin	72	1.2%
Benton	354	5.7%
Chelan	126	2.0%
Clallam	88	1.4%
Clark	586	9.4%
Columbia	Less than 10	N/A
Cowlitz	198	3.2%
Douglas	52	0.8%
Ferry	12	0.2%
Franklin	127	2.0%
Garfield	Less than 10	N/A
Grant	198	3.2%
Grays Harbor	61	1.0%
Island	35	0.6%
Jefferson	13	0.2%
King	753	12.1%
Kitsap	178	2.9%
Kittitas	25	0.4%
Klickitat	40	0.6%
Lewis	116	1.9%
Lincoln	Less than 10	N/A
Mason	75	1.2%
Okanogan	148	2.4%
Pacific	46	0.7%
Pend Oreille	Less than 10	N/A
Pierce	639	10.3%
San Juan	Less than 10	N/A
Skagit	99	1.6%
Skamania	14	0.2%
Snohomish	490	7.9%
Spokane	263	4.2%
Stevens	47	0.8%
Thurston	469	7.5%
Wahkiakum	Less than 10	N/A
Walla Walla	116	1.9%
Whatcom	251	4.0%
Whitman	27	0.4%
Yakima	431	6.9%
<b>Total</b>	<b>6217</b>	<b>100.0%</b>

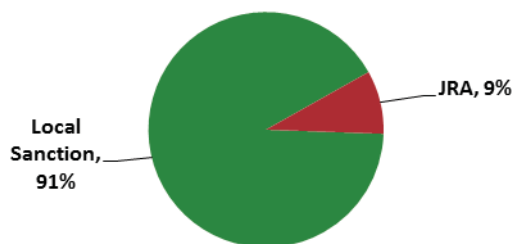
## Type of Court Disposition

The vast majority of dispositions (97%) were the result of guilty pleas; only 2% of dispositions involved offenders adjudicated guilty following a juvenile court hearing. The remaining dispositions (2%) were revoked deferred and “Alford” pleas.

## Locus of Sanction

Most juvenile offenders are sanctioned at the local, county level (Figure 3). Only 9% (541) of FY2015 dispositions resulted in confinement in a state operated JRA facility. The average range of confinement for JRA commitments was 38 to 55 weeks (Table 4).

**Figure 3. Locus of Sanction**



**Table 4. Confinement Ordered by Placement Type**

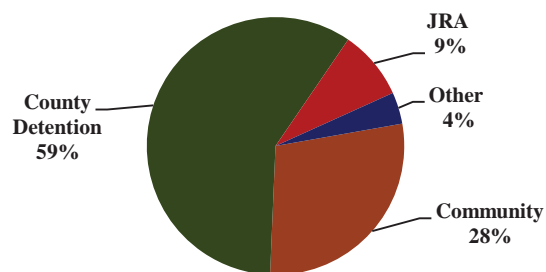
Placement Type	Average Sanction
JRA	38 to 55 Weeks
County Detention	14.1 Days
Work Crew	4.2 Days
Electronic Monitoring	24.3 Days

## Local Sanctions

“Local sanction” is the presumptive sentencing range for offenders at the lower end of the offense seriousness/prior adjudication score continuum. Most (91%) of FY2015 dispositions resulted in sentences to local sanctions at the county level.

Over half (59%) of youths sentenced to local sanctions were assigned some confinement in county detention, with an average sentence of 14 days. Another 28% received community supervision without detention. The remaining 4% received some other sanction (work crew, electronic home monitoring, etc.). The average order of electronic home monitoring was 24 days. The average work crew order was 4 days. In addition, the courts ordered an average of 29 hours of community service per disposition.

**Figure 4. Local Sanction by Type**



## Felony and Non-felony Dispositions

Most FY2015 juvenile dispositions were for non-felony (gross misdemeanor and misdemeanor) offenses. Felonies accounted for less than a third of all dispositions (Table 5).

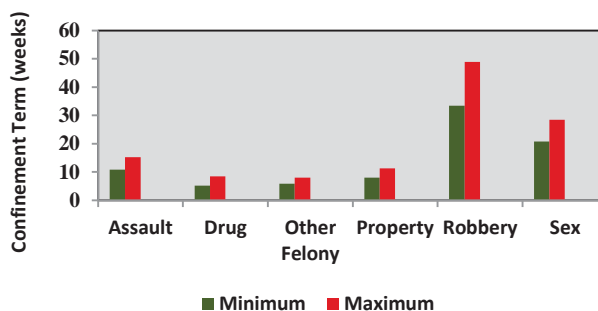
**Table 5. Felony and Non-felony Dispositions**

Offense	Number	Percent
Felony	1,910	30.7%
Gross Misdemeanor	3,189	51.3%
Misdemeanor	1,118	18.0%
<b>Total</b>	<b>6,217</b>	<b>100.0%</b>

## Felony Offenses

There were 1,910 dispositions for felonies. Property crimes were the most common felonies committed by juveniles, with an average sanction of 8 to 11 weeks confinement. The second most common felony was assault, with an average sentence of 11 to 15 weeks confinement (Table 6). On average, felony dispositions included 7 months of community supervision in addition to any confinement.

**Figure 5. Average Confinement Felony by Weeks**



**Table 6. Average Confinement Ordered by Felony Category**

Offense	Number	Ave. Term (in Weeks)	
		Minimum	Maximum
Assault	351	10.8	15.2
Drug	152	5.2	8.5
Murder 1	1	277.0	277.0
Murder 2	2	190.5	226.5
Other Felony	104	5.9	8.0
Property	980	8.0	11.3
Robbery	141	33.4	48.9
Sex	179	20.8	28.4
<b>Total</b>	<b>1,910</b>	<b>11.6</b>	<b>16.4</b>

**Non-Felony Offenses**

Over two thirds of FY2015 dispositions were for non-felony offenses. There were 3,189 gross misdemeanor dispositions with an average sentence of 16 days confinement, and 1,118 misdemeanor dispositions with an average sentence of 10 days confinement. The average community supervision imposed for gross misdemeanors and misdemeanors was 6 months.

**Table 7. Average Non-Felony Confinement Ordered**

Offense	Number	Avg. Term (Days)
Gross Misdemeanor	3,189	16.4
Misdemeanor	1,118	9.6
<b>Total</b>	<b>4,307</b>	

**Violent and Non-violent Offenses**

The great majority (95%) of FY2015 juvenile dispositions were for non-violent offenses. Dispositions across all non-violent offenses carried an average sentence of 22 to 28 days confinement.

**Table 8. Violent and Non-Violent Offense Dispositions**

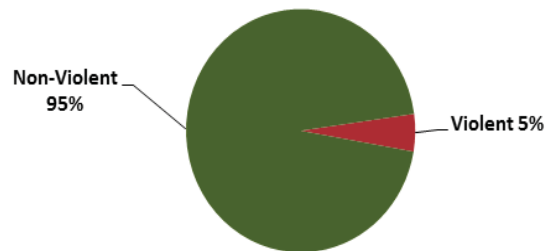
Offense	Number	Avg. Term
Serious Violent	7	131 to 160 Weeks
Violent	309	28 to 41 Weeks
Non-Violent	5,901	22 to 28 Days
<b>Total</b>	<b>6,217</b>	

Juvenile dispositions for “serious violent offenses<sup>4</sup>” were extremely rare in FY2015, accounting for only 7

(0.1%) of 6,217 dispositions. Dispositions for serious violent offenses carried an average range of 131 to 160 weeks confinement in JRA.<sup>5</sup>

There were an additional 309 dispositions for violent crimes, with an average sentence of 28 to 41 weeks confinement.

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



**Sentencing Alternatives**

The state juvenile code permits a number of alternatives to the standard presumptive sentencing ranges (Option A), depending on the current offense, criminal history, and treatment needs of the offender.

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

During FY2015, 135 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 of 7 days, an average suspended range of confinement of 215 to 235 days,

<sup>4</sup> "Serious violent offense" is a subcategory of violent offense and means:

- (i) Murder in the first degree;
- (ii) Homicide by abuse;
- (iii) Murder in the second degree;
- (iv) Manslaughter in the first degree;
- (v) Assault in the first degree;
- (vi) Kidnapping in the first degree;
- (vii) Rape in the first degree;
- (viii) Assault of a child in the first degree; or
- (ix) An attempt, criminal solicitation, or criminal conspiracy to commit one of these felonies; (RCW 9.94A.030(45))

<sup>5</sup> Most individuals under the age of 18 committing “serious violent offenses” are sentenced as adults and therefore are not technically juvenile offenders. These sentences are reported in a separate CFC publication: Statistical Summary of Adult Felony Sentencing: Fiscal Year 2015 available on the CFC website.

and an average of 20 months of community supervision.

### Chemical Dependency Disposition Alternative (CDDA)

During FY2015, 156 dispositions were imposed under the Chemical Dependency Disposition Alternative option. CDDA provides chemically dependent youth with an alternative disposition that includes drug or alcohol treatment. Chemical Dependency Disposition Alternatives involved an average confinement of 7 days, an average suspended range of confinement of 61 to 99 days, and an average of 8 months of community supervision.

### Option B Suspended Dispositions

Option B provides authority to the court to suspend a portion of the standard range confinement time in order for the offender to participate in a treatment or education program. The court imposed approximately 12 Option B suspended dispositions with an average confinement of 15 days, an average suspended range of confinement of 123 to 234 days, and an average of 12 months of community supervision.

### Mental Health Dispositions

The Mental Health option is rare in juvenile dispositions. Six dispositions were imposed under this option. It carried confinement of 6 days, an average suspended confinement of 81 days, and 10 months of community supervision.

**Table 9. Juvenile Disposition Alternatives**

Alternative	Average Range of Confinement (days)				
	Number	Confinement		Suspended	
		Min	Max	Min	Max
CDDA	156	7.2	7.2	61.3	98.7
Mental Health	6	5.5	5.5	80.7	80.7
Option-B	12	15.0	15.0	123.3	233.5
SSODA	135	7.1	7.1	214.7	234.7

### 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 range<sup>6</sup>. The CFC recorded 259 (4%)

manifest injustice dispositions in fiscal year 2015. The majority of these dispositions (76%) were above the standard range (aggravated); 22% of manifest injustice dispositions were below the standard range (mitigated).

**Table 10. Manifest Injustice Dispositions by Type**

Type of Disposition	Number	Percentage
Aggravated	197	76.1%
Mitigated	58	22.4%
Within	4	1.5%
<b>Total</b>	<b>259</b>	<b>100.0%</b>

The most common reasons for mitigated Manifest Injustice dispositions were “all parties agree to mitigated sentence”, “other mitigating factor”, and “one year or more between current offense and prior offense”, while the most cited reasons for aggravated manifest injustice dispositions were “other aggravating factor”, “all parties agree to aggravated sentence”, and “recent criminal history or failed to comply with diversion agreement” (Table 11).

**Table 11. Manifest Injustice Reasons**

Mitigating Reasons	Number
All parties agree to mitigated sentence (down).	12
Other mitigating factor.	9
One year or more between current offense and prior offense.	7
Suffered mental or physical condition that reduced capability for the offense.	5
The conduct neither caused nor threatened serious bodily injury or contemplated the conduct would.	5
Acted under strong and immediate provocation.	2
Aggravating Reasons	
Other Aggravating Factor.	136
All parties agree to aggravated sentence (up).	100
Recent criminal history or failed to comply with diversion agreement.	100

<sup>6</sup> The court may declare a “Manifest Injustice” and sentence outside the standard range when the facts and circumstances of a case or characteristics of the juvenile lead to the conclusion that dispositions ordered within the standard range would be manifestly unjust. The court’s findings of a Manifest Injustice must be supported by clear and convincing evidence and its justification entered into the record.

<b>Aggravating Reasons (Cont.)</b>	
Standard range too lenient considering priors.	34
Victim was particularly vulnerable.	24
Other complaints resulting in diversions or guilty plea not listed in history.	20
Finding of sexual motivation.	8
Heinous, cruel or depraved.	5
While committing or fleeing from offense inflicted or attempted to inflict injury.	5
No Reason Provided, inquiry made.	4
Leader of criminal enterprise.	2

## Summary

This report details characteristics of the 6,217 FY2015 Washington State juvenile offender dispositions reported to the Caseload Forecast Council.

The picture presented is perhaps at odds with some of the perceptions held by the general public about juvenile offenders.

As the data show, almost three quarters (76%) of the dispositions involved young males. Most offenders sentenced in juvenile court have little or no criminal history. In fact, approximately 81% of dispositions have no prior offenses.

Similarly, most offenders sentenced in court are there for relatively minor crimes. More than two thirds (69%) of the offenders sentenced in FY2015 were sentenced for offenses that were gross misdemeanors or misdemeanors.

Washington is among the small number of states with presumptive sentencing guidelines for juvenile offenders. Although courts have access to a variety of sentencing alternatives for offenders with specific treatment needs (sex offenders, chemical dependency, Option B, and mental health issues), the majority of offenders (95%) are sentenced under the presumptive sentencing guidelines.

One of the intents of the Washington juvenile code and its system of presumptive sentencing guidelines is to promote accountability and proportionality in the sentencing of juvenile offenders. The data in this report support the conclusion that these intents are being realized, at least to the extent that the severity of sanctions ordered by the courts tend to increase with

the seriousness of the offense and the extent of prior criminal history.

While the sentences of offenders were proportional to seriousness of current offense and criminal history, the population of offenders sentenced was disproportionately male and minority, when compared to the state population. There was significant racial/ethnic disproportionality in the sentenced population. Compared to the state as a whole, those adjudicated in FY2015 were more likely to be African American, Hispanic, or Native American. They were less likely to be Caucasian or Asian/Pacific Islander. African Americans were the most over-represented group in the population, with a coefficient of disproportionality of 4.5.

It is obviously beyond the scope of this report to determine the causes of gender and racial/ethnic disproportionality in the sentenced population. But the data are clear that it persists.

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*This report is updated annually. It, along with prior annual reports, is available on the CFC web site: [WWW.CFC.WA.GOV](http://WWW.CFC.WA.GOV).*

*The juvenile disposition data contained in this report come from Washington Disposition forms sent to the Caseload Forecast Council (CFC) by the courts. Data include all juvenile dispositions known to the CFC that were imposed between July 1, 2014, and June 30, 2015 (Fiscal Year 2015). Data elements entered into the CFC database and used in the report include race, gender, type of sentence, current offense, offense history, offender score, and the imposed terms of confinement and community supervision.*

*Comments or questions may be directed to:*

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