



Juvenile Disposition Summary

Fiscal Year 2018

The Caseload Forecast Council (CFC)¹ received 4,479 juvenile dispositions rendered by Washington State juvenile courts in Fiscal Year 2018. 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 offense² 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. 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

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

² 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.

count as $\frac{1}{4}$ point. The prior adjudication score is the sum of the points for all prior adjudicated offenses, with fractions rounded down.

Prior adjudications do not affect the standard range for any current offense that is not a felony. Any current offense that is a misdemeanor or gross misdemeanor will always involve local sanctions regardless of the offender's prior adjudication score.

Standard Range: Confinement to JR vs. Local Sanction (LS)

The juvenile sentencing guidelines specify two types of presumptive penalties: a standard range of confinement under the supervision of the state Juvenile Rehabilitation (JR) 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 JR facility. JR 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, private residence, 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 JR 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 1A. Option A - Juvenile Offender Sentencing Grid Standard Range
(RCW 13.40.0357) - Prior June 7, 2018**

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 ³	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	LS ⁴	LS	15-36 weeks	15-36 weeks	52-65 weeks
C+	LS	LS	LS	15-36 weeks	15-36 weeks
C	LS	LS	LS	LS	15-36 weeks
D+	LS	LS	LS	LS	LS
D	LS	LS	LS	LS	LS
E	LS	LS	LS	LS	LS
Prior Adjudication by Score ⁵	0	1	2	3	4 or more

**Figure 1B. Option A - Juvenile Offender Sentencing Grid Standard Range
(RCW 13.40.0357) - Since June 7, 2018**

Current Offense Category	Standard Range Sanction				
A++	129 to 260 weeks for all category A++ offenses				
A+	180 weeks to age 21 for all category A+ offenses				
A	103-129 weeks for all category A offenses				
A-	30-40 weeks	52-65 weeks	80-100 weeks	103-129 weeks	103-129 weeks
B++	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	LS	LS	15-36 weeks	15-36 weeks	52-65 weeks
C+	LS	LS	LS	15-36 weeks	15-36 weeks
C	LS	LS	LS	LS	15-36 weeks
D+	LS	LS	LS	LS	LS
D	LS	LS	LS	LS	LS
E	LS	LS	LS	LS	LS
Prior Adjudication by Score ^{**}	0	1	2	3	4 or more

³ Except 30-40 weeks for 15 to 17 year olds

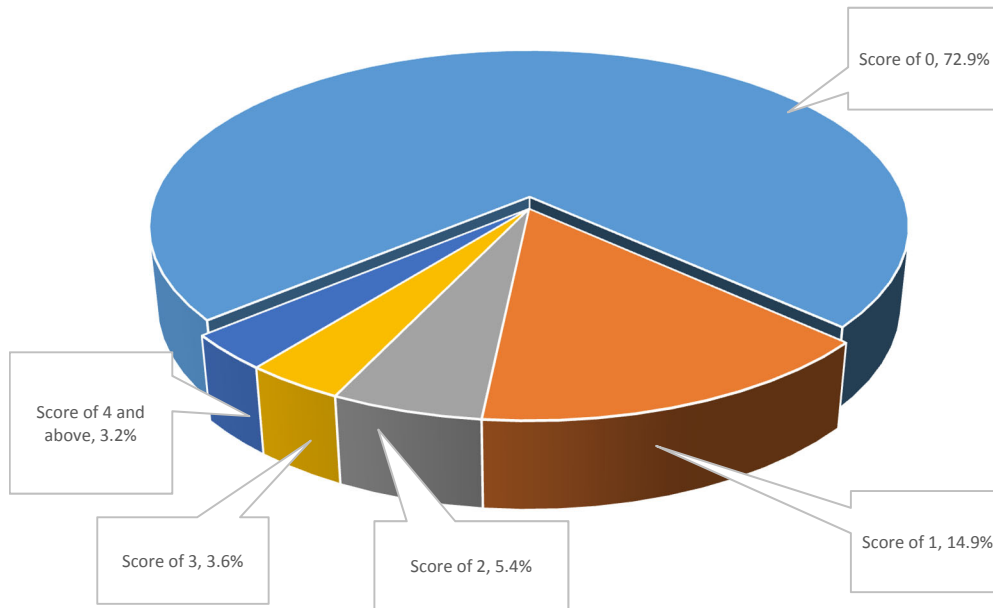
⁴ Local sanctions may include up to 30 days confinement

⁵ The prior adjudication score is the sum of the points for all prior adjudications, with fractions rounded down. Prior felony adjudications count as 1 point each and misdemeanors and gross misdemeanors count as ¼ point.

FY2018 Juvenile Court Dispositions

Most juvenile offenders sentenced in FY2018 had little or no criminal history. Nearly three quarters (72.9%) of those sentenced were first time offenders with no prior adjudications. Another 14.9% had a prior adjudication score of one. The remaining 12.2% had prior adjudication scores of two or more (Figure 2).

Figure 2. FY2018 Juvenile Dispositions by Prior Adjudication Score⁶



Demographics

Table 1 shows the dispositions distribution by gender, race/ethnicity, and age range. Most offenders sentenced in FY2018 were male (77.5%), and almost half were Caucasian (45.0%). The least common racial group was Asian/Pacific Islander (3.0%).

Offenders ranged in age from 11 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, comprising 74.5% of the total.

⁶ Fractions are rounded down meaning a score 1.75 is reported as a score of 1.

Table 1. Demographics

Gender⁷	Number	Percentage
Male	3,470	77.5%
Female	878	19.6%
	4,479	
Race/Ethnicity⁸		
African American	763	17.0%
Asian/Pacific Islander	135	3.0%
Caucasian	2,016	45.0%
Hispanic ⁹	986	22.0%
Native American	173	9.1%
	4,479	
Age Range¹⁰		
10 years old or younger	4	0.1%
11 years old	10	0.2%
12 years old	56	1.3%
13 years old	216	4.8%
14 years old	533	11.9%
15 to 17 years old	3,338	74.5%
18 years old and older	320	7.1%
	4,477	

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 which indicates an 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 FY2018 juvenile dispositions compared to the 2017 census state population.

The last column presents the coefficients of disproportionality. For example, the coefficient of disproportionality for African American offenders is 4.7. In other words, the proportion of African Americans sentenced (18.0%) was 4.7 times the proportion in the general population (3.8%). In contrast, the coefficient for Caucasians is 0.6, which means the proportion of juvenile dispositions involving Caucasians is 0.6 times less than the proportion of Caucasians in the state population. Asian/Pacific Islanders are the most

⁷ Gender was missing on 131 dispositions (2.9%)

⁸ Race/Ethnicity was missing on 406 dispositions (9.1%)

⁹ Hispanic is treated as a "race" category

¹⁰ Date of birth was missing on 2 dispositions

“under-represented” racial group in the offender population with a coefficient of disproportionality of 0.4.

Table 2. Racial/Ethnic Disproportionality

Race/Ethnicity	% FY2018 Juvenile Dispositions	% FY2017 Washington State Juvenile Population ¹¹	Coefficient of Disproportionality
African American	17.0%	4.4%	3.9
Asian/Pacific Islander	3.0%	7.0%	0.4
Caucasian	45.0%	67.6%	0.7
Hispanic ¹²	22.0%	20.0%	1.1
Native American	3.9%	1.0%	4.0
Missing ¹³	9.1%		
Total	100.0%	100.0%	
(n)	4,479	1,796,947	

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 (555 or 12.4%), followed by Pierce County (512 or 11.4%), and Clark County (470 or 10.5%).

Together, these 3 counties (King, Clark and Pierce) accounted for almost a third of all dispositions in the state. In contrast, 24 of 39 counties had less than 100 dispositions each and 8 of the smallest counties had less than 10 dispositions per county.

¹¹ State population is taken from the Office of Financial Management

¹² Hispanic is treated as a "race" category

¹³ Race/Ethnicity was missing on 406 dispositions

Table 3. Juvenile Dispositions by County

County	Number	County	Number
Adams	28	Lewis	122
Asotin	34	Lincoln	2
Benton	267	Mason	28
Chelan	85	Okanogan	10
Clallam	72	Pacific	24
Clark	470	Pend Oreille	N/A
Columbia	N/A ¹⁴	Pierce	512
Cowlitz	149	San Juan	N/A
Douglas	36	Skagit	85
Ferry	11	Skamania	N/A
Franklin	100	Snohomish	332
Garfield	N/A	Spokane	337
Grant	105	Stevens	36
Grays Harbor	50	Thurston	320
Island	34	Wahkiakum	N/A
Jefferson	25	Walla Walla	42
King	555	Whatcom	155
Kitsap	124	Whitman	N/A
Kittitas	12	Yakima	267
Klickitat	14		
Total all counties: 4,479			

Type of Court Disposition

The vast majority of dispositions (97.1%) were the result of guilty pleas; only 1.7% of dispositions involved offenders adjudicated guilty following a juvenile court hearing. The remaining dispositions (1.3%) were revoked deferred and “Alford” pleas¹⁵.

¹⁴ Less than 10 juvenile dispositions

¹⁵ Alford Plea is when a defendant enters a plea of guilty without making an admission of guilt. In other words, he pleads guilty but at the same time he maintains that he's innocent

Locus of Sanction

Most juvenile offenders are sanctioned at the local, county level (Figure 3). Only 10.8% (485) of FY2018 dispositions resulted in confinement in a state operated JR facility. The Range of confinement for JR commitments was an average minimum 44.2 weeks and an average maximum of 61.5 weeks (Table 4).

Figure 3. Locus of Sanction

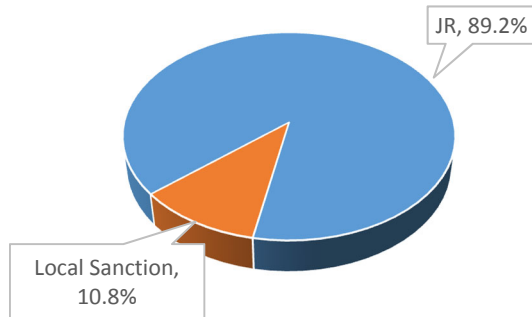


Table 4. Confinement Ordered by Placement Type

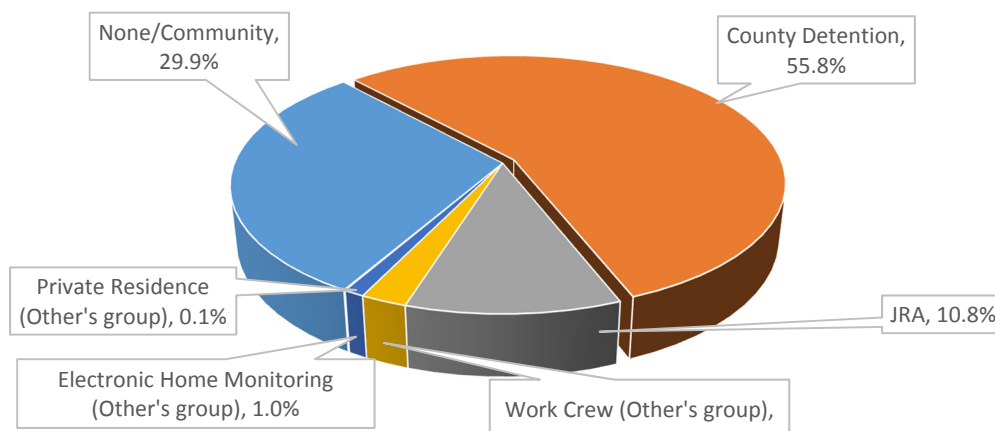
Placement Type	Average Sanction
JR	44.2 to 61.5 Weeks
County Detention	13.9 Days
Work Crew	4.7 Days
Electronic Monitoring	26.1 Days

Local Sanctions

“Local sanction” is the presumptive sentencing range for offenders at the lower end of the offense seriousness/prior adjudication score continuum. Most (89.2%) of FY2018 dispositions resulted in sentences to local sanctions at the county level.

Over half (55.8%) of youths sentenced to local sanctions were assigned some confinement in county detention, with an average sentence of 15 days. Another 29.9% received community supervision without detention. The remaining 3.6% received some other sanction (work crew, electronic home monitoring, private residence, etc.). The average order of electronic home monitoring was 22 days. The average work crew order was 4 days.

Figure 4. Local Sanction by Type



Felony and Non-felony Dispositions

Most FY2018 juvenile dispositions were for non-felony (gross misdemeanor and misdemeanor) offenses. Felonies accounted for 35.1% of all dispositions (Table 5).

Table 5. Felony and Non-felony Dispositions

Offense	Number	Percent
Felony	1,574	35.1%
Gross Misdemeanor	2,281	50.9%
Misdemeanor	624	13.9%
Total	4,479	100.0%

Felony Offenses

There were 1,574 dispositions for felonies. Homicide was the most common felony committed by juveniles, with an average minimum term of 101.9 weeks and an average maximum term of 113 weeks confinement. The second most common felony was Kidnapping, with an average minimum sentence of 29.3 weeks and an average maximum sentence of 37.2 weeks (Table 6). On average, felony dispositions included 7.3 months of community supervision in addition to any confinement.

Figure 5. Average Confinement Felony by Weeks

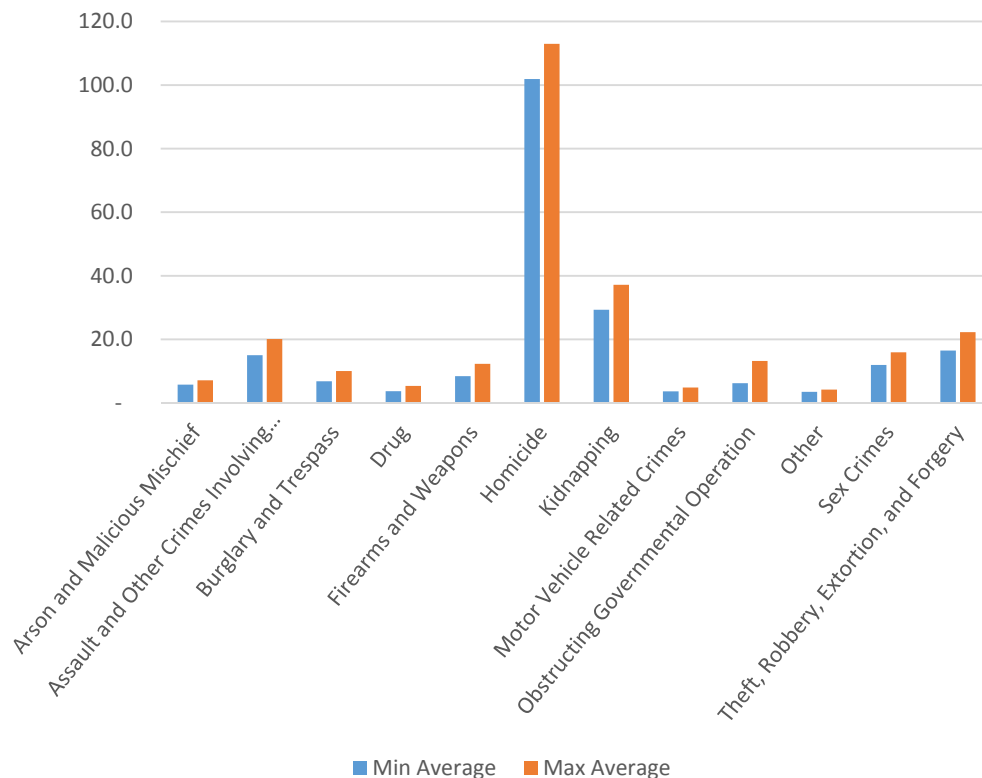


Table 6. Average Confinement Ordered by Felony Category

Felony Dispositions by Category	Number	Average Term (Weeks)	
		Minimum	Maximum
Arson and Malicious Mischief	55	5.8	7.1
Assault and Other Crimes Involving Physical Harm	241	15.0	20.1
Burglary and Trespass	198	6.8	10.0
Drug	131	3.7	5.4
Firearms and Weapons	115	8.4	12.3
Homicide	8	101.9	113.0
Kidnapping	6	29.3	37.2
Motor Vehicle Related Crimes	25	3.6	4.9
Obstructing Governmental Operation	6	6.2	13.2
Other	70	3.5	4.2
Sex Crimes	172	12.0	15.9
Theft, Robbery, Extortion, and Forgery	547	16.5	22.3
Total	1,574		

Non-Felony Offenses

Almost two thirds of FY2018 dispositions were for non-felony offenses. There were 2,905 gross misdemeanor and misdemeanor dispositions. Assault and Other Involving Physical Harm offenses were the most common non-felony offenses, with an average sentence of 10.2 days confinement. The average community supervision imposed for gross misdemeanors and misdemeanors was 6.4 months.

Table 7. Average Confinement Ordered by Non-Felony Category

Non-Felony Dispositions by Category	Number	Average (Days)
Arson and Malicious Mischief	375	5.9
Assault and Other Crimes Involving Physical Harm	804	10.2
Burglary and Trespass	214	11.1
Drug	361	4.6
Firearms and Weapons	50	3.4
Motor Vehicle Related Crimes	43	7.0
Obstructing Governmental Operation	108	5.9
Other	238	12.4
Public Disturbance	116	5.0
Sex Crimes	17	33.6
Theft, Robbery, Extortion, and Forgery	579	8.5
Total	2,905	

Violent and Non-violent Offenses

The great majority (93.3%) of FY2018 juvenile dispositions were for non-violent offenses (Table 8). Dispositions across all non-violent offenses carried an average minimum sentence of 19.7 day and an average maximum sentence of 25.9 day confinement.

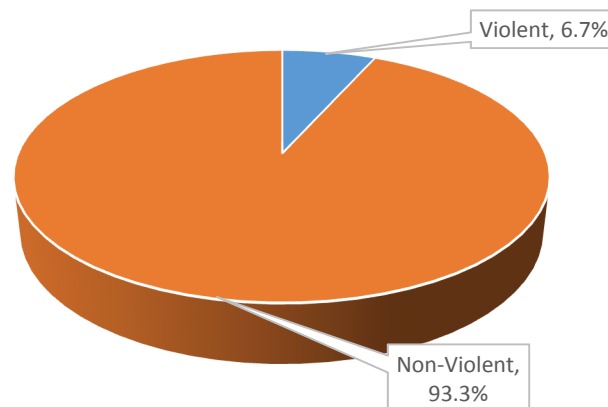
Table 8. Violent and Non-Violent Offense Dispositions

Offense	Number	Average Term
Serious Violent	14	122 to 142 Weeks
Violent	287	32 to 42 Weeks
Non-Violent	4,178	19.7 to 25.9 Days
Total	4,479	

Juvenile dispositions for “serious violent offenses”¹⁶ were extremely rare in FY2018, accounting for only 14 (0.3%) of 4,479 dispositions. Dispositions for serious violent offenses carried an average range of 122 to 142 week confinement in JR¹⁷.

There were an additional 287 dispositions for violent crimes, with an average range sentence of 32 to 42 weeks confinement.

Figure 6. Violent and Non-Violent Dispositions



Suspended Disposition 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. There are three “alternative” dispositions which allow a court to impose a sentence, and then suspend that sentence in favor of a community based local sanctions disposition. These three alternatives are based on compliance with appropriate treatment goals.

1. Suspended Dispositions (Option B)

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 28 Option-B suspended dispositions with an

¹⁶ 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))

¹⁷ 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 2018 available on the CFC website.

average confinement of 14 days, a suspended range of confinement with an average minimum of 108.2 days and an average maximum of 226.9 days, and an average of 10.1 months of community supervision.

2. Chemical Dependency/Mental Health Disposition Alternative (CDMHDA) (Option C)

During FY2018, 107 dispositions were imposed under the Chemical Dependency (CCDA), 7 dispositions were imposed under Mental Health Disposition Alternative, and 6 dispositions were imposed under Co-Occurring CDMHDA option. CDMHDA provides chemically dependent/Mental Health youth with an alternative disposition that includes mental health, drug or alcohol treatment. CCDA, Mental Health Disposition Alternatives and Co-Occurring CDMHDA respectively involved an average confinement of 10.6 days, 84.6 days, and 68.7 days, a suspended range of confinement with an average minimum of 32.0 days, 79.7 days, and 112.8 days; an average maximum of 42.8 days, 85.7 days, and 142.0 days; and an average of 8.8 months, 10.3 months, and 4.8 months of community supervision.

3. Special Sex Offender Disposition Alternative (SSODA) (RCW 13.40.162)

During FY2018, 114 dispositions were imposed under the Special Sex Offender Disposition Alternative option. SSODA authorizes the court to suspend the standard range disposition and impose inpatient 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 17 days, a suspended range of confinement with an average minimum of 202.4 days and an average maximum of 216.7 days, and an average of 22.3 months of community supervision.

Table 9. Juvenile Disposition Alternatives

Alternative	Average Range of Confinement (Days)				
	Number	Confinement		Suspended	
		Min	Max	Min	Max
CDMHDA	107	10.6	11.0	32.0	42.8
Co-Occurring CDMHDA	6	68.7	68.7	112.8	142.0
Mental Health Disp.	7	84.6	93.6	79.7	85.7
Option B – Suspended Disp.	28	14.0	29.7	108.2	226.9
SSODA	114	17.0	18.2	202.4	216.7

Manifest Injustice Offenses (Option D)

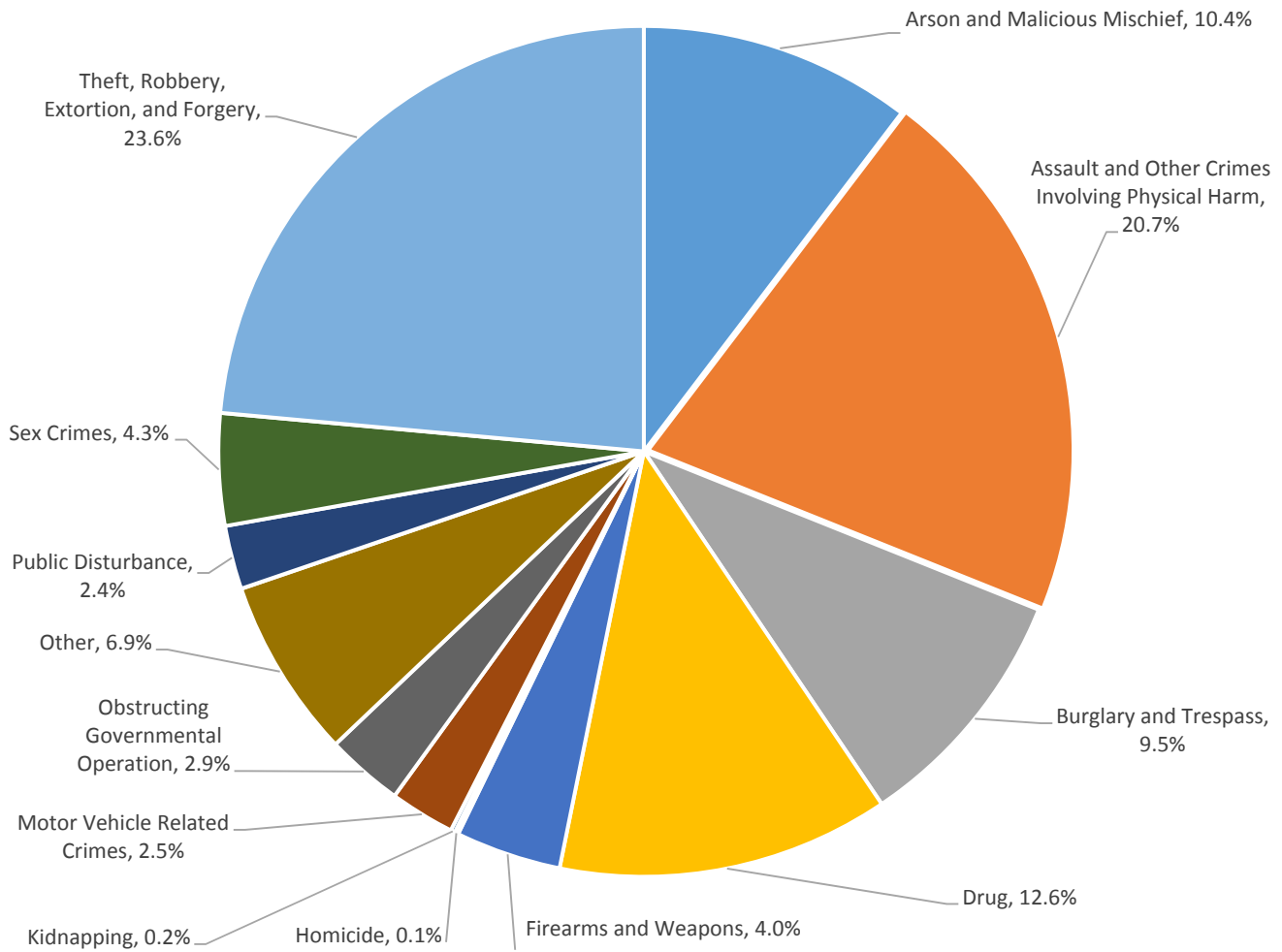
In addition to the alternatives described above, the court may depart from the standard range by imposing a Manifest Injustice order either above or below the standard range¹⁸. The CFC recorded 327 manifest injustice offenses (5.3%) in fiscal year 2018.

¹⁸ 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.

Table 10. Ratio of Manifest Injustice by Offenses

Category By Offenses	Total Offenses	Offenses were ordered in Standard Range	Offenses with MI	Ratio of MI
Arson and Malicious Mischief	645	633	12	1.9%
Assault and Other Crimes Involving Physical Harm	1,290	1,211	79	6.1%
Burglary and Trespass	591	564	27	4.6%
Drug	786	770	16	2.0%
Firearms and Weapons	250	228	22	8.8%
Homicide	9	2	7	77.8%
Kidnapping	10	9	1	10.0%
Motor Vehicle Related Crimes	154	146	8	5.2%
Obstructing Governmental Operation	183	180	3	1.6%
Other	427	412	15	3.5%
Public Disturbance	151	147	4	2.6%
Sex Crimes	265	231	34	12.8%
Theft, Robbery, Extortion, and Forgery	1,467	1,368	99	6.7%
Grant Total	6,228	5,901	327	

Figure 7. Distribution of Offense Category



The most common reasons for mitigated Manifest Injustice offenses were “other mitigating factor”, “all parties agree to mitigated sentence”, and “the conduct neither caused nor threatened serious bodily injury or contemplated the conduct would”. The most cited reasons for aggravated Manifest Injustice offenses 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. Total Manifest Injustice Reasons

Mitigating Reasons	Number
Other Mitigating Factor.	26
All parties agree to mitigated sentence.	14
The conduct neither caused nor threatened serious bodily injury or contemplated the conduct would.	11
One year or more between current offense and prior offense.	7
Suffered mental or physical condition that reduced capability for the offense.	1
Acted under strong and immediate provocation.	2
Compensated or attempted to compensate victim	1
Aggravating Reasons	
Other Aggravating Factor.	93
Recent criminal history or failed to comply with diversion agreement.	80
All parties agree to aggravated sentence (up).	72
Standard range too lenient considering priors.	36
Other complaints resulting in diversions or guilty plea not listed in history.	25
Victim was particularly vulnerable.	20
While committing or fleeing from offense inflicted or attempted to inflict injury.	10
Finding of sexual motivation.	5
Heinous, cruel or depraved.	5
Highly likely to reoffend	27
Need the structure, intensive treatment, training and supervision	15
Have a substance abuse problem	6
Violated conditions of pre-trial release	3

Summary

This report details characteristics of the 4,479 FY2018 Washington State juvenile offender dispositions reported to the Caseload Forecast Council.

As the data show, about three quarters (77.5%) of the dispositions involved young males. Most offenders sentenced in juvenile court have little or no criminal history. In fact, approximately 72.9% of dispositions have no prior offenses.

Similarly, most offenders sentenced in court are there for relatively minor crimes. Almost two thirds (64.8%) of the offenders sentenced in FY2018 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/mental health issues, and Option B), the majority of offenders (94.7%) 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.

There was significant racial/ethnic disproportionality in the sentenced population. Compared to the state as a whole, those adjudicated in FY2018 were more likely to be African American, Hispanic, or Native American. They were less likely to be Caucasian or Asian/Pacific Islander. Native Americans were the most over-represented group in the population, with a coefficient of disproportionality of 4.0.

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

This report is updated annually. It, along with prior annual reports, is available on the CFC website: 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, 2017, and June 30, 2018 (Fiscal Year 2018). 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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