



Juvenile Disposition Summary

Fiscal Year 2021

The Caseload Forecast Council (CFC) received 2,470 juvenile dispositions rendered by Washington State juvenile courts in Fiscal Year 2021.¹ 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 seriousness of the current offense (current offense category) and criminal history (prior adjudication score).

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

Generally, current offense seriousness outweighs prior adjudication score.

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

Current Offense Category

While the juvenile system uses 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 count as one-quarter point. The prior adjudication score is the sum of the points for all prior adjudicated offenses, with fractions rounded down.

¹ Juvenile courts are required by statute (RCW 13.50.010(9)) 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.

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 youth’s prior adjudication score.

Standard Range: Confinement to Juvenile Rehabilitation vs. Local Sanction

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 (LS) administered at the county level.

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

Local sanctions are supervised by county probation departments. Courts sentencing youths to local sanctions 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 Juvenile Rehabilitation 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 categories and prior adjudication scores.

Misdemeanors or gross misdemeanors carry a presumptive local sanction.

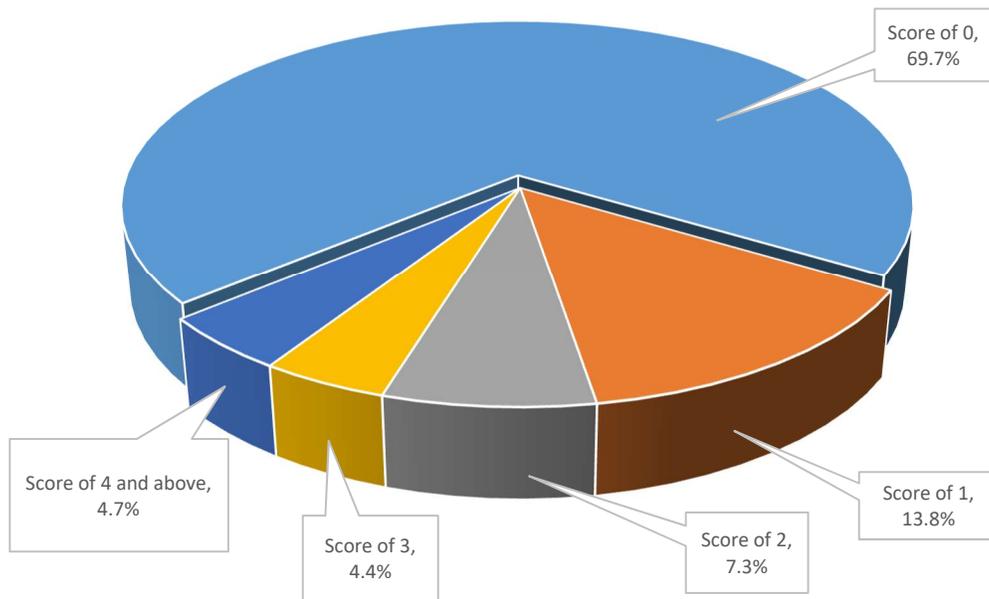
Figure 1. Option A - Juvenile Offender Sentencing Grid Standard Range (RCW 13.40.0357)

Current Offense Category	Standard Range Sanction				
A++	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

Fiscal Year (FY) 2021 Juvenile Court Dispositions

Most youths sentenced in FY 2021 had little or no criminal histories. About three quarters (69.7%)³ of those sentenced were youths with no prior adjudications or less than three non-felony charges. Another 13.8% had prior adjudication scores of one. The remaining 16.5% had prior adjudication scores of two or more (Figure 2).

Figure 2. FY 2021 Juvenile Dispositions by Prior Adjudication Score⁴



Demographics

Table 1 shows the dispositions distribution by gender, race/ethnicity, and age range. Most youths sentenced in FY 2021 were male (81.8%), and half were Caucasian (50.0%). The least common racial group was Asian/Pacific Islander (2.7%).

Youths 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 69.8% of the total.

³ This is comprised of 1,250 dispositions with scores of zero and 472 dispositions with score of 0.25, 0.5 or 0.75.

⁴ Fractions are rounded down meaning a score 1.75 is reported as a score of 1.

Table 1. Demographics

Gender⁵	Number	Percentage
Male	2,020	81.8%
Female	448	18.1%
	2,470	100.0%
Race/Ethnicity⁶		
African American	403	16.3%
Asian/Pacific Islander	67	2.7%
Caucasian	1,236	50.0%
Hispanic ⁷	561	22.7%
Native American	101	4.1%
Total	2,470	100.0%
Age Range (at Disposition)		
10 years old or younger	0	0.0%
11 years old	2	0.1%
12 years old	34	1.4%
13 years old	123	5.0%
14 years old	313	12.7%
15 to 17 years old	1,725	69.8%
18 years old and older	273	11.0%
Total	2,470	100.0%

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 disproportionality ratio 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 FY 2021 juvenile dispositions compared to the 2020 OFM state population distribution.⁸

The last column presents the disproportionality ratio. For example, the disproportionality ratio for African American offenders is 3.6. In other words, the proportion of African Americans sentenced (16.3%) was 3.6 times the proportion in the general population (4.5%). In contrast, the disproportionality ratio for Caucasian is 0.9, which means the proportion of juvenile dispositions involving Caucasian is 0.9 times less than the proportion of Caucasian in the state

⁵ Gender was missing on 2 dispositions (0.1%).

⁶ Race/Ethnicity was missing on 101 dispositions (4.1%).

⁷ The ethnicity data in juvenile dispositions submitted by counties to the CFC are often missing or reported inconsistently. While Hispanic is generally considered an ethnic group, it is often reported as a race on the juvenile dispositions. If the Race category is unknown or blank on the juvenile dispositions, the CFC records ethnicity as race if it is available.

⁸ The state population data used for this analysis is the 5 to 17 year old cohort.

population. Asian/Pacific Islanders are the most “under-represented” racial group in the offender population with a disproportionality ratio of 0.3.

Table 2. Racial/Ethnic Disproportionality⁹

Race/Ethnicity	% FY 2021 Juvenile Dispositions	% FY 2020 Washington State Juvenile Population¹⁰	Disproportionality Ratio
African American	16.3%	4.5%	3.6
Asian/Pacific Islander	2.7%	8.3%	0.3
Caucasian	50.1%	54.9%	0.9
Hispanic	22.7%	22.0%	1.0
Native American	4.1%	1.5%	2.8
Missing/Unknown ¹¹	4.1%	8.7%	
Total	100.0%	100.0%	
(n)	2,470	1,236,131	

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 (262 or 10.6%), followed by Spokane County (221 or 9.0%), and Snohomish County (207 or 8.4%).

Together, these three counties (King, Spokane and Snohomish) accounted for nearly a third of all dispositions in the state. In contrast, 19 of 39 counties had less than 100 dispositions each and 10 of the smallest counties had less than 10 dispositions per county.

⁹ In calculating the disproportionality ratio, data provided by Office of Financial Management (OFM) Forecasting and Research Division is used to compare juvenile dispositions to the general statewide population. OFM population data categorizes Hispanic as an ethnic group and not a race. Since the categorization of race as reported on the juvenile dispositions used by the CFC is not consistent with the categorization of race in the OFM population data, the CFC’s disproportionality ratio calculation is likely to be different from the actual ratio.

¹⁰ OFM State Population for ages 5 to 17.

¹¹ Race/Ethnicity was missing on 101 dispositions.

Table 3. Juvenile Dispositions by County

County	Number	County	Number
Adams	23	Lewis	72
Asotin	23	Lincoln	N/A
Benton	186	Mason	47
Chelan	49	Okanogan	36
Clallam	45	Pacific	13
Clark	169	Pend Oreille	13
Columbia	N/A ¹²	Pierce	162
Cowlitz	80	San Juan	N/A
Douglas	21	Skagit	86
Ferry	N/A	Skamania	N/A
Franklin	66	Snohomish	207
Garfield	N/A	Spokane	221
Grant	107	Stevens	34
Grays Harbor	39	Thurston	121
Island	12	Wahkiakum	N/A
Jefferson	N/A	Walla Walla	41
King	262	Whatcom	73
Kitsap	38	Whitman	N/A
Kittitas	37	Yakima	141
Klickitat	N/A		
Total all counties: 2,470			

Type of Court Disposition

The vast majority of dispositions (2,363 or 95.7%) were the result of guilty pleas; only 51 (or 2.1%) of dispositions involved youths adjudicated guilty following a juvenile court hearing. The remaining dispositions (56 or 2.3%) were revoked deferred and “Alford” pleas.¹³

¹² (N/A): Less than 10 juvenile dispositions.

¹³ An Alford Plea is when a defendant enters a plea of guilty without making an admission of guilt.

Locus of Sanction

Most youths (88.6%) are sanctioned at the local (county) level with the remainder of FY 2021 dispositions resulting in confinement in a state operated Juvenile Rehabilitation (JR) facility (Figure 3). The range of confinement for JR commitments was an average minimum of 50.1 weeks and an average maximum of 72.2 weeks (Table 4).

Figure 3. Locus of Sanction

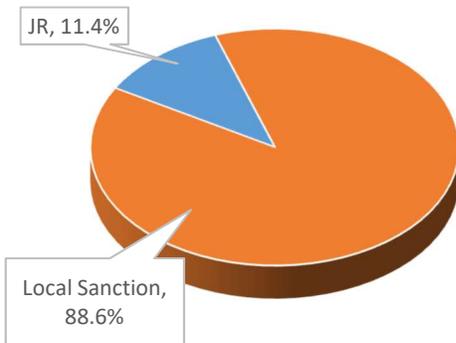


Table 4. Confinement Ordered by Placement Type

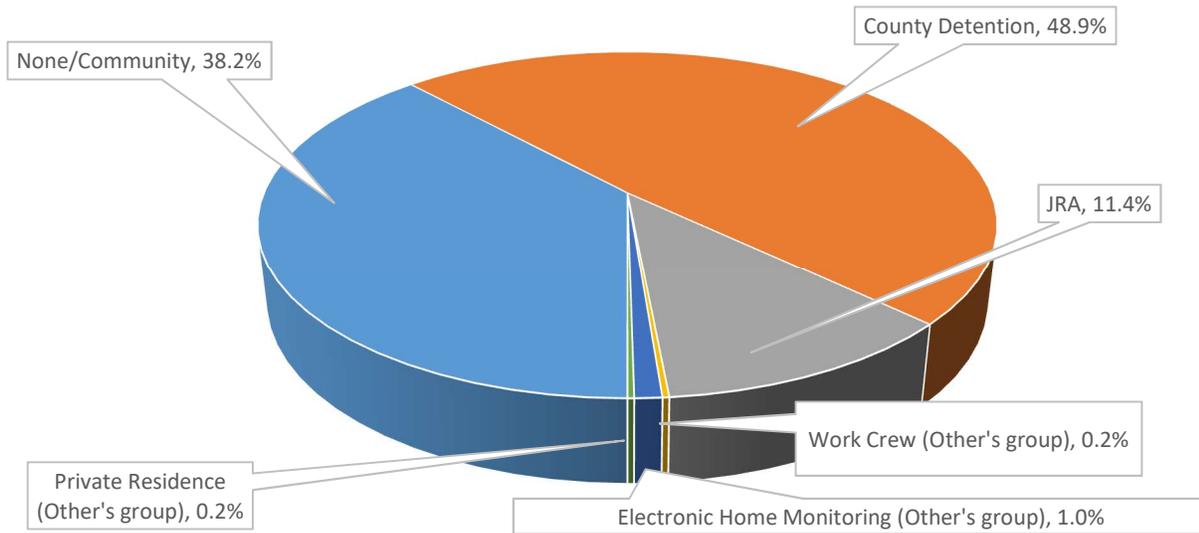
Placement Type	Average Sanction
JR	50.1 to 72.2 Weeks
County Detention	16.0 Days
Work Crew	3.2 Days
Electronic Monitoring	23.1 Days

Local Sanctions

“Local sanction” is the presumptive sentencing range for youths at the lower end of the offense seriousness/prior adjudication score continuum. Most (88.6%) of the FY 2021 dispositions resulted in sentences to local sanctions at the county level.

Nearly half (48.9%) of youths sentenced to local sanctions were assigned some confinement in county detention, with an average sentence of 16 days. Another 38.2% received community supervision without detention. The remaining 1.4% received some other sanction (work crew, electronic home monitoring, private residence, etc.). The average order of electronic home monitoring was 23.1 days. The average work crew order was 3.2 days.

Figure 4. Local Sanction by Type



Felony and Non-felony Offenses

Of the 2,470 juvenile dispositions imposed in FY 2021, most of the offenses committed were for non-felony (gross misdemeanor and misdemeanor) offenses. Felonies accounted for 35.9% of all offenses committed (Table 5).

Table 5. Felony and Non-felony Offenses

Offense	Number	Percent
Felony	1,309	35.9%
Gross Misdemeanor	1,866	51.2%
Misdemeanor	470	12.9%
Total	3,645	100.0%

Felony Offenses

There were 1,309 felony offenses imposed in the 2,470 juvenile dispositions. Offenses within the Homicide offense category were the most serious felony offenses committed by juveniles, with an average minimum term of 130.3-week and an average maximum term of 144-week confinement. The second most serious felony offense category was Obstructing Governmental Operation, with an average minimum sentence of 28.6 weeks and an average maximum sentence of 37.2 weeks (Figure 5 and Table 6). On average, felony offenses included 6.9 months of community supervision in addition to any confinement.

Figure 5. Felony Offense Categories - Average Confinement by Weeks

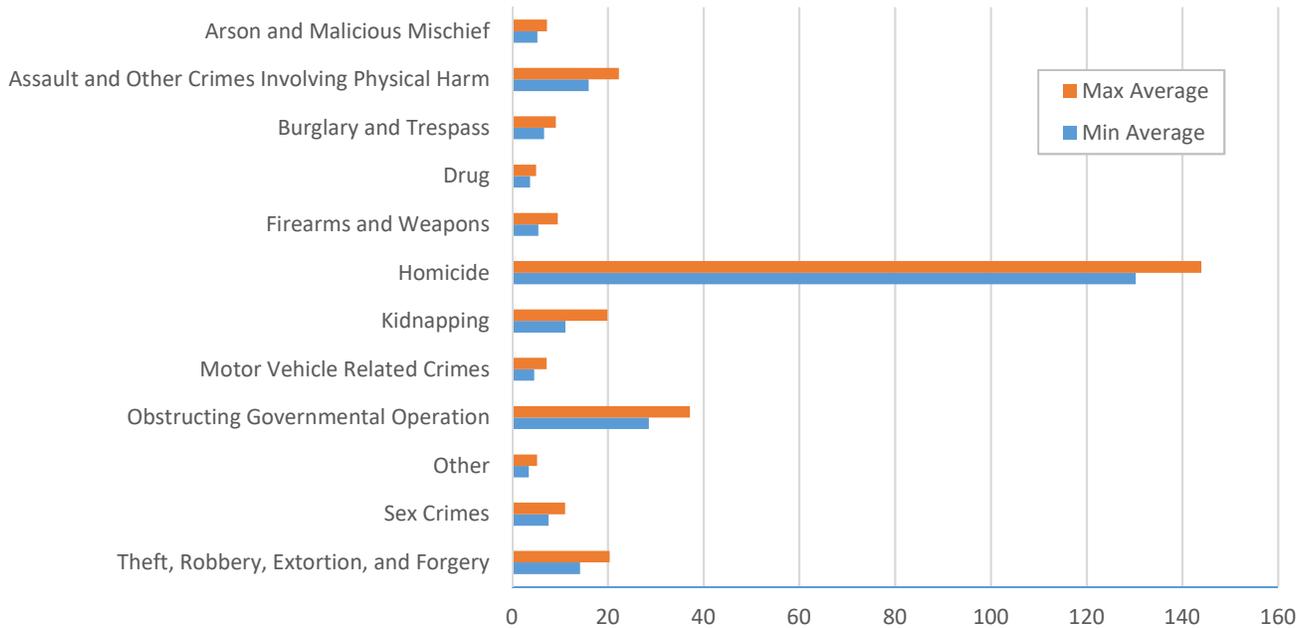


Table 6. Average Confinement Ordered by Felony Offense Categories

Felony Offenses by Category	Number	Average Term (Weeks)	
		Minimum	Maximum
Arson and Malicious Mischief	82	5.3	7.3
Assault and Other Crimes Involving Physical Harm	225	16.0	22.3
Burglary and Trespass	114	6.7	9.2
Drug	37	3.8	5.0
Firearms and Weapons	97	5.5	9.5
Homicide	8	130.3	144.0
Kidnapping	11	11.1	19.9
Motor Vehicle Related Crimes	41	4.6	7.2
Obstructing Governmental Operation	7	28.6	37.2
Other	53	3.5	5.2
Sex Crimes	188	7.7	11.1
Theft, Robbery, Extortion, and Forgery	446	14.2	20.4
Total	1,309		

Non-Felony Offenses

Within the 2,470 juvenile dispositions, 2,336 gross misdemeanor and misdemeanor offenses were imposed. The offenses within the categories of Assault and Other Involving Physical Harm were the most common non-felony offenses, with an average sentence of 9.3-day confinement. The average community supervision imposed for gross misdemeanors and misdemeanors was 5.3 months.

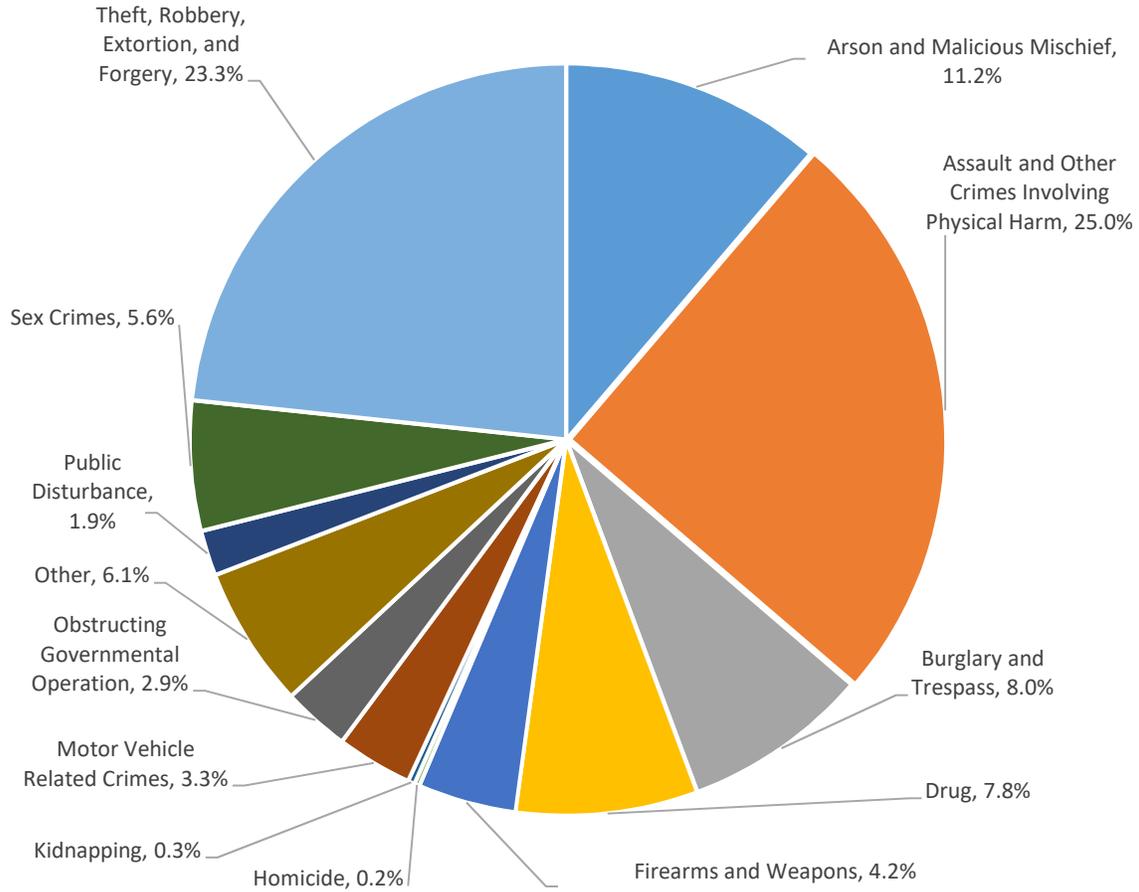
Table 7. Average Confinement Ordered by Non-Felony Offense Categories

Non-Felony Offenses by Category	Number	Average (Days)
Arson and Malicious Mischief	328	5.9
Assault and Other Crimes Involving Physical Harm	688	9.3
Burglary and Trespass	179	9.1
Drug	248	4.5
Firearms and Weapons	57	11.7
Kidnapping	-	-
Motor Vehicle Related Crimes	78	3.8
Obstructing Governmental Operation	98	5.2
Other	169	8.2
Public Disturbance	71	4.3
Sex Crimes	16	8.2
Theft, Robbery, Extortion, and Forgery	404	6.6
Total	2,336	

Table 8. Distribution of Offense by Categories

Offense by Category	Number	Percentage
Arson and Malicious Mischief	410	11.2%
Assault and Other Crimes Involving Physical Harm	913	25.0%
Burglary and Trespass	293	8.0%
Drug	285	7.8%
Firearms and Weapons	154	4.2%
Homicide	8	0.2%
Kidnapping	11	0.3%
Motor Vehicle Related Crimes	119	3.3%
Obstructing Governmental Operation	105	2.9%
Other	222	6.1%
Public Disturbance	71	1.9%
Sex Crimes	204	5.6%
Theft, Robbery, Extortion, and Forgery	850	23.3%
Total	3,645	100.0%

Figure 6. Distribution of Offense Category



Violent and Non-violent Offenses

The great majority (92.4%) of FY 2021 juvenile adjudications were for offenses classified as non-violent (Table 9). Non-violent offenses carried an average minimum sentence of 16.8-day and an average maximum sentence of 22-day confinement.

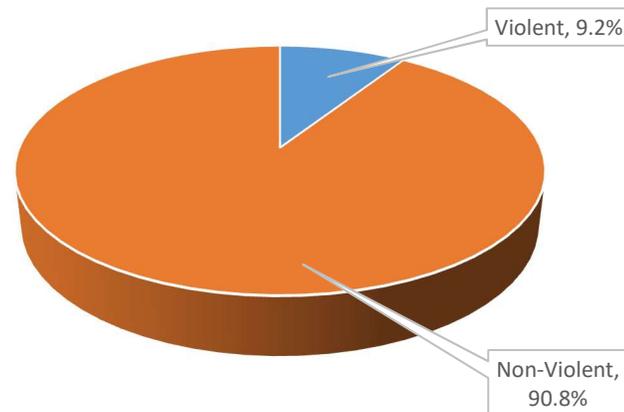
Table 9. Violent and Non-Violent Offenses

Offense	Number	Average Term
Serious Violent	17	113 to 130 Weeks
Violent	318	26 to 37 Weeks
Non-Violent	3,310	15.0 to 20.4 Days
Total	3,645	

Adjudications for juvenile “serious violent offenses”¹⁴ were extremely rare in FY 2021, accounting for only 17 (or 0.5%) of 3,645 offenses committed. Total confinement for serious violent offenses carried an average range of 113 to 130 week confinement in JR.¹⁵

There were an additional 318 juvenile adjudications for offenses categorized as violent, with an average confinement range of 26 to 37 weeks.

Figure 7. Violent and Non-Violent Offenses



Suspended Disposition Alternatives

The state juvenile law 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 youth. 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) (RCW 13.40.0357)

Option B provides authority to the court to suspend a portion of the standard range confinement time in order for the youth to participate in a treatment or education program. The court imposed approximately 105 Option B suspended dispositions with an average minimum confinement of 1.9 days, a suspended range of confinement with an average minimum of 152 days and an average maximum of 274.2 days, and an average of 9.7 months of community supervision.

¹⁴ 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))

¹⁵ 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 2021” available on the CFC website.

2. Chemical Dependency/Mental Health Disposition Alternative (CDMHDA) (Option C) (RCW 13.40.165)

During FY 2021, two dispositions were imposed under the Chemical Dependency Disposition Alternative (CCDA), 58 dispositions were imposed under Co-Occurring CDMHDA option. CDMHDA provides youth with chemical dependencies or mental health disorders with an alternative disposition that includes mental health, drug, or alcohol treatment. CCDA and Co-Occurring CDMHDA respectively involved an average no confinement and confinement of 4.8 days, a suspended range of confinement with an average minimum of 67.5 days and 47.8 days; an average maximum of 141 days, 67.3 days; and an average of 12 months and 9.8 months of community supervision.

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

During FY 2021, 180 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 minimum confinement of 3.5 days, a suspended range of confinement with an average minimum of 145 days and an average maximum of 159.1 days, and an average of 20.6 months of community supervision.

Table 10. Juvenile Disposition Alternatives

Alternative	Average Range of Confinement (Days)				Supervision (months)	
	Number	Confinement		Suspended		
		Min	Max	Min		Max
CDDA	2	-	-	67.5	141.0	12.0
Co-Occurring CDMHDA	53	4.8	4.8	47.8	67.3	9.8
Mental Health Disp.	3	8.0	8.0	-	-	9.0
Option B – Suspended Disp.	105	1.9	1.9	152.0	274.2	9.7
SSODA	180	3.5	3.7	145.0	159.1	20.6

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 range.¹⁶ Of the dispositions imposed in FY 2021 for the 3,645 offenses, 154 received a manifest injustice order (4.2%) in FY 2021, as detailed in Table 11.

¹⁶ 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 11. Ratio of Manifest Injustice (MI) by Offenses

Category By Offenses	Total Offenses	Offenses were ordered in Standard Range	Offenses with MI	Ratio of MI
Arson and Malicious Mischief	410	406	4	1.0%
Assault and Other Crimes Involving Physical Harm	912	866	47	5.2%
Burglary and Trespass	293	284	9	3.1%
Drug	285	285	-	0.0%
Firearms and Weapons	154	149	5	3.2%
Homicide	8	5	3	37.5%
Kidnapping	11	11	-	0.0%
Motor Vehicle Related Crimes	119	115	4	3.4%
Obstructing Governmental Operation	105	103	2	1.9%
Other	222	218	4	1.8%
Public Disturbance	71	70	1	1.4%
Sex Crimes	204	174	30	14.7%
Theft, Robbery, Extortion, and Forgery	850	805	45	5.3%
Total	3,645	3,491	154	

The most common reasons for mitigated Manifest Injustice sentences were “other mitigating factor” and “all parties agree to mitigated sentence.” The most cited reasons for aggravated Manifest Injustice sentences were “all parties agree to aggravated sentence,” “other aggravating factor,” and “recent criminal history or failed to comply with diversion agreement” as shown in Table 12.

Table 12. Total Manifest Injustice Reasons

Mitigating Reasons	Number
Acted under strong and immediate provocation	1
All parties agree to mitigated sentence	12
One year or more between current offense and prior offense	5
Other Mitigating Factor	25
Suffered mental or physical condition that reduced capability for the offense	5
The conduct neither caused nor threatened serious bodily injury or did not contemplate the conduct would cause or threaten serious bodily injury	3

Aggravating Reasons	Number
All parties agree to aggravated sentence (up)	34
Finding of sexual motivation	1
Have a substance abuse problem	2
Heinous, cruel or depraved	2
Highly likely to reoffend	3
Impose a serious and clear danger to society	8
Leader of criminal enterprise	1
Need the structure, intensive treatment, training and supervision	10
Other aggravating factor	18
Other complaints resulting in diversions or guilty plea not listed in history	3
Recent criminal history or failed to comply with diversion agreement	16
Standard range too lenient considering priors	9
Stipulation and associated findings of law previously filed in this matter (see Hilyard)	1
Unsuitable for treatment in the community - immediate criminal activity after release	1
Victim was particularly vulnerable	13
While committing or fleeing from offense inflicted or attempted to inflict injury	8

Summary

This report details characteristics of the 2,470 FY 2021 Washington State juvenile offender dispositions reported to the Caseload Forecast Council.

As the data shows, more than three quarters (81.8%) of the dispositions involved young males. Most youths sentenced in juvenile court have little or no criminal history. In fact, approximately 50.6% of dispositions were imposed to youths with no prior offenses.

Similarly, most youths sentenced in court were there for relatively minor crimes. Almost two thirds (64.1%) of the youths sentenced in FY 2021 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 youths with specific treatment needs (sex offenders, chemical dependency/mental health issues, and Option B), the majority of youths (95.8%) 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 youths. 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 racial/ethnic disproportionality in the sentenced population. Compared to the state as a whole, those adjudicated in FY 2021 were more likely to be African Americans, or Native Americans.

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 Caseload Forecast Council's (CFC) website: www.cfc.wa.gov.

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 CFC that were imposed between July 1, 2020, and June 30, 2021 (FY 2021). 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.

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