



Juvenile Disposition Summary

Fiscal Year 2005

During fiscal year 2005, Washington courts entered 13,127 juvenile dispositions¹. Over three quarters (77.50%) of the dispositions involved young males and 22.50% females (table 1). Approximately 62.30% of the juveniles were Caucasian, 13.90% Hispanic, and 12.71% African American. Most of these young offenders were between the ages of 15 and 17 (70.06%). The majority (87.91%) plead guilty, 5.97% of which were Alford pleas. Almost four percent were found guilty following a hearing.²

Table 1. Demographics

	Number	Percentage
Gender		
Male	10,174	77.50%
Female	2,953	22.50%
Race/Ethnicity		
African American	1,669	12.71%
Asian/Pacific Islander	378	2.88%
Caucasian	8,178	62.30%
Hispanic	1,824	13.90%
Native American	620	4.72%
Age		
under 10 years old	9	0.07%
10 years old	29	0.22%
11 years old	97	0.74%
12 years old	442	3.37%
13 years old	1,137	8.67%
14 years old	2,214	16.88%
15 to 17 years old	9,191	70.06%
Total	13,119	
<i>Race/Ethnicity was missing on 458 dispositions</i>		

Juvenile dispositions, sanctions are based on a sentencing model or grid, which prescribes presumptive

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

² Dispositions entered due to revocation of deferred dispositions accounted for 3.22% of the dispositions entered in fiscal year 2005.

sanctions based on the offender's age, the seriousness of the current offense and prior criminal history. Offenses classified as misdemeanors and gross misdemeanors carry a standard term of confinement in county detention ranging from zero to 30 days. Community supervision terms for these offenses range from zero to 12 months. Less serious felonies also carry local sanctions for youths with little or no criminal history. Longer terms of confinement to state facilities are prescribed for those with more extensive criminal histories. Crimes ranked at the highest seriousness levels, such as murder, assault, and arson carry a presumptive term to a state facility regardless of the juvenile's criminal history. (See RCW 13.40.0357.)

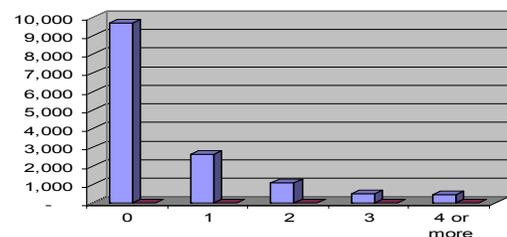
Offender Score

The severity of sanctions in juvenile cases depends upon offender scores. Prior felony adjudications each count as one point toward the offender score, while misdemeanors and gross misdemeanors count as ¼ point. Fractions are rounded down.

The majority of juvenile dispositions (8,652) were based on offender scores of zero; the juvenile either had no prior felony conviction, or three or fewer gross misdemeanors or misdemeanors (Figure 1).

Approximately 19.83% (2,603) of dispositions included a score of one, 7.68% (1,008) a score of two and 3.17% (416) a score of three; and 3.41% (448) a score of 4 or more.

Figure 1. Number of Juvenile Dispositions by Offender Score³



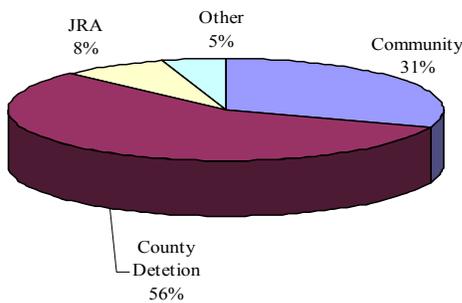
³ Fractions are rounded down; meaning a score of 1.75 is reported as a score of one.

Sanctions

Over one half of the juvenile dispositions (65.67%) included an order of community service. The court generally ordered an average of 28.59 hours of community service work.

An almost equally large number of disposition (56.69%) contained orders of confinement in a county detention facility. Eight percent resulted in confinement in a facility operated by the Juvenile Rehabilitation Administration (JRA) and 30.52% resulted in community sanctions rather than confinement (Figure 2).

Figure 2. Type of Placement



Juvenile dispositions involving local sanctions included an average detention term of 15.1 days (table 2). Dispositions committing a juvenile to JRA included an average minimum term of 30 weeks and a maximum term of 47 weeks. Work crew sanctions generally involved a term of around 4 days, while electronic home monitoring terms usually lasted an average of 16.6 days.

Table 2. Average Term by Placement Type

Placement Type	Average Confinement Term	
JRA	30 to 47	weeks
County Detention	15.1	days
Work Crew	4	days
Electronic Monitoring	16.6	days

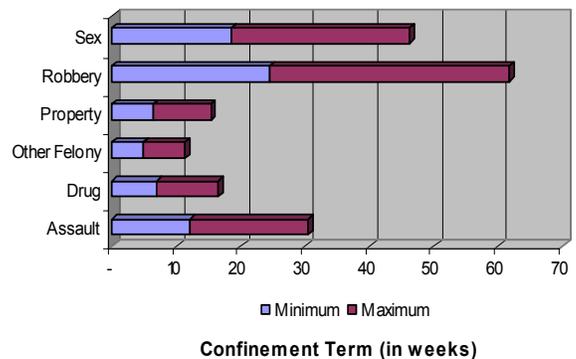
Felony Offenses

Property offenses were by far the most common felony committed by juveniles; with most such offenders receiving an average term of 6 to 9 week confinement (table 3, figure 3). Dispositions for assault generally involved a term of 12 to 18 weeks confinement, drug crimes a term of 6.8 to 9.7 weeks, and sex crimes 18.6 to 27.6 weeks. On average, felony dispositions included 5.24 months of community supervision.

Table 3. Average Felony Confinement Term by Offense

Offense	Number	Avg Term (in weeks)	
		Minimum	Maximum
Manslaughter	10	45.57	73.87
Sex	290	18.58	27.64
Robbery	137	24.58	37.18
Assault	593	12.19	18.36
Property	2,701	6.32	9.04
Drug	308	6.87	9.72
Other Felony	410	4.92	6.38
Total	4,449		

Figure 3. Average Confinement Term by Type of Offense. Misdemeanor Offenses



The courts entered 7,253 gross misdemeanor dispositions during fiscal year 2005, with an average term of confinement of approximately 10.16 days. Misdemeanor dispositions were much less common, with just 1,365 dispositions, and an average term of 4.7 days confinement. The average community supervision imposed for misdemeanors was 5 months and 5 months for gross misdemeanors.

Table 4. Average Misdemeanor Confinement Term

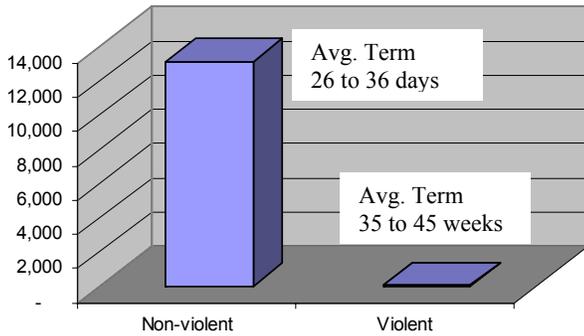
Offense	Number	Avg Term (in days)
Gross Misdemeanor	7,253	10.16
Misdemeanor	1,365	4.70
Total	8,618	

Violent Offenses

Among juvenile dispositions, 99.9% (13,113) involved non-violent crimes (Figure 4). These sentences carried an average term of confinement of 26 to 36 days. Just 11 dispositions involved violent offenses, with an average minimum term of 35 weeks and a maximum term of 45 weeks.

Firearm enhancements imposed in cases involving juvenile were rare. Just 7 juvenile dispositions involved a firearm enhancement. These enhancements ranged from two to six months, depending on the felony class of the offense. On average, these 7 juveniles received five month confinement.

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



Special Sex Offender Disposition Alternative

During fiscal year 2005, 180 Special Sex Offender Disposition Alternatives (SSODA) were imposed. SSODA authorizes the court to suspend the standard range disposition and impose inpatient or outpatient treatment for certain sex offenders. The court may impose a number of special conditions as prerequisites of the suspended disposition. SSODA dispositions carried an average confinement term of 9.4 days, along with 23 months of community supervision (table 5). On average, 220 to 392 days were suspended under the alternative.

Chemical Dependency Disposition Alternative

State courts also imposed 375 Chemical Dependency Disposition Alternatives (CDDA). 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 3.9 days, along with 8.9 months of community supervision. These dispositions resulted in suspended sentences of an average of 69 to 78 days.

Option-B Suspended Disposition

The court imposed 36 Option-B Suspended Dispositions. Option-B provides authority for the court to suspend a portion of the standard confinement time in order for the offender to participate in treatment or education programs. Option-B Suspended Disposition involved an average confinement term of 14 to 18 days, along with 14 months of community supervision. These dispositions resulted in suspended sentences of an average of 149 to 312 days.

Mental Health Disposition

The court imposed only 4 Mental Health Dispositions during fiscal year 2005. The Mental Health Dispositions provides youth found to be suffering from a mental disorder with an alternative sanction. During fiscal year 2005, this alternative resulted in an average confinement term of 22.5 days, along with 9 months of community supervision. Youth receiving this alternative received dispositions averaging 170 to 303 days suspended.

Table 5. Juvenile Disposition Alternatives

Alternative	Number	Average Terms (in days)			
		Confinement		Suspended	
		Min	Max	Min	Max
CDDA	375	3.90	3.90	68.57	78.24
Mental Health Disp.	4	22.50	22.50	169.75	302.75
B-Option Suspended	36	13.72	17.81	149.08	312.22
Other	15,994	33.11	45.06	0.57	0.79
SSODA	180	9.42	9.42	219.94	391.58

Manifest Injustice Dispositions

Sentencing courts may depart from the standard range by imposing manifest injustice dispositions either above or below the range⁴. The SGC recorded 410 manifest injustice dispositions, just 3.12% of the total dispositions entered during fiscal year 2005. The majority of these dispositions (311) were above the standard range; 90 were below the standard range (table 6).

Table 6. Manifest Injustice Dispositions by Type and Direction

Type of Disposition	Number
Aggravated	311
Mitigated	90
Within	9
Total	410

The most frequently cited reasons for aggravated manifest injustice dispositions included a recent criminal history or a failed diversion agreement, the standard range is too lenient considering priors, and other complaints resulting in diversions or guilty plea not listed in history (Table 7). By far the most common

⁴ A “Manifest Injustice” will be found when the facts and circumstances of a case or characteristics of the juvenile lead to the conclusion that a disposition order within the standard range would be unfair or unsupported. The court’s findings of a Manifest Injustice must be supported by clear and convincing evidence.

mitigating reason was conduct that neither caused nor threatened serious bodily injury, and all parties agreed to mitigated.

Table 7. Manifest Injustice Reasons

Reason	Number
Mitigating Reasons	
The conduct neither caused nor threatened serious bodily injury	29
All parties agree to mitigated (down)	29
One year or more between current offense	17
Suffered mental or physical condition that reduced culpability for the offense	3
Acted under strong and immediate provocation.	3
Other Mitigating Factors	30
Aggravating Reasons	
Recent criminal history or failed to comply with diversion agreement.	226
All parties agree to aggravated (up).	72
Victim was particularly vulnerable.	50
Std range too lenient considering priors.	102
Other complaints resulting in diversions or guilty plea not listed in history.	83
While committing or fleeing from offense inflicted or attempted to inflict injury	24
Heinous, cruel or depraved.	14
Finding of sexual motivation.	9
Leader of criminal enterprise.	7
Other Aggravating Factors.	278
* Many dispositions include more than one reasons	

Juvenile Declines to Adult Court

In some instances adult criminal courts have original jurisdiction over certain violent criminal offenses committed by juveniles who are 16 or 17 years old. Some crimes result in an “automatic decline” to adult court. In fiscal year 2005 there were approximately⁵ 78 juveniles automatically declined to adult court.

In addition, adult criminal courts are authorized to assert jurisdiction over juveniles when the juvenile court exercises its discretion to decline jurisdiction. The SGC identified 64 possible discretionary declines in fiscal year 2005. At issue in identifying juvenile declines to adult court is whether the court bases jurisdiction on the offender’s age at time of the offense, or the age at which

⁵ Adult Judgment and Sentence forms provided to the SGC by the courts do not specify which cases arise out of a decline from juvenile court. Age at the time of criminal filing is not recorded on the Judgment and Sentences forms provided to the SGC. Using the offense, the age at the time of the offense and the age at time of the sentence, the SGC estimates the number of juvenile declines to adult court.

the juvenile is charged and tried. The state Supreme Court recently resolved this issue, with respect to declines, in *State of Washington v. Dynamite Salavea*, 151 Wn2d 133 (2004), concluding that age at the time of criminal filing controls the jurisdiction decision.

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The juvenile disposition data contained in this report come from Washington Disposition forms sent to the Sentencing Guidelines Commission (SGC) by the courts. Data include all juvenile dispositions known to the Commission that were imposed between July 1, 2004 and June 30, 2005 (Fiscal Year 2005). Data elements entered into the SGC database and used in this report include race, ethnicity, gender, type of sentence, current offense, offense history, offender score, the imposed confinement term and community supervision term.	
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