

Washington State Caseload Forecast Council

February 2015

Juvenile Disposition Summary *Fiscal Year 2014*

The Caseload Forecast Council (CFC)¹ received 6,534 juvenile dispositions rendered by Washington State juvenile courts in fiscal year 2014. 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.

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.

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)

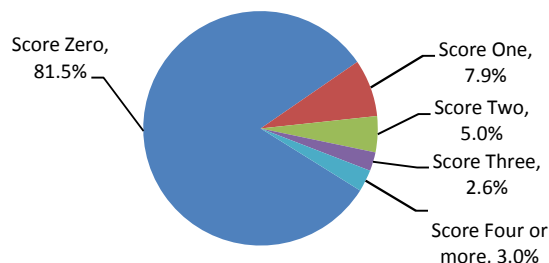
Current Offense Category	Standard Range Sanction				
A+	180 weeks to age 21 for all category A+ offenses				
A	103-129 weeks for all category A offenses				
A-	15-36 wks ^a	52-65 weeks	80-100 weeks	103-129 weeks	103-129 weeks
B+	15-36 weeks	15-36 weeks	52-65 weeks	80-100 weeks	103-129 weeks
B	Local Sanctions	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 ^b	0	1	2	3	4 or more

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

^a Except 30-40 weeks for 15 to 17 year olds.

^b 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 adjudications, with fractions rounded down.

Figure 2. FY2014 Juvenile Dispositions by Prior Adjudication Score³



³ Fractions are rounded down meaning a score 1.75 is reported as a score of 1.

FY2014 Juvenile Court Dispositions

Most juvenile offenders sentenced in FY2014 had little or no criminal history. Over three quarters (81.5%) of those sentenced were first time offenders with no prior adjudications. Another 7.9% had a prior adjudication score of one. The remaining 10.6% had prior adjudication scores of 2 or more (Figure 2).

Demographics

Table 1 shows the dispositions distribution by gender, age, and race/ethnicity. Most offenders sentenced in FY2014 were male (77%), and a majority, Caucasian (53%). The least common racial group was Asian/Pacific Islander (2%).

Offenders ranged in age from 10 to 17, but most were clustered at the upper end of the age range. The single most common age at disposition was 16.

Table 1. Demographics

Gender*	Number	Percentage
Male	4,808	77.1%
Female	1,429	22.9%
	6,237	100.0%
Race/Ethnicity**		
African American	1,081	17.7%
Asian/Pacific Islander	124	2.0%
Caucasian	3,261	53.4%
Hispanic***	1,347	22.0%
Native American	296	4.8%
	6,109	100.0%
Age Range		
10 years old	2	0.0%
11 years old	25	0.4%
12 years old	243	3.7%
13 years old	494	7.6%
14 years old	1,019	15.6%
15 years old	1,563	23.9%
16 years old	1,667	25.5%
17 and above	1,521	23.3%
	6,534	100.0%
*Gender was missing on 297 dispositions (4.5%).		
**Race/Ethnicity was missing on 425 dispositions (6.5%).		
***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 FY2014 juvenile dispositions compared to the 2010 census state population.

The last column presents the coefficients of disproportionality. For example, the coefficient of disproportionality for African American offenders is 4.6. In other words, the proportion of African Americans sentenced (17.7%) was 4.9 times the proportion in the general population (3.6%). 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	% FY2010 Washington State	Coefficient of Disproportionality
African American	17.7%	3.6%	4.9
Asian/Pacific Islander	2.0%	8.0%	0.3
Caucasian	53.4%	75.4%	0.7
Hispanic***	22.0%	11.7%	1.9
Native American	4.8%	1.4%	3.4
Total	100.0%	100.0%	
(N)	6,109	6,484,272	
**Race/Ethnicity was missing on 425 dispositions (6.5%).			
***Hispanic is treated as a "race" category.			

Note: state population is taken from the Office of Financial Management (Census 2010)

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 (878 or 13.4%), followed by Pierce County (765 or 11.7%), and Clark County (544 or 8.3%). 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 5 of the smallest counties had less than a 10 dispositions.

Table 3. Juvenile Dispositions by County

County	Number	Percentage
Adams	39	0.6%
Asotin	38	0.6%
Benton	335	5.1%
Chelan	94	1.4%
Clallam	129	2.0%
Clark	544	8.3%
Columbia	13	0.2%
Cowlitz	259	4.0%
Douglas	30	0.5%
Ferry	15	0.2%
Franklin	104	1.6%
Garfield	-	0.0%
Grant	147	2.2%
Grays Harbor	61	0.9%
Island	47	0.7%
Jefferson	30	0.5%
King	878	13.4%
Kitsap	260	4.0%
Kittitas	20	0.3%
Klickitat	23	0.4%
Lewis	89	1.4%
Lincoln	6	0.1%
Mason	57	0.9%
Okanogan	178	2.7%
Pacific	34	0.5%
Pend Oreille	8	0.1%
Pierce	765	11.7%
San Juan	2	0.0%
Skagit	132	2.0%
Skamania	19	0.3%
Snohomish	464	7.1%
Spokane	283	4.3%
Stevens	56	0.9%
Thurston	514	7.9%
Wahkiakum	6	0.1%
Walla Walla	137	2.1%
Whatcom	247	3.8%
Whitman	21	0.3%
Yakima	450	6.9%
Grand Total	6,543	100.0%

Type of Court Disposition

The vast majority of dispositions (96.4%) were the result of guilty pleas; only 1.3% of dispositions involved offenders adjudicated guilty following a juvenile court hearing. The remaining dispositions (2.3%) were revoked deferred and “Alford” pleas.

Locus of Sanction

Most juvenile offenders are sanctioned at the local, county level (Figure 3). Only 9 percent (557) of FY2014 dispositions resulted in confinement in a state operated JRA facility. The average range of confinement for JRA commitments was 40 to 56 weeks (Table 4).

Figure 3. Locus of Sanction

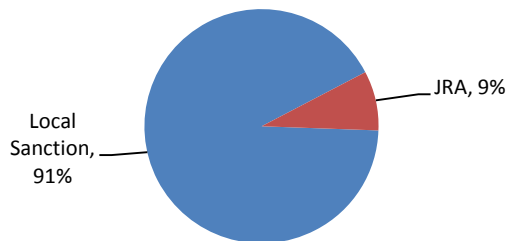


Table 4. Confinement Ordered by Placement Type

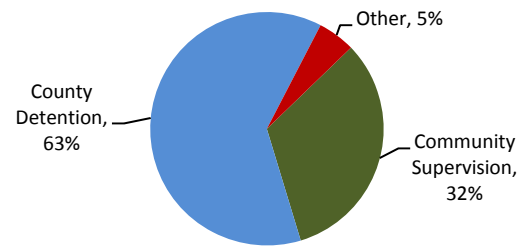
Placement Type	Average Sanction
JRA	40 to 56 Weeks
County Detention	14.5 Days
Work Crew	4.3 Days
Electronic Monitoring	18.6 Days

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 FY2014 dispositions resulted in sentences to local sanctions at the county level.

Almost two thirds (63%) of youths sentenced to local sanctions were assigned some confinement in county detention, with an average sentence of 15 days. Another 32% received community supervision without detention. The remaining 5% received some other sanction (work crew, electronic home monitoring, etc.). The average order of electronic home monitoring was 19 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 FY2014 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	1,914	29.3%
Gross Misdemeanor	3,367	51.5%
Misdemeanor	1,253	19.2%
Total	6,534	100.0%

Felony Offenses

There were 1,914 dispositions for felonies. Property crimes were the most common felonies committed by juveniles, with an average sanction of 8 to 12 weeks confinement. The second most common felonies were assaults, with an average sentence of 16 to 21 weeks confinement (Table 6). On average, felony dispositions included 7 months of community supervision in addition to any confinement.

Table 6. Average Confinement Ordered by Felony Category

Offense	Number	Ave. Term (in Weeks)	
		Minimum	Maximum
Assault	313	15.5	20.7
Drug	157	4.8	6.6
Murder 1	2	139.5	174.5
Murder 2	1	285.0	285.0
Other Felony	118	4.6	5.1
Property	969	8.4	11.7
Robbery	133	33.6	49.8
Sex	221	19.3	25.4
Total	1,914	12.3	16.9

Non-Felony Offenses

Almost two thirds of FY2014 dispositions were for non-felony offenses. There were 3,367 gross misdemeanor dispositions with an average sentence of 17 days confinement, and 1,253 misdemeanor dispositions with an average sentence of 13 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 (in Days)
Gross Misdemeanor	3,367	17.0
Misdemeanor	1,253	12.5
Total	4,260	15.8

Violent and Non-violent Offenses

The great majority (95%) of FY2014 juvenile dispositions were for non-violent offenses. Dispositions across all non-violent offenses carried an average sentence of 23 to 28 days confinement.

Table 8. Violent and Non-Violent Offense Dispositions

Offense	Number	Avg. Term
Serious Violent	9	122 to 134 Weeks
Violent	346	27 to 39 Weeks
Non-Violent	6,179	23 to 28 Days
Total	6,534	

Juvenile dispositions for “serious violent offenses⁴” were extremely rare in FY2014, accounting for only 9 (0.1%) of 6,534 dispositions. Dispositions for serious violent offenses carried an average range of 122 to 134 weeks confinement in JRA.⁵

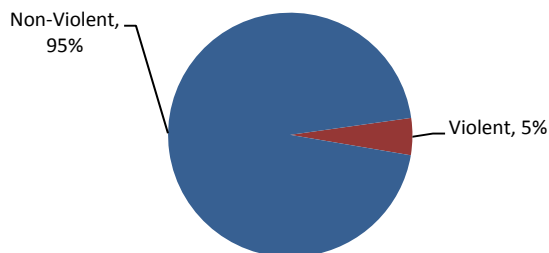
⁴ “Serious violent offense” is a subcategory of violent offense and means:

- (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))

⁵ 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 2014 available on the CFC website.

There were an additional 346 dispositions for violent crimes, with an average sentence of 27 to 39 weeks confinement.

Figure 5. 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 FY2014, 158 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 190 to 225 days, and an average of 21 months of community supervision.

Chemical Dependency Disposition Alternative (CDDA)

During FY2014, 179 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 Alternatives involved an average confinement of 7 days, an average suspended range of confinement of 59 to 72 days, and an average of 9 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 23 Option B suspended dispositions with an average confinement of 7 days, an average suspended range of confinement of 105 to 212 days, and an average of 12 months of community supervision.

Mental Health Dispositions

The Mental Health option is rare in juvenile dispositions. One disposition was imposed under this option. It carried confinement of 7 days, suspended confinement of 30 days, and 12 months of community supervision.

Table 9. Juvenile Disposition Alternatives

Alternative	Average Range of Confinement (days)				
	Number	Confinement		Suspended	
		Min	Max	Min	Max
CDDA	179	7.3	7.3	59.0	72.4
Mental Health	1	8.0	8.0	30.0	30.0
Option-B	23	6.5	6.5	105.2	211.8
SSODA	158	7.0	7.0	189.7	225.4

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 range⁶. The CFC recorded 260 (4.0%) manifest injustice dispositions in fiscal year 2014. The majority of these dispositions (76.2%) were above the standard range (aggravated); 21.9% of manifest injustice dispositions were below the standard range (mitigated).

⁶ 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. Manifest Injustice Dispositions by Type

Type of Disposition	Number	Percentage
Aggravated	198	76.2%
Mitigated	57	21.9%
Within	5	1.9%
Total	260	100.0%

The most common reasons for mitigated manifest injustice dispositions were "all parties agree to mitigated sentence" and "other mitigating factor", while the most cited reasons for aggravated manifest injustice dispositions were "other aggravating factor", "recent criminal history or failed to comply with diversion agreement" and "all parties agree to aggravated sentence" (Table 11).

Table 11. Manifest Injustice Reasons

Mitigating Reasons	Number
All parties agree to mitigated sentence (down).	17
Other mitigating factor.	12
One year or more between current offense and prior offense.	4
The conduct neither caused nor threatened serious bodily injury or contemplated the conduct would.	4
Acted under strong and immediate provocation.	1
Suffered mental or physical condition that reduced capability for the offense.	1
Aggravating Reasons	
Other Aggravating Factor.	118
Recent criminal history or failed to comply with diversion agreement.	104
All parties agree to aggravated sentence (up).	102
Standard range too lenient considering priors.	51
Other complaints resulting in diversions or guilty plea not listed in history.	22
Victim was particularly vulnerable.	20
While committing or fleeing from offense inflicted or attempted to inflict injury.	10
Finding of sexual motivation.	6
Heinous, cruel or depraved.	5
Leader of criminal enterprise.	3
No Reason Provided, inquiry made.	1

Summary

This report details characteristics of the 6,534 FY2014 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 (77%) of the dispositions involved young males. Most offenders sentenced in juvenile court have little or no criminal history. In fact, approximately 82% of dispositions have no prior offenses.

Similarly, most offenders sentenced in court are there for relatively minor crimes. More than two thirds (71%) of the offenders sentenced in FY2014 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 (94%) 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 FY2014 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 4.9.

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.

This report is updated annually. It, along with prior annual reports, is available on the CFC web site: 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, 2013, and June 30, 2014 (Fiscal Year 2014). 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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