



Juvenile Disposition Summary

Fiscal Year 2003

During fiscal year 2003, Washington courts entered 15,313 juvenile dispositions¹. Over three-quarters (78.3%) of the dispositions involved young males and 21.7% females (table 1). Approximately 66% of the juveniles were Caucasian, 13.4% Hispanic, and 12.6% African American. Most of these young offenders were between the ages of 15 and 17 (68.9%), with approximately 30% between 12 and 14 years of age. The majority of juveniles (91%) plead guilty. Just 4.3% entered an Alford plea and 2.7% were found guilty following a hearing.

Table 1. Demographics

	Number	Percent	
Gender			
Male	11,988	78.3	%
Female	3,325	21.7	
Race/Ethnicity			
African American	1,829	12.6	%
Asian/Pacific Islander	450	3.1	
Caucasian	9,609	66.0	
Hispanic	1,946	13.4	
Native American	715	4.9	
Age			
Under 12	202	1.3	%
12-14	4,540	29.6	
15-17	10,556	68.9	
Total	15,313	100.0	%

Race/Ethnicity was missing on 764 dispositions. Age was missing for 15.

Juvenile dispositions are based on a sentencing model or grid, which prescribes presumptive 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 range confinement term in county detention of zero to 30 days. Community supervision terms for these offenses can range from zero to 12 months. Less serious felonies also carry a local sanction term for juveniles with little or no criminal history. Longer confinement terms to a state facility are prescribed

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

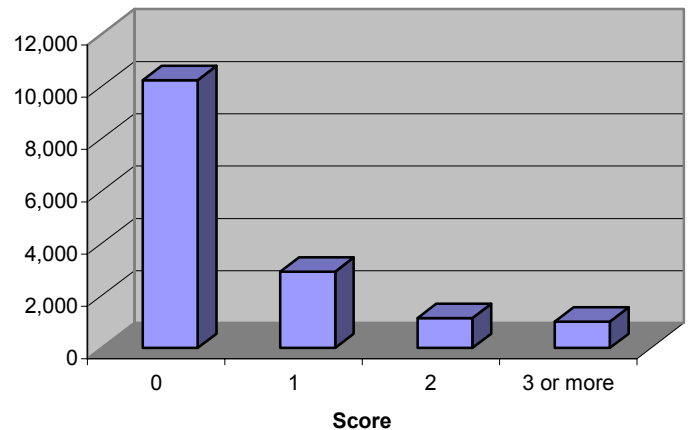
for those with more extensive criminal histories. Crimes ranked at the highest seriousness levels, such as assault, arson and murder, carry a presumptive term to a state facility regardless of the juvenile's criminal history. (See RCW 13.40.0357).

Offender Score

Juvenile sanctions are determined by both the seriousness of the current offense and criminal history, which is assessed by computing an offender score. Prior felony adjudications count as one point each, misdemeanors and gross misdemeanors count as ¼ point, with fractions rounded down.

The majority (10,241) of juvenile dispositions were based on offender scores of zero, meaning the juvenile had no criminal history, or three or fewer gross misdemeanors or misdemeanors (Figure 1). Approximately 19% (2,920) of dispositions included a score of one, 7.5% (1,141) a score of two and 6.6% (1,011) a score of three or more.

Figure 1. Number of Juvenile Dispositions by Offender Score²



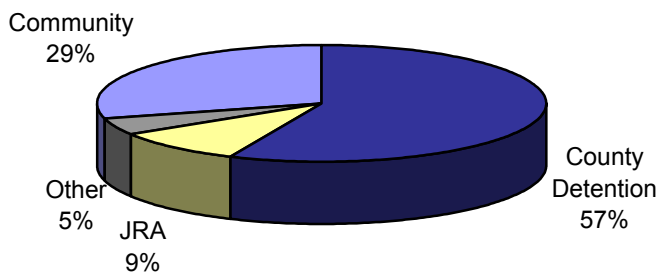
² Fractions are rounded down; meaning a score of 1.75 is reported as a score of one.

Sanctions

Juveniles are often ordered to perform community service as part of their sanction. Over half (66.4%) of juvenile dispositions involved an order to perform community service. The court generally ordered an average of 28 hours of community service work.

Just over half of juvenile dispositions (57%) imposed a term of confinement in a county detention facility. Nine percent resulted in confinement in a facility operated by the Juvenile Rehabilitation Administration (JRA) and 29% 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 14 days (table 2). Dispositions committing a juvenile to JRA included an average minimum term of 33 weeks and a maximum term of 46 weeks. Work crew sanctions generally involved a term of around 5 days, while electronic home monitoring terms usually lasted an average of 18 days.

Table 2. Average Term by Placement Type

Placement Type	Average Confinment Term
County Detention	14.2 Days
JRA	33 to 46 Weeks
Work Crew	5.1 Days
Electronic Monitoring	18.0 Days

Felony Offenses

Property offenses were by far the most common felony, with most such offenders receiving an average term of 7 to 10 weeks (table 3, figure 3). Dispositions for assault generally involved a term of 12 to 17 weeks confinement, drug crimes a term of 9 to 12 weeks, and sex crimes 25 to 34 weeks. On

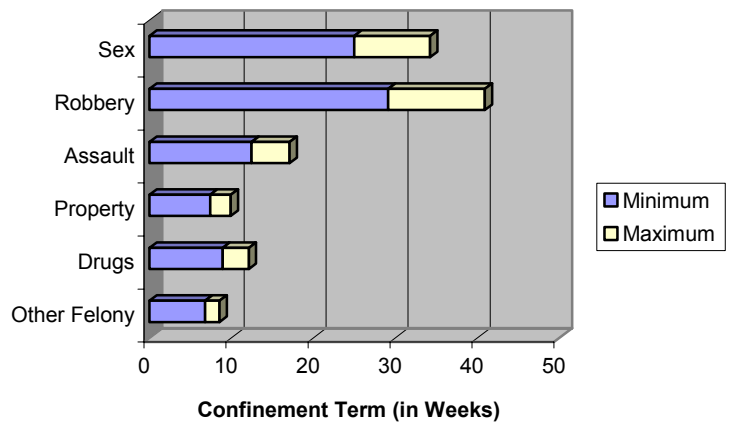
average, felony dispositions included 6.7 months of community supervision.

Table 3. Average Felony Confinment Term by Offense

Offense	Number	Avg Term (in Weeks)	
		Minimum	Maximum
Murder 1	2	271.5	339.5
Manslaughter	6	50.6	64.6
Sex	309	25.0	34.2
Robbery	157	29.1	40.9
Assault	670	12.4	17.1
Property	3,193	7.4	9.9
Drug	384	8.9	12.1
Other Felony	442	6.8	8.6
Total	5,163	10.0	13.5

Figure 3. Average Confinment Term by Type of Offense

Misdemeanor Offenses



The courts entered 8,305 gross misdemeanor dispositions during fiscal year 2003, with an average term of approximately 10.5 days. Misdemeanor dispositions were much less common, with just 1,845 dispositions, and an average term of 5.6 days. The average community supervision imposed for misdemeanors and gross misdemeanors was 5.7 months.

Table 4. Average Misdemeanor Confinment Term

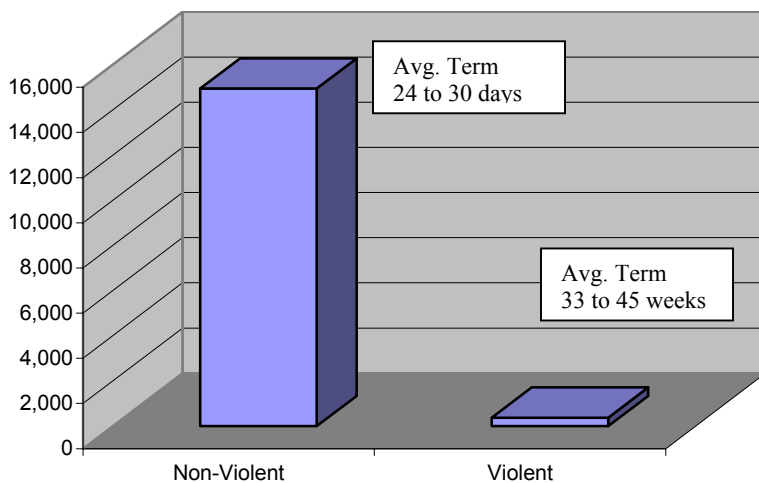
Offense	Number	Avg Term (in Days)
Gross Misdemeanor	8,305	10.5
Misdemeanor	1,845	5.6
Total	10,150	9.6

Violent Offenses

Among juvenile dispositions, 97% (14,865) involved non-violent crimes (Figure 4). These sentences carried an average confinement term of 24 to 30 days. Just 3% (448) of dispositions involved a violent crime. These dispositions carried an average minimum term of 33 weeks and a maximum term of 45 weeks.

Firearm enhancements among young offenders are extremely rare. Just 13 juvenile dispositions involved a firearm enhancement. These enhancements range from two to six months, depending on the felony class of the offense. On average, these 13 juveniles received three and one-half months confinement due to a firearm enhancement.

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



Special Sex Offender Disposition Alternative

During fiscal year 2003, 195 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 a prerequisite of the suspended disposition. SSODA dispositions carried an average confinement term of 37 to 51 days, along with 23 months of community supervision (table 5). On average, 213 to 352 days were suspended under the alternative.

Chemical Dependency Disposition Alternative

In addition, the court imposed 408 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 17 days, along with 10 months of community supervision. These dispositions had an average of 81 to 105 days suspended.

Table 5. Juvenile Disposition Alternatives

Alternative	Number	Average Term (in Days)			
		Confinement		Suspended	
		Min	Max	Min	Max
Special Sex Offender Disposition Alternative	195	37.0	51.2	212.8	352
Chemical Dependency Disposition Alternative	408	17.0	NA	80.6	105

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 range³. The SGC recorded 647 manifest injustice dispositions, just 4.2% of the total dispositions in fiscal year 2003. The majority of these dispositions (469) were above the standard range; 145 were below the standard range (table 6).

Table 6. Manifest Injustice Dispositions by Type and Direction

Type of Disposition	Number
Aggravated	469
Mitigated	145
Within	33
Total	647

The most frequently cited reasons for aggravated manifest injustice dispositions included a recent criminal history, a failed diversion agreement, agreement of the parties and the vulnerability of the victim (Table 7). By far the most common mitigating reason was conduct that neither caused nor threatened serious bodily injury.

³ 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 range would be unfair or unsupportable. The court's findings of a Manifest Injustice must be supported by clear and convincing evidence.

Table 7. Manifest Injustice Reasons

Aggravating Reasons	Number
Recent criminal history or failed to comply with diversion agreement.	378
All parties agree to aggravated sentence.	82
Victim was particularly vulnerable.	68
Standard range too lenient considering priors.	39
Other complaints resulting in diversions or guilty plea not listed in history.	25
While committing or fleeing from offense inflicted or attempted to inflict injury.	7
Heinous, cruel or depraved.	3
Finding of sexual motivation.	3
Other Aggravating Factor.	179
Mitigating Reasons	
The conduct neither caused nor threatened serious bodily injury.	113
All parties agree to mitigated sentence.	28
One year or more between current offense and prior offense.	25
Juvenile suffered mental or physical condition that reduced culpability for the offense.	13
Acted under strong and immediate provocation.	3
Compensated or attempted to compensate victim.	2
Other Mitigating Factor.	31
Many dispositions include more than one reason.	

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 2003 there were approximately⁴ 49 juveniles automatically declined to adult court.

In addition, adult criminal courts can assert jurisdiction over juveniles when the juvenile court exercises its discretion to decline jurisdiction. The SGC identified 209 possible discretionary declines in fiscal year 2003. The majority of these cases (154) involved juveniles that were under 18 at the time of the offense, but 18 or older at the time of sentencing. At issue in identifying discretionary declines is whether the court based jurisdiction on

⁴ 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. Using the offense, the age at time of the offense and the age at time of the sentence, the SGC estimates the number of juvenile declines to adult court.

the offender’s age at time of the offense, or the age at which 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 AKA Pale Tuup* No. 73642-1 March 11, 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, 2002 and June 30, 2003 (Fiscal Year 2003). 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.	
Comments or questions may be directed to:	
Sentencing Guidelines Commission P.O. Box 40927 Olympia, WA 98504-0927	