



Juvenile Disposition Summary

Fiscal Year 2007

During fiscal year 2007, Washington courts entered 11,573 juvenile dispositions¹. Over three quarters (79.11%) of the dispositions involved young males and 20.89% females (table 1). Approximately 68.35% of the juveniles were Caucasian, 6.84% Hispanic, and 15.29% African American. Most of these young offenders were between the ages of 15 and 17 (73.28%). The majority (95.26%) plead guilty, 0.41% of which were Alford pleas. About 2.35% were found guilty following a hearing.²

Table 1. Demographics

| Gender | Number | Percentage |
|---|--------|------------|
| Male | 9,155 | 79.11% |
| Female | 2,418 | 20.89% |
| Race/Ethnicity | | |
| Caucasian | 7,910 | 68.35% |
| African American | 1,769 | 15.29% |
| Asian/Pacific Islander | 327 | 2.83% |
| Native American | 504 | 4.35% |
| Hispanic | 792 | 6.84% |
| Age Range | | |
| under 10 years old | 3 | 0.03% |
| 10 years old | 16 | 0.14% |
| 11 years old | 53 | 0.46% |
| 12 years old | 375 | 3.24% |
| 13 years old | 873 | 7.55% |
| 14 years old | 1,771 | 15.31% |
| 15 to 17 | 8,477 | 73.28% |
| <i>Race/Ethnicity was missing on 271 dispositions (or 2.3%)</i> | | |

Juvenile dispositions are based on a sentencing 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

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 1.98% of the dispositions entered in the fiscal year 2007.

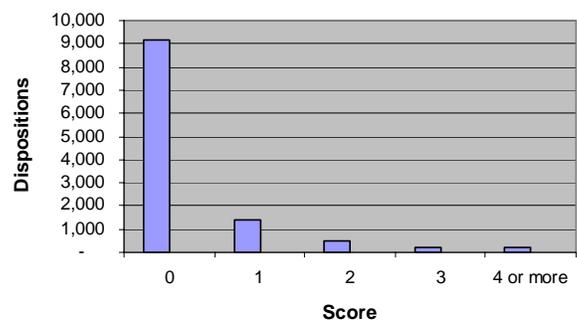
term of confinement in county detention ranging from zero to 30 days. Community supervision terms range from zero to 12 months. Less serious felonies also carry local sanctions for youths with little or no criminal history. Longer terms of confinement to state facilities are prescribed for those with 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 1/4 point. Fractions are rounded down.

The majority of juvenile dispositions (9,245) 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 12.20% (1,412) of the dispositions included a score of one, 4.11% (476) a score of two, 1.81% (210) a score of three; and 1.99% (230) a score of 4 or more.

Figure 1. Number of Juvenile Dispositions by Offender Score³



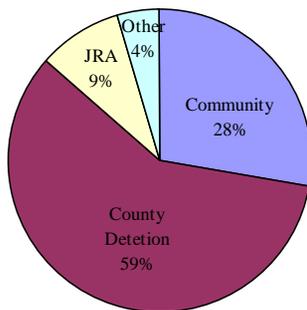
³ Fractions are rounded down; meaning a score of 1.75 is reported as a score of one.

Sanctions

Over one half of the juvenile dispositions (63.60%) included an order of community service. The court generally ordered an average of 28.39 hours of community service work.

There were 6,792 (58.69%) dispositions that contained orders of confinement in a county detention facility, 8.87% resulted in confinement in a facility operated by the Juvenile Rehabilitation Administration (JRA) and 28.07% 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 15.8 days (table 2). Dispositions committing a juvenile to JRA included an average minimum term of 33 weeks and a maximum term of 49 weeks. Work crew sanctions generally involved a term of around 4.4 days, while electronic home monitoring terms usually lasted an average of 17.1 days.

Table 2. Average Term by Placement Type

| Placement Type | Average Confinement Term | |
|-----------------------|--------------------------|-------|
| JRA | 33 to 50 | Weeks |
| County Detention | 15.7 | Days |
| Work Crew | 4.3 | Days |
| Electronic Monitoring | 16.9 | Days |

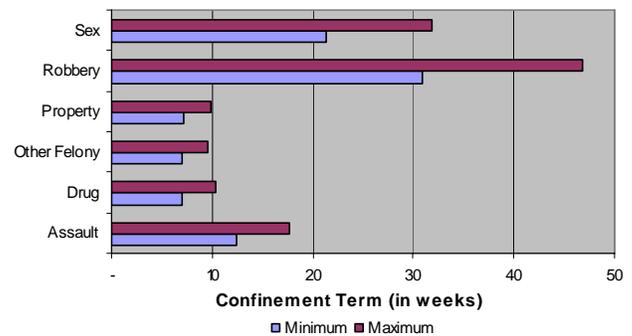
Felony Offenses

Property offenses were by far the most common felonies committed by juveniles; with most such offenders receiving an average term of 7 to 10 weeks confinement (table 3, figure 3). Dispositions for assault generally involved a term of 13 to 18 weeks confinement, drug crimes a term of 7 to 10 weeks, and sex crimes 21 to 32 weeks. On average, felony dispositions included 5 months of community supervision.

Table 3. Average Felony Confinement Term by Offense

| Offense | Number | Avg. term (in weeks) | |
|--------------|--------------|----------------------|---------|
| | | Minimum | Maximum |
| Assault | 619 | 12.49 | 17.69 |
| Drug | 309 | 7.03 | 10.30 |
| Manslaughter | 7 | 16.98 | 34.98 |
| Murder1 | 1 | 180 | 180 |
| Other Felony | 242 | 7.04 | 9.54 |
| Property | 2,314 | 7.22 | 9.92 |
| Robbery | 177 | 30.83 | 46.79 |
| Sex | 248 | 21.28 | 31.90 |
| Total | 3,917 | | |

Figure 3 Average Confinement Term by Type of Offense.



Misdemeanor Offenses

The courts entered 5,218 gross misdemeanor dispositions during fiscal year 2007, with an average term of confinement of approximately 11.1 days. There were 2,438 misdemeanor dispositions with an average term of 7.6 days confinement. The average community supervision imposed for misdemeanors was 5.5 months and for gross misdemeanors 5.4 months.

Table 4. Average Misdemeanor Confinement Term

| Offense | Number | Avg. Term (in days) |
|-------------------|--------------|---------------------|
| Gross Misdemeanor | 5,218 | 11.1 |
| Misdemeanor | 2,438 | 7.6 |
| Total | 7,656 | |

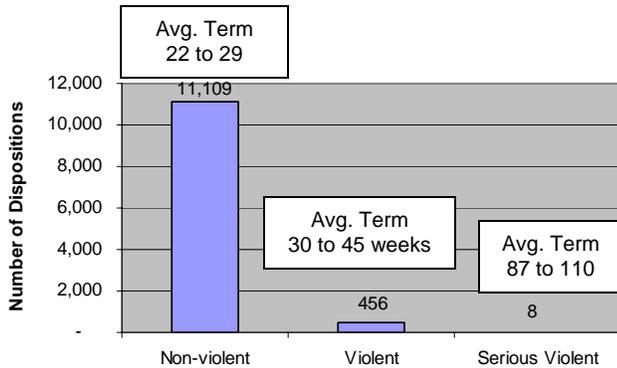
Violent Offenses

Among juvenile dispositions, 96.06% (11,109) involved non-violent crimes (figure 4). These sentences carried an average term of confinement of 22 to 29 days. There were 456 dispositions that involved violent offenses, with an average minimum term of 30 weeks and a maximum term of 45 weeks. Eight dispositions

involved serious violent offenses, with an average term of 87 to 110 weeks.

Nine juveniles received dispositions that involved a firearm enhancement. These enhancements ranged from two to six months, depending on the felony class of the offense. On average, these nine juveniles received 3.75 months of confinement.

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



Special Sex Offender Disposition Alternative

During fiscal year 2007, 158 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 from 26 to 44 days, along with 15.6 months of community supervision (table 5). On average, 131 to 187 days were suspended under the alternative.

Chemical Dependency Disposition Alternative

State courts also imposed 287 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 12.1 to 14.5 days, along with 7.4 months of community supervision. These dispositions resulted in suspended sentences of an average of 49 to 58 days.

Option-B Suspended Disposition

The court imposed 40 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 Dispositions involved an average confinement term of 38.5 to 61.4 days, along

with 7.9 months of community supervision. These dispositions resulted in suspended sentences of an average of 120 to 227 days.

Mental Health Disposition

The court imposed 3 Mental Health Dispositions during fiscal year 2007. The Mental Health Disposition provides youth found to be suffering from a mental disorder with an alternative sanction. During fiscal year 2007, this alternative resulted in an average confinement term of 22 days, along with 12 months of community supervision. Youth receiving this alternative received dispositions averaging 68 to 166 days suspended.

Table 5. Juvenile Disposition Alternatives

| Alternative | Number | Average Terms (in days) | | | |
|---------------|--------|-------------------------|-------|-----------|--------|
| | | Confinement | | Suspended | |
| | | Min | Max | Min | Max |
| CDDA | 287 | 12.07 | 14.46 | 48.66 | 58.13 |
| Mental Health | 3 | 22.00 | 22.00 | 68.00 | 166.00 |
| Option-B | 40 | 38.45 | 61.38 | 119.98 | 226.90 |
| SSODA | 158 | 25.82 | 43.46 | 131.13 | 186.61 |

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 519 manifest injustice dispositions, about 4.47% of the total dispositions entered during fiscal year 2007. The majority of these dispositions (365) were above the standard range; 108 were below the standard range (table 6).

Table 6. Manifest Injustice Dispositions by Type and Direction

| Type of Disposition | Number |
|---------------------|------------|
| Aggravated | 365 |
| Mitigated | 108 |
| Within | 46 |
| Total | 519 |

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.

The most frequently cited reasons for aggravated manifest injustice dispositions included other aggravating factors, recent criminal history or failure to comply with a diversion agreement and the standard range is too lenient considering priors (table 7). The most common mitigating reason was conduct that neither caused nor threatened serious bodily injury, and all parties agreed to the mitigation.

Table 7 Manifest Injustice Reasons

| Reason | Number |
|--|--------|
| Mitigating Reasons | |
| Acted under strong and immediate provocation. | 1 |
| All parties agree to mitigated sentence (down). | 11 |
| One year or more between current offense and prior offense. | 17 |
| Suffered mental or physical condition that reduced capability for the offense. | 2 |
| The conduct neither caused nor threatened serious bodily injury or contemplated the conduct would. | 44 |
| Other Mitigating Factor. | 63 |
| Aggravating Reasons | |
| All parties agree to aggravated sentence (up). | 42 |
| Finding of sexual motivation. | 15 |
| Heinous, cruel or depraved. | 6 |
| Other Aggravating Factor. | 278 |
| Other complaints resulting in diversions or guilty plea not listed in history. | 68 |
| Recent criminal history or failed to comply with diversion agreement. | 173 |
| Standard range too lenient considering priors. | 92 |
| Victim was particularly vulnerable. | 41 |
| While committing or fleeing from offense inflicted or attempted to inflict injury. | 21 |
| <i>Many dispositions include more than one reason</i> | |

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 2007 there were approximately⁵ 38 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

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.

identified 37 possible discretionary declines in fiscal year 2007. 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 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. There were 59 sentences in which the offender was under 18 at the time of offense and over 18 at the time of sentencing.

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| Data | |
| 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, 2006 and June 30, 2007 (Fiscal Year 2007). 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 the term of community supervision. | |
| Comments or questions may be directed to: | |
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