



Juvenile Disposition Summary

Fiscal Years 2008 and 2009

The Sentencing Guidelines Commission (SGC) received a total of 23,026 juvenile dispositions¹ in Fiscal Years 2008 and 2009. Based on the average of these two fiscal years, over three-quarters (79%) of the dispositions involved young males and 21% involved females (Table 1). Most of the dispositions were for Caucasians (64%) while Asian/Pacific Islander was the smallest race represented at 3%. Approximately 74% of the dispositions were for offenders age of 15 and above. The majority of dispositions (93%) had a guilty plea, 3% were revoked deferred, 1% had an Alford Plea, and 3% were guilty following a hearing.

Table 1: Demographics

Gender	FY08		FY09		Average
	Number	Percent	Number	Percent	Percent
Male	9,123	78.43%	8,991	78.91%	78.67%
Female	2,508	21.56%	2,403	21.09%	21.33%
Race/Ethnicity*					
Caucasian	7,585	65.21%	7,228	63.44%	64.32%
African American	1,704	14.65%	1,642	14.41%	14.53%
Asian/Pacific Islander	330	2.84%	344	3.02%	2.93%
Native American	525	4.51%	492	4.32%	4.42%
Hispanic**	1,305	11.22%	1,407	12.35%	11.78%
Age					
under 10 years old	1	0.01%	1	0.01%	0.01%
10 years old	15	0.13%	18	0.16%	0.14%
11 years old	53	0.46%	43	0.38%	0.42%
12 years old	374	3.22%	291	2.55%	2.88%
13 years old	907	7.80%	810	7.11%	7.45%
14 years old	1,820	15.65%	1,641	14.40%	15.02%
15 and above	8,462	72.75%	8,590	75.39%	74.07%
Total	11,632	100%	11,394	100%	100%
* Race/Ethnicity was missing on 183 dispositions (1.6%) in FY08 and 281 dispositions (2.5%) in FY09.					
**Hispanic is being included as a race category.					

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 or gross misdemeanors carry a standard range confinement term in county detention of zero to 30 days. Community supervision terms range from zero to 12 months. Less serious felonies also carry a local sanction for youth with little or no criminal history. Longer terms of confinement to a state facility are ordered for those with more extensive criminal histories. Crime ranked at the highest seriousness level, 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).

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

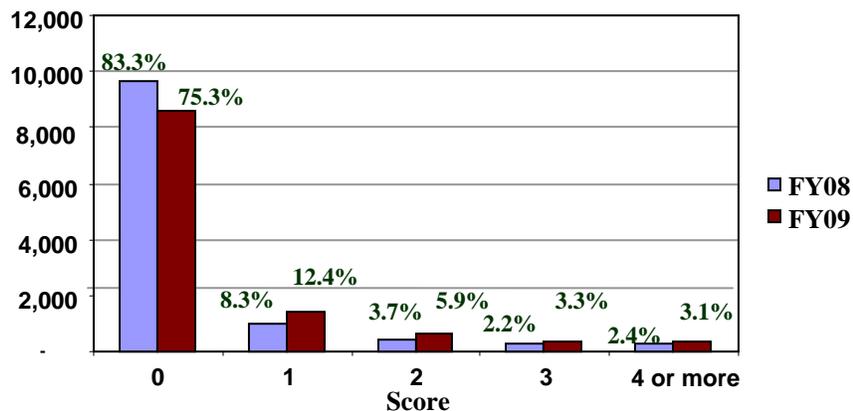
Offender Score

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 and misdemeanors and gross misdemeanors count as ¼ point, with fractions rounded down.

Number of Dispositions by Offender Score ²

The majority of juvenile dispositions in these two fiscal years had an offender score of zero. Approximately 8.3% in FY08 and 12.4% in FY09 of dispositions had a score of one, 3.7% in FY08 and 5.9% in FY09 had a score of two, 2.2% in FY08 and 3.3% in FY09 a score of three, while 2.4% in FY08 and 3.1% in FY09 a score of 4 or more (Figure 1).

Figure 1: Number of Juvenile Dispositions by Offender Score



Sanctions

During FY08 and FY09, over one half (62.5%) of the total 23,026 juvenile dispositions included an order of community service. The court generally ordered an average of 29.3 hours of community service work.

Type of Placement

There were 6,678 (57.4% in FY08) and 6,704 (58.8% in FY09) dispositions that contained orders of confinement in a county detention facility. Nine hundred fifty-four (8.2% in FY08) and 847 (7.4% in FY09) resulted in confinement in a facility operated by the Juvenile Rehabilitation Administration (JRA), while 3,398 (29.2% in FY08) and 3,292 (28.9% in FY09) were in community sanctions rather than confinement (Figure 2.1 & 2.2).

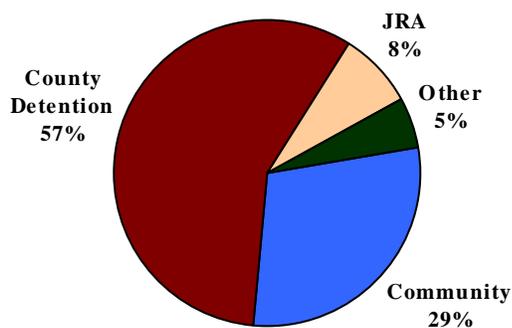


Figure 2.1: FY08

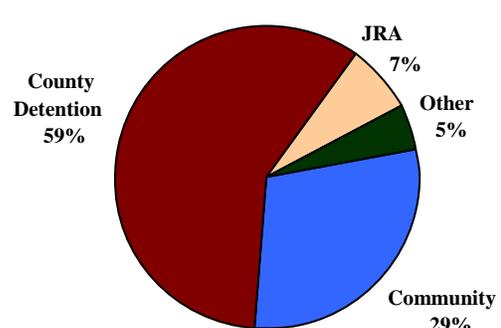


Figure 2.2: FY09

² Fractions are rounded down meaning a score of 1.75 is reported as a score of 1.

During these two fiscal years, juvenile dispositions involving local sanctions included an average detention term of 15 days. Work crew sanctions generally involved a term of about 5 days, while electronic home monitoring terms usually lasted an average of 20 days. JRA terms are issued as a range. In JRA the average minimum term increased from 36 weeks to 37 weeks and the average maximum term was 54 weeks for both fiscal years (Table 2).

Table 2: Average Term by Placement Type

Placement Type	Average Confinement Term		
	FY08	FY09	Days/Weeks
JRA	36.1 to 53.8	37.2 to 54.4	Weeks
County Detention	15.3	15.4	Days
Work Crew	5.4	4.8	Days
Electronic Monitoring	19.5	19.9	Days

Felony Offense

There were 4,880 dispositions in FY08 and 4,830 dispositions in FY09 for felonies. Between FY08 and FY09, assault offenses were the most common felonies committed by juveniles, with most such offenders receiving an average term of 5 to 7 weeks confinement (Table 3). The second most common felonies were property offenses, with an average term of 8 to 11 weeks for FY08 (Figure 3.1) and 6 to 8 weeks for FY09 (Figure 3.2). On average, felony dispositions included 6 months of community supervision for each fiscal year.

Table 3: Average Felony Confinement Term by Offense

Offense	FY08 Avg Term (in Weeks)			FY09 Avg Term (in Weeks)		
	Number	Minimum	Maximum	Number	Minimum	Maximum
Assault	2,082	5.2	7.1	2,045	5.2	6.9
Drug	243	6.5	9.3	245	5.6	7.8
Manslaughter	4	13.4	29.2	10	47.9	63.0
Murder 1	2	164.0	170.5	1	250.0	250.0
Murder 2	-	-	-	1	180.0	238.0
Other Felony	317	9.3	13.2	415	6.5	9.5
Property	1,843	8.3	11.4	1,752	5.9	8.2
Robbery	146	30.4	46.5	174	32.9	47.7
Sex	243	18.3	26.1	187	27.8	36.7
Total Felonies	4,880			4,830		

Average Confinement Term (in weeks) by Type of Offense

Figure 3.1: FY08

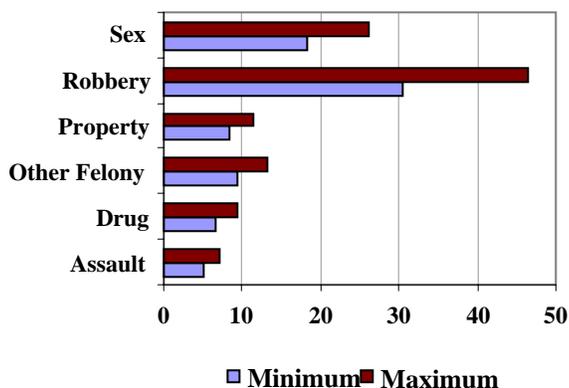
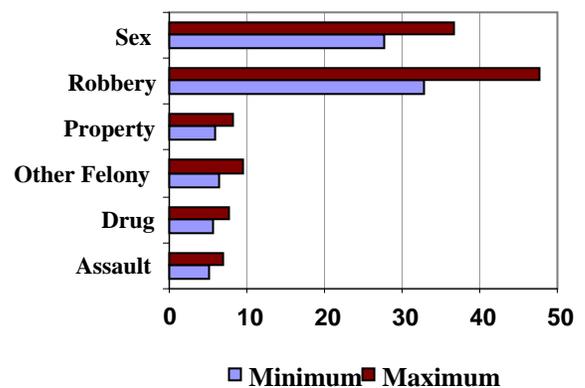


Figure 3.2: FY09



Non-Felony Offenses

Sentencing Guidelines Commission received 3,917 gross misdemeanor dispositions in FY08 with an average term of confinement of 18 days and 3,662 gross misdemeanor dispositions in FY09 with an average term of confinement of 19 days (Table 4). There were 2,835 (FY08) and 2,902 (FY09) misdemeanor dispositions with an average term of confinement of 13 days. The average community supervision imposed for both Non-Felony gross misdemeanors and misdemeanors was 5 months for each fiscal year.

Table 4: Average Non-Felony Confinement Term

Offense	FY08		FY09	
	Number	Avg Term (in Days)	Number	Avg Term (in Days)
Gross Misdemeanor	3,917	17.5	3,662	18.8
Misdemeanor	2,835	13.2	2,902	13.0
Total	6,752		6,564	

Violent Offenses

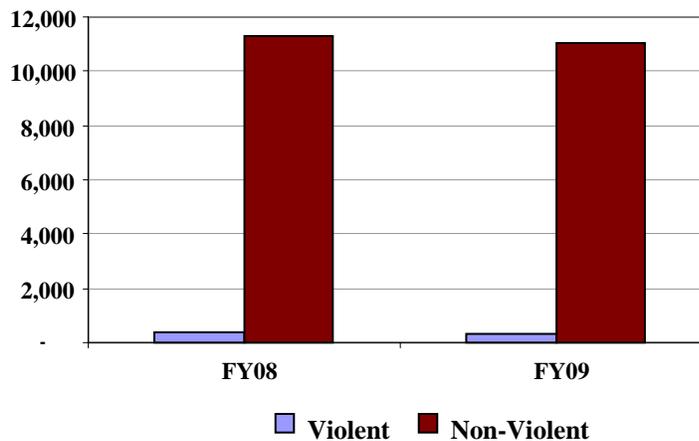
Among juvenile dispositions in FY08 and FY09, 97% (22,332 dispositions) involved non-violent crimes and 3% (694 dispositions) included violent crimes (Table 5). There was a total of 14 juvenile dispositions that involved a firearm enhancement. These enhancements ranged from two to six months on average; these 14 juveniles received approximately four months for firearm enhancements.

Table 5: Violent and Non-Violent Juvenile Dispositions

Offense	FY08		FY09	
	Number	Avg. Term	Number	Avg. Term
Violent	353	32.6 to 48.1 Weeks	341	35.0 to 49.3 Weeks
Non-Violent	11,279	23.7 to 30.1 Days	11,053	21.5 to 27.6 Days
Total	11,632		11,394	

In FY08, violent dispositions carried an average term of 33 to 48 weeks, while non-violent crimes carried an average term of confinement of 24 to 30 days. In FY09, violent dispositions carried an average term of 35 to 49 weeks, while non-violent dispositions carried an average term of confinement of 22 to 28 days (Table 5).

Figure 4: Number of Violent and Non-Violent Dispositions



Special Sex Offender Disposition Alternative (SSODA)

Approximately 165 dispositions in FY08 and 144 dispositions in FY09 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 term of 7 to 8 days, a suspended term of 163 to 226 days, and 17 months of community supervision in FY08. In FY09, these numbers were 4 days, 152 to 204 days, and 17 months, respectively.

Chemical Dependency Disposition Alternative (CDDA)

SGC received 385 dispositions in FY08 and 315 dispositions in FY09 imposed under the Chemical Dependency Disposition Alternative option. The CDDA provides chemically dependent youth with an alternative disposition that includes drug or alcohol treatment. In FY08, Chemical Dependency Alternatives involved an average confinement term of 3 days, a suspended term of 42 to 54 days, and 6 months of community supervision. In FY09, these numbers were 1 day, 42 to 53 days, and 7 months, respectively.

Option-B Suspended Disposition

The court imposed approximately 20 Option-B suspended dispositions in FY08 and 36 in FY09. Option-B provides authority to the court to suspend a portion of the standard confinement time in order for the offender to participate in a treatment or education program. In FY08, Option-B carried an average term of 7 days, a suspended term of 105 to 227 days, and also 9 months community supervision. In FY09, these numbers were 6 days, 113 to 201 days, and 6 months, respectively.

Mental Health Disposition

The Mental Health option is rare in juvenile dispositions. There was only one disposition in FY09 that was imposed under this option. It carried an average confinement term of 15 days, a suspended term of 15 days, and 6 months community supervision.

Table 6: Juvenile Disposition Alternatives

Alternative	FY08 - Average Terms (in Days)					FY09 - Average Terms (in Days)				
	Number	Confinement		Suspension		Number	Confinement		Suspension	
		Min	Max	Min	Max		Min	Max	Min	Max
CDDA	385	2.5	2.5	42.3	54.3	315	1.3	1.3	41.9	53.2
Mental Health	-	-	-	-	-	1	15.0	15.0	15.0	15.0
Option-B	20	7.0	7.0	105.0	227.1	36	6.3	6.3	113.3	200.9
SSODA	165	6.5	8.1	162.5	225.8	144	3.5	3.5	152.1	204.4

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 range³. The SGC recorded 371 (3.2%) Manifest Injustice dispositions of the total FY08 dispositions and 312 (2.7%) Manifest Injustice dispositions of the total FY09 dispositions. The majority of these dispositions (78% in FY08 and 72% in FY09) was above the

³“Manifest Injustice” will be found when the facts and circumstances of a case or characteristics of the juvenile lead to the conclusion that dispositions ordered within the range would be unfair or unsupportable. The court’s findings of a Manifest Injustice must be supported by clear and convincing evidence.

standard range or aggravated; 62 dispositions in FY08 and 78 dispositions in FY09 were below the standard range or mitigated.

Table 7: Manifest Injustice Dispositions by Type

Type of Disposition	FY08	FY09
Aggravated	292	225
Mitigated	62	78
Within	17	9
Total	371	312

During FY08 and FY09, the most common reasons for mitigated manifest injustice dispositions were “all parties agree to mitigated sentence” and “the conduct neither caused nor threatens serious bodily injury”, while the most cited reasons for aggravated manifest injustice dispositions were “other aggravating factors” and “recent criminal history or failed to comply with diversion agreement” (Table 8).

Table 8: Manifest Injustice Reasons

Mitigating Reasons	FY08	FY09
All parties agree to mitigated sentence (down).	29	19
The conduct neither caused nor threatened serious bodily injury or contemplated the conduct would.	28	18
Other Mitigating Factor.	8	7
One year or more between current offense and prior offense.	5	13
Suffered mental or physical condition that reduced capability for the offense.	3	2
Acted under strong and immediate provocation.	2	1
Compensated or attempted to compensate victim.	1	
Aggravating Reasons	FY08	FY09
Other Aggravating Factor.	87	46
Recent criminal history or failed to comply with diversion agreement.	72	95
All parties agree to aggravated sentence (up).	59	45
Victim was particularly vulnerable.	28	21
While committing or fleeing from offense inflicted or attempted to inflict injury.	25	13
Std range too lenient considering priors.	9	7
Finding of sexual motivation.	7	6
Heinous, cruel or depraved.	7	5
Other complaints resulting in diversions or guilty plea not listed in history.	1	5
Leader of criminal enterprise.		1
No reason provided, inquiry made		8

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, 2007, and June 30, 2009 (FY08 and FY09). Data elements entered into the SGC database and used in the report include race, gender, and type of sentence, current offense, offense history, offender score, the imposed confinement term and community supervision term.

Comments or questions may be directed to:

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