



Juvenile Disposition Summary

Fiscal Year 2019

The Caseload Forecast Council (CFC)¹ received 3,981 juvenile dispositions rendered by Washington State juvenile courts in Fiscal Year 2019. 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 seriousness of the current offense (current offense category) and criminal history (prior adjudication score).

Although the level of presumptive sanction increases with offense seriousness and prior adjudication score, the increase is not linear (see Figure 1).

Generally, current offense seriousness outweighs prior adjudication score.

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. 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.

¹ Juvenile courts are required by statute (RCW 13.50.010(9)) 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.

Prior adjudications do not affect the standard range for any current offense that is not a felony. Any current offense that is a misdemeanor or gross misdemeanor will always involve local sanctions regardless of the offender’s prior adjudication score.

Standard Range: Confinement to JR vs. Local Sanction (LS)

The juvenile sentencing guidelines specify two types of presumptive penalties: a standard range of confinement under the supervision of the state Juvenile Rehabilitation (JR) 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 JR facility. JR 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, private residence, 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 JR 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.

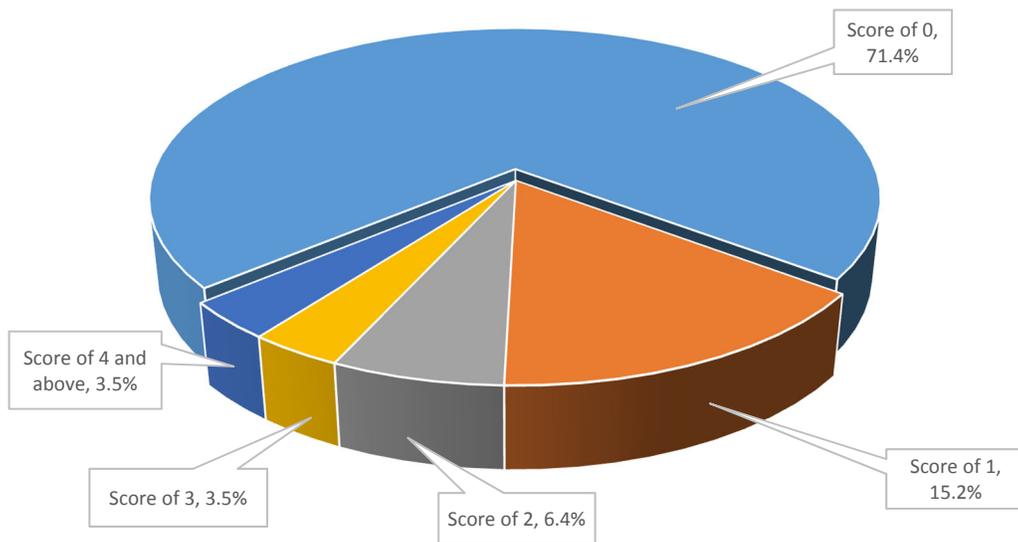
Figure 1. Option A - Juvenile Offender Sentencing Grid Standard Range (RCW 13.40.0357)

Current Offense Category	Standard Range Sanction				
A++	129 to 260 weeks for all category A++ offenses				
A+	180 weeks to age 21 for all category A+ offenses				
A	103-129 weeks for all category A offenses				
A-	30-40 weeks	52-65 weeks	80-100 weeks	103-129 weeks	103-129 weeks
B++	15-36 weeks	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	LS	LS	15-36 weeks	15-36 weeks	52-65 weeks
C+	LS	LS	LS	15-36 weeks	15-36 weeks
C	LS	LS	LS	LS	15-36 weeks
D+	LS	LS	LS	LS	LS
D	LS	LS	LS	LS	LS
E	LS	LS	LS	LS	LS
Prior Adjudication by Score	0	1	2	3	4 or more

FY 2019 Juvenile Court Dispositions

Most juvenile offenders sentenced in FY2019 had little or no criminal history. Nearly three quarters (71.4%) of those sentenced were first time offenders with no prior adjudications. Another 15.2% had a prior adjudication score of one. The remaining 13.4% had prior adjudication scores of two or more (Figure 2).

Figure 2. FY 2019 Juvenile Dispositions by Prior Adjudication Score³



Demographics

Table 1 shows the dispositions distribution by gender, race/ethnicity, and age range. Most offenders sentenced in FY2019 were male (80.7%), and almost half were Caucasian (48.5%). The least common racial group was Asian/Pacific Islander (2.7%).

Offenders ranged in age from 11 to 17, but most were clustered at the upper end of the age range. The most common ages at disposition were from 15 to 17, comprising 73% of the total.

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

Table 1. Demographics

Gender⁴	Number	Percentage
Male	3,211	80.7%
Female	764	19.2%
	3,981	
Race/Ethnicity⁵		
African American	710	17.8%
Asian/Pacific Islander	107	2.7%
Caucasian	1,931	48.5%
Hispanic ⁶	938	23.6%
Native American	159	4.0%
	3,981	
Age Range		
10 years old or younger	0	0.0%
11 years old	7	0.2%
12 years old	75	1.9%
13 years old	234	5.9%
14 years old	489	12.3%
15 to 17 years old	2,906	73.0%
18 years old and older	270	6.8%
	3,981	

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 disproportionality ratio 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 which indicates an 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 FY 2019 juvenile dispositions compared to the 2018 OFM state population distribution⁷.

The last column presents the disproportionality ratio. For example, the disproportionality ratio for African American offenders is 4.1. In other words, the proportion of African Americans sentenced (17.8%) was 4.1 times the proportion in the general population (4.4%). In contrast, the disproportionality ratio for Caucasians is 0.7, which means the proportion of juvenile dispositions involving Caucasians is 0.7 times less than the proportion of Caucasians in the

⁴ Gender was missing on 6 dispositions (0.2%)

⁵ Race/Ethnicity was missing on 136 dispositions (3.4%)

⁶ Hispanic is treated as a "race" category

⁷ Only people with age from 0 to 17 years old.

state population. Asian/Pacific Islanders are the most “under-represented” racial group in the offender population with a disproportionality ratio of 0.4.

Table 2. Racial/Ethnic Disproportionality

Race/Ethnicity	% FY 2019 Juvenile Dispositions	% FY 2018 Washington State Juvenile Population ⁸	Disproportionality Ratio
African American	17.8%	4.4%	4.1
Asian/Pacific Islander	2.7%	7.1%	0.4
Caucasian	48.5%	66.2%	0.7
Hispanic ⁹	23.6%	20.1%	1.2
Native American	4.0%	2.2%	1.8
Missing ¹⁰	3.4%		
Total	100.0%	100.0%	
(n)	3,981	1,840,218	

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 (490 or 12.3%), followed by Pierce County (395 or 9.9%), and Yakima County and Spokane County (328 or 8.2% in each county).

Together, these 4 counties (King, Pierce, Yakima and Spokane) accounted for more than a third of all dispositions in the state. In contrast, 26 of 39 counties had less than 100 dispositions each and 6 of the smallest counties had less than 10 dispositions per county.

⁸ State population is taken from the Office of Financial Management

⁹ Hispanic is treated as a "race" category

¹⁰ Race/Ethnicity was missing on 136 dispositions

Table 3. Juvenile Dispositions by County

County	Number	County	Number
Adams	15	Lewis	63
Asotin	18	Lincoln	10
Benton	251	Mason	35
Chelan	77	Okanogan	59
Clallam	81	Pacific	31
Clark	309	Pend Oreille	N/A
Columbia	N/A ¹¹	Pierce	395
Cowlitz	161	San Juan	N/A
Douglas	38	Skagit	88
Ferry	10	Skamania	N/A
Franklin	122	Snohomish	209
Garfield	N/A	Spokane	328
Grant	108	Stevens	44
Grays Harbor	63	Thurston	268
Island	20	Wahkiakum	N/A
Jefferson	10	Walla Walla	48
King	490	Whatcom	130
Kitsap	90	Whitman	13
Kittitas	28	Yakima	328
Klickitat	23		
Total all counties: 3,981			

Type of Court Disposition

The vast majority of dispositions (3,751 or 94.2%) were the result of guilty pleas; only 141 (or 3.5%) of dispositions involved offenders adjudicated guilty following a juvenile court hearing. The remaining dispositions (89 or 2.2%) were revoked deferred and “Alford” pleas¹².

¹¹ Less than 10 juvenile dispositions

¹² Alford Plea is when a defendant enters a plea of guilty without making an admission of guilt. In other words, he pleads guilty but at the same time he maintains that he's innocent

Locus of Sanction

Most juvenile offenders are sanctioned at the local, county level (Figure 3). Only 9.5% (378) of FY 2019 dispositions resulted in confinement in a state operated JR facility. The range of confinement for JR commitments was an average minimum 39.6 weeks and an average maximum of 58.6 weeks (Table 4).

Figure 3. Locus of Sanction

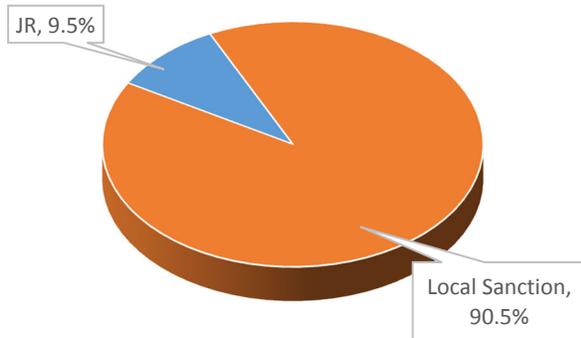


Table 4. Confinement Ordered by Placement Type

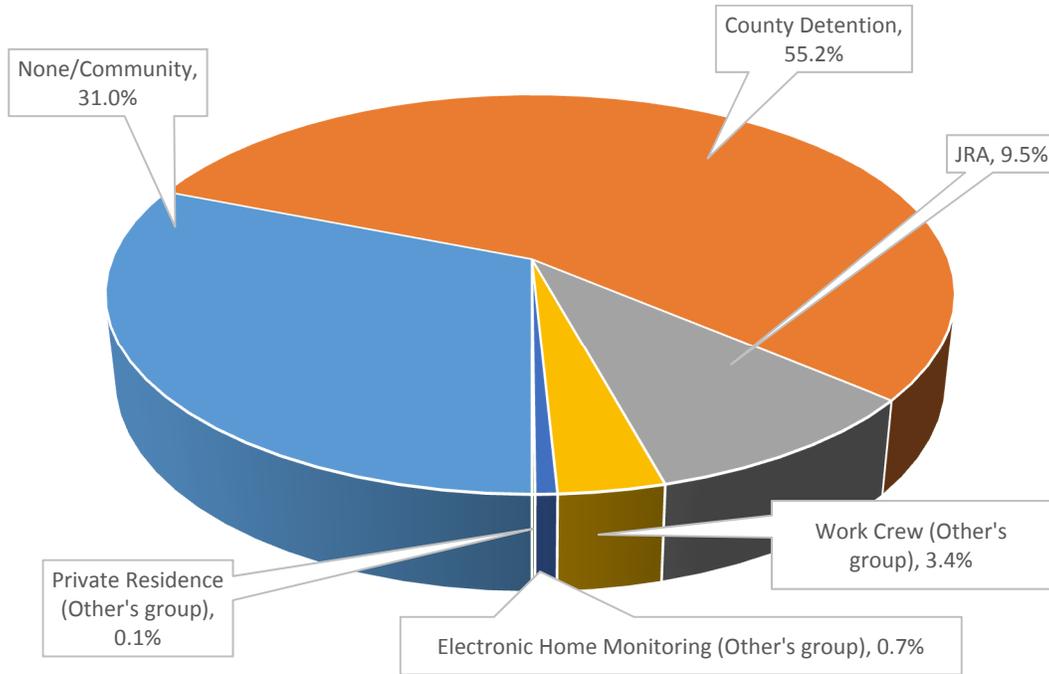
Placement Type	Average Sanction
JR	39.6 to 58.6 Weeks
County Detention	15.4 Days
Work Crew	4.5 Days
Electronic Monitoring	19.3 Days

Local Sanctions

“Local sanction” is the presumptive sentencing range for offenders at the lower end of the offense seriousness/prior adjudication score continuum. Most (90.5%) of FY2019 dispositions resulted in sentences to local sanctions at the county level.

Over half (55.2%) of youths sentenced to local sanctions were assigned some confinement in county detention, with an average sentence of 15.4 days. Another 31% received community supervision without detention. The remaining 4.2% received some other sanction (work crew, electronic home monitoring, private residence, etc.). The average order of electronic home monitoring was 19.3 days. The average work crew order was 4.5 days.

Figure 4. Local Sanction by Type



Felony and Non-felony Dispositions

Most FY 2019 juvenile dispositions were for non-felony (gross misdemeanor and misdemeanor) offenses. Felonies accounted for 35.1% of all dispositions (Table 5).

Table 5. Felony and Non-felony Dispositions

Offense	Number	Percent
Felony	1,396	35.1%
Gross Misdemeanor	2,041	51.2%
Misdemeanor	544	13.7%
Total	3,981	100.0%

Felony Offenses

There were 1,396 dispositions for felonies. Homicide was the most serious felony committed by juveniles, with an average minimum term of 120.3 weeks and an average maximum term of 136.4-week confinement. The second most serious felony was Kidnapping, with an average minimum sentence of 22.5 weeks and an average maximum sentence of 27.7 weeks (Figure 5 and Table 6). On average, felony dispositions included 7.2 months of community supervision in addition to any confinement.

Figure 5. Average Confinement Felony by Weeks

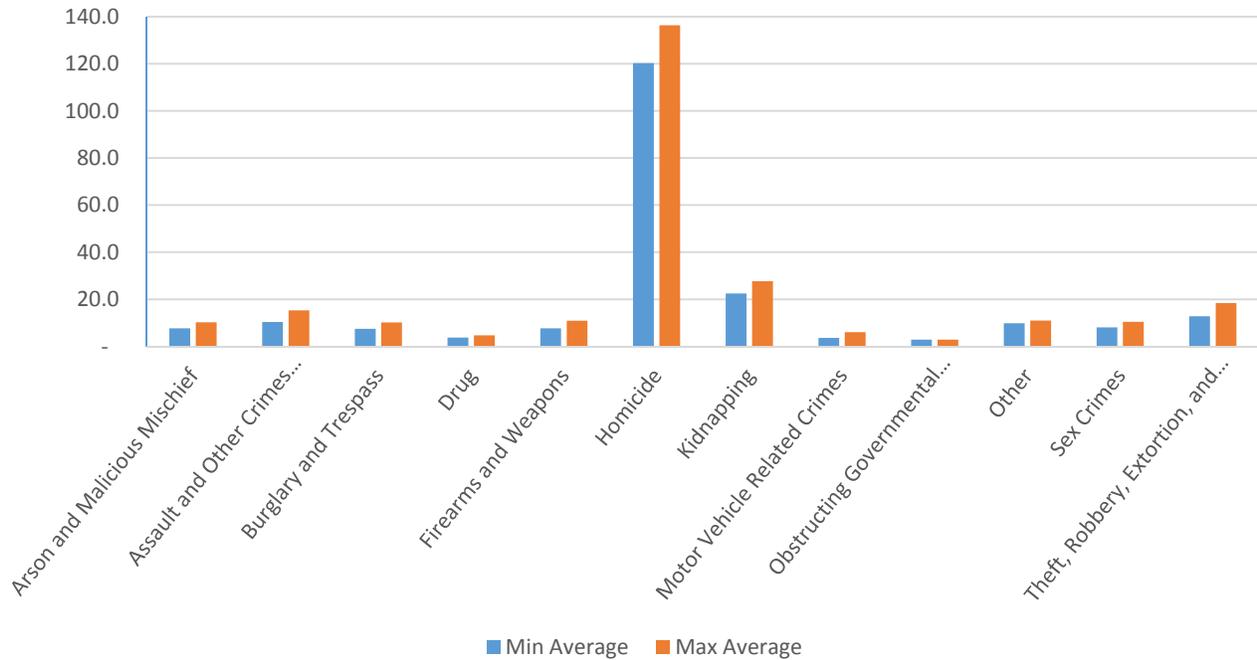


Table 6. Average Confinement Ordered by Felony Category

Felony Dispositions by Category	Number	Average Term (Weeks)	
		Minimum	Maximum
Arson and Malicious Mischief	37	7.7	10.2
Assault and Other Crimes Involving Physical Harm	225	10.4	15.3
Burglary and Trespass	200	7.5	10.2
Drug	84	3.8	4.7
Firearms and Weapons	100	7.7	10.9
Homicide	4	120.3	136.4
Kidnapping	5	22.5	27.7
Motor Vehicle Related Crimes	28	3.6	6.1
Obstructing Governmental Operation	1	2.9	2.9
Other	38	9.8	11.0
Sex Crimes	161	8.1	10.5
Theft, Robbery, Extortion, and Forgery	513	12.8	18.4
Total	1,396		

Non-Felony Offenses

Almost two thirds of FY 2019 dispositions were for non-felony offenses. There were 2,585 gross misdemeanor and misdemeanor dispositions. Assault and Other Involving Physical Harm offenses were the most common non-felony offenses, with an average sentence of 11 days confinement. The average community supervision imposed for gross misdemeanors and misdemeanors was 6.6 months.

Table 7. Average Confinement Ordered by Non-Felony Category

Non-Felony Dispositions by Category	Number	Average (Days)
Arson and Malicious Mischief	283	10.3
Assault and Other Crimes Involving Physical Harm	808	11.0
Burglary and Trespass	204	8.1
Drug	312	4.5
Firearms and Weapons	45	11.7
Kidnapping	2	1.0
Motor Vehicle Related Crimes	41	9.2
Obstructing Governmental Operation	74	6.7
Other	264	12.1
Public Disturbance	98	5.8
Sex Crimes	24	5.9
Theft, Robbery, Extortion, and Forgery	430	4.7
Total	2,585	

Violent and Non-violent Offenses

The great majority (92.8%) of FY 2019 juvenile dispositions were for non-violent offenses (Table 8). Dispositions across all non-violent offenses carried an average minimum sentence of 19.1 day and an average maximum sentence of 24.3 day confinement.

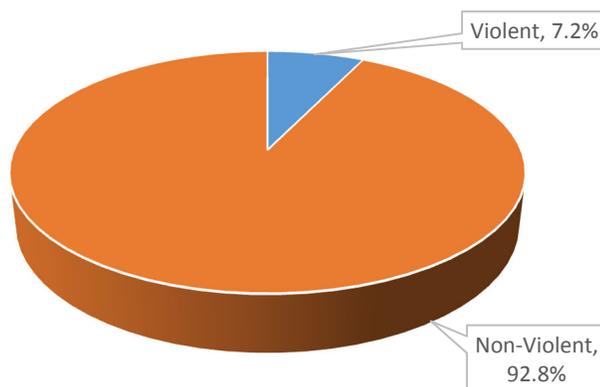
Table 8. Violent and Non-Violent Offense Dispositions

Offense	Number	Average Term
Serious Violent	10	95 to 113 Weeks
Violent	278	22 to 32 Weeks
Non-Violent	3,693	19.1 to 24.3 Days
Total	3,981	

Juvenile dispositions for “serious violent offenses”¹³ were extremely rare in FY 2019, accounting for only 10 (or 0.3%) of 3,981 dispositions. Dispositions for serious violent offenses carried an average range of 95 to 113 week confinement in JR¹⁴.

There were an additional 278 dispositions for violent crimes, with an average range sentence of 22 to 32 weeks confinement.

Figure 6. Violent and Non-Violent Dispositions



¹³ 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))

¹⁴ 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 2019 available on the CFC website.

Suspended Disposition 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. There are three “alternative” dispositions which allow a court to impose a sentence, and then suspend that sentence in favor of a community based local sanctions disposition. These three alternatives are based on compliance with appropriate treatment goals.

1. Suspended Dispositions (Option B) (RCW 13.40.0357)

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 68 Option-B suspended dispositions with an average minimum confinement of 8.8 days, a suspended range of confinement with an average minimum of 130.3 days and an average maximum of 267.0 days, and an average of 9.7 months of community supervision.

2. Chemical Dependency/Mental Health Disposition Alternative (CDMHDA) (Option C) (RCW 13.40.165)

During FY 2019, 14 dispositions were imposed under the Chemical Dependency (CCDA), 6 dispositions were imposed under Mental Health Disposition Alternative (MHDA), and 88 dispositions were imposed under Co-Occurring CDMHDA option. CDMHDA provides chemically dependent/Mental Health youth with an alternative disposition that includes mental health, drug or alcohol treatment. CCDA, Mental Health Disposition Alternatives and Co-Occurring CDMHDA respectively involved an average confinement of 6 days, 1.2 days, and 8.9 days, a suspended range of confinement with an average minimum of 44.9 days, 76.7 days, and 53 days; an average maximum of 58.9 days, 125.7 days, and 76.4 days; and an average of 8.5 months, 8.3 months, and 8.3 months of community supervision.

3. Special Sex Offender Disposition Alternative (SSODA) (RCW 13.40.162)

During FY 2019, 121 dispositions were imposed under the Special Sex Offender Disposition Alternative option. SSODA authorizes the court to suspend the standard range disposition and impose inpatient 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 minimum confinement of 6.5 days, a suspended range of confinement with an average minimum of 210.7 days and an average maximum of 236.9 days, and an average of 23.1 months of community supervision.

Table 9. Juvenile Disposition Alternatives

Alternative	Average Range of Confinement (Days)				Supervision (months)	
	Number	Confinement		Suspended		
		Min	Max	Min		Max
CDDA	14	6.0	6.0	44.9	58.9	8.5
Co-Occurring CDMHDA	88	8.9	8.9	53.0	76.4	8.3
Mental Health Disp.	6	1.7	1.7	76.7	125.7	8.3
Option B – Suspended Disp.	68	8.8	11.0	130.3	267.0	9.7
SSODA	121	6.5	7.7	210.7	236.9	23.1

Manifest Injustice Offenses (Option D)

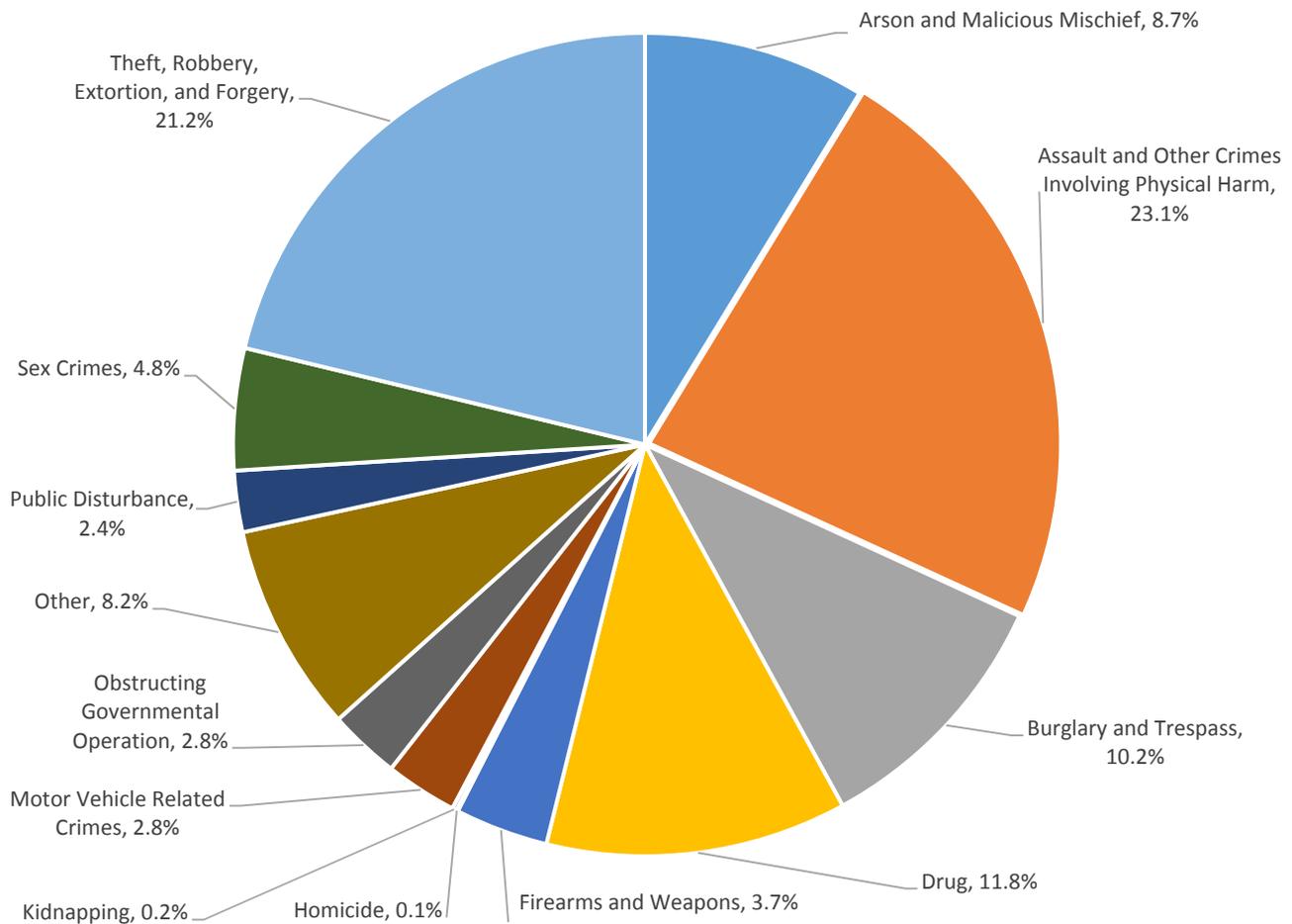
In addition to the alternatives described above, the court may depart from the standard range by imposing a Manifest Injustice order either above or below the standard range¹⁵. The CFC recorded 345 manifest injustice offenses (6.3%) in FY 2019.

¹⁵ 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. Ratio of Manifest Injustice (MI) by Offenses

Category By Offenses	Total Offenses	Offenses were ordered in Standard Range	Offenses with MI	Ratio of MI
Arson and Malicious Mischief	481	463	18	3.7%
Assault and Other Crimes Involving Physical Harm	1,276	1,205	71	5.6%
Burglary and Trespass	562	533	29	5.2%
Drug	652	625	27	4.1%
Firearms and Weapons	202	174	28	13.9%
Homicide	4	1	3	75.0%
Kidnapping	9	7	2	22.2%
Motor Vehicle Related Crimes	156	153	3	1.9%
Obstructing Governmental Operation	154	151	3	1.9%
Other	453	426	27	6.0%
Public Disturbance	133	129	4	3.0%
Sex Crimes	264	224	40	15.2%
Theft, Robbery, Extortion, and Forgery	1,171	1,080	91	7.8%
Grant Total	5,517	5,171	346	

Figure 7. Distribution of Offense Category



The most common reasons for mitigated Manifest Injustice offenses were “other mitigating factor,” “the conduct neither caused nor threatened serious bodily injury or contemplated the conduct would,” and “all parties agree to mitigated sentence.” The most cited reasons for aggravated Manifest Injustice offenses were “recent criminal history or failed to comply with diversion agreement,” “all parties agree to aggravated sentence,” and “need the structure, intensive treatment, training and supervision.” (Table 11)

Table 11. Total Manifest Injustice Reasons

Mitigating Reasons	Number
Acted under strong and immediate provocation.	1
All parties agree to mitigated sentence.	13
Compensated or attempted to compensate victim	2
One year or more between current offense and prior offense.	8
Other Mitigating Factor.	35
Suffered mental or physical condition that reduced capability for the offense.	11
The conduct neither caused nor threatened serious bodily injury or contemplated the conduct would	16
Aggravating Reasons	
All parties agree to aggravated sentence (up).	42
Finding of sexual motivation.	4
Have a substance abuse problem	1
Heinous, cruel or depraved.	5
Highly likely to reoffend	16
Impose a serious and clear danger to society	7
Leader of criminal enterprise	1
Need the structure, intensive treatment, training and supervision	34
Other Aggravating Factor.	32
Other complaints resulting in diversions or guilty plea not listed in history.	24
Recent criminal history or failed to comply with diversion agreement.	53
Standard range too lenient considering priors.	18
Stipulation and associated findings of law previously filed in this matter (see Hilyard)	6
Unsuitable for treatment in the community - immediate criminal activity after release	7
Victim was particularly vulnerable.	17
While committing or fleeing from offense inflicted or attempted to inflict injury.	12

Summary

This report details characteristics of the 3,981 FY 2019 Washington State juvenile offender dispositions reported to the Caseload Forecast Council.

As the data show that more than three quarters (80.7%) of the dispositions involved young males. Most offenders sentenced in juvenile court have little or no criminal history. In fact, approximately 71.3% of dispositions have no prior offenses.

Similarly, most offenders sentenced in court are there for relatively minor crimes. Almost two thirds (64.9%) of the offenders sentenced in FY 2019 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/mental health issues, and Option B), the majority of offenders (93.7%) 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.

There was significant racial/ethnic disproportionality in the sentenced population. Compared to the state as a whole, those adjudicated in FY 2019 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 disproportionality ratio of 4.1.

While it is beyond the scope of this report to determine the causes of gender and racial/ethnic disproportionality in the sentenced population, the data is clear that it persists.

This report is updated annually. It, along with prior annual reports, is available on the CFC website: 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, 2018, and June 30, 2019 (FY 2019). 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.

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