

Juvenile Recidivism in Washington State:



***A 2014 Court Cohort and
2015 Juvenile Rehabilitation
Release Cohort***

**WASHINGTON STATE CENTER
FOR COURT RESEARCH**

SUMMARY OF FINDINGS

This is the second juvenile recidivism report for Washington State, using a court and Juvenile Rehabilitation (JR) cohort. The results are relatively consistent with the previous report's findings. For this report, the overall recidivism rates were 30.3% for the court cohort and just under fifty percent (49.6%) for the JR release cohort. The court rate was slightly higher than in the previous report (28.1%) and lower for the JR release cohort (54.3%). Some of that difference comes from data development that occurred between the two reports, but the recidivism rates did change outside of data quality improvements. There are several possible reasons for these changes in recidivism levels, but we believe they are within the realm of normal, year-to-year fluctuations. We will know more as future analyses are completed and baselines and trends can be identified.

There are differences in recidivism rates among the different study cohorts. Juvenile recidivism rates are higher for the groups with more severe case dispositions and sanctions: JR release cohorts (49.6%), adjudicated court case cohorts (44.0%), and diverted court case cohorts (21.7%). This report does not attempt to say case dispositions and sanctions cause recidivism. The decisions behind sanctioning and dispositions do not occur in a vacuum. The relationship between past offending and criminal sanctioning on current offenses has been identified in previous research (Durham III, 1987). This is consistent with the stated aims and objectives of criminal justice institutions at both the federal and state level (USSC, 2016; Washington CFC, 2016), as well as previous court rulings (Kent v. U.S., 1966). So, those who have committed serious offenses or have a record of prior crimes are more likely to receive more severe case dispositions and then are more likely to commit future offenses.

In addition to sanction or case disposition, demographic factors were associated with higher recidivism rates. Males demonstrated higher rates of recidivism, relative to females. This finding is consistent with the previous report and other research (Durose, Snyder, & Cooper, 2015; FBI, 2015; Hunt and Dumville, 2016).

Analysis of age at first disposition showed, generally, that the younger a person was at their first disposition, the more likely they were to recidivate. This finding, especially among the court cohorts, was also consistent with the previous report and other recidivism scholarship (Blumstein, Farrington, and Moitra, 1985; Farrington and Hawkins, 1991; Moffitt, 1993). In this report, the relationship between recidivism and age at first disposition was not as consistent in the JR release cohort. This may be explained by the demographic and prior disposition differences between the JR and court cohorts, as well as the relatively small number in each of the JR cohort age groups.

One issue is that the "Washington standard" recidivism definition developed by the Washington State Institute for Public Policy requires a minimum of 30 months to complete the follow-up period, comprised of 18 months of "street time" plus 12 months for court processing. To reduce that lag period and allow us to compare Washington's rates to those in neighboring states, we added a new recidivism metric: an offense committed within one year of the beginning of the follow-up period that results in a referral or petition filed in court.

Exhibit 1

Comparative Recidivism Rates	
State	12 month referral recidivism
Oregon	27.4%
Colorado	28.7%
Idaho	30.4%
Washington	32.1%
Arizona	33.4%

The 12-month referral recidivism rate in Washington State was 32.1% for juveniles who received a disposition in 2014. This is relatively similar, but slightly worse than several nearby states around that same time period. In Oregon, juvenile recidivism was 27.4% after 12 months of follow-up.¹ Other reports have indicated the 12-month recidivism rates in Colorado, Idaho, and Arizona were 28.7%, 30.4%, and 33.4%, respectively.² It is difficult to compare outcomes from other states as there may be differences in study populations and research definitions and methodologies. Nonetheless, these examples suggest Washington State is about as, but not more, successful as other states at preventing juvenile recidivism.

While we believe this study provides an accurate, informative, and relevant picture of the state of recidivism among juvenile offenders in Washington State, there is room for improvement. In the next report we hope to incorporate additional explanatory variables into the analysis to provide deeper insight into the court and JR populations, their recidivism, and possible explanations for these outcomes.

How to Interpret

We recommend that courts and stakeholders examine trends, rather than particular years, as individual years can be anomalous due to variances in the population or study cohort, structural changes to laws, changes to court-related practices, or some combination of all of those factors.

County-level Analysis

- Counties with smaller numbers of youth disposed in their courts are more likely to see larger variations in recidivism rates from year to year.
- Looking at several years together will help to identify the range of “normal” as well as trends over time.

Inter-state Comparisons

- Inter-state comparisons are complicated by different ways states define and measure recidivism (Yu, 2014).
- Most states look only at juveniles released from custody, as opposed to all court involved youth. This approach misses the majority of court-involved juveniles.
- Washington State has sufficient data and inter-agency cooperation to accomplish this more ambitious examination.

¹ <https://www.oregon.gov/oya/reports/jjis/2018/2017-12MonthRecidivism.pdf>

² https://le.utah.gov/audit/14_09rpt.pdf

INTRODUCTION

In 2018 we published the first Washington State juvenile recidivism study in more than a decade. We aim to continue to update and publish these reports and examine trends, using cohorts of youth that receive a diversion or adjudication from the courts or are released from a JR facility. Our goal is to provide information to policymakers, juvenile justice stakeholders, researchers, and the general public relative to juvenile justice system performance and possible areas for intervention.

For this study, we followed a cohort of youth that received a court disposition during CY2014 and another cohort of youth that were released from a JR facility during CY2015. To better understand different groups of youth, we look at overall recidivism rates, as well as recidivism rates depending upon the type of disposition that the individual received (diversion or adjudication). We also tested for potential associations, such as race/ethnicity, gender, and age, among youth with different dispositions and recidivism.

DATA AND METHODS

The qualifying event for inclusion in the court cohort was the first criminal justice cycle³ for which an individual received a disposition during 2014; for the JR cohort, it was an individual's first release from JR during 2015.⁴ Only the most serious disposed charge tied to the 2014 court disposition or the 2015 JR release was counted. For youth with more than one court disposition during 2014 or more than one JR release during 2015, the first disposition or release qualified them for the study and all follow-up periods are based upon that date. The follow-up period includes offenses that may have occurred after the youth had reached the age of majority and was sentenced as an adult. However, cases where juveniles are tried as adults are not included in the court cohort, as those instances often involve long periods of incarceration, are comparatively few in number, and it is sometimes difficult to track individuals from juvenile to adult custody.

Court records came from the Administrative Office of the Courts and JR provided admission and release records. We also examined juvenile detention records, obtained from the state's juvenile detention centers, to calculate whether individuals met the minimum duration of street time for the follow up period.

With access to the youth's complete Washington court history, we examined the relationship between recidivism and both demographic variables and prior misdemeanor and felony dispositions. We also included records of prior incarceration in the analyses.⁵ Measures of a prior incarceration included, detention prior to the qualifying offense, pretrial detention related to the qualifying offense, and prior incarcerations at a JR facility. Differences in prosecution and sentencing practices for past and current offenses can result in youth with similar qualifying offenses, demographics, and prior misdemeanor and felony dispositions, receiving disparate punishments. In some cases, prosecution and sentencing differences can send one youth

³ A criminal justice cycle pertains to the period around an offense with a disposition. As such, we filter out multiple charges with the same case number, offense date, and adjudication date, to not over-count the number of offenses committed by an individual.

⁴ The first disposition of the calendar was taken for each disposition cohort. There were a number of individuals who had both an adjudication and diversion in the same year, so those categories are not exclusive.

⁵ The AOC receives detention data from public juvenile detention centers across the state. They do not receive regular data from the sole private detention center, Martin Hall. They are also limited in historical detention data, as some public detention centers only began reporting to the AOC more recently.

to incarceration while a similar youth receives a non-custodial sentence. Our aim is not to answer those larger questions, but to identify correlations between recidivism and both the demographic variables and prior misdemeanor and felony disposition variables we do have, so that areas for further inquiry can be identified.

Time spent in JR and local detention was deducted from the interval between the youth's adjudication date and the date of the most recent data available to us. Only individuals with the minimum follow-up period (18 months)⁶ of street time were included in the study.

We divided our analyses into categories, depending on the qualifying case outcome - all dispositions (convictions, deferrals, and diversions), adjudications only (convictions and deferrals), and diversions only.⁷ As indicated below, only some analyses include the JR release cohort due to multiple factors, including a lack of a consistent case-related identifier between JR and court data, which prevented connecting the JR release cohort to the original disposition.⁸

STUDY POPULATION

In the following tables, differences in gender, race, age, and qualifying offense are evident between the disposition, adjudication, diversion, and JR release cohorts.

Gender, Race/Ethnicity, and Age

The gender gap varies greatly across the various cohorts from 67.3% male among dispositions, 74.6% among adjudications, 62.2% among diversions, and 87.3% among the JR release cohort. The mean age only moves 0.4 years among the court cohorts, it jumps almost a full year with the JR release cohort. This is not surprising as the JR release cohort has served a sentence since their court adjudication.⁹ Notable differences in racial/ethnic percentages across cohorts appeared with White youth, who were 60.5% of the diversion cohort but 51.8% of the JR release cohort. In contrast, Black youth were 10.1% of the diversion cohort but 18.7% of the JR release cohort.

⁶ For the court cohorts, the recidivism clock began on their disposition date. For the JR release cohort it began on the date of their residential release. For most of the report, recidivism was defined as an offense that occurred within eighteen months of their disposition (local) or residential release (JR), and that resulted in an adjudication or conviction within twelve months of the offense date. We also include one table where recidivism was defined as a referral or petition filed within 12 months of their disposition (local) or residential release (JR).

⁷ Please note that some individuals received multiple dispositions in the same year. The first offense for each of the three categories (disposition, adjudication, and diversion) was captured. Therefore, the same individual may appear in multiple categories, if they had multiple offenses resulting in different dispositions during the year.

⁸ From past analysis we know that the majority come from adjudications for felony charges, along with revocations for disposition alternatives or juveniles with extensive criminal histories.

⁹ The average JR sentence is 10.4 months in length.

Exhibit 2

Population Demographics: Gender, Race/Ethnicity, and Age								
	All Dispositions (N=11,312)		Diversions (N=6,892)		Adjudications (N=4,889)		JR Release Cohort (N=542)	
	N	%	N	%	N	%	N	%
Gender¹⁰								
Males	7,609	67.3	4,281	62.2	3,645	74.6	473	87.3
Females	3,667	32.4	2,591	37.6	1,226	25.1	69	12.7
Race¹¹								
White	6,579	58.2	4,166	60.5	2,663	54.5	258	51.8
Black	1,341	11.9	699	10.1	694	14.2	109	18.7
Hispanic	2,600	23.0	1,516	22.0	1,221	25.0	102	22.1
Asian/Pacific Islander	345	3.1	237	3.4	124	2.5	14	4.4
American Indian/Native Alaskan	352	3.1	183	2.7	182	3.7	47	2.8
Age								
Age 10	26	0.2	23	0.3	3	0.1	0	0.0
Age 11	108	1.0	91	1.3	20	0.4	1	0.2
Age 12	478	4.2	355	5.2	140	2.9	2	0.4
Age 13	1,099	9.7	779	11.3	373	7.6	11	2.0
Age 14	1,775	15.7	1,134	16.5	720	14.7	30	5.5
Age 15	2,332	20.6	1,435	20.8	1,008	20.6	75	13.8
Age 16	2,769	24.5	1,617	23.5	1,258	25.7	130	24.0
Age 17	2,725	24.1	1,458	21.2	1,367	28.0	131	24.2
Mean Age		15.2		15.0		15.4		15.9

Qualifying Offense

Qualifying offense also varied across the cohorts. For example, 1.4% of diversions came from felony cases in contrast to 36.9% of adjudications. Adjudications are considered more severe dispositions than diversions, so it is expected that there would be more adjudications associated with felony cases. Property offenses are the most common offense across all disposition types.

Exhibit 3

Population Demographics: Most Serious Qualifying Offense						
	All Dispositions (N=11,312)		Diversions (N=6,892)		Adjudications (N=4,889)	
	N	%	N	%	N	%
Total Misdemeanors	9,518	84.1	6,797	98.6	3,086	63.1
Other Misdemeanor	695	6.1	383	5.6	334	6.8
Alcohol/Drug Misdemeanor	2,254	19.9	1,774	25.7	563	11.5
Property Misdemeanor	4,006	35.4	2,944	42.7	1,211	24.8
Assault Misdemeanor	2,563	22.7	1,696	24.6	978	20.0
Total Felonies	1,794	15.9	95	1.4	1,803	36.9
Other Felony	142	1.3	5	0.1	140	0.7
Drug Felony	159	1.4	14	0.2	154	3.1
Property Felony	804	7.1	61	0.9	801	16.2
Non-Violent Person Felony	83	0.7	7	0.1	78	3.3
Violent Person Felony	606	5.4	8	0.1	630	0.1

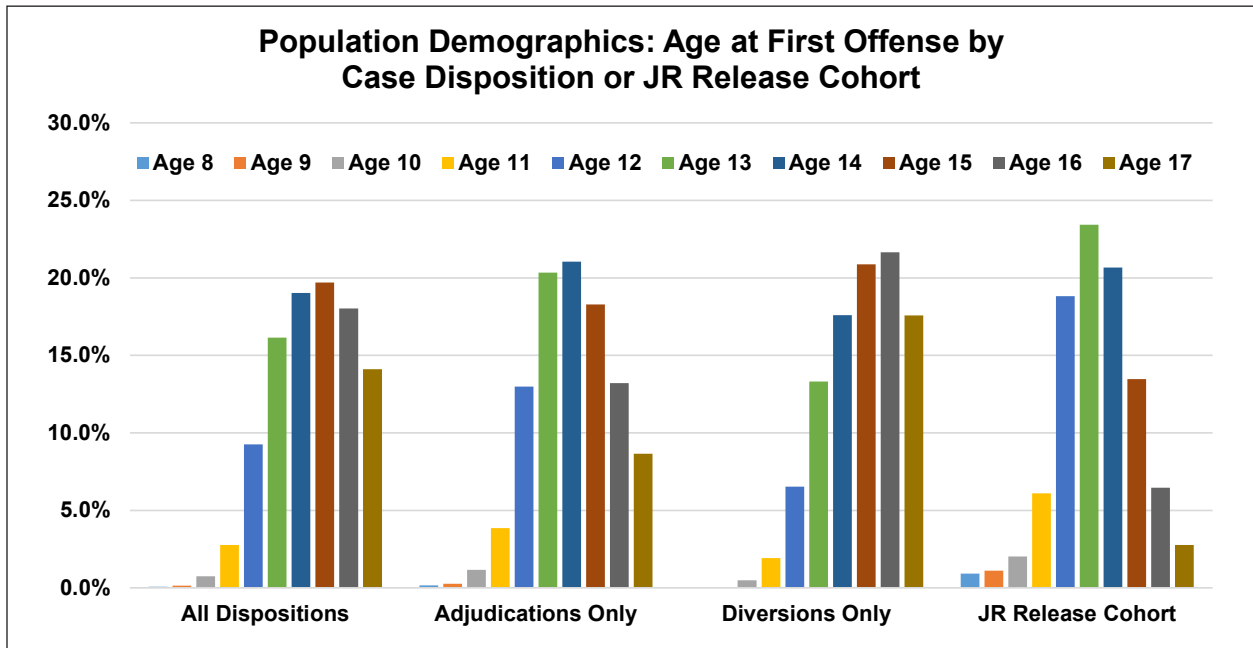
¹⁰ 36 of the 11,312 individuals with a disposition in 2014 had an "X" designation or were missing information related to their gender.

¹¹ Race is derived using AOC data where the youth's race is recorded by the police or court and bi-racial and multi-racial were not options in 2014. 95 of the 11,312 individuals with a disposition in 2014 were missing information related to their race and/or ethnicity.

Age at First Offense

Finally, age at first disposition also varied across the cohorts. The most frequent age of first disposition for the JR release cohort was 13, but 14 for adjudications, 15 for all dispositions, and 16 for the diversion cohort. This observation is consistent with expected findings. Several criminological studies have identified a relationship between early age of onset for criminal behavior and longer and more severe criminal acts and careers (Blumstein, et. al., 1986; Elliot, 1994; Farrington, et. al., 1990; Tracy and Kempf-Leonard, 1996; Wolfgang, 1972).

Exhibit 4



County

One of the most noticeable results regarding the study population comes from the differences in case dispositions among the Washington State counties. Diversions make up the majority of case dispositions, with approximately 1.4 times as many diversions as adjudications in this study. Among those counties with at least 100 total dispositions, eight counties had a ratio of at least 1.5 adjudications for every diversion or vice versa. Adams, Benton/Franklin, Grays Harbor, Pierce, Skagit, Snohomish, Spokane, and Whatcom all had a ratio of at least 1.5 diversions for every adjudication. Conversely, no counties had more than 100 dispositions and at least 1.5 adjudications for every diversion.

Exhibit 5

Population Demographics: County¹²								
	All Dispositions (N=11,312)		Diversions (N=6,892)		Adjudications (N=4,889)		JR Release Cohort (N=599)	
	N	%	N	%	N	%	N	%
Adams	107	1.0	83	1.2	32	0.7	--	--
Asotin/Garfield	78	0.7	27	0.4	53	1.1	--	--
Benton/Franklin	903	8.0	624	9.1	327	6.7	29	5.4
Chelan	168	1.5	95	1.4	88	1.8	12	2.2
Clallam	144	1.3	74	1.1	74	1.5	--	--
Clark	881	7.8	479	7.0	444	9.1	40	7.5
Cowlitz	318	2.8	170	2.5	169	3.5	15	2.8
Douglas	99	0.9	65	0.9	41	0.8	--	--
Ferry	--	--	--	--	--	--	--	--
Grant	304	2.7	171	2.5	153	3.1	14	2.6
Grays Harbor	177	1.6	139	2.0	46	0.9	--	--
Island	104	0.9	62	0.9	48	1.0	--	--
Jefferson	52	0.5	36	0.5	18	0.4	--	--
King	1,349	11.9	780	11.3	592	12.1	99	18.4
Kitsap	435	3.9	243	3.5	209	4.3	13	2.4
Kittitas	49	0.4	21	0.3	31	0.6	--	--
Klickitat	69	0.6	49	0.7	27	0.6	--	--
Lewis	197	1.7	94	1.4	115	2.4	17	3.2
Lincoln	30	0.3	--	--	--	--	--	--
Mason	102	0.9	62	0.9	49	1.0	--	--
Okanogan	164	1.5	75	1.1	96	2.0	--	--
Pacific/Wahkiakum	83	0.7	51	0.7	37	0.8	--	--
Pend Oreille	25	0.2	--	--	--	--	--	--
Pierce	1,406	12.4	930	13.5	520	10.6	60	11.7
San Juan	19	0.2	--	--	--	--	--	--
Skagit	270	2.4	188	2.7	90	1.8	11	2.1
Skamania	33	0.3	20	0.3	14	0.3	--	--
Snohomish	1,126	10.0	803	11.7	369	7.6	28	5.2
Spokane	558	4.9	358	5.2	212	4.3	38	7.1
Stevens	65	0.6	30	0.4	37	0.8	--	--
Thurston	631	5.6	321	4.7	338	6.9	29	5.4
Walla Walla/Columbia	189	1.7	91	1.3	104	2.1	14	2.6
Whatcom	402	3.6	258	3.7	162	3.3	14	2.6
Whitman	39	0.3	15	0.2	24	0.5	--	--
Yakima	732	6.5	419	6.1	348	7.1	38	7.1

¹² Fields with fewer than 10 subjects are omitted to protect confidentiality.

RECIDIVISM RESULTS

The analyses examine a variety of demographic, offense, and court factors related to the study population and the outcomes analysis. Some clear trends appear below. As noted above, due to difficulties linking JR admissions to qualifying offenses, those analyses based upon a qualifying disposition, prior misdemeanor and felony dispositions, or previous incarcerations do not include the JR release cohort.

Recidivism

The most consistent trend was that recidivism rates increased along with the severity of the disposition - diversions to adjudications to all dispositions to the JR release cohort. This was true regardless of the demographic, prior misdemeanor and felony dispositions, or qualifying offense variable used to filter the results or the type of recidivism measured (overall, misdemeanor, felony, or violent felony).¹³ All tables after the recidivism outcomes table include only statistics for felony and all recidivism.

The most inclusive category, all dispositions, had an overall recidivism rate of 30.3% and a felony recidivism rate of 11.3%. The adjudication cohort saw higher rates (44.0% and 20.3%), while the diversion cohort saw lower rates of recidivism (21.7% and 5.4%, respectively). The recidivism rate for adjudications was at least 2.0 times higher than the diversions recidivism rate, for almost all types of recidivism measured.

It is important to note that the 30.3% recidivism rate is a slight increase over last year's 28.1% figure. It is unclear, at this point, whether this increase is part of a longer term trend or a normal variation in recidivism rates that will occur from year to year. That answer will become clearer in subsequent reports, as we have more data to analyze.

Exhibit 6

Recidivism Outcomes				
	All Dispositions (%)	Diversions (%)	Adjudications (%)	JR Release Cohort (%)
All Recidivism	30.3	21.7	44.0	49.6
Misdemeanor Recidivism	24.6	18.9	33.9	25.3
Felony Recidivism	11.3	5.4	20.3	24.4
Violent Felony Recidivism	4.0	1.7	7.3	9.2

¹³ Felony recidivism includes any felony offense that occurs after the qualifying adjudication and meets the other elements of recidivism as defined on p. 3 of this report. Violent felony recidivism includes any assault felony, violent-property felony except for extortion, robbery-kidnap felony, rape or sexual assault felony, or homicide that occurs after the qualifying adjudication and meets the other elements of recidivism as defined on p. 3 of this report.

Gender

For both felony and all recidivism categories, males recidivated more than females across all the court cohorts. Gender had one of the strongest and most consistent patterns of recidivism among the various factors analyzed. Felony recidivism rates among males were 1.8 to 2.3 times higher than those of females across the different court cohorts. The differences between the all recidivism rates for males and females is higher than that of the felony recidivism rates, which indicates that males are more likely than females to recidivate with a misdemeanor or felony.

Exhibit 7

Recidivism Outcomes by Gender								
	All Recidivism				Felony Recidivism			
	All Dispositions (%)	Diversions (%)	Adjudications (%)	JR (%)	All Dispositions (%)	Diversions (%)	Adjudications (%)	JR (%)
Males	33.7	24.5	45.8	52.2	13.8	6.7	22.9	26.2
Females	23.3	17.3	38.6	31.9	6.2	3.3	12.8	11.6

Race

The relationship between race and recidivism rates is fairly consistent across types of recidivism and different dispositions. Black youth had elevated recidivism rates for the court and JR release cohorts. Asians and Pacific Islanders had the lowest all recidivism rates for all dispositions and diverted youth. Relative recidivism rates for Hispanic youth varied across the different court and JR cohorts. Across racial and ethnic groups, White youth were comparatively less likely to experience a new felony disposition in the 18 months following their disposition.

Exhibit 8

Recidivism Outcomes by Race ¹⁴								
	All Recidivism				Felony Recidivism			
	All Dispositions (%)	Diversions (%)	Adjudications (%)	JR (%)	All Dispositions (%)	Diversions (%)	Adjudications (%)	JR (%)
White	27.7	20.5	40.6	42.3	9.5	4.6	17.8	18.6
Black	36.4	23.6	50.9	55.1	18.3	8.9	28.2	34.9
Hispanic	34.7	26.5	46.3	62.8	12.1	6.5	19.7	31.4
Asian/Pacific Islander	23.8	14.4	43.6	--	10.1	4.6	21.8	--
American Indian/Native Alaskan	36.9	21.9	53.9	51.1	17.3	4.9	29.7	19.2

¹⁴ Fields with fewer than 30 subjects are omitted as to not provide potentially skewed or misleading statistics.

Age at Qualifying Offense

The court cohorts show a relatively consistent trend across all and felony recidivism.¹⁵ For adjudications and all dispositions, recidivism rates increase until age 13 or 14 and then decrease until age 17. The diversion cohort's recidivism rates, across both felony and all recidivism, appear to peak around age 12 and then fall. For all the court cohorts, the recidivism rates for 15, 16, and 17 year olds are lower than for those younger.

Exhibit 9

Recidivism Outcomes by Age at Qualifying Disposition¹⁶						
	All Recidivism			Felony Recidivism		
	All Dispositions (%)	Diversions (%)	Adjudications (%)	All Dispositions (%)	Diversions (%)	Adjudications (%)
Age 10	--	--	--	--	--	--
Age 11	26.9	26.4	--	3.7	4.4	--
Age 12	33.3	29.9	47.1	11.1	7.9	20.0
Age 13	34.2	28.5	49.1	12.4	7.5	24.4
Age 14	35.6	26.4	52.5	13.2	7.7	23.3
Age 15	33.2	24.2	47.4	12.1	5.9	21.5
Age 16	28.8	19.4	41.8	11.1	4.5	19.7
Age 17	24.0	12.6	37.5	9.5	2.6	17.4

Age at First Disposition

Almost all disposition groups have their highest recidivism rates in either the first or second age group listed, then show a consistent decrease in recidivism as the age at first disposition increases. In some instances, the decrease was dramatic, with all recidivism adjudication decreasing from 57.5% for those with a first disposition at age 11 to 26.5% for those with their first disposition at age 17. The JR release cohort did not demonstrate the same patterns as the court cohort, with the felony recidivism category showing a similar rate of increase from age 12 (22.6%) to age 16 (22.9%). However, the court cohorts follow similar patterns to the previous table. The recidivism rates peak early (age 11 or 12) and are at half or less the peak rate, for those whose first offense occurred at age 17. The JR release cohort all recidivism rates do not fall as consistently, nor do they fall by 50% or more from peak rates for the age 16 year olds. However, they do substantially fall from peak rates for those that commit their first offense later in life.

¹⁵ The JR cohort was not included in this analysis because of issues identifying the offense that resulted in the JR commitment. As such, the age at qualifying offense could not be calculated.

¹⁶ Fields with fewer than 30 subjects are omitted as to not provide potentially skewed or misleading statistics.

Exhibit 10

Recidivism Outcomes by Age at First Disposition ¹⁷								
	All Recidivism				Felony Recidivism			
	All Dispositions (%)	Diversions (%)	Adjudications (%)	JR (%)	All Dispositions (%)	Diversions (%)	Adjudications (%)	JR (%)
Age 10	43.5	24.2	56.1	--	17.7	6.1	24.6	--
Age 11	45.5	30.3	57.5	69.7	20.8	8.3	29.8	39.4
Age 12	42.6	30.0	53.1	54.9	18.9	9.8	26.3	22.6
Age 13	38.7	28.5	49.2	55.1	15.7	7.2	23.8	23.6
Age 14	34.9	25.8	47.2	50.9	13.2	7.3	20.9	32.1
Age 15	29.4	23.4	40.5	43.8	10.0	5.3	18.0	15.1
Age 16	21.5	18.0	32.4	37.1	6.6	3.9	13.8	22.9
Age 17	14.4	11.0	26.5	--	4.1	2.2	10.4	--

Prior Misdemeanor and Felony Dispositions

Consistently, the likelihood of recidivism increases with the quantity and severity of prior misdemeanor and felony dispositions. The pattern appears in all disposition cohorts for both felony and all recidivism groups. Felony recidivism rates among those with prior felony dispositions ranged from 2.2 to 4.6 times higher than felony recidivism rates for those with no prior misdemeanor or felony dispositions. Percentage-wise the greatest increase was in felony recidivism rates from all dispositions with no prior misdemeanor or felony dispositions (7.0%) to all dispositions with prior felony dispositions (32.1%).

Exhibit 11

Recidivism Outcomes by Prior Misdemeanors and Felony Dispositions ¹⁸						
	All Recidivism			Felony Recidivism		
	All Dispositions (%)	Diversions (%)	Adjudications (%)	All Dispositions (%)	Diversions (%)	Adjudications (%)
No Prior Misdemeanor or Felony Dispositions	23.3	20.5	34.3	7.0	4.9	15.2
Prior Misdemeanor Disposition	45.4	30.9	49.4	20.1	8.9	22.5
Prior Felony Disposition	54.1	42.6	54.6	32.1	20.4	32.7
Prior Violent Felony Disposition	49.2	--	48.8	30.0	--	30.0

¹⁷ Fields with fewer than 30 subjects are omitted as to not provide potentially skewed or misleading statistics.

¹⁸ Fields with fewer than 30 subjects are omitted as to not provide potentially skewed or misleading statistics.

Previous Incarcerations

There appears to be a clear relationship between the type of previous incarceration and the recidivism rate. Those with any kind of prior incarceration (qualifying offense pretrial detention, previous offense detentions, or previous JR admissions) had higher recidivism rates than those without any incarcerations and those with a prior JR admission had higher recidivism rates than those that had been only in detention across all types of recidivism.¹⁹ Felony recidivism rates among those with a prior detention stay ranged from 2.0 to 3.6 times higher than felony recidivism rates for those with no prior incarcerations.

Exhibit 12

Recidivism Outcomes by Incarceration History ²⁰						
	All Recidivism			Felony Recidivism		
	All Dispositions	Diversions	Adjudications	All Dispositions	Diversions	Adjudications
No Prior Incarcerations	20.0	18.7	26.9	5.3	4.3	9.9
Qualifying Offense Pretrial Detention	43.2	30.8	50.0	19.1	8.6	24.2
Prior Offense Detention Stays	42.6	31.0	49.0	18.4	8.7	23.1
Any Prior JR Stays	60.9	--	60.5	47.0	--	46.4

Further examinations of the data reveal consistencies in the relationship between previous incarcerations and recidivism. The table below presents recidivism rates based upon previous incarceration history for those individuals whose qualifying offense was a property misdemeanor.²¹ The majority of instances find recidivism rates for property misdemeanants to be within a few percentage points of the overall cohort and the pattern of changes in recidivism rates remains consistent. Those with a prior JR admission had higher rates than those with a prior detention admission and those with no prior incarcerations had the lowest recidivism rates.

Exhibit 13

Recidivism Outcomes for Property Misdemeanants by Incarceration History ²²						
	All Recidivism			Felony Recidivism		
	All Dispositions	Diversions	Adjudications	All Dispositions	Diversions	Adjudications
No Prior Incarcerations	17.8	16.7	28.4	4.4	4.1	7.9
Instant Offense Pretrial Detention	45.8	31.3	56.2	18.5	10.3	24.6
Prior Offense Detention Stays	44.4	31.8	53.8	17.1	9.4	23.3
Any Prior JR Stays	70.6	--	69.8	49.0	--	45.8

¹⁹ The JR cohort was not included in this analysis because of issues identifying the offense that resulted in the JR commitment and classifying detention episodes accurately.

²⁰ Fields with fewer than 30 subjects are omitted as to not provide potentially skewed or misleading statistics. Also, the one youth may be included in more than one of the prior incarceration categories.

²¹ Property misdemeanors were the modal offense for all court cohorts, representing between 26.9% and 44.4% of the total cohort.

²² Fields with fewer than 30 subjects are omitted as to not provide potentially skewed or misleading statistics.

County Level

County level analysis of recidivism poses challenges because several counties have a low number of juveniles represented in the study. As a result, it is often difficult to draw county level conclusions. For example, 12 of the 35 juvenile jurisdictions in Washington State had fewer than 100 juveniles with dispositions in 2014. The number of counties with more than 100 subjects per category of analysis decreases further as the dispositions are disaggregated. For example, less than one-half of jurisdictions (14) had more than 100 subjects in the adjudicated cohort, and no jurisdiction had more than 100 subjects in the JR release cohort.

Exhibit 14

Recidivism Outcomes by County ²³								
	All Recidivism				Felony Recidivism			
	All Dispositions (%)	Diversions (%)	Adjudications (%)	JR (%)	All Dispositions (%)	Diversions (%)	Adjudications (%)	JR (%)
State Average	30.3	21.7	44.0	49.6	11.3	5.4	20.3	24.4
Adams	32.7	26.7	53.1	--	7.5	3.3	12.5	--
Asotin/ Garfield	38.5	--	47.2	--	16.7	--	22.6	--
Benton/ Franklin	33.8	27.1	50.5	--	11.6	7.1	22.9	--
Chelan	29.8	23.5	36.4	--	12.5	13.7	18.2	--
Clallam	25.0	--	36.5	--	5.6	--	9.5	--
Clark	32.1	23.3	40.8	40.0	12.7	8.3	18.7	17.5
Cowlitz	32.7	18.6	43.2	--	12.0	8.5	18.9	--
Douglas	30.3	14.3	31.7	--	12.1	0.0	22.0	--
Ferry	--	--	--	--	--	--	--	--
Grant	34.9	19.3	48.4	--	10.9	3.5	20.3	--
Grays Harbor	23.2	13.6	34.8	--	9.6	2.3	23.9	--
Island	26.0	--	35.4	--	9.6	--	16.7	--
Jefferson	25.0	--	--	--	5.8	--	--	--
King	25.6	10.9	43.2	53.5	13.8	4.6	25.5	35.4
Kitsap	26.9	18.9	40.7	--	6.2	3.6	9.1	--
Kittitas	24.5	--	35.5	--	4.1	--	6.5	--
Klickitat	36.2	--	--	--	8.7	--	--	--
Lewis	34.0	28.2	39.1	--	12.7	5.1	18.3	--
Lincoln	10.0	--	--	--	3.3	--	--	--
Mason	34.3	--	40.8	--	8.8	--	16.3	--
Okanogan	45.7	30.0	61.5	--	23.8	10.0	38.5	--
Pacific/ Wahkiakum	41.0	--	51.4	--	14.5	--	18.9	--
Pend Oreille	--	--	--	--	--	--	--	--
Pierce	28.4	17.0	43.5	56.7	11.9	3.4	22.9	30.0
San Juan	--	--	--	--	--	--	--	--
Skagit	28.9	21.7	43.3	--	7.4	6.7	16.7	--
Skamania	30.3	--	--	--	6.1	--	--	--
Snohomish	29.3	19.3	47.2	--	10.3	4.9	22.5	--
Spokane	27.1	13.2	48.6	50.0	13.4	2.8	31.1	34.2
Stevens	24.6	--	32.4	--	7.7	--	5.4	--
Thurston	34.4	22.5	45.9	--	10.1	4.1	16.0	--
Walla Walla/ Columbia	36.5	27.7	42.3	--	11.6	6.4	16.4	--
Whatcom	33.6	25.2	48.2	--	10.5	4.9	19.8	--
Whitman	18.0	--	--	--	12.8	--	--	--
Yakima	31.6	25.6	43.4	55.3	9.8	4.9	15.8	26.3

²³ Fields with fewer than 30 subjects are omitted as to not provide potentially skewed or misleading statistics.

As discussed in the population demographics section, a number of counties had a disproportionate number of diversions to adjudication (Adams, Benton/Franklin, Grays Harbor, Pierce, Skagit, Snohomish, Spokane, and Whatcom). Despite the high percentage of diversion cases, they had a combined all recidivism rate for all dispositions of 29.8%, which is almost identical to the state average of 30.3%. Further analysis would be required to identify why an increased proportion of diversions did not result in recidivism rates lower than the state average. However, it indicates that case disposition is not the only explanatory factor for recidivism rates.

One Year Referral Recidivism

The original Washington State Institute for Public Policy (WSIPP) definition of juvenile recidivism is an offense with a disposition, where the offense occurs within 18 months of the start of follow up period and the disposition occurs within 12 months of the offense date. In an effort to make the information more timely and relevant for practitioners and also allow us to compare Washington State rates to rates in neighboring states, we added a new recidivism metric: an offense committed within one year of the beginning of the follow up period that results in a referral or petition filed in court. It is difficult to compare with state and national averages due to different underlying base crime rates and differences in arrest, referral and sentencing practices. As mentioned in the introduction, this report was born because a national research and policy group attempted to create a universal definition and methodology for measuring recidivism and failed. This new metric will get us closer to that goal of accurate comparisons. While we will continue to measure recidivism with the WSIPP definition for the time being, we believe this new measure will allow for more timely and relevant outcomes.

The 12-month recidivism rate in Washington State was 32.1% for juveniles who received a disposition in 2014. While we have not found other states that identify different recidivism rates exclusively for their diverted and adjudicated populations, in Oregon, juvenile recidivism is 28% across all types of dispositions.²⁴ Other reports have indicated that the 12-month recidivism rates in Colorado, Idaho, and Arizona were 28.7%, 30.4%, and 33.4%, respectively, around the time of our 2014 cohort.²⁵ As mentioned above, it is difficult to directly compare outcomes from other states that have distinct youth populations, follow different court and supervision practices, and conduct studies with their own definitions and methodologies. Nonetheless, these examples suggest Washington State is comparable but not more successful than surrounding states in reducing juvenile recidivism.

Exhibit 15

One Year Referral Recidivism Outcomes²⁶				
	All Dispositions (%)	Diversions (%)	Adjudications (%)	JR Release Cohort (%)
All Recidivism	32.1	23.1	46.4	51.9
Felony Recidivism	12.7	6.9	21.7	34.1

²⁴ <https://www.oregon.gov/oia/reports/jjis/2018/2017-12MonthRecidivism.pdf>

²⁵ https://le.utah.gov/audit/14_09rpt.pdf

²⁶ One year referral recidivism rates are higher than other recidivism outcomes in this report, because referrals occur at an early stage of the juvenile court process and not all referrals result in a disposition.

Mobility of Offenders

In addition to knowing where an offense or recidivism event took place, it can be valuable to know whether youth are reoffending in the same place or whether their new offenses take place in another county. We analyzed the jurisdiction for the qualifying offense and that for the new offense and found that almost 20% of youth with any disposition reoffended in a different jurisdiction from their qualifying offense. This number increased for adjudicated youth and decreased for diverted youth, which indicates that not only do diverted youth recidivate less often, but when they do recidivate, they are less likely to do so in a different jurisdiction.

Exhibit 16

Mobility of Recidivists			
	All Dispositions (%)	Diversions (%)	Adjudications (%)
Same Jurisdiction	81.8	85.2	78.7
New Jurisdiction	18.2	14.8	21.3

CONCLUSION

As discussed, the highest rates of recidivism are found with the JR release cohort, followed by the adjudicated cohort, all dispositions and then, the diversion cohort. However, as noted in the county level analysis, case disposition is not the only factor associated with recidivism outcomes. It is also important to note that case dispositions do not occur in a vacuum, nor are they meted out randomly. From this study, the more severe dispositions are associated with longer and more severe criminal histories and more severe qualifying offenses. The relationship between past offending and criminal sanctioning on current offenses has been identified in previous research (Durham III, 1987). This finding is consistent with the stated aims and objectives of criminal justice institutions at both the federal and state level (USSC, 2016; Washington CFC, 2016), as well as previous court rulings (Kent v. U.S., 1966). So, those who have committed serious offenses or have a record of prior crimes are more likely to receive more severe case dispositions and then are more likely to commit future offenses.

As described above, prior misdemeanor or felony dispositions explain a portion of the instant offense disposition and our analysis showed that those with more severe criminal histories had higher rates of recidivism. These results are in line with previous research. An individual's prior misdemeanor and felony dispositions are often cited as a predictive factor for recidivism and are prominently featured in risk assessments and recidivism studies (Andrews and Bonta, 1995; Barnoski and Drake, 2007; Latessa, et. al., 2009; Van Nostrand and Lowenkamp, 2011). Further analysis can be done in this area to identify specific offense types, number of offenses, or other factors to further elucidate the relationship between prior misdemeanor and felony dispositions and future offending.

Males also demonstrated higher rates of recidivism, relative to females. Males are overrepresented in the criminal justice system at all stages and ages (Durose, Snyder, & Cooper, 2015; FBI, 2015; Hunt and Dumville, 2016). In last year's report, we saw this same finding, except the JR females had higher recidivism rates than the males. This year the JR males were much more likely to recidivate than the JR females. It is possible that last year's result was attributable to an anomalous group and the relatively small number of females in JR. However, this area will continue to be examined in future studies.

The individual's age at first disposition also showed a relationship to recidivism. Generally, the earlier a person had their first disposition, the more likely they were to recidivate. This factor has also been identified by a number of previous researchers and scholars as predictive of future offending (Blumstein, Farrington, and Moitra, 1985; Farrington and Hawkins, 1991; Moffitt, 1993). In last year's report, relationship between age of first disposition and recidivism rates found in the court cohorts was not as consistent with JR cohort. However, as with other disparities between the court and JR cohorts, this may be explained by demographics, qualifying offense, prior misdemeanor and felony dispositions, the relatively small number in each of the JR cohort age groups, or other differences not captured in our study.

While we believe this study provides an accurate and important picture of the state of recidivism among juvenile offenders in Washington State, there is room for improvement. In the next report we hope to incorporate additional explanatory variables into the analysis to provide deeper insight into the court and JR populations, their recidivism, and possible explanations for these outcomes.

The most daunting obstacle to improving recidivism reporting is a lack of accurate data. We cannot account for all the time that juveniles have spent off the streets during a potential follow-up period without jail and DOC data. In addition, as discussed above, recidivism often becomes the sole outcome measure for court-involved youth. Including other outcomes such as education, employment, and health would give a more complete picture of the status of the youth population and the successes or failures of the juvenile justice system. If there are no efforts to connect incarceration, education, health, and employment data to court data, then our reporting will always be incomplete and significant opportunities for system improvement, intervention program development, and rehabilitation will be lost.

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