Racial Disproportionality in Robbery 1 and 2 Juvenile Dispositions in Washington State, 2013-2020

Summary

A review of state sentencing and population data from 2013 through 2020 shows that Black youth in Washington are disproportionately being sentenced for Robbery 1 and 2 offenses at a rate approximately 26.75 times that of their white peers. All other BIPOC youth are also disproportionately sentenced for Robbery 1 and 2, though the disparities are not as extreme as the disparity between Black and white youth. For Native American youth, that disparity ratio is 4.44, for Latinx youth it is 2.73, and for Asian, Native Hawaiian, and Pacific Islander youth it is 2.32. See Table 1.

Table 1: Washington State Youth Dispositions (Sentences) for Fiscal Years 2013-2020 Compared to Approximate Youth (10-19 Years Old) Population Percentages for 2013-2020

Disposition Type	White	Black	Asian and NHOPI	Native American	Hispanic	All Dispositions
Robbery 1	83	141	28	10	84	354
Robbery 2	256	510	85	29	213	1,108
Robbery 1 + 2	339	651	113	39	297	1,462
% of Population	64%	5%	9%	2%	21%	100%
Robbery 1: %age of Dispositions	23%	40%	8%	3%	24%	100%
Robbery 1: Disproportionality Index Score	0.37	8.67	0.86	1.70	1.16	1.00
Robbery 1: Disparity Ratio (vs. White)		23.67	2.34	4.65	3.16	
Robbery 2: %age of Dispositions	23%	46%	8%	3%	19%	100%
Robbery 2: Disproportionality Index Score	0.36	10.02	0.83	1.58	0.94	1.00
Robbery 2: Disparity Ratio (vs. White)		27.75	2.31	4.37	2.60	
Robbery 1 + 2: %age of Dispositions	23%	45%	8%	3%	20%	100%
Robbery 1 + 2: Disproportionality Index Score	0.36	9.69	0.84	1.61	0.99	1.00
Robbery 1 + 2: Disparity Ratio (vs. White)		26.75	2.32	4.44	2.73	

Data Sources

The sentencing data for the review was provided to the King County Department of Public Defense by the Washington State Caseload Forecast Council (CFC), based on data from the Administrative Office of the Courts (AOC). It includes all juvenile dispositions for Robbery 1 and Robbery 2 offenses, including dispositions for attempts and conspiracy, that the state's juvenile courts rendered from Fiscal Year 2013 through 2020 (7/1/12 – 6/30/20). The population data was sourced from the Washington State Office of Financial Management (OFM) Forecasting Division's data file of Small Area Demographic Estimates: Census Tracts (Version 20201210_R01), retrieved from https://ofm.wa.gov/sites/default/files/public/dataresearch/pop/asr/sade/ofm_pop_sade_state_2010_to_2020.xlsx, and included approximate numbers for the 10-to-19-year-old age cohort (the cohort most closely matched to the group of people who receive juvenile dispositions) from 2013 through 2020.

Limitations

Because the AOC and OFM datasets classify race and ethnicity differently, exact comparisons cannot be made, and the data in this comparative report should be considered approximate. For example, OFM population data categorizes "Hispanic" as an ethnic group and not a race, as the AOC data does. Additionally, the OFM data includes a group of "two or more races," which does not exist in the AOC data. In order to normalize the data for the calculation of

disproportionality ratios, this report treats "Hispanic" as an exclusive racial/ethnic group (like the AOC data), and it omits numbers for groups identified as "two or more races" in the OFM data. (See Appendix A for the exact schema used to reconcile the two datasets.) This approach of treating "Hispanic" as its own racial group and omitting data about the multiracial-identified population matches that used by the Caseload Forecast Council in its annual Adult General Disproportionality Report to the Legislature, and further information about its limitations can be found in that document (https://www.cfc.wa.gov/PublicationSentencing/DisparityDisproportionality/AdultDisproportionalReport_FY2021.pdf).

An alternative view of the data that allows for the inclusion of multiracial population data by aggregating the data for all BIPOC populations (including the multiracial population) and comparing it to data for the white population can be seen in Appendix C. These measures may be more technically accurate in that the 7 to 8 percent of the youth population that is identified as multiracial in the OFM population data is included. However, by not breaking out each racial classification on its own, this data view fails to capture the most critical piece of this examination of racial disproportionality among youth disposition rates: the immense disparity in the treatment of Black and white youth.

Additionally, it should be noted that the CFC data spans the timeframe of state Fiscal Years 2013-2020 (7/1/12 – 6/30/20), while the populate estimates are presented in calendar years and cover 2013-2020. Also, because the population data is provided in 5-year age increments, the population data covers 10- to 19-year-olds, the closest cohort available to those who are most often sentenced in juvenile court, while the actual age range of those in the youth sentencing data may span from slightly younger than 10 through 17.

Methodology

First, the OFM population data was used to create estimates of the percentages of each racial group in the 10- to 19-year-old age cohort in Washington state from 2013 through 2020. Because the racial percentages of state's youth population shifted over that time, an average of the percentages was calculated to approximate the overall ratio from that timeframe. As previously explained in the Limitations section, the group of youth identified as "two or more races" was omitted from this calculation due to the lack of a corresponding group within the AOC dataset. This group represents 7 to 8 percent of the youth population over the 2013-2020 timeframe. See Table 2.

Table 2: Approximate Youth (10-19 Year Old) Population of Washington State by Race, 2013-2020

Year	White	White Pop. %age	Black	Black Pop. %age	Asian and NHOPI	Asian and NHOPI Pop. %age	Native American	Native American Pop. %age	Hispanic	Hispanic Pop. %age	Totals Excluding "2 or more races"	Totals Including "2 or more races"
2013	548,394	67%	35,679	4%	67,872	8%	13,900	2%	154,445	19%	820,290	881,545
2014	542,201	66%	36,186	4%	69,714	8%	13,805	2%	158,468	19%	820,374	883,372
2015	538,048	65%	36,842	4%	71,923	9%	13,781	2%	163,443	20%	824,037	888,748
2016	536,867	64%	37,808	5%	74,634	9%	13,873	2%	170,235	20%	833,416	899,820
2017	538,354	64%	38,988	5%	78,237	9%	14,015	2%	176,438	21%	846,032	914,697
2018	538,784	63%	40,284	5%	82,479	10%	14,110	2%	182,456	21%	858,113	929,279
2019	538,441	62%	41,682	5%	87,117	10%	14,227	2%	188,209	22%	869,676	942,989
2020	537,303	61%	43,038	5%	91,109	10%	14,303	2%	193,548	22%	879,301	954,759
Average Pop. %age for 2013-2020		64%		5%		9%		2%		21%	100%	

These population percentages were then compared to the percentages of dispositions from approximately the same timeframe to calculate the racial disparity measures as shown in Table 1 and Appendix B. The two measures used -- Disproportionality Index Score and Disparity Ratio --match those used by Heather D. Evans, Ph.D., and Steven Herbert, Ph.D., of the University of Washington in their work calculating the racial disproportionality of juvenile sentencing in Washington state (see Juveniles Sentenced as Adults in Washington State, 2009-2019, for a more detailed description of these measures: https://docs.opd.wa.gov/opd/00866-2021_AOCreport.pdf).

Appendix A: Reconciliation of Racial Classification Data

The sentencing data from the AOC and the population data from OFM use these two different methods of classifying racial and ethnic groups:

AOC Race Categories

1. African American
2. Asian
3. Hispanic
4. Native American
5. White
6. *Unknown (only 1 case was listed as unknown, and it has been omitted from all report calculations)*

OFM Race + Ethnicity Categories

1. White (Hispanic or Latino)
2. White (Non-Hispanic or Latino)
3. Black (Hispanic or Latino)
4. Black (Non-Hispanic or Latino)
5. American Indian or Alaska Native (AIAN) (Hispanic or Latino)
6. American Indian or Alaska Native (AIAN) (Non-Hispanic or Latino)
7. Asian (Hispanic or Latino)
8. Asian (Non-Hispanic or Latino)
9. Native Hawaiian or Other Pacific Islander (NHOPI) (Hispanic or Latino)
10. Native Hawaiian or Other Pacific Islander (NHOPI) (Non-Hispanic or Latino)
11. *Two or More Races (Hispanic or Latino) (this group does not exist in the AOC data and has been omitted from report calculations)*
12. *Two or More Races (Non-Hispanic or Latino) (this group does not exist in the AOC data and has been omitted from report calculations)*

In order to reconcile these two methodologies for a normalized comparison, this report maps the OFM categories into the AOC categories in this way:

AOC Category	Included OFM Categories
African American	• Black (Non-Hispanic or Latino)
Asian	• Asian (Non-Hispanic or Latino) • Native Hawaiian or Other Pacific Islander (NHOPI) (Non-Hispanic or Latino)
Hispanic	• White (Hispanic or Latino) • Black (Hispanic or Latino) • American Indian or Alaska Native (AIAN) (Hispanic or Latino) • Asian (Hispanic or Latino) • Native Hawaiian or Other Pacific Islander (NHOPI) (Hispanic or Latino)
Native American	• American Indian or Alaska Native (AIAN) (Non-Hispanic or Latino)
White	• White (Non-Hispanic or Latino)

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In its annual Adult General Disproportionality Report to the Legislature, the Caseload Forecast Council also treats "Hispanic" as its own racial group and omits data about the multiracial-identified population. Further information about the limitations of this approach can be found in that document (https://www.cfc.wa.gov/PublicationSentencing/DisparityDisproportionality/AdultDisproportionalReport_FY2021.pdf).

Appendix B: Robbery 1 and 2 Juvenile Dispositions by Race for Each Fiscal Year, 2013-2022

Robbery 1

Year	White Dispositions	Black Dispositions	Asian and NHOPI Dispositions	Native American Dispositions	Hispanic Dispositions	All Dispositions
2013		14				30
2014	10	14				31
2015		14				26
2016		24			12	53
2017	18	17			16	65
2018	15	38			13	74
2019	12	13			12	42
2020	10				15	33
Total 2013-2020	83	141	28	10	84	354
%age of Dispositions	**23%**	**40%**	**8%**	**3%**	**24%**	100%
% of Population	**64%**	**5%**	**9%**	**2%**	**21%**	100%
Disproportionality Index Score	**0.37**	**8.67**	**0.86**	**1.70**	**1.16**	
Disparity Ratio (vs. White)		**23.67**	**2.34**	**4.65**	**3.16**	

Robbery 2

Year	White Dispositions	Black Dispositions	Asian and NHOPI Dispositions	Native American Dispositions	Hispanic Dispositions	All Dispositions
2013	28	72	13		19	140
2014	27	74			15	118
2015	35	66	15		15	135
2016	34	69	12		31	149
2017	22	43			25	109
2018	22	52			45	128
2019	43	59	11		23	137
2020	45	75	19		40	192
Total 2013-2020	256	510	85	29	213	1,108
%age of Dispositions	**23%**	**46%**	**8%**	**3%**	**19%**	100%
% of Population	**64%**	**5%**	**9%**	**2%**	**21%**	100%
Ratio Dispositions vs. Population	**0.36**	**10.02**	**0.83**	**1.58**	**0.94**	
Disparity Ratio (vs. White)		**27.75**	**2.31**	**4.37**	**2.60**	

Robbery 1 + 2

Year	White Dispositions	Black Dispositions	Asian and NHOPI Dispositions	Native American Dispositions	Hispanic Dispositions	All Dispositions
2013	34	86	14	▊	27	170
2014	37	88	▊	▊	19	149
2015	42	80	16	▊	19	161
2016	39	93	18	▊	43	202
2017	40	60	15	▊	41	174
2018	37	90	14	▊	58	202
2019	55	72	15	▊	35	179
2020	55	82	19	▊	55	225
Total 2013-2020	339	651	113	39	297	1,462
%age of Dispositions	**23%**	**45%**	**8%**	**3%**	**20%**	100%
% of Population	**64%**	**5%**	**9%**	**2%**	**21%**	100%
Ratio Dispositions vs. Population	**0.36**	**9.69**	**0.84**	**1.61**	**0.99**	
Disparity Ratio (vs. White)		**26.75**	**2.32**	**4.44**	**2.73**	

Appendix C: Washington State Youth Dispositions (Sentences) for Fiscal Years 2013-2020 Compared to Approximate Youth (10-19 Years Old) Population Percentages for 2013-2020

This alternative view of the data includes the OFM multiracial ("2 or more races") population data, which was excluded in the previously presented measures. (See the Limitations section for details.) In order to include the multiracial population data, the data for all BIPOC populations (including the multiracial population) are aggregated and compared to data for the white population. These measures may be more technically accurate than those previously presented, but they are not highlighted because they fail to capture the most critical piece of this examination of racial disproportionality among youth disposition rates: the immense disparity in the treatment of Black and white youth.

Year	White Total Pop 10-19	White %age of Pop 10-19	White Rob 1 Disps.	White %age of Rob 1 Disps.	White Rob 2 Disps.	White %age of Rob 2 Disps.	White Rob 1 + 2 Disps.	White %age of Rob 1 + 2 Disps.	BIPOC (Inc 2+ races) Total Pop 10-	BIPOC (Inc 2+ races) %age of Pop	BIPOC (Inc 2+ races) Rob 1 Disps.	BIPOC (Inc 2+ races) %age of Rob	BIPOC (Inc 2+ races) Rob 2 Disps.	BIPOC (Inc 2+ races) %age of Rob	BIPOC (Inc 2+ races) Rob 1 + 2	BIPOC (Inc 2+ races) %age of Rob
2013	548,394	62%	▊	20%	28	20%	34	20%	333,151	38%	24	80%	111	79%	135	79%
2014	542,201	61%	10	32%	27	23%	37	25%	341,171	39%	19	61%	91	77%	110	74%
2015	538,048	61%	▊	27%	35	26%	42	26%	350,700	39%	19	73%	99	73%	118	73%
2016	536,867	60%	▊	9%	34	23%	39	19%	362,953	40%	46	87%	115	77%	161	80%
2017	538,354	59%	18	28%	22	20%	40	23%	376,343	41%	45	69%	79	72%	124	71%
2018	538,784	58%	15	20%	22	17%	37	18%	390,495	42%	58	78%	106	83%	164	81%
2019	538,441	57%	12	29%	43	31%	55	31%	404,548	43%	29	69%	94	69%	123	69%
2020	537,303	56%	10	30%	45	23%	55	24%	417,456	44%	23	70%	142	74%	165	73%
Average Population %ages for 2013-2020		**59%**								**41%**						
Total Disps.			**83**		**256**		**339**				**263**		**837**		**1,100**	
%age of Disps.			**23%**		**23%**		**23%**				**74%**		**76%**			**75%**
Disproportionality Index Score			**0.40**		**0.39**		**0.39**				**1.82**		**1.85**			**1.85**
Disparity Ratio (vs. White)											**4.61**		**4.68**			**4.67**