

# **Report to the Legislature**

## **Juvenile Firearm Offenders**

RCW 13.40

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Juvenile Justice & Rehabilitation Administration  
PO Box 45721  
Olympia, WA 98504  
360.902.0767  
Fax: 360.902.8101



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## Executive Summary

In 2014 the Washington State Legislature as part of House Bill 2164 requested that data for juvenile offenders charged with unlawful possession of a firearm between January 1, 2005 and December 31, 2013 be compiled and analyzed. The legislature also asked that, as available, information on previous and subsequent criminal offenses committed by the offenders as juveniles or adults; treatment interventions provided to the offenders as juveniles; and gang association of the offenders, be reported.

Juvenile firearm offenses have declined over the past fifteen years, with firearm offenses making up 2.8% of all charged offenses in 2014 for youth committed to Juvenile Rehabilitation (JR). In the years of data reported (1995-2013), unlawful possession of a firearm was most prevalent in 1997 when it accounted for over 4.2% of charged offenses. Since that time there has been a dramatic decline in unlawful possession charges, with these offenses accounting for 1.8% of all JR offenses in 2013.

The most common prior offenses for juvenile firearm offenders are theft and assault. If these youth reoffend, they are more likely to return on a subsequent firearm offense than juvenile offenders on a non-firearm charge. Younger youth, particularly those age 13 and 14 are most likely to have a future firearm offense (either juvenile or adult).

Results presented in this report should be interpreted with caution. This report is a first attempt to analyze and understand the data related to juvenile firearm offenders in Washington. Additional analysis must occur to build from this initial work in order to better understand the factors that contribute to firearm offenses and effective strategies for preventing them.

## Introduction

Firearm violence represents a major threat to the health and safety of all Americans. In 2012 there were 33,563 firearm deaths nationally, a rate of 10.5 deaths per 100,000 population<sup>i</sup> (CDC, 2014). When suicides and accidental deaths are excluded, the rate of firearm homicides was 3.6 per 100,000. The involvement of a firearm in a homicide depends greatly on the age of the victim. Adults were more likely to be killed with a firearm (70%) than juveniles (48%). Among juveniles, the age of the victim is highly correlated with firearm victimization. In 2011, “18% of murdered juveniles younger than age 13 were killed with a firearm, compared with 82% of murdered juveniles age 13 or older” (Office of Juvenile Justice and Delinquency Prevention)<sup>ii</sup>.

Firearms are used in a variety of offenses, not just homicides. According to the National Crime Victimization Survey for 2011, nearly half a million (N=467,321) people were victims of a crime committed with a firearm.<sup>iii</sup> In the same year, the FBI reported that “firearms were used in 68 percent of murders, 41 percent of robbery offenses and 21 percent of aggravated assaults nationwide.”<sup>iv</sup>

### *National Trends*

Nationally, homicides by juveniles using a firearm have declined significantly since their peak in the early 1990s. Rates have been relatively stable since 2002. In 2011, the most recent year that data is available for, there were 812 homicides committed by a juvenile. Of these, 565 (70%) were committed using a firearm<sup>v</sup>. Another measure of juvenile firearm risk is prevalence of youth who report carrying a firearm. Similar to firearm homicides, after a significant decrease in the mid-1990’s, the proportion of youth reporting carrying a firearm has remained steady over the past 15 years (National Youth Risk Behavior Surveillance System, CDC). Nationwide, 5.5% of students in grades 9-12 reported carrying a firearm at least one day during the 30 days prior to the survey. The rates were higher among males (9.4%) than females (1.6%), and higher among White youth (6.2%) than other racial and ethnic groups, (non-Hispanic Black, 5.3%; Hispanic, 4.6%).

### *Washington State Trends*

The rate of firearm violence is lower in Washington than nationally. In 2012 there were 681 firearm deaths in Washington. This is the equivalent of 9.6 deaths per 100,000 population<sup>vi</sup>. This ranks Washington 34<sup>th</sup> in terms of national firearm mortality rates. According to the statistics from the Office of Financial Management, over three quarters of all firearm deaths statewide (78%) are self-induced, while 20% are homicides.<sup>vii</sup> The remaining 2% are unintentional deaths.

The number of youth statewide who report carrying firearms are not available for Washington State. Washington is one of three states that does not report data to the Youth Risk Behavior Surveillance System (YRBSS), the national survey used to identify trends in youth risk taking behavior. The City of Seattle does participate in the YRBSS, and in 2013 6.0% of surveyed youth grades 9-12 in Seattle reported carrying a firearm in the last 30 days<sup>viii</sup>. This is slightly higher than the proportion of youth in many of the other large urban school districts across the country surveyed in the YRBSS who reported carrying a firearm, which ranged from 2.3% to 7.2%.

Understanding the factors that contribute to youth firearm violence helps us frame our own local questions, determine *measures of effectiveness*, recognize and target *key intervention points*, and select the *appropriate public policy responses*. Research has shown that firearm violence tends to cluster among a few offenders, victims, and places. The demographic profile of youth firearm offenders and victims; the importance of gangs and criminally active groups in youth firearm violence, and a look at social justice implications from the clustering of youth firearm crime by location and race must be part of the analysis of youth firearm crime.

While rates of juvenile firearm use have declined over the past decades, there is still a need for additional efforts to further reduce juvenile's access to and illegal use of firearms. In recent years, leaders in Washington State have come together to develop effective solutions to the problem of juvenile firearm possession and violence. Organized by State Representative Tina Orwall from Washington's 33<sup>rd</sup> legislative district, judges, prosecutors, defense attorneys, youth advocates, adult corrections, juvenile courts and state juvenile justice professionals, treatment providers, educators and law enforcement have increased their collaboration in order to identify cost-effective public policy solutions which protect Washington's children and families from firearm violence.

The report was mandated by the 2014 Washington State Legislature as part of House Bill 2164 and signed by Governor Inslee on March 28, 2014. The legislature asked that data for juvenile offenders charged with unlawful possession of a firearm between January 1, 2005 and December 31, 2013 be compiled and analyzed. The legislature also asked that the following factors as they relate to juvenile firearm offenders be explored:

- Previous and subsequent criminal offenses committed by the offenders as juveniles or adults;
- Where applicable, treatment interventions provided to the offenders as juveniles, completion of interventions, if known; and
- Gang association of the offenders, if known.

## Washington State Juvenile Firearm Data Sources & Methodology

This report required data from Juvenile Rehabilitation (JR), the Caseload Forecast Council (CFC), and the Department of Corrections (DOC). All three agencies worked collaboratively to identify and match data on the specific offender case information.

The data matching process occurred in several steps:

1. Data sharing occurred, including the initial processing of offender and offense data by CFC and DOC staff for 2005-2013.
2. Matching records and processing of offender and offense data by JR information technology staff.
  - a. Raw numbers of records from the CFC and DOC involved in the analysis:
    - 140,682 individual offender records,
    - 181,878 offense records, and
    - 286,973 prior offense records.
  - b. Combined CFC and DOC records were matched with JR data on known JR clients from 2005-2013.
    - i. With a data match rate of 93%, there were a total of **5,001 Juvenile Rehabilitation clients** included in this analysis.
3. Matched records were analyzed and interpreted by data and policy staff.
4. All resulting raw data tables were reviewed by the Caseload Forecast Council staff.
5. Final report prepared by JR staff.

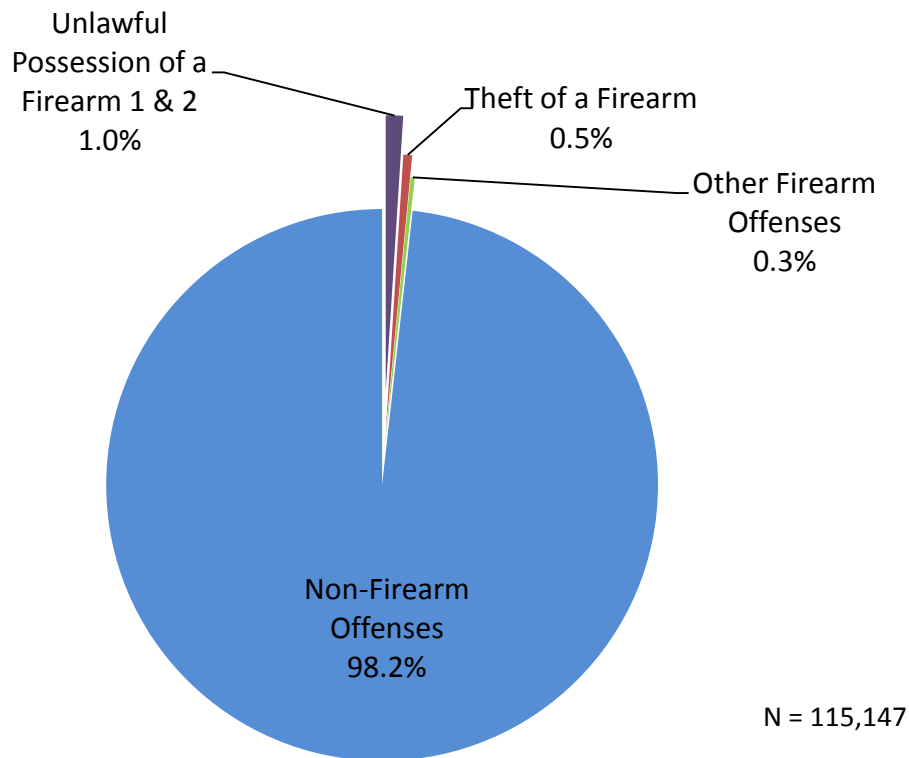
This report presents data for all firearm offenses aggregated together. Charts 1-3 disaggregate the information by offense type, highlighting charges of unlawful possession.

## Extent of Firearm Offenses among Washington State Juvenile Offenders

Nearly all juveniles who have committed an offense are served by their local county juvenile court, rather than being committed to Juvenile Rehabilitation. Washington Caseload Forecast Council data for 2012 show 88% of juveniles charged with a firearm offense successfully complete their sentence at the local level<sup>ix</sup>. Given this, the first step in understanding the extent of firearm offenses among juvenile offenders is to review the numbers of all juveniles who were sentenced in Washington, both locally sanctioned as well as state committed to Juvenile Rehabilitation.

Chart 1 shows that juvenile firearm offenses, the focus of this report, are a small percentage (1.8%) of the total juvenile offenses charged in Washington. When interpreting this figure it's important to realize that juveniles are commonly charged on multiple offenses for a single incident. For example, a youth could steal a motor vehicle, speed away when law enforcement attempts to apprehend them, and after the chase/ upon arrest it's determined that the youth has a gun on them. This youth would likely be charged with TMVWOP (Taking a Motor Vehicle without Owner's Permission), Eluding, and Unlawful Possession of a Firearm. These are three charges, all of which would be included in the figure below but only one of which is a firearm offense.

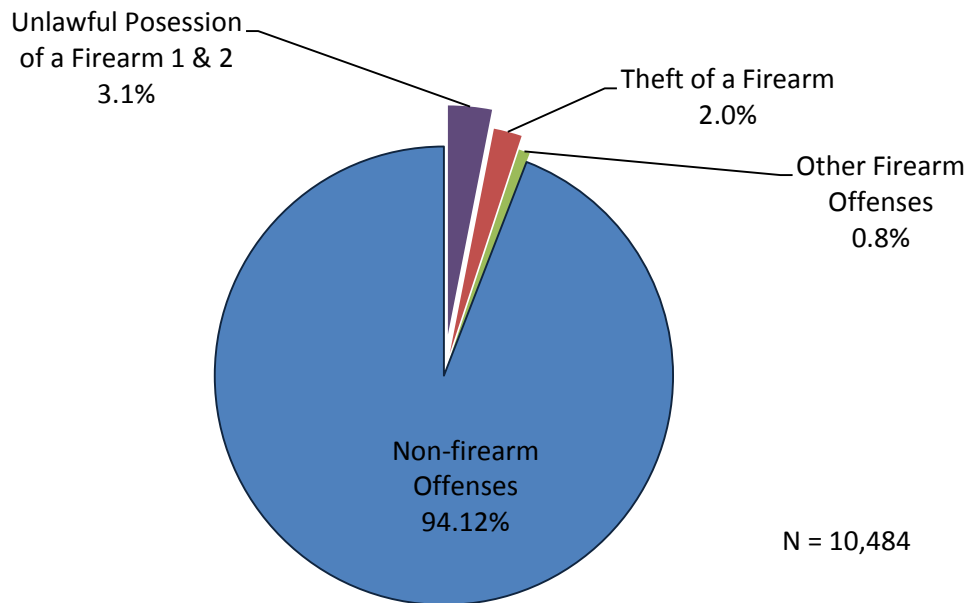
**Chart 1: Washington's Total Juvenile Offense Charges, 2005-2013 (State and Local)**



A little under half of a percent of firearm offenses are categorized as “other firearm offenses.” This includes drive by shooting, possession of a firearm by a minor, possession of a stolen firearm, aiming or discharging firearms or dangerous weapons, alien possession of firearms, and alteration of identifying marks on a firearm. Any offense with a firearm enhancement, such as armed robbery, is also included.

Of all juvenile offenses committed by youth who were committed to JR between 2005 and 2013, only 5.9% were a firearm offense (Chart 2). 2% of offenses were Theft of a Firearm, 3.1% was for unlawful possession of a firearm, and an additional 0.8% was for “other” firearm related crimes. It is important to note that the number of offenses is greater than the number of youth (i.e. youth can be charged for multiple offenses based on a single incident and can offend multiple times). Youth committed to JR generally have a higher number of offenses than those served at the local level.

**Chart 2: Total Offense Charges for Youth Committed to JR, 2005-2013**

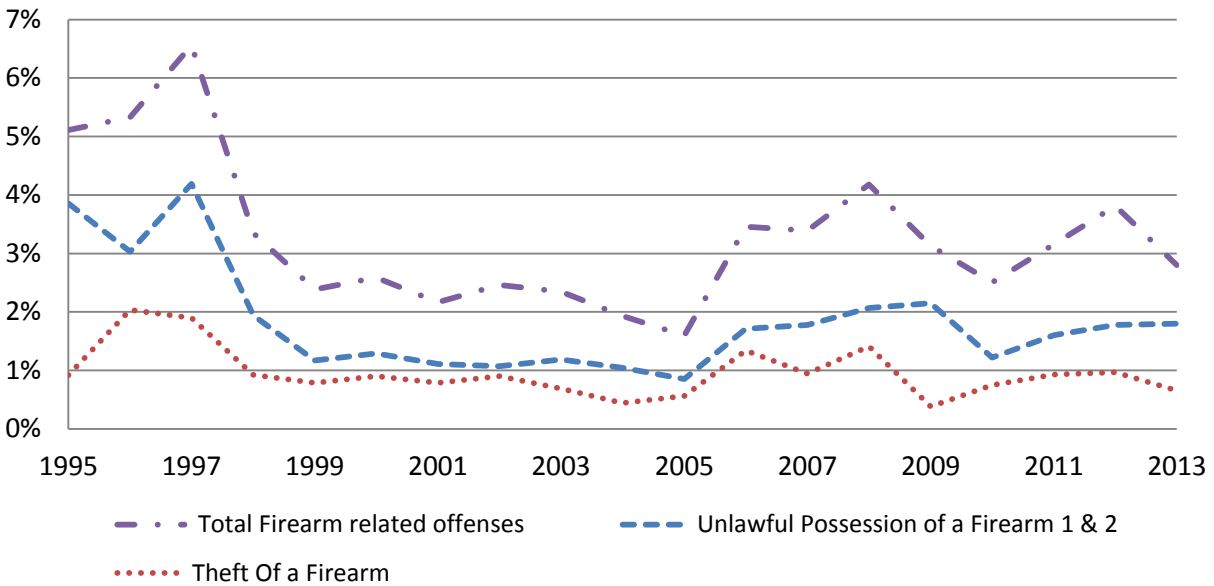




## Historic Trends in Washington State JR Firearm Offenses

Chart 3 shows the percentage of all offenses for youth committed to JR over the last 19 years that are firearm offenses. Firearm offenses peaked in 1997 at 6.6% of all JR offenses and have been at or below 4.2% from 1998 forward.

**Chart 3: Annual Firearm Offenses as a Percent of Total JR Offenses, 1995-2013**



## Where Are Firearm Offenses Occurring?

Washington State experiences a similar distribution of firearm offenses as we found in the national research. The clustering of juvenile firearm offenses in a small number of locations accounts for the majority of all firearm offenses in Washington State. The distribution of juvenile firearm offenses is more heavily concentrated in fewer counties than non-firearm juvenile offenses. **Five of Washington's 39 counties account for 62.3% of juvenile firearm offenses**, but for juvenile non-firearm offenses, the top 5 counties account for only 47.9%.

A majority of adult and juvenile firearm crime occur within a relatively small number of counties. However, the concentration of offenses into fewer counties is not nearly as pronounced in the distribution of adult firearm offenses as it is with juvenile firearm offenses. Five of Washington's 39 counties account for 59.9% of the total adult firearm offenses, but for adult non-firearm offenses, the top 5 counties account for 56.2%.

Table 1.0

<b>Distribution of Juvenile Non-firearm Offenses by County (Top 5)</b>	
County	% of Offenses
King	14.2%
Pierce	11.0%
Clark	8.7%
Snohomish	7.3%
Thurston	6.6%
<b>Total of Top 5</b>	<b>47.9%</b>

Table 1.0.1

<b>Distribution of Juvenile Firearm Offenses by County (Top 5)</b>	
County	% of Offenses
King	20.4%
Pierce	20.2%
Yakima	10.0%
Snohomish	6.5%
Spokane	5.3%
<b>Total of Top 5</b>	<b>62.3%</b>

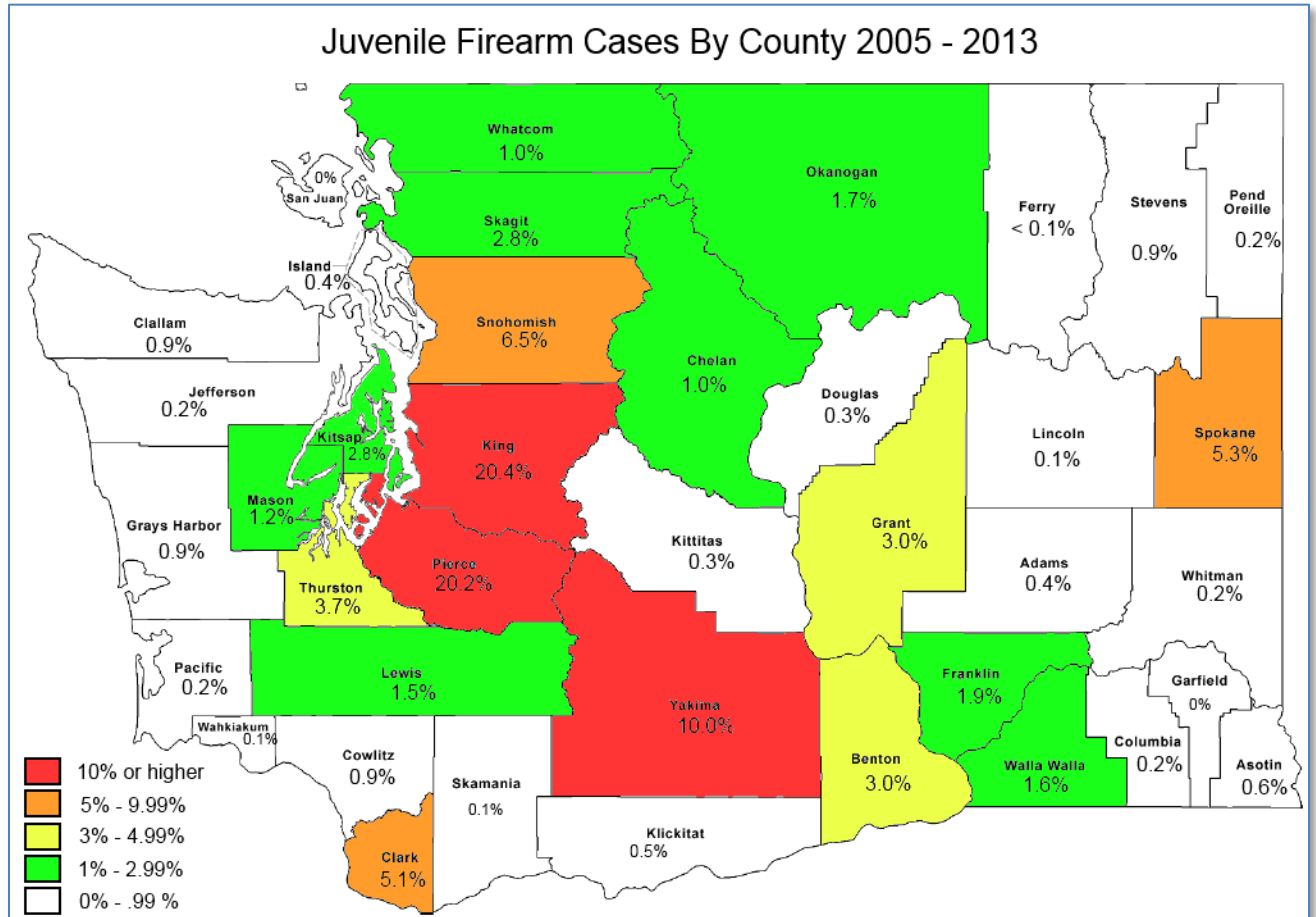
Table 1.0.2

<b>Distribution of Adult Non-firearm Offenses by County (Top 5)</b>	
County	% of Offenses
King	17.2%
Pierce	15.4%
Spokane	8.8%
Snohomish	7.6%
Clark	7.1%
<b>Total of Top 5</b>	<b>56.2%</b>

Table 1.0.3

<b>Distribution of Adult Firearm Offenses by County (Top 5)</b>	
County	% of Offenses
Pierce	21.1%
King	18.4%
Spokane	7.5%
Snohomish	7.4%
Yakima	5.6%
<b>Total of Top 5</b>	<b>59.9%</b>

The map below shows the general distribution of juvenile firearm offenses across Washington State between 2005-2013.



## Demographic Characteristics of Juvenile Offenders

Juvenile offenders are shown below in Table 2 by age and gender. Locally served offenders are youth who are locally sanctioned, EHM, or work crew. The majority of offenders under either local or JR supervision are male (approximately 73% and 89% respectively) and nearly half are 16-17 years old (approximately 49% and 52%) at the time of their disposition.

**Table 2: Demographic Characteristics of Juvenile Offenders; County and JR 2005-2013**

Demographic Characteristics (Local and JR)		Locally Served Offenders (at Disposition)		JR Served Offenders (at Commitment)	
		#	%	#	%
<b>Total</b>		54,621	-	5,001	-
Gender	Male	39,695	72.7%	4,442	88.8%
	Female	14,873	27.3%	559	11.1%
	Unreported	53	< .01%	0	0.0%
Age	11	128	0.2%	4	0.1%
	12	602	1.1%	31	0.6%
	13	2,255	4.1%	159	3.2%
	14	5,493	10.1%	385	7.7%
	15	9,506	17.4%	816	16.3%
	16	12,604	23.1%	1,187	23.7%
	17	13,945	25.5%	1,396	27.9%
	18	10,088	18.5%	1,023	20.5%
Race/ Ethnicity	Black	5645	10.3%	858	17.1%
	Asian	1572	2.9%	147	2.9%
	White	36268	66.4%	2393	47.9%
	Hispanic/ Latino	7508	13.8%	833	16.7%
	Multi-Racial	71	0.1%	482	9.6%
	Native American	2430	4.5%	191	3.8%
	Other	1087	2.0%	87	1.7%
	Unreported	40	< .01%	10	.2%

## What is the Re-offense Rate for JR Firearm Offenders?

Youth committed to Juvenile Rehabilitation for a firearm offense are more likely to have a subsequent firearm offense than other JR offenders who were committed for a non-firearm offense. While only 3.6% of male JR non-firearm offenders have a subsequent firearm offense in this study window, 12.5% of male JR firearm offenders return on a firearm offense (Table 3). Youth ages 13-14 are more likely to return on a firearm offense than older or younger youth. This is similar to most research that shows that the earlier in a youth's life course that they come in contact with the criminal justice system; the more likely they are to reoffend. While the re-offense rate is highest for thirteen year old JR firearm offenders – for every 100 JR firearm offenders who are adjudicated for their firearm offense at age 13, 25 will reoffend with a firearm – the number of firearm offenders this young is very low so the numbers should be interpreted with caution.

**Table 3: Firearm Re-offense for JR Firearm Offenders, 2005-2013**

JR Demographic Characteristics (at Commitment)		JR Firearm Offenders		JR Firearm Offenders that also committed Adult Firearm Offenses		Firearm Re-Offense Rate*
		#	%	#	%	Rate per 100 JR Firearm Offenders
Gender	Male	640	96.8%	80	97.6%	12.5
	Female	21	3.2%	2	2.4%	9.5
Age	11	1	0.2%	0	0.0%	0
	12	3	0.5%	0	0.0%	0
	13	12	1.8%	3	3.7%	25.0
	14	42	6.4%	8	9.8%	19.0
	15	114	17.4%	13	15.9%	11.4
	16	144	22.0%	21	25.6%	14.6
	17	197	30.1%	19	23.2%	9.6
	18	142	21.7%	18	22.0%	12.7

**\*Firearm Re-Offense Rate:** The portion of each group of JR Firearm Offenders that also committed Adult Firearm Offenses. (Calculated as: The number of JR firearm offenders that also committed adult firearm offenses divided by JR Firearm Offenders.)

## What are the Needs of JR Firearm Offenders?

The following table (Table 4) shows the need for mental health and substance abuse treatment for juvenile offenders, youth with a firearm offense, and youth with a subsequent firearm offense. Youth involved in firearm violence have a set of complex and overlapping needs related to socio-economic status, education and employment opportunities, family and neighborhood

impacts, as well as mental health and chemical dependency issues. Appropriate programming and treatment is an important component to address these youth's needs to reduce firearm violence.

For Juvenile Rehabilitation the Mental Health Target Population is defined as:

“Any youth within JR that has:

- 1) A current DSM-IV Axis I diagnosis, excluding those youth who have a sole diagnosis of Conduct Disorder, Oppositional Defiant Disorder, Pedophilia, Paraphilia, or Chemical Dependency; or
- 2) Is currently prescribed psychotropic medication; or
- 3) Has demonstrated suicidal behavior within the last six months.”

**Table 4: Mental Health and Substance Treatment Need among JR Juvenile Offenders, 2005-2013**

		All JR Offenders	JR Firearm Offenders	Firearm Re-Offense Rate*
Mental Health Target Population	No	27.3%	29.2%	16.1
	Yes	72.7%	70.8%	10.9
Screened as needing Substance Abuse Tx	No	35.5%	22.8%	9.9
	Yes	64.5%	77.2%	13.1

Table 5 is in response to the legislatures request for information on gang affiliation among juveniles with a firearm offense. JR firearm offenders are more likely to be reported gang affiliated then the overall JR population (45% compared to 29%). It is important to note that the gang affiliation is self-reported and not always corroborated with outside information. Because of this, it's unclear if these numbers are an over or under count of gang affiliation both for JR offenders and for firearm offenders.

**Table 5: Gang Affiliation among JR Juvenile Offenders, 2005-2013**

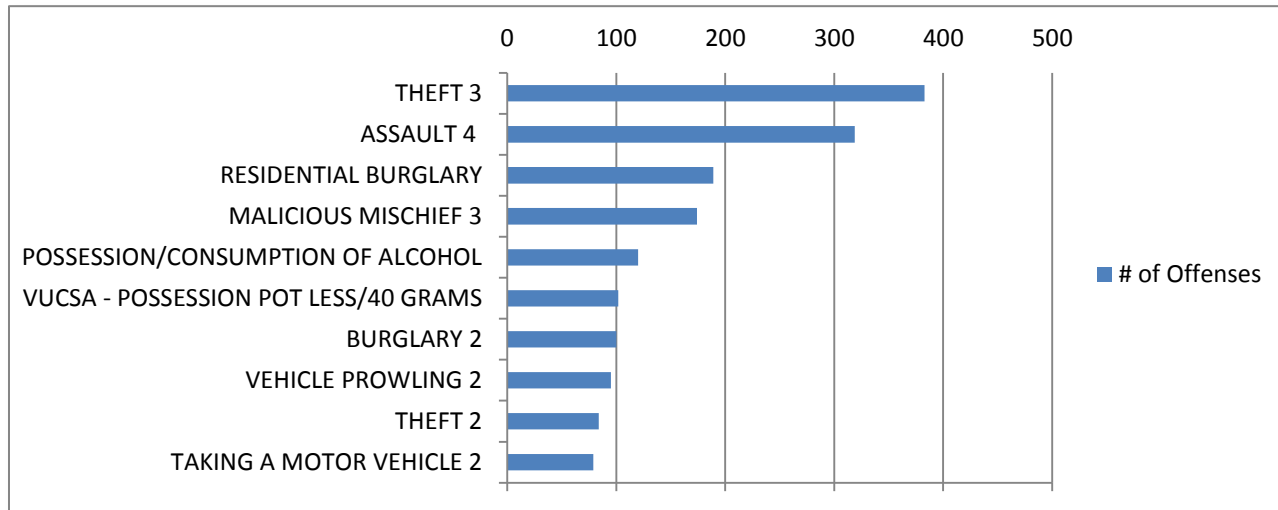
		All JR Offenders	JR Firearm Offenders	Firearm Re-Offense Rate*
Gang Affiliated	No	71.1%	54.8%	11.9
	Yes	28.9%	45.2%	13.0

**\*Firearm Re-Offense Rate:** This figure is expressed as the rate per 100 JR Firearm Offenders. It represents the portion of each group of JR Firearm Offenders that also committed Adult Firearm Offenses. (Calculated as: The number of JR firearm offenders that also committed adult firearm offenses divided by JR Firearm Offenders.)

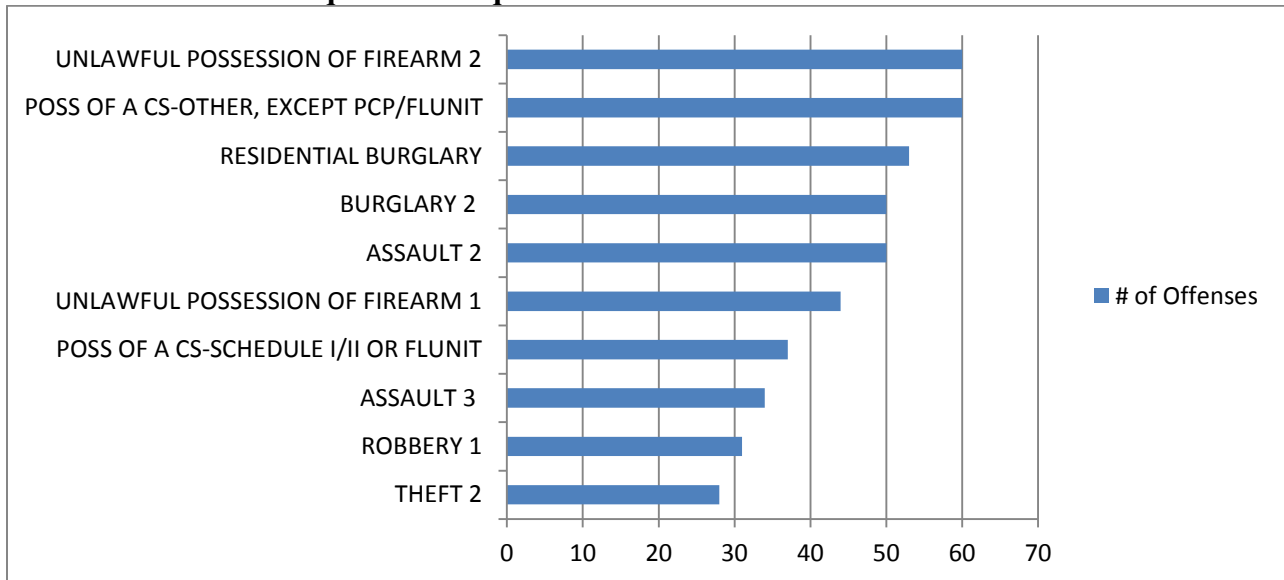
## Prior and Subsequent Offenses of JR Firearm Offenders

The most frequent prior offense for youth committed to JR on a firearm offense is Theft 3, followed by Assault 4. If these youth reoffend as an adult, the most common charge is possession of a firearm.

**Chart 4: Ten Most Frequent Prior Juvenile Offenses of JR Firearm Offenders**



**Chart 5: Ten Most Frequent Subsequent Adult Offenses of JR Firearm Offenders**



## What Interventions Impact Rehabilitative Success for JR Firearm Offenders?

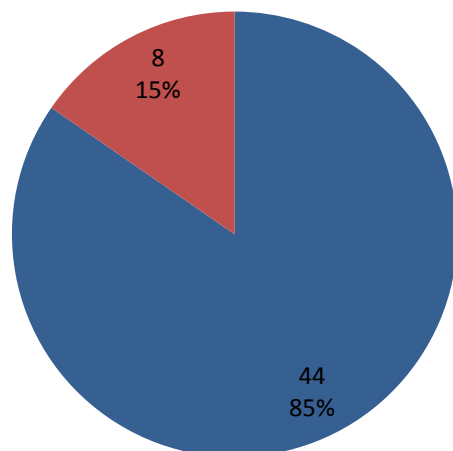
Juvenile rehabilitation residential and parole treatment models are classified by the Washington State Institute of Public Policy as either Evidence Based or Research Based. All youth committed to JR participate in the JR Integrated Treatment Model (ITM). ITM combines a set of evidence-based cognitive behavioral therapy (CBT) approaches shown to reduce recidivism and improve clinical outcomes for seriously troubled youth. Key skills addressed in ITM residential treatment reflect clinical needs of JRA youth: interpersonal effectiveness, emotion regulation, distress tolerance, problem solving, and mindfulness or observing.<sup>x</sup> The ITM has core residential and parole treatment programs that all JR youth receive. Because all youth receive these services, there is no comparison group.

Based on eligibility criteria, youth in JR facilities may participate in Family Integrated Treatment (FIT) and/or Aggression Replacement Training (ART).

FIT is a researched-based treatment intervention that provides integrated individual and family services to juvenile offenders with mental health and substance use disorders during the period of the youth's transition from a secure juvenile justice setting back to the community. ART is a researched-based intensive ten-week life skills program intended for participants to gain tools that allow them to solve problems, make good decisions, and interact positively in social situations provided to youth in a secure residential setting.

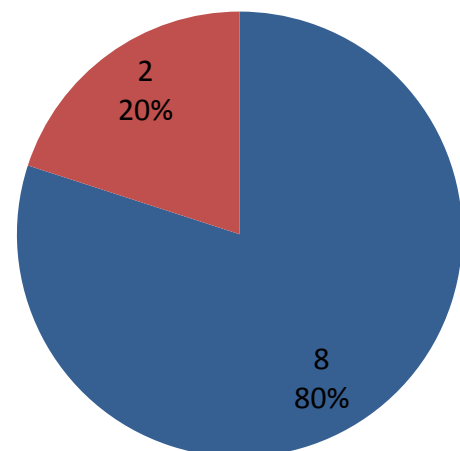
It appears that the completion rates for FIT participants (Charts 6.1-.2) and ART (Charts 7.1-.2) participants are comparable between youth with a JR firearm offense and those youth who reoffended with an adult firearm offense. Chart 6.1 and 6.2 do not show the total number of youth who participate in the FIT program. The charts only show the portion of FIT participants that were firearm offenders. Over 700 youth have participated in the FIT program since its inception in 2001.

**Chart 6.1 FIT Completion for JR Firearm Offenders, 2005-2013**



■ Started but didn't complete FIT ■ Completed FIT

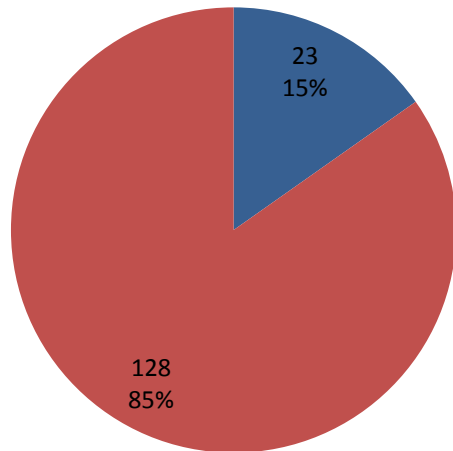
**Chart 6.2 FIT Completion JR Firearm Offenders w/ subsequent Adult Firearm Offense, 2005-2013**



■ Started but didn't complete FIT ■ Completed FIT

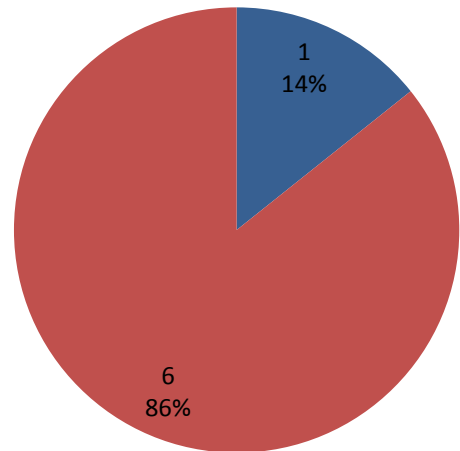


**Chart 7.1 ART Completion for JR Firearm Offenders, 2005-2013**



■ Started but didn't complete ART ■ Completed ART

**Chart 7.2 ART Completion JR Firearm Offenders w/ subsequent Adult Firearm Offense, 2005-2013**



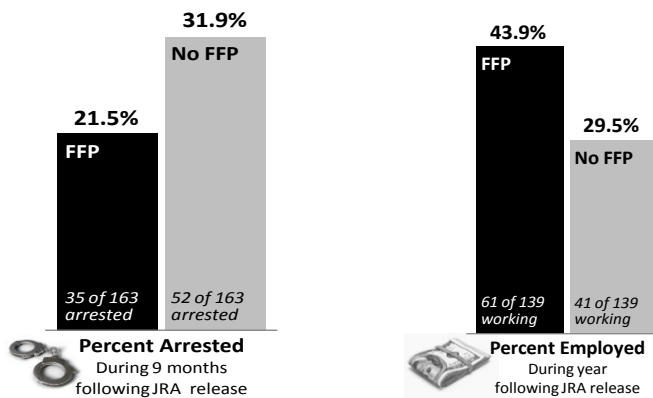
■ Started but didn't complete ART ■ Completed ART

## Functional Family Parole

Juvenile Rehabilitation provides an aftercare and re-entry supervision model defined as an evidence-based practice by the Washington State Institute for Public Policy. In 2009 the legislature cut funding to half of all JR youth returning home. Concern about the consequences of removing an evidence-based service for more than half of our clients provides the impetus to research the consequences and outcomes of this decision.

*Effects of Functional Family Parole on Re-Arrest and Employment for Youth in Washington State* (Olympia, WA: RDA Report 2.24, October 2011) found the real consequences to communities when youth were returned without opportunity to participate in Functional Family Parole (FFP): Youth who receive FFP were 48% less likely to be re-arrested and 49% more likely to be employed.

**Figure 1: Cost Effectiveness of Functional Family Parole**



There exist significant effects of FFP over releases with no parole. Aftercare for a juvenile means FFP participants are **48% less likely to be re-arrested**, and were more likely to be employed.

Earnings of youth without FFP were significantly less than those who received parole. Our state's investment in employment and evidence-based social services cannot overlook the lost investment opportunity we have to reduce unemployment and recidivism among juveniles.

## Next Steps

This report is a first attempt to analyze and understand the data related to juvenile firearm offenders in Washington. Additional analysis must occur in order to better understand the factors that contribute to firearm offenses and effective strategies for preventing them.

There is a need to identify those at greatest risk to commit firearms offenses; to design prevention and early intervention programs; and to shape public policies to protect children and communities.

In order to reduce future firearm offenses we will need to continue to collaborate across systems with communities in the gathering of data and the shaping of policies. A comprehensive approach is required among juvenile justice stakeholders, law enforcement and the community to decrease the public health and societal impacts of gun violence. Together we can create better outcomes for Washington's families and our community.

## References

- <sup>i</sup> Center for Disease Control and Prevention: Morbidity and Mortality Weekly Reports. [www.cdc.gov/mmwr/preview/mmwrhtml/mm6346a19.htm](http://www.cdc.gov/mmwr/preview/mmwrhtml/mm6346a19.htm)
- <sup>ii</sup> Office of Juvenile Justice and Delinquency Prevention. [www.ojjdp.gov/pubs/244476.pdf](http://www.ojjdp.gov/pubs/244476.pdf)
- <sup>iii</sup> Bureau of Justice Statistics, *Nonfatal Firearm Violence, 1993-2011*, special tabulation from the Bureau of Justice Statistics' National Crime Victimization Survey, provided to NIJ January 2013.
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- <sup>v</sup> Office of Juvenile Justice and Delinquency Prevention (2013). *OJJDP Statistical Briefing Book*. Retrieved from [www.ojjdp.gov/ojstatbb/offenders/qa03103.asp?qaDate=2011](http://www.ojjdp.gov/ojstatbb/offenders/qa03103.asp?qaDate=2011).
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- <sup>vii</sup> Firearm Deaths in Washington State. Office of Financial Management. [www.ofm.wa.gov/researchbriefs/2013/brief071.pdf](http://www.ofm.wa.gov/researchbriefs/2013/brief071.pdf)
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- <sup>ix</sup> Caseload Forecast juvenile disposition data.
- <sup>x</sup> DSHS. (2009). Integrated Treatment Model Outcomes. Retrieved from [www.dshs.wa.gov/sites/default/files/SESA/rda/documents/research-2-22.pdf](http://www.dshs.wa.gov/sites/default/files/SESA/rda/documents/research-2-22.pdf)