DOSA Sentences in Washington

This report focuses on Drug Offender Sentencing Alternatives (DOSA) reported by the Caseload Forecast Council (CFC) and examines demographic, geographic, and offense characteristics associated with DOSA impositions.

Washington State Office of Financial Management
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Data Parameters

The Caseload Forecast Council (CFC) receives sentencing documents (Judgment and Sentence [J&S] forms) from each county for every felony sentence imposed in the state. Each J&S form is entered into the CFC adult felony sentencing database as a separate record. As such, the data is sentence based, not individual based. This brief utilized the following parameters to define the scope and to ensure consistency across analyses:

- Drug Offender Sentencing Alternative (DOSA) is defined by RCW 9.94A.660 and allows eligible offenders to receive an alternative sentence that incorporates substance use disorder treatment and community custody.
- DOSAs may be imposed as either prison-based or residential, depending on eligibility and sentence structure. DOSA is intended for eligible offenders for whom substance use disorder treatment is appropriate; courts consider treatment-related information when determining whether the alternative is appropriate.
- Only individuals who were 18 years or older at the time of the sentencing were included in analyses.
- This report utilized DOSAs that were imposed between January 1, 2000, and December 31, 2023.

Limitations

All data comes with its limitations. This report identifies a few major limitations, and there are likely more not listed that could impact work that utilizes this data. Limitations include:

- Analyses are descriptive and non-generalizable. Any inferences and implications are limited, and results are modest. Further analyses must be completed for causal relationships to be determined. Due to the impacts of COVID-19, trends might be skewed and misreported.
- Washington created the prison-based DOSA program in 1995, expanded eligibility in 1999, and added the Residential DOSA treatment alternative in 2005.
- Administrative data and the lack of detail or richness significantly limits any conclusions yielded from this work.
- Demographic findings should be interpreted with caution. Race data may be misclassified, affecting reliability and validity across criminal justice decision points. Only records with clearly defined, unduplicated race, sex, and date of birth were included to ensure data quality, which may result in underreporting. This brief was also limited to data collected by CFC.
- There are many factors that contribute to accuracy of data reporting, and the data might not accurately represent the true picture of those receiving a sentencing alternative.

Demographics

Table 1 depicts the demographics of those receiving a DOSA in the CFC sample broken out between Prison and Residential DOSAs. Between January 1, 2000, to December 31, 2023, there were 45,845 total DOSAs imposed. The average age at time of the DOSA imposition was 34 years old (M = 34.2, SD = 9.2). DOSA impositions were more likely to be associated with males than females. When evaluating race, DOSA recipients were more likely to be associated with white individuals than the rest of the race categories provided by CFC. In terms of age categories, those 26 to 35 were more likely to be associated with a DOSA imposition, with those aged 18 to 25 and 36 to 45 accumulating about the same frequency combined. These trends hold true when evaluated separately as Prison and Residential DOSAs.

Washington's population is almost evenly distributed in terms of sex. The majority of the population were white (81.0%), while the BIPOC (Black, Indigenous, and/or People of Color) community represented slightly less than one-fifth of Washington state's population. In Washington, about 10%–11% of the population is aged 18–25; 15%–16% is 26–35; 12%–13% is 36–45; and the largest share, roughly 38%–42%, is aged 46 and older. Population estimates are for context only, not measures of disproportionality.

Table 1. DOSA recipient demographics

	Prison	%	Residential	%
Sex				
Male	26,808	82.2	10,130	76.6
Female	5,813	17.8	3,094	23.4
Race				
White	24,770	75.9	10,646	80.5
African American	5,202	15.9	1,346	10.2
Hispanic	931	2.9	391	3.0
Native American	851	2.6	402	3.0
Asian	781	2.4	310	2.3
Unknown	81	0.2	127	1.0
Mixed/Multi Race	--	--	--	--
Pacific Islander	--	--	--	--
Age Category				
18 to 25	6,395	19.6	2,941	22.2
26 to 35	13,608	41.7	5,391	40.8
36 to 45	9,050	27.7	3,153	23.8
46 and older	3,568	10.9	1,739	13.2

Notes: Percentages are based on row totals within each sentencing category. Counts less than 10 were redacted to reduce the risk of reidentification. These descriptive statistics do not control for differences in offense characteristics, criminal history, sentencing eligibility, or judicial discretion that may influence placement outcomes. Demographic categories are based on administrative records and may contain reporting inconsistencies or missing data.

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Outcomes

Every county had at least one kind of DOSA imposed in the 24-year time span ranging from 19 DOSAs imposed in Wahkiakum County to 11,672 in King County (M = 1,176, SD = 2,173). Table 2 lists the 19 counties with the most DOSAs imposed during this time period, which includes many of the most populated counties in Washington. In population order, these are: (1) King County, averaging 486 DOSA impositions with a peak of 786 in 2002; (2) Pierce County, averaging 200 impositions with a peak of 372 in 2001; (3) Snohomish County, averaging 150 impositions with a peak of 303 in 2018; and (4) Spokane County, averaging 259 impositions with a peak of 341 in 2015. These overall trends are present in the Prison DOSA counts but slightly differ for Residential DOSAs.

Table 2. Top counties with DOSA impositions

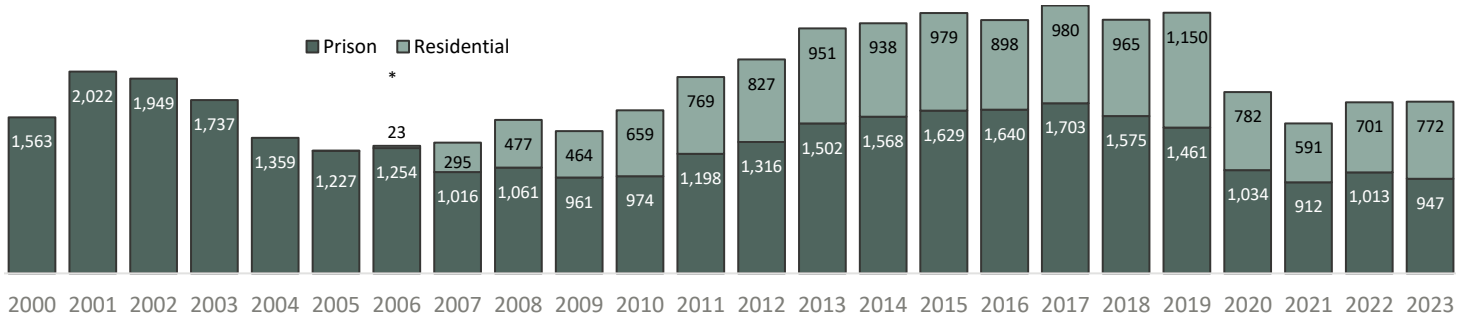
County	Prison	%	County	Residential	%
King	8,695	26.7	King	2,977	22.5
Pierce	4,627	14.2	Spokane	1,840	13.9
Spokane	4,371	13.4	Snohomish	1,149	8.7
Snohomish	2,445	7.5	Cowlitz	908	6.9
Thurston	1,801	5.5	Benton	668	5.1
Yakima	1,224	3.8	Lewis	572	4.3
Benton	1,104	3.4	Clark	524	4.0
Whatcom	1,065	3.3	Yakima	452	3.4
Kitsap	898	2.8	Chelan	443	3.3
Clark	675	2.1	Clallam	420	3.2
Cowlitz	646	2.0	Whatcom	372	2.8
Lewis	562	1.7	Grays Harbor	353	2.7
Grant	472	1.4	Kitsap	340	2.6
Grays Harbor	459	1.4	Mason	333	2.5
Chelan	403	1.2	Grant	325	2.5
Mason	373	1.1	Franklin	211	1.6
Clallam	361	1.1	Stevens	208	1.6
Walla Walla	324	1.0	Walla Walla	190	1.4
Okanogan	288	0.9	Pierce	176	1.3

Notes: Percentages are based on row totals. County counts should be interpreted cautiously, as frequencies may be influenced by population size, case volume, local sentencing practices, prosecutorial discretion, and availability of treatment resources. Table presents raw counts rather than population-adjusted or offense-adjusted rates and does not control for variation in offense characteristics or eligibility criteria across counties. Lower-frequency counties may reflect unstable estimates due to small sample sizes.

Over the years, counts of DOSAs imposed varied, though there was a general increase across the last 24 years. Figure 1 shows the distribution of DOSAs from 2000 through 2023 (M = 1,910). Overall, DOSAs increased by 10.0% in the 24 years observed. There was a 39.2% decrease from an initial peak in 2001, to the low point in 2005, which is when residential DOSAs coincidentally began. This was then followed by a 118.3% increase to the overall peak in 2017. Counts remained relatively stable in 2018 and 2019. DOSA impositions declined 30.4% in 2020, coinciding with the COVID-19 pandemic; however, this descriptive analysis cannot determine whether COVID-19 caused the decline Following the 2020 decline, annual DOSA impositions remained below the 2000–2023 average, with some year-to-year variation through 2023.

Figure 1. Frequency of DOSA imposition by calendar year

* Residential DOSA treatment alternative started 2005



More than 200 offense types were associated with DOSA impositions in the CFC data (Table 3). A plurality of the offenses, about one-tenth, were attributed to possession of a controlled substance (13.2%), followed by burglary in the second degree and residential burglary (13.6%), accumulating about the same frequency as possession of a controlled substance.

Table 3. Most frequent offenses where a DOSA was imposed

Prison	N (%)	Residential	N (%)
Possession of a controlled substance	5,434 (9.7)	Possession of a controlled substance	4,456 (23.5)
Burglary in the second degree	4,243 (7.6)	Burglary in the second degree	1,201 (6.3)
Manufacture/Delivery/Possession w/intent – Heroin	3,736 (6.7)	Residential burglary	1,118 (5.9)
Identity theft in the second degree	3,653 (6.5)	Theft in the second degree	928 (4.9)
Residential burglary	3,641 (6.5)	Identity theft in the second degree	789 (4.2)
Forgery	3,180 (5.7)	Manufacture/Delivery/Possession w/intent – Heroin	785 (4.1)
Possession of a stolen vehicle	2,899 (5.2)	Possession of a stolen vehicle	767 (4.0)
Delivery/Possession w/Intent – Methamphetamine	2,680 (4.8)	Delivery/Possession w/Intent – Methamphetamine	708 (3.7)
Theft in the second degree	2,331 (4.2)	Taking a motor vehicle w/o permission in the second degree	690 (3.6)

Notes: This table is offense-based rather than individual-based; individuals may have multiple offenses associated with a single DOSA imposition. Only the most frequent offenses are presented, although more than 200 offense types were identified overall. Frequencies should be interpreted cautiously, as offense distributions may reflect differences in charging practices, plea agreements, statutory eligibility criteria, and local sentencing practices across jurisdictions.

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