Supervision of Motor Vehicle-Related Felonies

Report to the Legislature

As required by RCW 9.94A.711

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This is the report to the Legislature as directed by RCW 9.94A.711 (ESSB 5492 [2019]) and contains information on the supervision of motor-vehicle related felonies and the motor vehicle sentencing alternative.

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Supervision of Motor-Vehicle Related Felonies

2025 Report to the Legislature

Purpose

"No later than November 1, 2025, the department shall submit a report to the governor and the appropriate committees of the legislature analyzing the effectiveness of supervision in reducing recidivism among offenders committing felonies relating to the theft or taking of a motor vehicle. The department shall consult with the Washington state institute for public policy in guiding its data tracking efforts and preparing the report."

RCW 9.94A.711 (2019)

Executive Summary

This report, produced in consultation with the Washington State Institute for Public Policy (WSIPP), analyzes whether supervision through the Motor Vehicle Sentencing Alternative (MVSA) and related community custody reduces 12-month rearrest rates among people convicted of motor vehicle-related felonies sentenced on or after July 28, 2019. The Department of Corrections (WADOC) compiled and reviewed records from August 1, 2019, through June 30, 2025, and matched those records to WSIPP's criminal history data and Washington State Patrol's arrest data to measure short-term recidivism outcomes.

Key findings

- Based on the available data and analyses, there is insufficient evidence that sentencing individuals to the Motor Vehicle Sentencing Alternative reduces 12 month rearrest rates compared with similar TMV (Theft of Motor Vehicle) individuals not sentenced to the alternative or the broader WSIPP TMV comparison group.
- Courts have infrequently used MVSA relative to other alternatives (e.g., drug, mental health, parent or first-time offender alternatives), often favoring alternatives that require substance use or mental health treatment while remaining in the community.
- Small sample size, data limitations, and measurement constraints prevent definitive conclusions about effectiveness; observed differences in rearrest rates were not statistically significant and may be influenced by unmeasured population or case selection factors.

Quantitative findings

- WADOC records show 1,563 individuals were sentenced to community custody for at least one eligible motor vehicle offense since August 1, 2019.
- After WSIPP criteria and data cleaning, the WADOC TMV cohort contained 1,057 unique individuals. The broader study population totaled 7,278 people (WADOC TMV cohort n=1,057, WSIPP TMV comparison group n=6,221).
- Only 72 individuals in the WADOC TMV cohort (6.8%) were identified as having been sentenced to the MVSA; 61 met eligibility criteria and 11 were sentenced despite ineligibility.
- Rearrest within 12 months: MVSA sentenced group = 50.0% (36/72); WADOC non MVSA group = 40.6% (400/985); WSIPP TMV comparison group = 41.4% (2,575/6,221).

Background

Substitute Senate Bill 5492 was signed into law on April 29, 2019. This bill applies to individuals who were sentenced on or after July 28, 2019, for one of the following offenses:

- Theft of a motor vehicle (RCW 9A.56.065)
- Possession of a stolen motor vehicle (RCW 9A.56.068)
- Taking a motor vehicle without permission in the first degree (RCW 9A.56.070)
- Taking a motor vehicle without permission in the second degree (RCW 9A.56.075)
- Attempted theft of a motor vehicle (RCW 9A.56.065; RCW 9A.28.020)
- Attempted possession of a stolen motor vehicle (RCW 9A.56.068; RCW 9A.28.020)

Under the law, if an individual is eligible for this sentence alternative and the Court decides to sentence the individual under SSB 5492, the court may impose a term of community custody between six (6) to twelve (12) months.

If the court imposes community custody, the sentence of confinement may not exceed the midpoint of the standard sentence range reduced by one-third (1/3) of the ordered term of community custody. If the midpoint of the standard range is not greater than one year, the court cannot impose a term of community custody. If supervision is a component of sentencing the department is required to assess the supervised individual to identify programming and services appropriate to meet the needs of the individual. As programming is available, the individual will be referred.

As of September 2025, the Department's average daily population in prison and partial confinement is 13,993 individuals and the community supervision population is 13,813 individuals.

Existing Data

Since August 1, 2019, Department records indicate that 1,563 individuals have been sentenced to community custody for at least one of the crimes listed as eligible for this alternative. It is important to note that there are several other alternative sentence options with the same or similar eligibility requirements, so obtaining specific data points on the Motor Vehicle alternative was challenging.

Summary of Reviews:

142 causes sentenced to this alternative

Frequent County Users of this alternative type

County	Number
Spokane	23
King	23
Kittitas	10

*Remaining Counties that used this alternative ten or fewer times: Benton, Clallam, Clark, Cowlitz, Douglas, Ferry, Franklin, Garfield, Grant, Grays Harbor, Jefferson, Kitsap, Lewis, Lincoln, Mason, Okanogan, Pierce, Skagit,

Snohomish, Stevens, Thurston Walla Walla, Yakima

Note: of 142 causes, only 131 offenses were eligible to be sentenced to this alternative

1348 causes were eligible but not sentenced to this alternative

1268 cause numbers were sentenced to other sentencing alternatives, and 80 cause numbers had at least one offense eligible but were sentenced with non-eligible offenses on the same Judgment and Sentence.

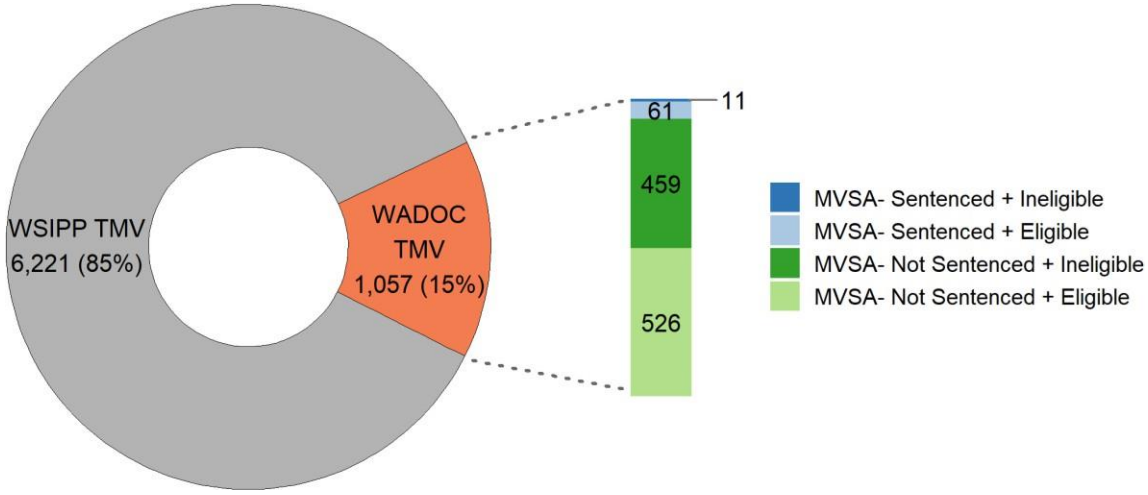
Alternative Type	**Number**
Residential Drug Sentencing Alternative (CCD)	341
Prison Drug Sentencing Alternative	734
Mental Health Sentencing Alternative	36
Parent Sentencing Alternative (CCF)	25
First Time Offender Waiver (FTOW)	132
Total	1268

Analysis of Data

Results

After applying criteria from the Washington State Institute for Public Policy (WSIPP), 1,057 individuals remained in the WADOC theft of a motor vehicle (TMV) group. These criteria excluded people who did not complete the 12-month observation period or had other data issues. Next, a list provided by the DOC Records team was added to the WADOC group to identify those eligible and sentenced to the theft of motor vehicle sentencing alternative (MVSA). Figure 1 shows the overall population of 7,278 individuals: the WSIPP TMV comparison group (n=6,221, 85%) and the WADOC TMV cohort (n=1,057, 15%). A breakdown of the WADOC TMV cohort by MVSA eligibility and sentencing status indicates that 72 (6.8%) were sentenced to MVSA, with 61 meeting eligibility criteria and 11 being sentenced despite ineligibility. Among those not sentenced, 526 were eligible for MVSA but did not receive the alternative, while 459 were ineligible and not sentenced accordingly. The WSIPP TMV population was used in an exploratory analysis comparing individuals sentenced to the alternative with those having a TMV offense outside WADOC jurisdiction.

Figure 1. Study Population Composition and MVSA Sentencing Status



For the analysis, a statistical method suitable with small sample sizes (Fisher's exact test) was used to compare 12-month rearrest rates between individuals in the WADOC TMV group who received the alternative sentencing and those who did not. Figure 2 shows rearrest rates within 12 months for individuals in the WADOC TMV cohort who were sentenced to MVSA versus those who were not. The sentenced group (n=72) had a rearrest rate of 50.0% (36 individuals), while the non-sentenced group (n=985) had a rearrest rate of 40.6% (400 individuals), representing a 9.39 percentage point difference. Fisher's exact test showed no statistically significant difference between groups (p=0.1366, OR=1.46, 95% CI: 0.88-2.43). The odds of rearrest for those sentenced to the alternative were 1.46 times the odds of those not sentenced; however, the large confidence interval indicates there is insufficient evidence that MVSA sentencing impacts rearrest rates. The small sample size (n=72) limited the statistical power to detect differences between individuals sentenced to MVSA and those not sentenced to MVSA. A larger sample would allow for a more comprehensive assessment of the program's effectiveness.

Figure 2. Comparison of 12-Month Rearrest Rates Between MVSA-Sentenced and Non-Sentenced Individuals

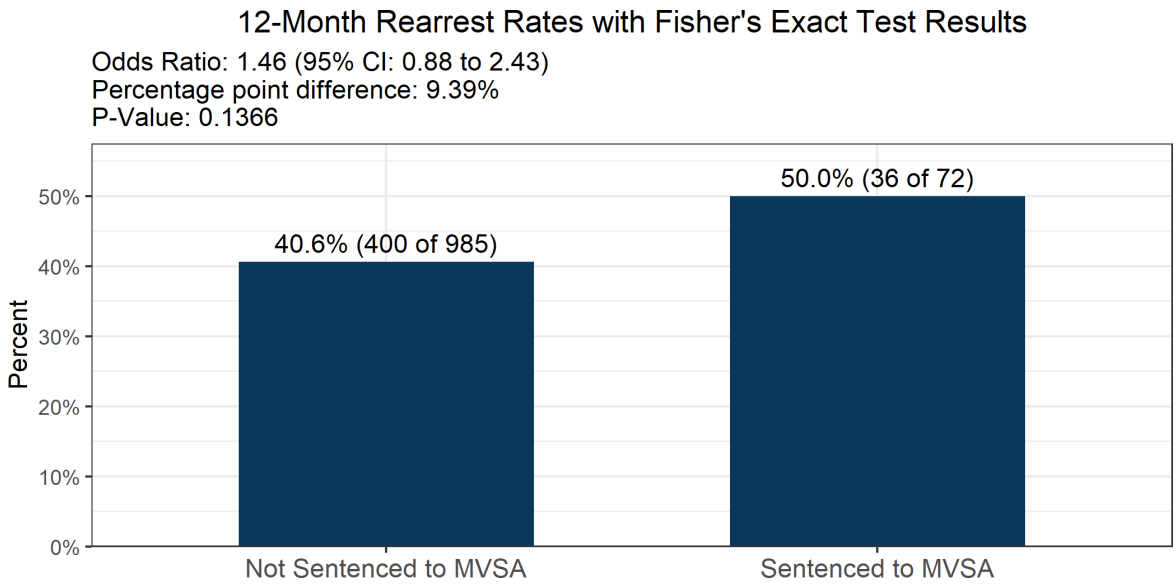
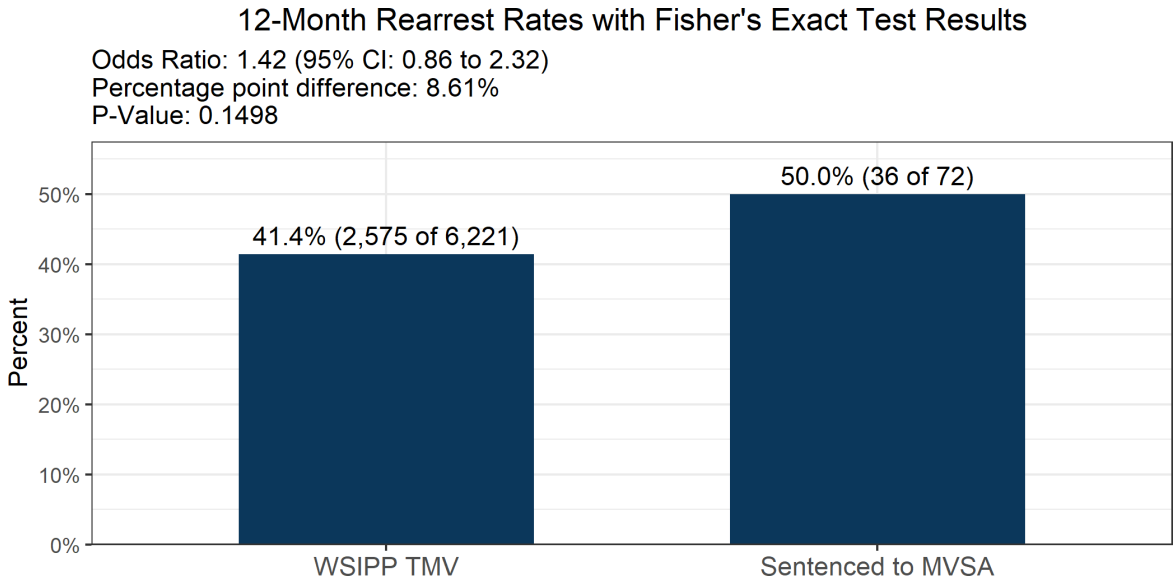


Figure 3 shows the comparison of rearrest rates within 12 months for individuals sentenced to MVSA in the WADOC cohort versus the WSIPP TMV comparison group. The MVSA group (n=72) had a rearrest rate of 50.0% (36 individuals), while the WSIPP TMV comparison group (n=6,221) had a rate of 41.4% (2,575 individuals), a difference of 8.61 percentage points. Fisher's exact test revealed no statistically significant difference between the groups (p=0.1498, OR=1.42, 95% CI: 0.86-2.32). Consistent with the previous analysis, no statistically significant difference was found in 12-month rearrest rates between individuals sentenced to MVSA (50.0%) and the WSIPP TMV comparison group (41.4%), with a Fisher's exact test p-value of 0.15.

Figure 3. Exploratory Comparison of 12-Month Rearrest Rates Between MVSA-Sentenced Individuals and WSIPP TMV Group



Other outcome measures were also examined, including rearrests for felonies, misdemeanors, and motor vehicle theft crimes. All results showed similar patterns of differences between groups. None of these differences were significant.

Data and Methodology

WADOC conducted the report analysis with the support of the Washington State Institute for Public Policy. WSIPP contributed to this analysis by providing expert consultation, supplying a cohort for outcome comparison, aligning data with Washington State Patrol (WSP) arrest records, and identifying cohorts with a twelve-month observation period within the community.

The records WADOC sent to WSIPP included all cases with at least one felony sentence for theft of a motor vehicle between August 1, 2019, and June 30, 2025, where the court ordered supervision. This included the following RCWs:

1) Theft of a motor vehicle (RCW 9A.56.065)
2) Possession of a stolen vehicle (RCW 9A.56.068)
3) Taking a motor vehicle without permission in the first degree (RCW 9A.56.070)
4) Taking a motor vehicle without permission in the second degree (RCW 9A.56.075)

The comparison group included all theft of motor vehicle-related adjudications between January 1, 2019, and June 30, 2025. This group consisted of individuals who did not enter WADOC jurisdiction as a direct result of the TMV offense (they may have been sentenced to a term of jail confinement). However, people in this group could have entered WADOC jurisdiction for other offenses on the same sentence or may have already been under WADOC jurisdiction for prior sentences.

After receiving the revised datasets from WSIPP, the WADOC Records team completed a manual review of the theft of a motor vehicle sentencing alternative. The records team flagged individuals who were sentenced and/or eligible for the sentencing alternative. This list was then matched to the WADOC TMV group to further refine the

relevant population for analysis.

The WADOC TMV and WSIPP TMV groups were constructed so that each person was only represented once. Individuals were removed if they did not have a 12-month observation period following their release from custody or supervision. The earliest record was used if someone appeared multiple times. If a person had multiple trips through the criminal legal system, duplicates were removed by keeping the record with the most recent sentence date. Participants could only be assigned to either the WADOC TMV group or the WSIPP TMV group, but not both.

Any juvenile convictions were excluded if the person was under 18 years of age on the date of the offense (or the filing date, if that date is unknown). Jail custody periods were calculated using data maintained in the Jail Booking and Reporting System (JBRS). JBRS data were used by WSIPP solely to determine when to initiate the recidivism observation period.

Outcome Measures

WSIPP sourced arrest data from the Washington State Patrol, which gathers arrest information from municipal and county law enforcement agencies across the state. Arrests were categorized by crime type, with separate indicators for arrests related to motor vehicle theft, person crimes, property crimes, and drug crimes. Broader categories for felony and misdemeanor arrests were also established as were categories for person, property, and drug offenses. These categorizations were developed by WSIPP for its criminal history database. Recidivism was counted over 6- and 12-month periods following the start date of the recidivism observation period.
For both groups, a follow-up date was identified to represent the beginning of the recidivism observation period. WSIPP attempted to determine the date the person was released from jail or WADOC custody, or the date of adjudication if they were not placed in custody. For people in the WADOC TMV group, the recidivism calculation started on the date they were released from a WADOC prison, or the adjudication date if they didn't have a prison admission tied to their sentence. For individuals in the WSIPP TMV group, the recidivism period began on the date they were released from jail or prison, or on the date of adjudication if they were not identified as having a jail sentence.

Limitations

An arrest does not indicate an individual's guilt. Charges may not be filed, or an individual may be found not guilty. This analysis does not consider additional population factors that could influence recidivism for people with a TMV offense. In the exploratory analysis, there may also be differences in the likelihood of rearrest between people with felony TMV convictions and those with misdemeanors.

To help WSIPP determine the start of the observation period, WADOC linked prison admissions with sentence information. The Department's system of record connects sentence structure to periods of jurisdiction but does not link sentence data to admission periods, which can result in assigning an incorrect offense or cause to an admission period.

The WSIPP TMV group was identified based on a conviction for one of the offenses specified in RCW 9.94A.714. However, the sentencing alternative also requires that the midpoint of the standard sentencing range be greater than one year. Due to data limitations, these additional criteria could not be included in identifying the WSIPP TMV group. The WSIPP TMV group could only be identified based on a conviction for relevant offenses. This may lead to systematic differences between the WADOC and WSIPP groups.

There are no direct person identifiers between the AOC, WADOC, and WSP datasets. The data necessary for this

analysis relied on WSIPP's Criminal History Databases person-linking process, which may contain errors. There is also no direct link between adjudication and jail or WADOC stays. Due to this limitation, WSIPP connected jail and WADOC stays that started within 30 days of adjudication. The recidivism observation period begins after the individual is released from the facility. Any gaps in stays of 7 days or fewer were ignored, as they are typically related to routine movements like medical appointments or court appearances. Despite these precautions, errors in calculating the recidivism observation period may still have occurred. If someone remains confined in a facility longer than what these rules specify, the recidivism counts reported might be lower than the actual number.

Conclusion

Based on our review, sentencing courts did not utilize the Motor Vehicle Sentencing Alternative frequently but instead opted for other community-based sentences that allowed individuals to either remain in the community or shortened prison confinement time while accessing addiction treatment, mental health services, or other targeted programs designed to address harmful behaviors and support their reintegration with family and society. Our records indicate that the alternative sentences most frequently used in lieu of the Motor Vehicle Sentencing Alternative include the Drug Offender Sentencing Alternative, First-Time Offender Waiver, Family Offender Sentencing Alternative, and the Mental Health Sentencing Alternative.

The Department, with support from WSIPP, examined whether the Motor Vehicle Sentencing Alternative reduced 12-month rearrest rates among individuals convicted of motor vehicle felonies between August 2019 and June 2025. The analysis did not identify statistically significant evidence of an impact. Individuals sentenced to MVSA had a 12-month rearrest rate of 50 percent, compared with 40.6 percent for WADOC cohort members not sentenced to the alternative and 41.4 percent in the WSIPP comparison group. These differences were not statistically significant, and the small MVSA sample size (n = 72) limited the ability to detect meaningful effects.

The study was constrained by several factors, including necessary assumptions regarding adjudication and admission timing. Analysis did not consider additional population factors that could influence recidivism for people with a TMV offense. Outcomes were measured using arrest data only and did not capture convictions, treatment participation, or supervision intensity. These limitations increase the likelihood that the observed differences reflect data constraints, selection effects, or other factors that couldn't be measured, rather than the actual impact of MVSA.

Given these constraints, the findings should be interpreted with caution. The absence of statistically significant differences does not demonstrate that MVSA is ineffective; rather, it underscores the limitations of the available data and study design, which prevent a definitive assessment. Observed patterns may be attributable to selection factors, individual needs, or variation in program delivery and supervision. As such, the Department cannot draw definitive conclusions regarding the effectiveness of MVSA.

Appendix

Table A1. Comparison of 12-Month Rearrest Rates by Outcome Measure Between MVSA-Sentenced and Non-Sentenced Individuals and WSIPP TMV Group

Outcome Measure	Not Sentenced to MVSA (n=985)		Sentenced to MVSA (n=72)		WSIPP TMV (n=6,221)	
	Arrested	Rate (%)	Arrested	Rate (%)	Arrested	Rate (%)
Overall	400	40.6%	36	50.0%	2,575	41.4%
Felony	254	25.8%	24	33.3%	1,727	27.8%
Misdemeanor	323	32.8%	28	38.9%	2,157	34.7%
TMV	127	12.9%	5	6.9%	740	11.9%

NOTE: Outcome measures are not mutually exclusive. Individuals may appear in multiple measures, so results cannot be aggregated across rows.