

MISSION STATEMENT

The purpose of this agreement is to provide guidelines for cooperative investigations in King County of child sexual and physical abuse and neglect and sexual assault of teenagers and adults. This agreement promotes more effective and efficient investigations by agencies in order to help ensure that the actions of one agency do not compromise the goals of the other agency. In addition, the agreement serves to improve the reliability and integrity of investigations and protect the interests of victims, suspects, and communities. Primary participants are the law enforcement agencies of King County, the Office of the Prosecuting Attorney, and the Department of Social and Health Service's Children's Administration Region IV.

The following principles, as set forth in SB 5127 and passed by the Washington State Legislature in 1999, provide the foundation for the conduct of cooperative investigations in King County: Efforts shall be made to:

- Conduct thorough, objective, and complete investigations.
- Minimize distress for persons interviewed during investigations.
- Reduce the number of investigative interviews of victims.
- Recognize and address the needs of special populations.

COOPERATING AGENCIES

King County Office of the Prosecuting Attorney/Special Assault Unit - Adult/Juvenile

Department of Social and Health Services – Children's Administration/Division of Children and
Family Services/
Division of Licensed Resources

King County Sheriff's Office/Special Assault Unit

Seattle Police Department /Sexual Assault and Child Abuse Unit

Other Municipal Police Departments within King County

Washington State Attorney General's Office

Abused Deaf Women's Advocacy Services (ADWAS)

Children's Response Center

Harborview Center for Sexual Assault and Traumatic Stress (HCSATS)

King County Sexual Assault Resource Center (KCSARC)

Children's Hospital and Regional Medical Center

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DEFINITIONS

Child Abuse or Neglect - "Abuse or neglect" shall mean the injury, sexual abuse, sexual exploitation, negligent treatment or maltreatment of a child, adult dependent, or developmentally disabled person by any person under circumstances which indicate that the child's or adult's health, welfare, and safety is harmed thereby. (RCW 26.44.020(12))

Child Interview Specialist - Individual employed by the Office of the Prosecuting Attorney Special Assault Unit to conduct initial detailed criminal investigative interviews in cases involving young children or victims where special skill and experience is needed.

Child Interview Guide – Developed by the Washington State Criminal Justice Training Commission and the Harborview Center for Sexual Assault and Traumatic Stress (9/02). Provides empirically based investigative interview strategies and techniques for child interviewers.

Central Intake – DSHS Statewide child abuse reporting service accessed by calling 1-800-562-5624.

Child Protective Services (CPS) Sufficiency Screen - The criteria used by CPS intake to determine whether or not a report will be accepted for investigation.

1. Is there sufficient identifying information to locate the child?
2. Was the alleged perpetrator a caretaker of the child or acting in loco parentis; or is the parent negligent in protecting the child from further abuse or neglect?
3. Is there a specific allegation of abuse or neglect that meets the legal and/or WAC definition?
4. Is there a risk factor(s) which places the child in danger of imminent harm?

Answers to questions 1 and 2, AND either 3 and/or 4 must be YES to pass the sufficiency screen and be eligible for investigation.

CPS Intake Risk Tagging - A tool used by CPS to assign a numerical rating to a referral, based upon the severity of abuse/neglect and related risk factors. A six point scale is used, with zero being no risk and five being high risk.

CPS Response Time - Referrals accepted for investigation are rated "Emergent" or "Non-emergent". The CPS investigation on emergent referrals must be initiated within 24 hours. The CPS investigation on non-emergent referrals must be initiated within 10 days.

DCFS – Division of Children and Family Services, State of Washington

DLR – Division of Licensed Resources, State of Washington

DSHS/CA - Department of Social and Health Services, Children's Administration, State of Washington

Joint Interview – When both a detective and/or prosecutor/child interview specialist interviews special assault victims.

DEFINITIONS (continued)

Mandatory Reports - Any case where an agency or individual is **required** by law to report incidents of abuse or neglect to law enforcement or DSHS as identified in RCW 26.44.030, and 74.13.031 (3).

Proper Law Enforcement Agency - Any police agency that has geographical jurisdiction over the location where the crime occurred. If it cannot be ascertained where the crime occurred, the report shall be made to the law enforcement agency with jurisdiction where the victim resides.

Revised Code of Washington (RCW) - The codification of current statutes as enacted and amended by the Washington State Legislature. An addendum of applicable RCW's is attached to this protocol and will be updated annually.

Special Assault –Term used to denote the crimes of rape, sexual assault, child fatality, and child sexual or physical abuse. It is intended to convey that these crimes require special handling because of the psychological harm associated with the crimes and the crime-specific considerations for investigation and prosecution.

Statutory Referral Only (SRO) - Referrals to the prosecutor by the proper law enforcement agency which are required because there is reason to believe abuse or neglect involving death, non-accidental injury or sexual abuse has occurred, but there is no reasonable expectation that criminal charges can be filed. Typical reasons charges cannot be filed, even though abuse or neglect occurred, are victim refusal to give statements or prosecute, a victim and family who leave, move out of state, passage of the statute of limitations, etc. (RCW 26.44.030 (5))

Third Party Offender - The offender is not the victim's parent, guardian, legal custodian or sibling, is not the caretaker, or is not acting in loco parentis.

COORDINATION BETWEEN AGENCIES

The purpose of these guidelines is to accomplish more effective and efficient investigations by agencies and to ensure that the actions of one agency do not compromise the goals of the other agency. Furthermore, agencies should coordinate their investigations to minimize possible negative outcomes to the victim from the investigation process. These guidelines are intended to be general and flexible.

I. NOTIFICATION

- A. Law enforcement will notify the Prosecutor's Office of investigations in cases involving child fatalities/seriously injured child victims, complex cases (e.g. possible multiple victim/multiple offender), and high profile cases.
- B. When DSHS/CA receives an emergent report involving a child, adult dependent, or developmentally disabled person (less than 18 years old) who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means or who has been subjected to sexual abuse, DSHS/CA intake shall notify the proper law enforcement agency within 24 hours after a report is received. If this initial report is made by telephone, a written report shall also be made to law enforcement within 5 days.

In all other cases, DSHS/CA shall notify the law enforcement agency within 72 hours after a report is received by DSHS/CA. It is not the responsibility of DSHS/CA to determine whether or not a crime is chargeable before reporting to the proper law enforcement agency. For instance, DSHS/CA intake shall make mandatory reports to law enforcement regardless of whether or not the time of the offense may be beyond the statute of limitations. (RCW 26.44.030 (4))

Referrals from DSHS/CA to law enforcement will be on the DSHS/CA intake form and marked "confidential". All reports shall include all information relevant to the alleged child abuse or neglect, including all statements made by the child regarding the incident. Referent information needs to be included. Personal or background information not relevant to abuse or neglect shall be withheld, however, DSHS/CA shall inform law enforcement of the existence and nature or any information withheld. (RCW 26.44.040)

- C. DSHS/CA will make every effort to determine proper jurisdiction prior to forwarding referrals. However, if law enforcement receives a DSHS/CA referral where the victimization did not occur within their jurisdiction, they will forward it to the proper law enforcement agency. If there is a referral regarding an incident that occurred in an out-of-state jurisdiction, DSHS/CA intake shall send the information to the proper law enforcement agency in the state where the incident occurred.
- D. **Law enforcement agencies and DSHS/CA investigating child abuse complaints where both are involved shall notify each other of their involvement, coordinate their investigations, and keep each other apprised of progress. (RCS 26.44.035)**
- E. When law enforcement receives an emergent report that has not originated from DSHS/CA in which the child, adult dependent, or developmentally disabled person's welfare is endangered, the law enforcement agency shall notify DSHS/CA intake within 24 hours. In all other cases in which a report has not originated from DSHS/CA, the law enforcement agency shall notify DSHS/CA intake within 72 hours after a report is received by law enforcement. (RCW 26.44.030 (5))
- F. If, upon receiving a non-emergent mandatory criminal referral from any reporter, law enforcement believes that immediate intervention is necessary in a situation where DSHS/CA is also involved, the detective will contact the assigned DSHS/CA social worker or supervisor and advise that law enforcement will be making the initial contact. After making the initial contact, joint investigation protocol will be followed.

G. All agencies/programs involved with the investigation/prosecution of cases or providing advocacy/treatment services to victims will make every effort to respond in a timely way to telephone /email contacts

H. In cases where a dependency petition is filed in Juvenile Court, the assigned assistant attorney general and the prosecutor's office and/or law enforcement shall communicate and share information as necessary to keep each agency apprised as to the status of the case or investigation.

II. JOINT INVESTIGATIONS

A. Joint Investigations - take place between DSHS/CA and law enforcement when there is reason to believe that a crime has been committed against a child by a child's parent, guardian, caretaker or someone acting in loco parentis, or the parent is being negligent in protecting the child from 3rd party abuse.

B. Disclosure of Information - can often create complex issues between agencies and should be addressed on a case-by-case basis by the DSHS/CA supervisor, the attorney general's office, and the prosecutor. As a general rule, information that is considered privileged by statute and is not directly related to reports required by this section shall not be divulged without a valid written waiver of the privilege. (RCW 26.44.030 (7)(9)).

C. Problems - If a problem develops in the coordination of a joint investigation, the detective and social worker should make every attempt to resolve it with their respective supervisors. If this cannot be accomplished, then the supervisors should consult with the DSHS/CA area manager and police division commander. Under no circumstances will these channels be bypassed in an attempt to resolve an issue between DSHS/CA and law enforcement.

D. Timeline - For purposes of coordinating efforts and information, the investigation shall be considered ongoing until the matter is resolved by all agencies involved.

III. VICTIM INTERVIEWS (For cases involving allegations of sexual victimization.)

A. Initial Interviews

1. Uniformed police officers (in cases of teenage or adult rape victims), detectives and/or CPS may conduct an initial interview to ascertain the basic facts or to determine if there is sufficient reason to believe a crime occurred.

2. CPS and law enforcement should follow the Child Interview Guide when interviewing young children including introduction/rapport building, explaining ground rules, and introducing the topic of possible abuse using open-ended, invitational questions that allow the child to tell what happened in his/her own words. Questions should encourage narrative responses that give a general description of the abuse. A child should not be interrupted if he/she is making a statement in response to open-ended prompts. During this initial interview, it is not necessary for CPS or the detective to ask detailed questions about the extent, nature or circumstances of the abuse. *The initial interview by CPS or law enforcement should not be considered the formal investigative interview.* If the child makes statements about possible sexual abuse, the child will be scheduled for an interview with the child interview specialist.

3. When a child does not make a statement of sexual abuse during the initial CPS or law enforcement interview:

If the CPS worker, police officer, detective, or advocate continues to have significant concerns that the child was sexually abused, the prosecuting attorney's office may be consulted regarding whether or not an interview with the child interview specialist is appropriate. If the prosecutor agrees, an interview will be scheduled.

B. Investigative Interview with the victim or suspected victim

1. A formal investigative interview will be conducted by a detective, detective and prosecutor, or child interview specialist in almost all cases. Exceptions include situations where the victim is incapable (e.g., infant victim of assault, incapacitated victim).
2. Children under 4 years old will not routinely be interviewed by the child interview specialist, nor will these cases normally be prosecuted lacking independent evidence (e.g. medical findings, confessions, eye witness). However these cases will be handled in the same manner as any other case pursuant to RCW 26.44.030.
3. The prosecutor's office will notify advocacy programs of scheduled interviews in order to ensure an advocate is present. Advocates will have the opportunity at this interview to explain and offer their services to victims and/or adult guardians.

C. Procedures for scheduling interviews

1. Law enforcement will be responsible for scheduling investigative interviews including interviews with the child interview specialist or a joint interview.
2. Law enforcement will notify DSHS of the schedule of an interview with any child in which there is DSHS involvement prior to the interview.
3. Law enforcement will inform all victims of the right to have an advocate present and provide information concerning advocacy services.

Note on Special Populations

Consideration should be made for special populations that may include persons who are developmentally disabled, deaf or blind, having English as a second language, and/or have cultural differences. These differences may well need to be accommodated within the investigation and medical evaluation process. Difficulties of communicating with these persons may be reduced by the use of augmentative communication systems, sign language systems, or interpreters (being aware of the possibility that a person may prefer the interpreter to be someone outside their cultural community), or the presence of an advocate.

INVESTIGATION OF CASES INVOLVING CHILDREN

I. ROLE OF DSHS/CHILDREN'S ADMINISTRATION

A. Goal of DSHS/Child Protective Services (CPS)

1. The goal of CPS is to protect children from child abuse and/or neglect while preserving the family's integrity and cultural and ethnic identity to the maximum extent possible, consistent with the safety and permanency needs of the children. CPS is a program available in all geographic areas of the state of Washington on a 24-hour basis.
2. **DLR/CPS** investigations of CA/N in DSHS licensed, certified, and state-operated care facilities for children (child day care, foster care, group care, hospitals, in-patient mental health treatment facilities, and institutional care) have five main goals:
 - a. To ensure immediate safety of alleged child victims and other children determined in the course of an investigation to be at risk.
 - b. To investigate allegations of CA/N and make determinations regarding the existence of child abuse and neglect.
 - c. To assess whether the child in question or other children in the setting under investigation have been abused or neglected in ways that have not been alleged.
 - d. To identify risk factors within the facility which create a substantial risk of future harm to children.
 - e. To ensure consistency and equity toward providers in the investigation of abuse and neglect.

B. Service Description – DCFS/CPS

1. The purposes of DCFS/CPS are to:
 - a. Receive and assess referrals from the community alleging child abuse and Neglect (CA/N).
 - b. Assess risk of future abuse or neglect to children.
 - c. Investigate referrals alleging CA/N or the risk of CA/N:
 - Determine the existence of CA/N
 - Assess risk of abuse and neglect to children by performing a comprehensive assessment, using the risk assessment model.
 - d. Provide early intervention information and referral services to advise parents about services to strengthen families and prevent serious or continuing CA/N.
 - e. Develop culturally responsive case plans which:
 - Prevent or remedy CA/N in the shortest reasonable time
 - Prevent or reduce the need for out-of-home placement
 - Provide a safe and permanent home for a child

C. Ongoing Case Management – DSHS/CA will remain involved as long as necessary to complete its investigation and to ensure the safety of children. This may entail out of home placement of the children by a voluntary placement agreement with the parents or the filing of a dependency petition by DSHS/CA in Juvenile Court. In cases where there is a protective non-offending parent, DSHS/CA may close the case once protective measures have been assured through criminal proceedings, family law department action, orders of protection, or other means.

D. Service Outcomes

1. The DCHS/CA social worker shall achieve one of three outcomes for investigations:
 - a. A written voluntary service agreement with the family signed by the participants
 - b. A dependency action filed by juvenile court.
 - c. Closure of the case.

E. Referrals to DSHS Central Intake (1-800-562-5624)

1. **Information Only (No investigation):** Referrals that fail to pass the DSHS/CA sufficiency screen and do not meet the criteria for a mandatory report to law enforcement will not be investigated by either DSHS/CA or law enforcement, but will be recorded by DSHS for information purposes only.
2. **Non-criminal Referral (Investigated by DSHS/CA only):** Referrals that pass the DSHS/CA sufficiency screen but do not fall within criteria for a mandatory report to law enforcement (e.g., non-criminal neglect) will be investigated by DSHS/CA only.
3. **Mandatory Criminal Referrals:** Referrals that pass the DSHS/CA sufficiency screen which also fall within the criteria for a mandatory report to law enforcement will be investigated by both DSHS and law enforcement.
4. **Third Party Offender Referrals (Investigated by law enforcement only):** Referrals that meet the criteria for a mandatory report to law enforcement, and the perpetrator is a third party offender by definition will be investigated by law enforcement unless the parent or guardian is failing to protect the child from the perpetrator, in which case a parallel DSHS/CA referral will be generated. Third party offender referrals reported to DSHS intake shall be reported to law enforcement. (See Coordination Between Agencies, I. Notification B.) (RCW 26.44.030(4)).
5. **Incident Report Referrals:** Referrals that include reports of child abuse or neglect within licensed facilities as well as those subject to licensing (e.g., unlicensed day care center) will be investigated by DSHS/CA unless the allegation falls within the criteria for a mandatory report to law enforcement, in which case both DSHS/CA and law enforcement will investigate.

II. ROLE OF THE ASSISTANT ATTORNEY GENERAL

- A. **Dependency Petition Filed:** The Attorney General's Office represents the DSHS/CA social worker in dependency proceedings brought in Juvenile Court. A dependency petition may be filed to ensure the safety of the child and the child may be placed out-of-the home. The assistant attorney general assigned to the specific case will maintain contact with the appropriate law enforcement agency and the prosecutor's office as appropriate or requested.
- B. **No Dependency Petition Filed:** The Attorney General's Office may provide legal advice and consultation to DSHS/CA regarding specific reports of abuse or neglect.
- C. **Licensed Facility Investigations:** The Attorney General's office should be consulted when necessary for legal advice and consultation during the course of a licensed facility investigation.
- D. **Coordination:** The Attorney General's Office will coordinate with and notify law Enforcement and the prosecutor's office of any action taken or decision made by the juvenile court that affects the criminal investigation. Information that comes to the attention of the Attorney General's Office may be shared with law enforcement pursuant to Chapter 26.44, RCW.

III. ROLE OF ADVOCACY/TREATMENT AGENCIES

- A. **Referrals to Law Enforcement** - Victim service programs/agencies will assist victims/families in making a police report through the 911 operator (24-hours).
- B. **Notification of Victim's Rights** – Victim advocates and specialists will inform victims and/or families of the Child Victim/Witness Bill of Rights (RCW 7.69A.030) and when possible provide them with a copy.

- C. **Guidelines in Initial Contacts** - Prior to the investigative interview, specific questioning about the possible crime(s) should be reserved and the details elicited only to the extent that is necessary for the physical or psychological treatment of the child or to initiate a report.
- D. **Involvement of Advocate** - Upon initial contact, law enforcement shall provide the victim with advocacy information including referrals to victim advocacy agencies (see Addendum on Community Resources). All victim requests to have their advocate present at interviews shall be honored pursuant to RCW 7.69A.030. Once a victim advocate has become involved in a case, the prosecutor's office will attempt to inform them of all scheduled victim contacts such as defense attorney interviews.

IV. ROLE OF LAW ENFORCEMENT

A. **Law enforcement's role** is to determine if a crime occurred, to identify suspects in crime, and to gather all pertinent facts and information related to a case for presentation to the Prosecutor's Office for review.

B. Cases Referred by DSHS/CA and/or Victim Agencies

1. **Procedure** - Upon receipt of the referral, law enforcement will assign a detective as soon as possible.
2. **Timelines** – The response time depends on the situation, but generally the following activities will be initiated **within 24 hours**. Law enforcement will:
 - a. complete an offense report and assign a case number.
 - b. contact the referent for any additional information not contained on the standard form.
 - c. arrange for investigative interview and notify all appropriate persons, specifically including DSHS/CA social worker and victim advocate.
 - d. refer for medical exam as appropriate, based on timeline.

C. Referrals Made Directly to Law Enforcement

1. **Procedure** - A detective shall be immediately assigned to contact the victim and arrange an investigative interview. DSHS/CA should be notified, if not already aware, in the following cases:
 - a. Abuse when the alleged offender is a member of the household of the victim.
 - b. The offender has continuing access to the child.
 - c. Alleged abuse occurred in licensed facilities.
2. **Timelines**
 - a. In emergency cases, DSHS/CA shall be notified **within 24 hours**.
 - b. In all other cases, DSHS/CA shall be notified **within 48 hours**. (RCW 26.44.030 (5)).
 - c. Refer for medical exam as appropriate, based on timeline.

D. Investigative Steps

1. The following investigative tools should be employed where appropriate and at the earliest possible time in the investigation to preserve evidence
 - a. Search Warrants
 - b. Documentation and processing of crime scenes and other evidence
 - c. Trace evidence
 - d. Biological evidence (including evidence from the suspect's body)
 - e. Interview of corroborative and alibi witnesses
 - f. Document relevant injuries of all parties
 - g. Obtain medical records

E. Suspect and Witness Interviews

1. Law enforcement shall always attempt to interview all suspects.
2. A complete and detailed interview shall be conducted of any person to whom the initial report of sexual abuse was made to determine facts relevant to the investigation
3. The interview of the person to whom the initial report of sexual abuse was made should cover the following:
 - a. The circumstances under which the report occurred
 - b. What precipitated the report
 - c. What each party said
 - d. The demeanor of the child and/or witness
 - e. Who was present during the report
4. In cases where CPS is involved and required to interview a parent or guardian who is also a suspect, or anyone who is the subject of an investigation, CPS and law enforcement will coordinate to avoid interference with the criminal investigation and allow both agencies to meet their statutory and policy requirements.
5. In cases in which a parent or parents of the victim are uncooperative with the investigation, for example by refusing to provide statements or refusing to allow a victim interview, and the offender continues to have access to the victim, it is appropriate to contact CPS for assistance. The Prosecutors Office may also be contacted.
6. The investigative process should be sensitive to a person's abilities to understand his or her rights and a person's ability to effectively communicate. Interpreters will be provided when necessary.

F. Mandatory Referral to Prosecutor

1. **Procedure** - Whenever the law enforcement agency's investigation reveals a crime may have been committed, the case shall be referred to the prosecutor's office for filing. (RCW 26.44.033 (5))
2. **Timelines** - Cases will ordinarily be referred to the prosecutor within 90 days.

G. Case Status - In all cases not being forwarded to the prosecutor, the detective will inform the victim's family, and DSHS/CA when applicable, of the case status.

V. ROLE OF THE PROSECUTOR'S OFFICE

- A. Cases Referred From Law Enforcement** - It is the prosecutor's job to review all cases referred from law enforcement for the filing of criminal charges. In reviewing these cases the prosecutor's office may file charges, may decline the case and no charges are filed, or may request further investigation.
- B. Cases Referred From Others** - When the prosecutor's office receives a case from another jurisdiction, another official, or from a citizen complaint, the prosecutor's office will refer the case to the appropriate law enforcement agency for investigation.

C. Case Management - The prosecutor's Office will be responsible for:

1. Employing the Child Interview Specialist.
2. Activating the Complex Case Protocol.
3. Coordinating case staffings under this protocol.
4. Notifying the victim, law enforcement, and CPS when involved, of its charging decisions required by RCW 7.69.030(2), 26.44.030(6).

VI. INTERVIEW PROCESS

A. Timelines - The investigative interview will be arranged as soon as possible upon receiving a request from a detective. Whenever possible the interview shall be set within two weeks of the case being opened by the police. In emergency situations, the prosecutor's office will set the interview immediately.

B. Child Interview Specialist Cases - The Child Interview Specialist shall have the Training required by RCW 43.101.224. Interview specialists generally interview only children who may be or are victims. Occasionally the prosecutor unit supervisor may decide to request an interview of a young witness to a crime.

The child interview specialist in the following cases will conduct the investigative interview:

1. When the child is 4 through 11 years old or the child is over age 11 but has special needs (e.g. developmental delays).
2. When there are two related children and one is under the age of 12 and therefore eligible to be interviewed by the specialist, the older child may be interviewed by the specialist as well. In addition, when several children are interviewed regarding the same offender and at least one victim is 4 to 11 years old, the interview specialist may conduct interviews of all victims involved.
3. Children whom the detective believes need the special skill and experience of the interview specialist.
4. Occasionally a situation may arise where the child interview specialist is not available or waiting may jeopardize a case:

In these circumstances, if law enforcement/ DSHS/CA believe the interview cannot be delayed, the interview should be conducted by a person who has had the training required by RCW 43.101.224 and/or 74.14B.010. If a trained interviewer is not available, and delaying the interview would jeopardize the safety of a child or the criminal investigation, an interview may be conducted in accordance with the procedures set forth in section E that follows.

C. Joint Interviews – The initial investigative interview will be conducted by the prosecutor and the detective in the following cases:

1. High Profile Cases
2. Youth ages 12 and up at the discretion of the detective.

D. Detective Interview - **The detective will conduct the investigative interview in all other cases.**

E. Interview Procedures

1. **Interviewing** - The interview should be conducted in a thorough and open-minded way, and in a manner which enhances free recall. The interviewer should maximize the use of techniques that will elicit reliable information and minimize the use of highly leading or coercive questions that could change or contaminate the child's memory of the event(s). The interviewer should be aware of the child's developmental level with regard to language and cognition. Interviews should be conducted with consideration to the emotional comfort of the child.
2. **Interview Arrangements** - In those interviews that require a child interview specialist, or Joint Interview, the detective will arrange the interview with the prosecutor's Special Assault Unit filing coordinator and notify the DSHS/CA worker. The interview will be set as soon as possible following a clear statement of abuse by the child and the opening of a police investigation.
3. **Interview Logistics** - In those interviews that require a Child Interview Specialist, or a Joint Interview, the interview will generally be conducted in the Special Assault Unit interview room with the two-way mirror. The interview will ordinarily be one-on-one, unless a child requests the presence of an advocate or support person. The detective and DSHS/CA social worker, if involved, will observe the interview from the observation area and have the capability of contacting the interviewer for additional questions. Witnesses to the interview will not provide documentation. If the prosecutor conducts the interview, the child may be interviewed in the prosecutor's office. A child may have an advocate or support person present if the parent, or child, requests.
4. **Challenging/Unusual Cases**- If the detective determines before the interview that the filing decision will be particularly problematic or high profile, a deputy prosecutor will be assigned to observe the interview.

F. Documentation of Interviews

1. Documentation of all interviews shall be accurate and complete. Interviews will be documented electronically (audio/videotaped/digitally recorded) or near verbatim. If the child interview specialist conducts the interview, he/she is responsible for the documentation. In Joint Interviews the detective will be responsible for documenting the interview. In all other interviews the participants will determine who will be responsible for documenting the interview, and how it will be documented. However, if an employee of DSHS/CA conducts the interview, DSHS/CA must be responsible for documenting the interview, which must include, at a minimum per RCW 26.44.035, a near verbatim record of any questions asked and responses given regarding abuse of the child being interviewed.

G. Information sharing

1. When the documentation of the interview is the responsibility of the child interviewer, the record of the interview will be provided to law enforcement who will be the custodian of that record. This record and documentation of law enforcement interviews should be shared with DSHS/CA in DSHS involved cases as soon as possible without jeopardizing the criminal investigation.

2. **72-hour Shelter Care Hearings** – DSHS/CA is required to provide discovery to the child's parents at the 72-hour shelter care hearing. If the joint interview has taken place and a copy of the documentation is in the possession of DSHS/CA, they may be required to provide it to the parents. If law enforcement believes that such disclosure will compromise the criminal investigation, the Department will not provide the documentation and seek a protective order. The DSHS/CA social worker may need to disclose sufficient information to support the filing of the petition and the need for shelter care. If the documentation is not yet in the possession of DSHS/CA, when it is provided to DSHS/CA, DSHS/CA will be required to provide a copy to the other parties to the dependency proceeding as part of the discovery process. Law enforcement shall notify DSHS/CA if this disclosure will compromise the law enforcement investigation and a protective order will be requested. If the investigative interview with the child has not yet taken place, the DSHS/CA will inform the court of that fact.
3. **Dependency Proceeding** – DSHS/CA and the Attorney General's Office will coordinate with law enforcement and the Prosecutor's Office regarding the sharing of information and any subsequent disclosures to any of the parties in the dependency proceedings. The Attorney General's Office is required to provide discovery to all of the parties prior to the dependency fact finding hearing. As appropriate, the dependency proceeding may be delayed until the criminal proceeding is resolved.

H. Following Interview

1. Law enforcement will make every effort to complete and submit the case to the Prosecutor's Office within 60 days of the victim's interview.
2. Juvenile Court cases must be referred to the Prosecutor's Office within two weeks of completion of the detective's investigation. Cases received by the Prosecutor's Office after two weeks may be subject to dismissal. LJuCRR 7.14(b)
3. In cases when only the detective took the victim statement, the prosecutor will attempt to reach a filing decision without re-interviewing. Frequently, phone contact with the detective or victim may resolve concerns. If there is a need to re-interview, the interview should be limited to the areas of concern. The detective shall be present to document any clarifications, supplements, or changes to the statement obtained earlier.
4. The prosecutor will make every effort to make a filing decision (file or decline) within 60 days after receipt of a completed case.
5. **Emergency situation/Rush file** - The case will be filed immediately when necessary to keep a suspect in custody or issue a warrant.
6. A **"No Contact Order"** between the victim and alleged offender will be sought by the prosecutor in all cases where charges are filed. "No contact" includes no supervised contact. Violations should be reported to the Prosecutor's Office for revocation of bond proceedings or detention hearings. In general, in the case of conflicting or overlapping court orders, the most restrictive order about contact should be followed.

7. Attempts will be made to keep prosecutors who conducted or observed the initial interview involved in the ongoing case. However, in most cases prosecutors will be assigned to a case when the case is set for trial. The detective may request assignment of a prosecutor at the outset of the investigation when the detective anticipates the need for ongoing legal advice or case consultation. Status questions from the victim, or victim's family, regarding a case prior to trial should be referred to the victim advocate who will coordinate with the receptionist in the Special Assault Unit. Questions or concerns other than status questions should be directed to the Special Assault Unit supervisor.

I. Notification of Case Decision by Prosecutor's Office

1. A prosecutor, after receiving a completed investigation from law enforcement, shall notify, by letter, the victim, any person the victim requests, law enforcement and the local office of CPS (if involved) of the decision to charge or decline (or in juvenile court a finding of "insufficient evidence") to charge a crime **within 5 days of making the decision**. [RCW 26.44.030 (6)] The prosecutor will return statutory referral only (SRO) cases to the proper law enforcement agency and DSHS/CA when they are involved.

J. Notification of Guilty Plea

1. The prosecutor will notify the victim and law enforcement, prior to a guilty plea when that plea will result in a reduced charge.

VI. COMPLEX CASES

A. Definition - These cases involve multiple victims who are not living in the same household, children who have been identified as potential victims but who have not made statements about abuse, multiple perpetrators, or multiple jurisdictions. The special challenge of these cases include risk of contaminating the investigation, therefore an immediate and coordinated response is required.

B. Procedure

1. Initial Response by Law Enforcement

- a. Immediate referral to supervisor of law enforcement investigative units.
- b. Law enforcement supervisor assigns a single investigator to coordinate the case and notifies the Prosecutor's Office.
- c. The prosecutor identifies representatives from other relevant systems (e.g., victim advocates, CPS, day care licensing and law enforcement) to respond.
- d. Investigative team decides on case approach, creates documentation system and designates outside resources available.
- e. Investigative team identifies outside resources that may be consulted who have the expertise and who are experienced in the investigation of child sexual assault cases and are willing to assist in investigating complex cases.
- f. Investigator designates one person as media contact if necessary.
- g. Prior agreement upon information to be disclosed is made.
- h. Referral to DLR if the case involves a licensed facility.

2. Investigation by Law Enforcement

- a. Identify all possible victims.
- b. Arrange for interviews through the prosecutor's office utilizing their protocol.
- c. Interview as many victims and witnesses as possible as close in time as possible
- RUSH

- d. Explore with victims all other possible victims and suspects at initial interview.
- e. Elicit from parents any information regarding possible victims and suspects.
- f. Investigate ALL allegations thoroughly.
- g. Use surveillance, search warrants, criminal records checks, evidence collection, Lab analysis, etc., as required.
- h. Interview all suspects and obtain a statement.

3. Response to Victims

- a. Set up a forensic medical evaluation as soon as possible with one of the specialized sexual assault medical providers, including colposcopic exam, drug/toxicology screen when indicated. It is preferable in cases involving multiple victims that medical exams be obtained at the same facility.
- b. Therapy - therapists will not conduct investigative interviewing or act as agents of the criminal justice system. Unless the child makes spontaneous disclosure, there should not be contact between the investigator and therapist/counselor.

4. Response to Parents and/or Guardians

- a. Parents/guardians will be:
 - i. given information about the investigative process and time lines.
 - ii. instructed on activities that may jeopardize the cases (e.g., questioning their children, allowing others to question their children, having potential victims discuss the case with each other, carrying out investigative activities themselves).
 - iii. encouraged to report information and/or spontaneous statements made by children to the law enforcement investigator
 - iv. provided access to an advocate.
 - v. encouraged to seek therapy from a qualified and experienced therapist.

- b. In some cases a meeting may be arranged with a group of parents/guardians. A team will be designated to attend a meeting to provide the above listed information and answer questions.

VII. PROTECTIVE CUSTODY

- A.** Law enforcement may take or cause a child to be taken into protective custody without a court order if there is probable cause to believe that the child is abused or neglected and that the child would be injured or could not be taken into custody if it were first necessary to obtain a court order. (RCW 26.44.050)

- B.** Law enforcement may be called to the scene by CPS, a mandated reporter of child abuse and neglect, or a call from the community. Law enforcement will investigate and determine safety and risk to the child. (RCW 26.44.050) (The statute says that upon receiving a report of possible abuse or neglect, law enforcement or DSHS/CA shall investigate and provide protective services.)

- C.** If the need for protective custody is determined, law enforcement will provide a written statement to the parent or leave it at the parent's residence if no parent is present. The statement shall include reasons for removal and the telephone number of the local CPS office (RCW 26.44.110).

- D.** If a child is taken into custody without a court order by law enforcement under RCW 26.44.050, the child shall immediately be released to CPS for placement in shelter care (temporary care in a licensed facility/home or a home not required to be licensed under RCW 74.15.030).

- E.** Law enforcement will document the reasons for the child being taken into protective custody which may include reports, photographs of injuries or of the living conditions which present safety and health risks to the child for purposes of providing documentary evidence. (RCW 26.44.050)

- F. A referral to CPS will be made when a child is taken into protective custody. Under RCW 26.44.030 (5), law enforcement must make a referral within 24 hours if the child's life is endangered. (Under RCW 13.34.060, a child taken into custody without a court order shall immediately be placed in shelter care.)

Note: If law enforcement removes the child from the home and places the child into a relative's home rather than into the custody of CPS, this is not considered protective custody but rather an informal agreement between the child's parent and the relative. The parent, as legal guardian, has the authority to discontinue this arrangement at any time.

- G. CPS must file a dependency petition and there must be a shelter care hearing held within 72 hours (excluding Saturdays, Sundays, and holidays) after a child has been taken into custody by law enforcement if continued shelter care as defined by RCW 13.34.060(1) is necessary. If necessary to adequately protect the child, a dependency petition will be filed.
- H. If a child is taken into custody pursuant to a court order issued under RCW 13.34.050, CPS shall make reasonable efforts to inform the parents, guardian, or legal custodian of the fact that the child has been taken into custody, and their legal rights within 24 hours. The notice of custody and rights may be given by any means reasonably certain of notifying the parents, including, but not limited to, written, telephone, or in person oral notification. If CPS is unable to determine the whereabouts of the parents, notification shall be sent to their last known address.

INVESTIGATION OF CASES INVOLVING ADULTS

I. ROLE OF LAW ENFORCEMENT

A. Law enforcement's role is to determine if a crime occurred, to identify suspects in crime, and to gather all pertinent facts and information related to a case for presentation to the Prosecutor's Office for review.

B. Procedure

1. Upon receipt of referral, law enforcement will assign a detective as soon as possible. The assigned detective will determine whether a victim is willing or able to cooperate with prosecution. In cases involving the use of a weapon, prosecution may proceed with or without the victim's cooperation.
2. Referrals for a medical exam, therapy and an advocate will be provided.
3. Victims will be informed of their rights as a victim (RCW 7.69.030) including the right to have an advocate present during interviews and to be informed of what happens in the case.

C. Investigative Steps

1. The following investigative tools should be employed where appropriate and at the earliest possible time in the investigation to preserve evidence.
 - a. Search warrants
 - b. Documentation and processing of crime scenes and other evidence
 - c. Trace evidence
 - d. Biological evidence (including evidence from the suspect's body)
 - e. Interview of corroborative and alibi witnesses
 - f. Document relevant injuries of all parties
 - g. Obtain medical records

D. Suspect and Witness Interviews

1. Law enforcement shall always attempt to interview all suspects.
2. A complete and detailed interview shall be conducted of any person to whom the initial report of sexual abuse was made to determine facts relevant to the investigation.
3. The interview of the person to whom the initial report of sexual abuse was made should cover the following:
 - a. The circumstances under which the report occurred.
 - b. What precipitated the report.
 - c. What each party said.
 - d. The demeanor of the witness.
 - e. Who was present during the report.
4. The investigative process should be sensitive to a person's abilities to understand his or her rights and to effectively communicate and will include providing interpreters when necessary.

II. ROLE OF ADVOCACY/TREATMENT PROGRAMS

- A. Referrals to Law Enforcement** - Victim service programs/agencies will assist victims in making a police report through the 911 operator (24-hours).
- B. Notification of Victim's Rights** – Victim advocates and specialists will inform victims of the Victim Bill of Rights (RCW 7.69.030) and when possible provide them with a copy.
- C. Involvement of Advocate** - Upon initial contact, law enforcement shall provide the victim with advocacy information including referrals to victim advocacy agencies (see Addendum on Community Resources). All victim requests to have an advocate present at interviews shall be honored pursuant to RCW 7.69.030. Once a victim advocate has become involved in a case, the prosecutor's office will attempt to inform the advocate of all scheduled victim contacts such as defense attorney interviews.

III. INTERVIEW PROCESS

- A. Timelines** - The investigative interview will be set as soon as possible, preferably within two weeks of the case being opened by the police.
- B. Procedure** - The detective will arrange the time and location of the interview. The purpose of the interview, conducted prior to charges being filed is:
 - a. To obtain the formal, detailed version of events from the victim
 - b. To assess victim credibility and potential case problems
 - c. To inform the victim about decision making processes regarding case filing, the criminal justice system, and timelines for decision making

C. Joint Interview

1. A joint interview shall be conducted in all high profile cases.
2. In all other cases, a joint interview may be conducted at the discretion of the detective and in high profile cases. These interviews will be conducted at the prosecutor's office and scheduled by the detective.
3. The detective will be responsible for documentation of the interview, and will include the detailed summary in the case file, to be reviewed by the prosecutor.

D. Following Interview

1. Law enforcement will make every effort to complete and submit the case to the Prosecutor's Office within 60 days of the victim's interview.
2. In juvenile court cases involving an adult victim of sexual assault, cases must be referred within two weeks of completion of the detective's investigation. Cases received by the Prosecutor's Office after two weeks may be subject to dismissal. LjuCR 7.14(b)
3. The prosecutor will make every effort to make a filing decision (file or decline) within 60 days after receipt of a completed case.
4. In cases when only the detective took the victim statement, the prosecutor will attempt to reach a filing decision without re-interviewing. Frequently, phone contact with the detective or victim may resolve concerns. If there is a need to re-interview, the interview should be limited to the areas of concern. The detective shall be present to document any clarifications, supplements, or changes to the statement obtained earlier.
5. **Emergency situation/Rush file** - The case will be filed sooner (immediately) when necessary to keep a suspect in custody or issue a warrant.

6. A **"No contact order"** between the victim and alleged offender will be sought by the prosecutor in all cases where charges are filed. Violations should be reported to the prosecutor's office for revocation of bond proceedings. In general, in the case of conflicting or overlapping court orders, the most restrictive order about contact should be followed.
7. Attempts will be made to keep prosecutors who conducted the initial interview, involved in the ongoing case. However, in many cases prosecutors will be assigned to a case when the case is set for trial. The detective may request assignment of a prosecutor at the outset of the investigation when the detective anticipates the need for ongoing legal advice or case consultation. Status questions from the victim, or victim's family, regarding a case prior to trial should be referred to the victim advocate who will coordinate with the paralegal in the Special Assault Unit. Questions or concerns, other than status questions, should be directed to the Special Assault Unit supervisor.

E. Notification of Case Decision by Prosecutor's Office

1. In cases where charges are filed, the Prosecutor's Office is responsible to notify the victim.
2. In charged cases, the prosecutor will seek input from the victim on all plea negotiations, particularly if the plea negotiations involved reduced charges.
3. For all declined cases, the prosecutor will contact the victim and provide an opportunity to discuss the decision.
4. For all cases not forwarded to the prosecutor, the detective will inform the victim of the case status and explain their case disposition.

INTERDISCIPLINARY CASE STAFFING

A case staffing may be sought in complex cases or in situations where there are significant disagreements between involved professionals about case handling. The purpose of the staffing is to bring the involved professionals together to review the facts and other pertinent information, clarify any possible misunderstandings and arrive at a mutually acceptable resolution. The final decision about filing charges will always be made by the prosecutor. The case staffing should not be used to resolve specific conflicts between professionals or substitute for the usual mechanisms for handling complaints.

I. EXAMPLES OF APPLICABLE CASES

- A. Victims with disabilities;**
- B. Cases with very young victims;**
- C. Cases involving victims with lengthy psychiatric histories;**
- D. Cases where abuse allegations arise during divorce proceedings.**
(The allegations may precede the conflict or may be the cause of the conflict. Perpetrators may be biological or step-parent, the partner of a parent, a sibling or person outside of the family.)

II. PARTICIPANTS WHO MAY BE INCLUDED

- A. King County Prosecutor (always present)**
- B. Detective**
- C. CPS Social Worker and Supervisor**
- D. Family Court Services**
- E. CASA (Court Appointed Special Advocate)**
- F. Children's Hospital Regional Medical Center**
- G. Child/Client Evaluator**
- H. Physician / Nurse Examiner**
- I. Mental Health Professional**
- J. Assistant Attorney General**
- K. Guardian ad Litem (GAL)**
- L. Victim Advocate**

III. PROCESS

A. Cases to be Staffed:

1. Where multiple questions or concerns arise in the case, and it is determined by the prosecutor's office that diverse parties have information that is beneficial to the charging decision, a staffing will occur.
2. Where a decision to file charges is clear, a staffing may not occur.
3. Where no amount of additional information will change a decision to decline charges, the prosecutor will make the decision that a staffing need not occur.

B. Arranging Case Staffing

1. A network member may request a staffing. Members should contact the screening unit supervisor at the Special Assault Unit at (206) 296-9470.
2. To schedule a case staffing, the prosecutor's screening unit supervisor should be contacted. The person initiating the staffing will suggest parties to be involved in the case staffing.
3. Case staffings will be held as they can be arranged with the involved persons.
4. The prosecutor's office is responsible for contacting the parties involved in the case and informing them when a staffing will be held. The prosecutor will determine what information should be provided in advance of the staffing, and arrange for distribution of the information.
5. The prosecutor will chair case staffings.

C. Special Considerations

1. Results of the staffing remain confidential to the parties/agencies participating. Agreed conclusions of the staffing will be recorded for each case and copies shared with each participant.
2. Periodic Network meetings will be devoted to discussing logistics and the progress of the case staffing process.

OUT OF COUNTY SEXUAL ASSAULT CASES

In cases of sexual assault involving children, adolescents, and adults that are reported in King County but occurred in another jurisdiction (e.g. out of state or out of county), the following are procedures for responding.

I. REPORTING

- A. In cases involving children or teenagers, DSHS/CA may receive reports as may law enforcement. The report should be filed with the DSHS/CA office or law enforcement agency where the victim currently resides. If appropriate, and not already involved, DSHS/CA in the state where the abuse is alleged to have occurred, should be contacted to determine if there are additional potential vulnerable victims.
- B. In cases involving adults, the report can be made with the local police jurisdiction where the victim is currently residing.

II. INTERVIEWING

- A. Courtesy interviews may be conducted by the local police agency where the victim is currently residing. King County Police or Seattle Police Department's Special Assault Units may agree to consult and assist smaller departments if requested by the department to do so.
- B. The exceptions to the general policy of detective interviews are particularly difficult child cases where assistance of the prosecutor's child interview specialist is needed. The child interview specialist should only be used on rare occasions.
- C. In cases that are to be referred to jurisdictions that typically video or audio-tape interviews, taping may be done with the victim's permission. A written courtesy interview statement will be sent in lieu of video or audio taping in the usual case.

III. FOLLOW-UP

- A. Interviewers who take statements from victims will advise them of local advocacy and counseling resources that are available in the community in which they now reside.

SEXUAL ASSAULT MEDICAL EVALUATIONS / MEDICAL ADVOCACY

KEY CONTACTS:

Harborview Center for Sexual Assault and Traumatic Stress (SAC), Patient Care Coordinator:
(206) 521-1800 (weekdays)

Harborview SAC Medical Attending:
(206) 731-3000 (through paging operator *after hours* or urgent questions)

King County Sexual Assault Resource Center (KCSARC):
(425) 226-5062 Ext. 208 (weekdays)

Children's Hospital and Regional Medical Center (CHPMC) - Gynecology Clinic:
(206) 526-2049 (weekdays)

I. CHILD VICTIMS

A specialized medical exam by an expert examiner should be considered for all children where there is report of a sexual contact offense. The potential benefits of a specialized exam include the opportunity to obtain a medical history from the child as well as a physical exam. The physical exam may provide confirmation or alternative diagnosis for physical signs or symptoms. In addition to aiding the investigation, the medical evaluation can provide reassurance for the child and family about the child's physical well being.

A medical exam is appropriate whether or not the contact included "penetration", and at times may be appropriate even when the contact is reported to have been over clothing. Consultation with Harborview Center for Sexual Assault and Traumatic Stress Patient Care Coordinator or SAC Medical Staff when there are questions about the appropriateness of timing of a medical exam. (Weekdays 206 521-1800, after hours 206 731-3000 page the SAC attending)..

A. Triage

1. Emergent exams: When there is a clear report or witnessed sexual abuse that occurred within the previous 24 hours, an emergent exam is appropriate. Forensic evidence from the child's body is useful only within this short time period. Call for consultation before referring child and family to the emergency department.
 - Call Harborview Center for Sexual Assault and Traumatic Stress and speak to the Patient Care Coordinator or a medical provider (weekdays) (206) 521-1800.
 - After hours: Call the SAC attending on call through the Harborview operator (206) 731-3000.
 - Advise: Do not bathe before exam.
 - Advise: Bring in clothes worn at time of abuse (if not already collected by law enforcement), and bring change of clothing.
2. Urgent exams: When the abuse likely occurred 24 to 96 hours prior, when the child has bathed prior to the report, or when the child has symptoms such as redness, pain with urination, or discharge, an urgent exam is appropriate. These exams can be done in a clinic setting and will be scheduled for either the Seattle or South County Medical Clinics.
 - Call Harborview Center for Sexual Assault and Traumatic Stress and speak to the Patient Care Coordinator or a medical provider at (206) 521-1800 (weekdays).
3. Scheduled exams: Appropriate if the last contact was more than 96 hours prior, or if the concerns are non-specific. These exams are done in a clinic setting.
 - Harborview Center for Sexual Assault and Traumatic Stress. Speak to the Patient Care Coordinator or a medical provider (206) 521-1800 (weekdays).
 - South County: Call KCSARC (425) 226-5062, Ext. 208.
 - Children's Hospital: Call Gynecology Clinic at CHPMC (206) 987-2049.

II. TEEN VICTIMS (age 13 and older)

A. Triage

1. Emergent exams: If the reported abuse or assault occurred within the prior 96 hours, a forensic exam is appropriate. These exams are usually done in the Emergency Department or Urgent Care at Harborview Medical Center. At times, exams may be done on weekdays in the SAC clinic.
 - Weekdays call: HCSATS Patient Care Coordinator (206) 521-1800 (weekdays) for triage assistance
 - After hours call: HCSATS (206) 521-1800 to be routed to the HMC Emergency Department
 - For consultation call: The SAC attending on call through the Harborview operator at (206) 731-3000.The medical exam routinely provides:
 - Discussion with victim about his or her needs.
 - Documentation of injury.
 - Collection of forensic evidence.
 - Discussion and testing for sexually transmitted diseases.
 - Emergency contraception and prophylaxis for STDs, when appropriate.
 - Advise: Do not bathe before exam.
 - Advise: Bring in clothes worn at time of abuse (if not already collected by law enforcement), and bring change of clothing.
 - Bring a support person, as the wait time and exam may last several hours.
2. Scheduled exams: If the reported abuse or assault occurred more than 96 hours prior, forensic documentation may or may not be appropriate, depending on the case circumstances. Exams may be obtained through any of the following:
 - Harborview Center for Sexual Assault and Traumatic Stress. Speak to the Patient Care Coordinator or a medical provider (206) 521-1800 (weekdays).
 - South County: Call KCSARC (425) 226-5062 Ext. 208.
 - Children's Hospital: Call Gynecology Clinic at CHRMC (206) 987-2049.

III. ADULT VICTIMS (age 18 and older)

A. Triage

1. Emergent exams: If the reported assault occurred within the prior 96 hours, a forensic exam is appropriate. These exams are usually done in the Emergency Department or Urgent Care at Harborview Medical Center. At times, exams may be done on weekdays in the SAC clinic.
2. Scheduled exams: If the reported abuse or assault was more than 96 hours prior, a forensic exam is usually not needed. Medical care may be obtained through and of the following:
 - Victim's own medical provider
 - Harborview Urgent Care Center

IV. MANDATED REPORTERS - MINORS

- A. Medical providers are mandated to report to police or Child Protective Services (CPS) when There is a reasonable suspicion of child abuse or neglect. The parent or guardian may be encouraged to make the report, with assistance by medical staff.

V. CONSENT FOR CARE – CHILDREN AND TEENS

- A. The parent or guardian must sign consent for medical care for sexual abuse evaluations for children under 14 years. In those circumstances where there are significant concerns of sexual abuse within the previous 72 hours, and the parent or guardian is unavailable or unwilling to sign for medical care, call police to place the child into protective custody. Contact Child Protective Services to sign consent for care and develop a plan for custody.
- B. A person 14 years and older may sign for his or her own care for sexual assault without parental knowledge or consent. However, mandatory reporting to law enforcement or CPS still is required for persons under age 18 years. The teen should be counseled that if CPS or police are notified, it is possible that their parents will be informed about the event by those agencies.

VI. CONSENT AND REFUSAL OF CARE – OLDER TEENS AND ADULTS

- A. A person 14 years of age or older must give consent for medical care. The medical/forensic exam for sexual assault is not considered a medical emergency. If the victim is not capable of providing consent, (for example, in coma after serious injury) the next of kin or surrogate decision maker must provide consent. If a surrogate decision maker is not identified, then a court order can be obtained for evidence collection.
- B. A victim may consent to medical care, and refuse forensic evidence collection, or decline specific aspects of evidence collection. Forensic specimens can be collected and held in the Emergency Department for one month.

VII. CONSENT FOR CARE – DEPENDENT ADULTS

- A. The guardian must sign for medical care, including care after sexual assault. A report to police, Adult Protective Services (APS), or State Residential Care Services is mandated when there is suspicion of sexual assault.
 - 1. Emergent exam: If the reported abuse or assault occurred within the prior 96 hours, a forensic exam is appropriate. These exams are usually done in the Emergency Department or Urgent Care at Harborview Medical Center. At times, exams may be done on weekdays in the SAC clinic.
 - Weekdays call: HCSATS Patient Care Coordinator (206) 521-1800 (weekdays) for triage assistance.
 - After hours call: HCSATS (206) 521-1800 to be routed to the HMC Emergency Department.
 - For consultation call: The SAC attending on call through the Harborview operator (206-731-3000).
 The medical exam routinely provides:
 - Discussion with victim about his or her needs.
 - Documentation of injury.
 - Collection of forensic evidence.
 - Discussion and testing for sexually transmitted diseases.
 - Emergency contraception and prophylaxis for STDs, when appropriate.
 - Advise: Do not bathe before exam.
 - Advise: Bring in clothes worn at time of abuse (if not already collected by law enforcement), and bring change of clothing.
 - Bring a support person, as the wait time and exam may last several hours.
 - 2. Scheduled exam: If the reported abuse or assault occurred more than 96 hours prior forensic documentation may or may not be appropriate, depending on the case circumstances. Exams may be obtained through and of the following:
 - Harborview Center for Sexual Assault and Traumatic Stress. Speak to the Patient Care Coordinator or a medical provider (206) 521-1800 (weekdays).
 - South County: Call KCSARC (425) 226-5062 Ext. 208.
 - Children’s Hospital: Call Gynecology Clinic at CHRMC (206) 987-2049.

VIII. MEDICAL ADVOCACY

- A.** Social Work staff in the Harborview Medical Center Emergency Department (ED) offer medical advocacy for all sexual assault victims evaluated as well as those who may call the ED with a concern, 24-hours/day. In addition, medical advocacy is available through community sexual assault programs identified in the resource section of this document. Advocacy ensures that rights are being upheld and victims/families have access to information about appropriate community services. Activities include:
- Assessment to gather information for making decisions regarding needs.
 - Assistance in making informed decisions about medical care and the preparations needed, including referral for a forensic exam.
 - Information about medical care/concerns, including assistance in arranging follow-up care.
 - Support during the actual medical exam as appropriate.
 - Assistance with Crime Victim Compensation.
 - Assessment of safety issues prior to discharge.
 - Reporting to required authorities as appropriate (police or CPS).
 - Provision of appropriate literature and resources to the caretaker or victim.
 - Documentation of needs and concerns for follow-up.
- B.** All patients seen in the emergency department may have supportive family and friends accompany them. In addition, trained CSAP medical advocates who have had prior involvement with the patient may accompany and coordinate with the hospital-based advocate.

INITIAL POLICE REPORT FILED

1-7 Days: CASE ASSIGNED TO DETECTIVE FOR INVESTIGATION

Usually within 2 weeks of police report: VICTIM INTERVIEW WITH DETECTIVE, JOINT DETECTIVE/PROSECUTOR OR CHILD INTERVIEW SPECIALIST

ARREST OF SUSPECT

(NOTE: This may or may not occur depending on the circumstances and likelihood that the defendant will flee if not jailed. The suspect may be arrested and released.)

Within 3 months: INVESTIGATION COMPLETED - CASE SUBMITTED TO PROSECUTOR

Within 2 months of case being submitted to the prosecutor: CHARGES FILED OR DECLINED

Within 2 weeks of charges being filed: ARRAIGNMENT

(The suspect is informed of charges and his/her rights and a plea is entered.)

Within 3 weeks of arraignment: CASE SCHEDULING HEARING

(The case is either: 1) set for trial, 2) guilty plea is entered, or 3) continued for further discussions of (1) or (2)

IF CASE GOES TO TRIAL...



PRE-TRIAL HEARINGS

(Admissibility for confession before evidence from search warrants, etc.)



OMNIBUS HEARING

(Set 10 days in advance of trial. Trial readiness hearing.)



TRIAL

(Set 90 days from the date of arraignment if defendant out of jail, or 60 days if defendants in jail. *NOTE: The defendant may be granted a continuance in which case trial dates may get extended months into the future*)

Trials generally last 5-7 days



IF DEFENDANT GUILTY....

SENTENCING

(Held on Friday afternoons before the judge who conducted the trial. They are scheduled in advance on the court calendar and within 40 days of a trial.)

IF SUSPECT PLEADS GUILTY...



SENTENCING

(Held on Friday afternoon

the judge assigned when plea entered. Approximately one month after plea.)

APPENDICES

REVISED CODE OF WASHINGTON (RCW'S)
RCW 9.69.100: Duty of Witness – p. 29
RCW 26.44: Abuse of Children – p. 30-39

CRIME VICTIMS' BILL OF RIGHTS
RCW 7.69.030 – p. 40

CHILD VICTIMS' BILL OF RIGHTS
RCW 7.69A.030 – p. 42

COMMUNITY RESOURCES – p. 43

KING COUNTY KIDS COURT - p.45

KING COUNTY SPECIAL ASSAULT NETWORK STEERING COMMITTEE – p.46

RCW 9.69.100 DUTY OF WITNESSES

RCW 9.69.100

Duty of witness of offense against child or any violent offense -- Penalty.

(1) A person who witnesses the actual commission of:

(a) A violent offense as defined in RCW [9.94A.030](#) or preparations for the commission of such an offense;

(b) A sexual offense against a child or an attempt to commit such a sexual offense; or

(c) An assault of a child that appears reasonably likely to cause substantial bodily harm to the child,

shall as soon as reasonably possible notify the prosecuting attorney, law enforcement, medical assistance, or other public officials.

(2) This section shall not be construed to affect privileged relationships as provided by law.

(3) The duty to notify a person or agency under this section is met if a person notifies or attempts to provide such notice by telephone or any other means as soon as reasonably possible.

(4) Failure to report as required by subsection (1) of this section is a gross misdemeanor.

However, a person is not required to report under this section where that person has a reasonable belief that making such a report would place that person or another family or household member in danger of immediate physical harm.

[1987 c 503 § 18; 1985 c 443 § 21; 1970 ex.s. c 49 § 8.]

NOTES:

Severability -- Effective date – 1987 c 503: See RCW [74.14B.901](#) and [74.14B.902](#).

Severability -- Effective date – 1985 c 443: See notes following RCW [7.69.010](#).

Severability -- 1970 ex.s. c 49: "If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected." [1970 ex.s. c 49 § 9.]

Abuse of children: Chapter [26.44](#) RCW.

RCW 26.44 ABUSE OF CHILDREN

RCW 26.44.010

Declaration of purpose.

The Washington state legislature finds and declares: The bond between a child and his or her parent, custodian, or guardian is of paramount importance, and any intervention into the life of a child is also an intervention into the life of the parent, custodian, or guardian; however, instances of nonaccidental injury, neglect, death, sexual abuse and cruelty to children by their parents, custodians or guardians have occurred, and in the instance where a child is deprived of his or her right to conditions of minimal nurture, health, and safety, the state is justified in emergency intervention based upon verified information; and therefore the Washington state legislature hereby provides for the reporting of such cases to the appropriate public authorities. It is the intent of the legislature that, as a result of such reports, protective services shall be made available in an effort to prevent further abuses, and to safeguard the general welfare of such children: PROVIDED, That such reports shall be maintained and disseminated with strictest regard for the privacy of the subjects of such reports and so as to safeguard against arbitrary, malicious or erroneous information or actions: PROVIDED FURTHER, That this chapter shall not be construed to authorize interference with child-raising practices, including reasonable parental discipline, which are not proved to be injurious to the child's health, welfare and safety.

[1999 c 176 § 27; 1987 c 206 § 1; 1984 c 97 § 1; 1977 ex.s. c 80 § 24; 1975 1st ex.s. c 217 § 1; 1969 ex.s. c 35 § 1; 1965 c 13 § 1.]

NOTES:

Findings -- Purpose -- Severability -- Conflict with federal requirements -- 1999 c 176:

See notes following RCW 74.34.005.

Severability -- 1984 c 97: See RCW 74.34.900.

Purpose -- Intent -- Severability -- 1977 ex.s. c 80: See notes following RCW 4.16.190.

RCW 26.44.015

Limitations of chapter.

(1) This chapter shall not be construed to authorize interference with child-raising practices, including reasonable parental discipline, which are not injurious to the child's health, welfare, and safety.

(2) Nothing in this chapter may be used to prohibit the reasonable use of corporal punishment as a means of discipline.

(3) No parent or guardian may be deemed abusive or neglectful solely by reason of the parent's or child's blindness, deafness, developmental disability, or other handicap.

[1999 c 176 § 28; 1997 c 386 § 23; 1993 c 412 § 11.]

NOTES:

Findings -- Purpose -- Severability -- Conflict with federal requirements -- 1999 c 176:

See notes following RCW 74.34.005.

Application -- Effective date -- 1997 c 386: See notes following RCW 74.14D.010.

RCW 26.44.020

Definitions.

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Court" means the superior court of the state of Washington, juvenile department.

(2) "Law enforcement agency" means the police department, the prosecuting attorney, the state patrol, the director of public safety, or the office of the sheriff.

(3) "Practitioner of the healing arts" or "practitioner" means a person licensed by this state to practice podiatric medicine and surgery, optometry, chiropractic, nursing, dentistry, osteopathic medicine and surgery, or medicine and surgery or to provide other health services. The term "practitioner" includes a duly accredited Christian Science practitioner: PROVIDED, HOWEVER, That a person who is being furnished Christian Science treatment by a duly accredited Christian

Science practitioner will not be considered, for that reason alone, a neglected person for the purposes of this chapter.

(4) "Institution" means a private or public hospital or any other facility providing medical diagnosis, treatment or care.

(5) "Department" means the state department of social and health services.

(6) "Child" or "children" means any person under the age of eighteen years of age.

(7) "Professional school personnel" include, but are not limited to, teachers, counselors, administrators, child care facility personnel, and school nurses.

(8) "Social service counselor" means anyone engaged in a professional capacity during the regular course of employment in encouraging or promoting the health, welfare, support or education of children, or providing social services to adults or families, including mental health, drug and alcohol treatment, and domestic violence programs, whether in an individual capacity, or as an employee or agent of any public or private organization or institution.

(9) "Psychologist" means any person licensed to practice psychology under chapter 18.83 RCW, whether acting in an individual capacity or as an employee or agent of any public or private organization or institution.

(10) "Pharmacist" means any registered pharmacist under chapter 18.64 RCW, whether acting in an individual capacity or as an employee or agent of any public or private organization or institution.

(11) "Clergy" means any regularly licensed or ordained minister, priest, or rabbi of any church or religious denomination, whether acting in an individual capacity or as an employee or agent of any public or private organization or institution.

(12) "Abuse or neglect" means the injury, sexual abuse, sexual exploitation, negligent treatment, or maltreatment of a child by any person under circumstances which indicate that the child's health, welfare, and safety is harmed, excluding conduct permitted under RCW 9A.16.100. An abused child is a child who has been subjected to child abuse or neglect as defined in this section.

(13) "Child protective services section" means the child protective services section of the department.

(14) "Sexual exploitation" includes: (a) Allowing, permitting, or encouraging a child to engage in prostitution by any person; or (b) allowing, permitting, encouraging, or engaging in the obscene or pornographic photographing, filming, or depicting of a child by any person.

(15) "Negligent treatment or maltreatment" means an act or omission that evidences a serious disregard of consequences of such magnitude as to constitute a clear and present danger to the child's health, welfare, and safety. The fact that siblings share a bedroom is not, in and of itself, negligent treatment or maltreatment.

(16) "Child protective services" means those services provided by the department designed to protect children from child abuse and neglect and safeguard such children from future abuse and neglect, and conduct investigations of child abuse and neglect reports. Investigations may be conducted regardless of the location of the alleged abuse or neglect. Child protective services includes referral to services to ameliorate conditions that endanger the welfare of children, the coordination of necessary programs and services relevant to the prevention, intervention, and treatment of child abuse and neglect, and services to children to ensure that each child has a permanent home. In determining whether protective services should be provided, the department shall not decline to provide such services solely because of the child's unwillingness or developmental inability to describe the nature and severity of the abuse or neglect.

(17) "Malice" or "maliciously" means an evil intent, wish, or design to vex, annoy, or injure another person. Such malice may be inferred from an act done in willful disregard of the rights of another, or an act wrongfully done without just cause or excuse, or an act or omission of duty betraying a willful disregard of social duty.

(18) "Sexually aggressive youth" means a child who is defined in RCW 74.13.075(1)(b) as being a sexually aggressive youth.

(19) "Unfounded" means available information indicates that, more likely than not, child abuse or neglect did not occur. No unfounded allegation of child abuse or neglect may be disclosed to a child-placing agency, private adoption agency, or any other provider licensed under chapter 74.15 RCW.

[2000 c 162 § 19; 1999 c 176 § 29; 1998 c 314 § 7. Prior: 1997 c 386 § 45; 1997 c 386 § 24; 1997 c 282 § 4; 1997 c 132 § 2; 1996 c 178 § 10; prior: 1993 c 412 § 12; 1993 c 402 § 1; 1988 c 142 § 1; prior: 1987 c 524 § 9; 1987 c 206 § 2; 1984 c 97 § 2; 1982 c 129 § 6; 1981 c 164 § 1; 1977 ex.s. c 80 § 25; 1975 1st ex.s. c 217 § 2; 1969 ex.s. c 35 § 2; 1965 c 13 § 2.]

NOTES:

Findings -- Purpose -- Severability -- Conflict with federal requirements -- 1999 c 176:

See notes following RCW 74.34.005.

Application -- Effective date -- 1997 c 386: See notes following RCW 74.14D.010.

Findings -- 1997 c 132: "The legislature finds that housing is frequently influenced by the economic situation faced by the family. This may include siblings sharing a bedroom. The legislature also finds that the family living situation due to economic circumstances in and of itself is not sufficient to justify a finding of child abuse, negligent treatment, or maltreatment." [1997 c 132 § 1.]

Effective date -- 1996 c 178: See note following RCW 18.35.110.

Severability -- 1984 c 97: See RCW 74.34.900.

Severability -- 1982 c 129: See note following RCW 9A.04.080.

Purpose -- Intent -- Severability -- 1977 ex.s. c 80: See notes following RCW 4.16.190.

RCW 26.44.030

Reports -- Duty and authority to make -- Duty of receiving agency -- Duty to notify -- Case planning and consultation -- Penalty for unauthorized exchange of information -- Filing dependency petitions -- Interviews of children -- Records -- Risk assessment process-- Reports to legislature.

(1)(a) When any practitioner, county coroner or medical examiner, law enforcement officer, professional school personnel, registered or licensed nurse, social service counselor, psychologist, pharmacist, licensed or certified child care providers or their employees, employee of the department, juvenile probation officer, placement and liaison specialist, responsible living skills program staff, HOPE center staff, or state family and children's ombudsman or any volunteer in the ombudsman's office has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW [26.44.040](#).

(b) The reporting requirement also applies to department of corrections personnel who, in the course of their employment, observe offenders or the children with whom the offenders are in contact. If, as a result of observations or information received in the course of his or her employment, any department of corrections personnel has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report the incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW [26.44.040](#).

(c) The reporting requirement shall also apply to any adult who has reasonable cause to believe that a child who resides with them, has suffered severe abuse, and is able or capable of making a report. For the purposes of this subsection, "severe abuse" means any of the following: Any single act of abuse that causes physical trauma of sufficient severity that, if left untreated, could cause death; any single act of sexual abuse that causes significant bleeding, deep bruising, or significant external or internal swelling; or more than one act of physical abuse, each of which causes bleeding, deep bruising, significant external or internal swelling, bone fracture, or unconsciousness.

(d) The report must be made at the first opportunity, but in no case longer than forty-eight hours after there is reasonable cause to believe that the child has suffered abuse or neglect. The report must include the identity of the accused if known.

(2) The reporting requirement of subsection (1) of this section does not apply to the discovery of abuse or neglect that occurred during childhood if it is discovered after the child has become an adult. However, if there is reasonable cause to believe other children are or may be at risk of abuse or neglect by the accused, the reporting requirement of subsection (1) of this section does apply.

(3) Any other person who has reasonable cause to believe that a child has suffered abuse or neglect may report such incident to the proper law enforcement agency or to the department of social and health services as provided in RCW [26.44.040](#).

(4) The department, upon receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means or who has been subjected to alleged sexual abuse, shall report such incident to the proper law enforcement agency. In emergency cases, where the child's welfare is endangered, the department shall notify the proper law enforcement agency within twenty-four hours after a report is received by the department. In all other cases, the department shall notify the law enforcement agency within seventy-two hours

after a report is received by the department. If the department makes an oral report, a written report must also be made to the proper law enforcement agency within five days thereafter.

(5) Any law enforcement agency receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means, or who has been subjected to alleged sexual abuse, shall report such incident in writing as provided in RCW [26.44.040](#) to the proper county prosecutor or city attorney for appropriate action whenever the law enforcement agency's investigation reveals that a crime may have been committed. The law enforcement agency shall also notify the department of all reports received and the law enforcement agency's disposition of them. In emergency cases, where the child's welfare is endangered, the law enforcement agency shall notify the department within twenty-four hours. In all other cases, the law enforcement agency shall notify the department within seventy-two hours after a report is received by the law enforcement agency.

(6) Any county prosecutor or city attorney receiving a report under subsection (5) of this section shall notify the victim, any persons the victim requests, and the local office of the department, of the decision to charge or decline to charge a crime, within five days of making the decision.

(7) The department may conduct ongoing case planning and consultation with those persons or agencies required to report under this section, with consultants designated by the department, and with designated representatives of Washington Indian tribes if the client information exchanged is pertinent to cases currently receiving child protective services. Upon request, the department shall conduct such planning and consultation with those persons required to report under this section if the department determines it is in the best interests of the child. Information considered privileged by statute and not directly related to reports required by this section must not be divulged without a valid written waiver of the privilege.

(8) Any case referred to the department by a physician licensed under chapter 18.57 or 18.71 RCW on the basis of an expert medical opinion that child abuse, neglect, or sexual assault has occurred and that the child's safety will be seriously endangered if returned home, the department shall file a dependency petition unless a second licensed physician of the parents' choice believes that such expert medical opinion is incorrect. If the parents fail to designate a second physician, the department may make the selection. If a physician finds that a child has suffered abuse or neglect but that such abuse or neglect does not constitute imminent danger to the child's health or safety, and the department agrees with the physician's assessment, the child may be left in the parents' home while the department proceeds with reasonable efforts to remedy parenting deficiencies.

(9) Persons or agencies exchanging information under subsection (7) of this section shall not further disseminate or release the information except as authorized by state or federal statute. Violation of this subsection is a misdemeanor.

(10) Upon receiving reports of alleged abuse or neglect, the department or law enforcement agency may interview children. The interviews may be conducted on school premises, at day-care facilities, at the child's home, or at other suitable locations outside of the presence of parents. Parental notification of the interview must occur at the earliest possible point in the investigation that will not jeopardize the safety or protection of the child or the course of the investigation. Prior to commencing the interview the department or law enforcement agency shall determine whether the child wishes a third party to be present for the interview and, if so, shall make reasonable efforts to accommodate the child's wishes. Unless the child objects, the department or law enforcement agency shall make reasonable efforts to include a third party in any interview so long as the presence of the third party will not jeopardize the course of the investigation.

(11) Upon receiving a report of alleged child abuse and neglect, the department or investigating law enforcement agency shall have access to all relevant records of the child in the possession of mandated reporters and their employees.

(12) The department shall maintain investigation records and conduct timely and periodic reviews of all cases constituting abuse and neglect. The department shall maintain a log of screened-out nonabusive cases.

(13) The department shall use a risk assessment process when investigating alleged child abuse and neglect referrals. The department shall present the risk factors at all hearings in which the placement of a dependent child is an issue. Substance abuse must be a risk factor. The department shall, within funds appropriated for this purpose, offer enhanced community-based services to persons who are determined not to require further state intervention.

The department shall provide annual reports to the legislature on the effectiveness of the risk assessment process.

(14) Upon receipt of a report of alleged abuse or neglect the law enforcement agency may arrange to interview the person making the report and any collateral sources to determine if any malice is involved in the reporting.

(15) The department shall make reasonable efforts to learn the name, address, and telephone number of each person making a report of abuse or neglect under this section. The department shall provide assurances of appropriate confidentiality of the identification of persons reporting under this section. If the department is unable to learn the information required under this subsection, the department shall only investigate cases in which: (a) The department believes there is a serious threat of substantial harm to the child; (b) the report indicates conduct involving a criminal offense that has, or is about to occur, in which the child is the victim; or (c) the department has, after investigation, a report of abuse or neglect that has been founded with regard to a member of the household within three years of receipt of the referral.

[1999 c 267 § 20; 1999 c 176 § 30; 1998 c 328 § 5; 1997 c 386 § 25; 1996 c 278 § 2; 1995 c 311 § 17. Prior: 1993 c 412 § 13; 1993 c 237 § 1; 1991 c 111 § 1; 1989 c 22 § 1; prior: 1988 c 142 § 2; 1988 c 39 § 1; prior: 1987 c 524 § 10; 1987 c 512 § 23; 1987 c 206 § 3; 1986 c 145 § 1; 1985 c 259 § 2; 1984 c 97 § 3; 1982 c 129 § 7; 1981 c 164 § 2; 1977 ex.s. c 80 § 26; 1975 1st ex.s. c 217 § 3; 1971 ex.s. c 167 § 1; 1969 ex.s. c 35 § 3; 1965 c 13 § 3.]

NOTES:

Reviser's note: This section was amended by 1999 c 176 § 30 and by 1999 c 267 § 20, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Findings -- Intent -- Severability -- 1999 c 267: See notes following RCW 43.20A.790.

Short title -- Purpose -- Entitlement not granted -- Federal waivers -- 1999 c 267 §§ 10-26: See RCW 74.15.900 and 74.15.901.

Findings -- Purpose -- Severability -- Conflict with federal requirements -- 1999 c 176: See notes following RCW 74.34.005.

Application -- Effective date -- 1997 c 386: See notes following RCW 74.14D.010.

Finding -- Intent--1996 c 278: "The legislature finds that including certain department of corrections personnel among the professionals who are mandated to report suspected abuse or neglect of children, dependent adults, or people with developmental disabilities is an important step toward improving the protection of these vulnerable populations. The legislature intends, however, to limit the circumstances under which department of corrections personnel are mandated reporters of suspected abuse or neglect to only those circumstances when the information is obtained during the course of their employment. This act is not to be construed to alter the circumstances under which other professionals are mandated to report suspected abuse or neglect, nor is it the legislature's intent to alter current practices and procedures utilized by other professional organizations who are mandated reporters under RCW [26.44.030](#)(1)(a)." [1996 c 278 § 1.]

Severability -- 1987 c 512: See RCW 18.19.901.

Legislative findings -- 1985 c 259: "The Washington state legislature finds and declares:

The children of the state of Washington are the state's greatest resource and the greatest source of wealth to the state of Washington. Children of all ages must be protected from child abuse. Governmental authorities must give the prevention, treatment, and punishment of child abuse the highest priority, and all instances of child abuse must be reported to the proper authorities who should diligently and expeditiously take appropriate action, and child abusers must be held accountable to the people of the state for their actions.

The legislature recognizes the current heavy caseload of governmental authorities responsible for the prevention, treatment, and punishment of child abuse. The information obtained by child abuse reporting requirements, in addition to its use as a law enforcement tool, will be used to determine the need for additional funding to ensure that resources for appropriate governmental response to child abuse are available." [1985 c 259 § 1.]

Severability -- 1984 c 97: See RCW 74.34.900.

Severability -- 1982 c 129: See note following RCW 9A.04.080.

Purpose -- Intent -- Severability -- 1977 ex.s. c 80: See notes following RCW 4.16.190.

RCW 26.44.031

Unfounded referrals -- Report retention.

To protect the privacy in reporting and the maintenance of reports of nonaccidental injury, neglect, death, sexual abuse, and cruelty to children by their parents, and to safeguard against arbitrary, malicious, or erroneous information or actions, the department shall not maintain information related to unfounded referrals in files or reports of child abuse or neglect for longer than six years except as provided in this section.

At the end of six years from receipt of the unfounded report, the information shall be purged unless an additional report has been received in the intervening period.

[1997 c 282 § 1.]

RCW 26.44.032

Legal defense of public employee.

In cases in which a public employee subject to RCW [26.44.030](#) acts in good faith and without gross negligence in his or her reporting duty, and if the employee's judgment as to what constitutes reasonable cause to believe that a child has suffered abuse or neglect is being challenged, the public employer shall provide for the legal defense of the employee.

[1999 c 176 § 31; 1988 c 87 § 1.]

NOTES:

Findings -- Purpose -- Severability -- Conflict with federal requirements -- 1999 c 176:
See notes following RCW 74.34.005.

RCW 26.44.035

Response to complaint by more than one agency -- Procedure -- Written records.

(1) If the department or a law enforcement agency responds to a complaint of alleged child abuse or neglect and discovers that another agency has also responded to the complaint, the agency shall notify the other agency of their presence, and the agencies shall coordinate the investigation and keep each other apprised of progress.

(2) The department, each law enforcement agency, each county prosecuting attorney, each city attorney, and each court shall make as soon as practicable a written record and shall maintain records of all incidents of suspected child abuse reported to that person or agency.

(3) Every employee of the department who conducts an interview of any person involved in an allegation of abuse or neglect shall retain his or her original written records or notes setting forth the content of the interview unless the notes were entered into the electronic system operated by the department which is designed for storage, retrieval, and preservation of such records.

(4) Written records involving child sexual abuse shall, at a minimum, be a near verbatim record for the disclosure interview. The near verbatim record shall be produced within fifteen calendar days of the disclosure interview, unless waived by management on a case-by-case basis.

(5) Records kept under this section shall be identifiable by means of an agency code for child abuse.

[1999 c 389 § 7; 1997 c 386 § 26; 1985 c 259 § 3.]

NOTES:

Application -- Effective date -- 1997 c 386: See notes following RCW 74.14D.010.

Legislative findings -- 1985 c 259: See note following RCW [26.44.030](#).

RCW 26.44.040

Reports -- Oral, written -- Contents.

An immediate oral report must be made by telephone or otherwise to the proper law enforcement agency or the department of social and health services and, upon request, must be followed by a report in writing. Such reports must contain the following information, if known:

- (1) The name, address, and age of the child;
- (2) The name and address of the child's parents, stepparents, guardians, or other persons having custody of the child;
- (3) The nature and extent of the alleged injury or injuries;
- (4) The nature and extent of the alleged neglect;
- (5) The nature and extent of the alleged sexual abuse;
- (6) Any evidence of previous injuries, including their nature and extent; and

(7) Any other information that may be helpful in establishing the cause of the child's death, injury, or injuries and the identity of the alleged perpetrator or perpetrators.

[1999 c 176 § 32; 1997 c 386 § 27; 1993 c 412 § 14; 1987 c 206 § 4; 1984 c 97 § 4; 1977 ex.s. c 80 § 27; 1975 1st ex.s. c 217 § 4; 1971 ex.s. c 167 § 2; 1969 ex.s. c 35 § 4; 1965 c 13 § 4.]

NOTES:

Findings -- Purpose -- Severability -- Conflict with federal requirements -- 1999 c 176:

See notes following RCW 74.34.005.

Application -- Effective date -- 1997 c 386: See notes following RCW 74.14D.010.

Severability -- 1984 c 97: See RCW 74.34.900.

Purpose -- Intent -- Severability -- 1977 ex.s. c 80: See notes following RCW 4.16.190.

RCW 26.44.050

Abuse or neglect of child -- Duty of law enforcement agency or department of social and health services -- Taking child into custody without court order, when.

Upon the receipt of a report concerning the possible occurrence of abuse or neglect, the law enforcement agency or the department of social and health services must investigate and provide the protective services section with a report in accordance with chapter 74.13 RCW, and where necessary to refer such report to the court.

A law enforcement officer may take, or cause to be taken, a child into custody without a court order if there is probable cause to believe that the child is abused or neglected and that the child would be injured or could not be taken into custody if it were necessary to first obtain a court order pursuant to RCW 13.34.050. The law enforcement agency or the department of social and health services investigating such a report is hereby authorized to photograph such a child for the purpose of providing documentary evidence of the physical condition of the child.

[1999 c 176 § 33. Prior: 1987 c 450 § 7; 1987 c 206 § 5; 1984 c 97 § 5; 1981 c 164 § 3; 1977 ex.s. c 291 § 51; 1977 ex.s. c 80 § 28; 1975 1st ex.s. c 217 § 5; 1971 ex.s. c 302 § 15; 1969 ex.s. c 35 § 5; 1965 c 13 § 5.]

NOTES:

Findings -- Purpose -- Severability -- Conflict with federal requirements -- 1999 c 176:

See notes following RCW 74.34.005.

Severability -- 1984 c 97: See RCW 74.34.900.

Effective dates -- Severability -- 1977 ex.s. c 291: See notes following RCW 13.04.005.

Purpose -- Intent -- Severability -- 1977 ex.s. c 80: See notes following RCW 4.16.190.

Severability -- 1971 ex.s. c 302: See note following RCW 9.41.010.

RCW 26.44.053

Guardian ad litem, appointment -- Examination of person having legal custody -- Hearing -- Procedure.

(1) In any judicial proceeding under this chapter or chapter 13.34 RCW in which it is alleged that a child has been subjected to child abuse or neglect, the court shall appoint a guardian ad litem for the child as provided in chapter 13.34 RCW. The requirement of a guardian ad litem may be deemed satisfied if the child is represented by counsel in the proceedings.

(2) At any time prior to or during a hearing in such a case, the court may, on its own motion, or the motion of the guardian ad litem, or other parties, order the examination by a physician, psychologist, or psychiatrist, of any parent or child or other person having custody of the child at the time of the alleged child abuse or neglect, if the court finds such an examination is necessary to the proper determination of the case. The hearing may be continued pending the completion of such examination. The physician, psychologist, or psychiatrist conducting such an examination may be required to testify concerning the results of such examination and may be asked to give his or her opinion as to whether the protection of the child requires that he or she not be returned to the custody of his or her parents or other persons having custody of him or her at the time of the alleged child abuse or neglect. Persons so testifying shall be subject to cross-examination as are other witnesses. No information given at any such examination of the parent or any other person having custody of the child may be used against such person in any subsequent criminal proceedings against such person or custodian concerning the alleged abuse or neglect of the child.

(3) A parent or other person having legal custody of a child alleged to be abused or neglected shall be a party to any proceeding that may impair or impede such person's interest in and custody or control of the child.

[1997 c 386 § 28; 1996 c 249 § 16; 1994 c 110 § 1; 1993 c 241 § 4. Prior: 1987 c 524 § 11; 1987 c 206 § 7; 1975 1st ex.s. c 217 § 8.]

NOTES:

Application -- Effective date -- 1997 c 386: See notes following RCW 74.14D.010.

Intent -- 1996 c 249: See note following RCW 2.56.030.

Conflict with federal requirements -- 1993 c 241: See note following RCW 13.34.030.

RCW 26.44.056

Protective detention or custody of abused child -- Reasonable cause -- Notice -- Time limits -- Monitoring plan -- Liability.

(1) An administrator of a hospital or similar institution or any physician, licensed pursuant to chapters 18.71 or 18.57 RCW, may detain a child without consent of a person legally responsible for the child whether or not medical treatment is required, if the circumstances or conditions of the child are such that the detaining individual has reasonable cause to believe that permitting the child to continue in his or her place of residence or in the care and custody of the parent, guardian, custodian or other person legally responsible for the child's care would present an imminent danger to that child's safety: PROVIDED, That such administrator or physician shall notify or cause to be notified the appropriate law enforcement agency or child protective services pursuant to RCW [26.44.040](#). Such notification shall be made as soon as possible and in no case longer than seventy-two hours. Such temporary protective custody by an administrator or doctor shall not be deemed an arrest. Child protective services may detain the child until the court assumes custody, but in no case longer than seventy-two hours, excluding Saturdays, Sundays, and holidays.

(2) Whenever an administrator or physician has reasonable cause to believe that a child would be in imminent danger if released to a parent, guardian, custodian, or other person or is in imminent danger if left in the custody of a parent, guardian, custodian, or other person, the administrator or physician may notify a law enforcement agency and the law enforcement agency shall take the child into custody or cause the child to be taken into custody. The law enforcement agency shall release the child to the custody of child protective services. Child protective services shall detain the child until the court assumes custody or upon a documented and substantiated record that in the professional judgment of the child protective services the child's safety will not be endangered if the child is returned. If the child is returned, the department shall establish a six-month plan to monitor and assure the continued safety of the child's life or health. The monitoring period may be extended for good cause.

(3) A child protective services employee, an administrator, doctor, or law enforcement officer shall not be held liable in any civil action for the decision for taking the child into custody, if done in good faith under this section.

[1983 c 246 § 3; 1982 c 129 § 8; 1975 1st ex.s. c 217 § 9.]

NOTES:

Severability -- 1982 c 129: See note following RCW 9A.04.080.

RCW 26.44.060

Immunity from civil or criminal liability -- Confidential communications not violated -- Actions against state not affected -- False report, penalty.

(1)(a) Except as provided in (b) of this subsection, any person participating in good faith in the making of a report pursuant to this chapter or testifying as to alleged child abuse or neglect in a judicial proceeding shall in so doing be immune from any liability arising out of such reporting or testifying under any law of this state or its political subdivisions.

(b) A person convicted of a violation of subsection (4) of this section shall not be immune from liability under (a) of this subsection.

(2) An administrator of a hospital or similar institution or any physician licensed pursuant to chapters 18.71 or 18.57 RCW taking a child into custody pursuant to RCW [26.44.056](#) shall not be subject to criminal or civil liability for such taking into custody.

(3) Conduct conforming with the reporting requirements of this chapter shall not be deemed a violation of the confidential communication privilege of RCW 5.60.060 (3) and (4), 18.53.200 and 18.83.110. Nothing in this chapter shall be construed as to supersede or abridge remedies provided in chapter 4.92 RCW.

(4) A person who, intentionally and in bad faith or maliciously, knowingly makes a false report of alleged abuse or neglect shall be guilty of a misdemeanor punishable in accordance with RCW 9A.20.021.

[1997 c 386 § 29; 1988 c 142 § 3; 1982 c 129 § 9; 1975 1st ex.s. c 217 § 6; 1965 c 13 § 6.]

NOTES:

Application -- Effective date -- 1997 c 386: See notes following RCW 74.14D.010.

Severability -- 1982 c 129: See note following RCW 9A.04.080.

Nurse-patient privilege subject to RCW [26.44.060](#)(3): RCW 5.62.030.

RCW 26.44.063

Temporary restraining order or preliminary injunction -- Enforcement -- Notice of modification or termination of restraining order.

(1) It is the intent of the legislature to minimize trauma to a child involved in an allegation of sexual or physical abuse. The legislature declares that removing the child from the home often has the effect of further traumatizing the child. It is, therefore, the legislature's intent that the alleged offender, rather than the child, shall be removed from the home and that this should be done at the earliest possible point of intervention in accordance with RCW 10.31.100, 13.34.130, this section, and RCW [26.44.130](#).

(2) In any judicial proceeding in which it is alleged that a child has been subjected to sexual or physical abuse, if the court finds reasonable grounds to believe that an incident of sexual or physical abuse has occurred, the court may, on its own motion, or the motion of the guardian ad litem or other parties, issue a temporary restraining order or preliminary injunction restraining or enjoining the person accused of committing the abuse from:

- (a) Molesting or disturbing the peace of the alleged victim;
- (b) Entering the family home of the alleged victim except as specifically authorized by the court;
- (c) Having any contact with the alleged victim, except as specifically authorized by the court;
- (d) Knowingly coming within, or knowingly remaining within, a specified distance of a specified location.

(3) In issuing a temporary restraining order or preliminary injunction, the court may impose any additional restrictions that the court in its discretion determines are necessary to protect the child from further abuse or emotional trauma pending final resolution of the abuse allegations.

(4) The court shall issue a temporary restraining order prohibiting a person from entering the family home if the court finds that the order would eliminate the need for an out-of-home placement to protect the child's right to nurturance, health, and safety and is sufficient to protect the child from further sexual or physical abuse or coercion.

(5) The court may issue a temporary restraining order without requiring notice to the party to be restrained or other parties only if it finds on the basis of the moving affidavit or other evidence that irreparable injury could result if an order is not issued until the time for responding has elapsed.

(6) A temporary restraining order or preliminary injunction:

- (a) Does not prejudice the rights of a party or any child which are to be adjudicated at subsequent hearings in the proceeding; and
- (b) May be revoked or modified.

(7) The person having physical custody of the child shall have an affirmative duty to assist in the enforcement of the restraining order including but not limited to a duty to notify the court as soon as practicable of any violation of the order, a duty to request the assistance of law enforcement officers to enforce the order, and a duty to notify the department of social and health services of any violation of the order as soon as practicable if the department is a party to the action. Failure by the custodial party to discharge these affirmative duties shall be subject to contempt proceedings.

(8) Willful violation of a court order entered under this section is a misdemeanor. A written order shall contain the court's directive and shall bear the legend: "Violation of this order with actual notice of its terms is a criminal offense under chapter 26.44 RCW, is also subject to contempt proceedings, and will subject a violator to arrest."

(9) If a restraining order issued under this section is modified or terminated, the clerk of the court shall notify the law enforcement agency specified in the order on or before the next judicial day. Upon receipt of notice that an order has been terminated, the law enforcement agency shall remove the order from any computer-based criminal intelligence system.

[2000 c 119 § 12; 1993 c 412 § 15; 1988 c 190 § 3; 1985 c 35 § 1.]

NOTES:

Application -- 2000 c 119: See note following RCW 26.50.021.

Ex parte temporary order for protection: RCW 26.50.070.

Orders for protection in cases of domestic violence: RCW 26.50.030.

Orders prohibiting contact: RCW 10.99.040.

Temporary restraining order: RCW 26.09.060.

RCW 26.44.067

Temporary restraining order or preliminary injunction -- Contents -- Notice -- Noncompliance -- Defense -- Penalty.

(1) Any person having had actual notice of the existence of a restraining order issued by a court of competent jurisdiction pursuant to RCW [26.44.063](#) who refuses to comply with the provisions of such order shall be guilty of a misdemeanor.

(2) The notice requirements of subsection (1) of this section may be satisfied by the peace officer giving oral or written evidence to the person subject to the order by reading from or handing to that person a copy certified by a notary public or the clerk of the court to be an accurate copy of the original court order which is on file. The copy may be supplied by the court or any party.

(3) The remedies provided in this section shall not apply unless restraining orders subject to this section bear this legend: VIOLATION OF THIS ORDER WITH ACTUAL NOTICE OF ITS TERMS IS A CRIMINAL OFFENSE UNDER CHAPTER 26.44 RCW AND IS ALSO SUBJECT TO CONTEMPT PROCEEDINGS.

(4) It is a defense to prosecution under subsection (1) of this section that the court order was issued contrary to law or court rule. No right of action shall accrue against any peace officer acting upon a properly certified copy of a court order lawful on its face if such officer employs otherwise lawful means to effect the arrest.

[2000 c 119 § 13; 1993 c 412 § 16; 1989 c 373 § 23; 1985 c 35 § 2.]

NOTES:

Application -- 2000 c 119: See note following RCW 26.50.021.

Severability -- 1989 c 373: See RCW 7.21.900.

RCW 7.69.030
CRIME VICTIMS' BILL OF RIGHTS

RCW 7.69.030

Rights of victims, survivors, and witnesses.

There shall be a reasonable effort made to ensure that victims, survivors of victims, and witnesses of crimes have the following rights:

(1) With respect to victims of violent or sex crimes, to receive, at the time of reporting the crime to law enforcement officials, a written statement of the rights of crime victims as provided in this chapter. The written statement shall include the name, address, and telephone number of a county or local crime victim/witness program, if such a crime victim/witness program exists in the county;

(2) To be informed by local law enforcement agencies or the prosecuting attorney of the final disposition of the case in which the victim, survivor, or witness is involved;

(3) To be notified by the party who issued the subpoena that a court proceeding to which they have been subpoenaed will not occur as scheduled, in order to save the person an unnecessary trip to court;

(4) To receive protection from harm and threats of harm arising out of cooperation with law enforcement and prosecution efforts, and to be provided with information as to the level of protection available;

(5) To be informed of the procedure to be followed to apply for and receive any witness fees to which they are entitled;

(6) To be provided, whenever practical, a secure waiting area during court proceedings that does not require them to be in close proximity to defendants and families or friends of defendants;

(7) To have any stolen or other personal property expeditiously returned by law enforcement agencies or the superior court when no longer needed as evidence. When feasible, all such property, except weapons, currency, contraband, property subject to evidentiary analysis, and property of which ownership is disputed, shall be photographed and returned to the owner within ten days of being taken;

(8) To be provided with appropriate employer intercession services to ensure that employers of victims, survivors of victims, and witnesses of crime will cooperate with the criminal justice process in order to minimize an employee's loss of pay and other benefits resulting from court appearance;

(9) To access to immediate medical assistance and not to be detained for an unreasonable length of time by a law enforcement agency before having such assistance administered. However, an employee of the law enforcement agency may, if necessary, accompany the person to a medical facility to question the person about the criminal incident if the questioning does not hinder the administration of medical assistance;

(10) With respect to victims of violent and sex crimes, to have a crime victim advocate from a crime victim/witness program present at any prosecutorial or defense interviews with the victim, and at any judicial proceedings related to criminal acts committed against the victim. This subsection applies if practical and if the presence of the crime victim advocate does not cause any unnecessary delay in the investigation or prosecution of the case. The role of the crime victim advocate is to provide emotional support to the crime victim;

(11) With respect to victims and survivors of victims, to be physically present in court during trial, or if subpoenaed to testify, to be scheduled as early as practical in the proceedings in order to be physically present during trial after testifying and not to be excluded solely because they have testified;

(12) With respect to victims and survivors of victims, to be informed by the prosecuting attorney of the date, time, and place of the trial and of the sentencing hearing for felony convictions upon request by a victim or survivor;

(13) To submit a victim impact statement or report to the court, with the assistance of the prosecuting attorney if requested, which shall be included in all presentence reports and permanently included in the files and records accompanying the offender committed to the custody of a state agency or institution;

(14) With respect to victims and survivors of victims, to present a statement personally or by representation, at the sentencing hearing for felony convictions;

(15) With respect to victims and survivors of victims, to entry of an order of restitution by the court in all felony cases, even when the offender is sentenced to confinement, unless extraordinary circumstances exist which make restitution inappropriate in the court's judgment; and

(16) With respect to victims and survivors of victims, to present a statement in person, via audio or videotape, in writing or by representation at any hearing conducted regarding an application for pardon or commutation of sentence.

[1999 c 323 § 2; 1997 c 343 § 1; 1993 c 350 § 6; 1985 c 443 § 3; 1981 c 145 § 3.]

NOTES:

Intent -- 1999 c 323: See note following RCW [9.94A.885](#).

Findings -- Severability -- 1993 c 350: See notes following RCW [26.50.035](#).

Severability -- Effective date -- 1985 c 443: See notes following RCW [7.69.010](#).

Child victims and witnesses, additional rights: Chapter [7.69A](#) RCW.

RCW 7.69A.030
CHILD VICTIMS' BILL OF RIGHTS

RCW 7.69A.030

Rights of child victims and witnesses.

In addition to the rights of victims and witnesses provided for in RCW [7.69.030](#), there shall be every reasonable effort made by law enforcement agencies, prosecutors, and judges to assure that child victims and witnesses are afforded the rights enumerated in this section. Except as provided in RCW [7.69A.050](#) regarding child victims or child witnesses of violent crimes, sex crimes, or child abuse, the enumeration of rights shall not be construed to create substantive rights and duties, and the application of an enumerated right in an individual case is subject to the discretion of the law enforcement agency, prosecutor, or judge. Child victims and witnesses have the following rights:

- (1) To have explained in language easily understood by the child, all legal proceedings and/or police investigations in which the child may be involved.
- (2) With respect to child victims of sex or violent crimes or child abuse, to have a crime victim advocate from a crime victim/witness program present at any prosecutorial or defense interviews with the child victim. This subsection applies if practical and if the presence of the crime victim advocate does not cause any unnecessary delay in the investigation or prosecution of the case. The role of the crime victim advocate is to provide emotional support to the child victim and to promote the child's feelings of security and safety.
- (3) To be provided, whenever possible, a secure waiting area during court proceedings and to have an advocate or support person remain with the child prior to and during any court proceedings.
- (4) To not have the names, addresses, nor photographs of the living child victim or witness disclosed by any law enforcement agency, prosecutor's office, or state agency without the permission of the child victim, child witness, parents, or legal guardians to anyone except another law enforcement agency, prosecutor, defense counsel, or private or governmental agency that provides services to the child victim or witness.
- (5) To allow an advocate to make recommendations to the prosecuting attorney about the ability of the child to cooperate with prosecution and the potential effect of the proceedings on the child.
- (6) To allow an advocate to provide information to the court concerning the child's ability to understand the nature of the proceedings.
- (7) To be provided information or appropriate referrals to social service agencies to assist the child and/or the child's family with the emotional impact of the crime, the subsequent investigation, and judicial proceedings in which the child is involved.
- (8) To allow an advocate to be present in court while the child testifies in order to provide emotional support to the child.
- (9) To provide information to the court as to the need for the presence of other supportive persons at the court proceedings while the child testifies in order to promote the child's feelings of security and safety.
- (10) To allow law enforcement agencies the opportunity to enlist the assistance of other professional personnel such as child protection services, victim advocates or prosecutorial staff trained in the interviewing of the child victim.
- (11) With respect to child victims of violent or sex crimes or child abuse, to receive either directly or through the child's parent or guardian if appropriate, at the time of reporting the crime to law enforcement officials, a written statement of the rights of child victims as provided in this chapter. The written statement shall include the name, address, and telephone number of a county or local crime victim/witness program, if such a crime victim/witness program exists in the county.

[1997 c 283 § 2; 1993 c 350 § 8; 1985 c 394 § 3.]

NOTES:

Findings -- Severability -- 1993 c 350: See notes following RCW [26.50.035](#).

KING COUNTY SPECIAL ASSAULT NETWORK COMMUNITY RESOURCES

Children

Child Protective Services (CPS) Seattle (24 hours) Centralized Intake		1-800-562-5624
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Sexual Assault

(The following resources have 24 hour response capability)

Harborview Center for Sexual Assault and Traumatic Stress (HCSATS) (Counseling, Medical Exams, Advocacy) www.depts.washington.edu/hcsats/		206-521-1800
King County Sexual Assault Resource Center (KCSARC) (Counseling, Medical Exam Coordination, Advocacy) www.kcsarc.org	1-800-825-7273 (crisis line)	Office: 425-226-5062
Children's Response Center (Counseling, Medical Exam Coordination, Advocacy) www.ChildrensResponseCenter.org	TTY 425-688-5762	425-688-5130
Abused Deaf Women's Advocacy Services (Counseling, Advocacy)	TTY 206-236-3134	206-723-0093
Washington State Relay Services	V/TDD 1-800-883-6388	

Domestic Violence

Domestic Abuse Women's Network (DAWN) (24 hours)		425-656-STOP
Eastside Domestic Violence Program (EDVP) (24 hours)	1-800-827-8840	425-746-1940
New Beginnings (24 hours)		206-522-9472
Catherine Booth (24 hours)	206-324-7271	Crisis: 206-324-4943
YWCA Resource Center	V/TDD 206-461-4882	
East Cherry YWCA	206-461-8480	Direct line for DV 206-461-4423
Consejo Counseling & Referral Services		206-461-4880
Advocates for Abused and Battered Lesbians (AABL)		206-547-8191
Seattle Counseling for Sexual Minorities		206-323-0020
Seattle Indian Health Board		206-324-9360
Asian Counseling & Referral Service		206-461-3606
Domestic Violence State Hotline	1-800-562-6025	
United Indians of All Tribes		206-325-0070
Youth Eastside Services (YES) - Teen Victim of DV Crisis Hotline		425-746-1940

Additional Community Resources

King County Prosecutor's Office Special Assault Unit – Seattle Victim Assistance Unit Child Interviewer King County Kid's Court www.metrokc.gov/proatty/	TDD 206-296-0100	206-296-9470 206-296-9552 206-296-9675 206-296-KIDS
Kent Regional Justice Center Special Assault Unit		253-205-7411
Seattle Police Department Victim Witness Advocacy Sexual Assault and Child Abuse Unit		206-684-7777 206-684-5575
King County Sheriff's Office Special Assault Unit (Kent Regional Justice Center) www.metrokc.gov/sheriff/		206-296-7557
Crime Victim Compensation www.lni.wa.gov/insurance/CrimeVictims/default.htm	1-800-762-3716	
Crisis Clinic - 24-hour line www.crisisclinic.org	1-800-244-5767	206-461-3222 Office: 206-461-3210
Community Information Line www.crisisclinic.org	1-800-621-4636	206-461-3200
Family Court Services		206-296-9400
Protection Order Advocacy Program		206-296-9547
Visitation - Common Ground		206-726-9665
Children's Hospital Regional Medical Center Children's Protection Program Medical Consultation Network Gynecology Specialty Clinic www.seattlechildrens.org		206-987-2194 206-987-2194 206-987-2049



An innovative court awareness program developed to help child victims of sexual abuse and their families better deal with having to testify in court.

King County Kids' Court Mission Statement: Children who have undergone sexual victimization or have suffered from some other traumatic event and suddenly and involuntarily become involved in the criminal justice system are very often re-traumatized by having to testify in court. It is our philosophy that no child should appear in a court of law without assistance in making that experience less intimidating. It is our aim to educate and support children scheduled to testify, and to provide assistance to parents in coping with the court system. **What is Kids' Court?** Kids' Court is a five-hour experiential and activity-based program. It is held at least 4 times a year on Saturdays from 9:30 to 2:00 p.m. in a courtroom at the King County Courthouse. Through discussions with a judge and prosecutor, the use of role playing, puppets, life-size dolls, art, and musical activities, children learn about the legal process and at the same time experience court as a place that is safe and respectful of them. Lunch is provided and families, program staff, and court personnel can interact informally together. **Who attends King County Kids' Court?** Child victims of sexual assault, ages 4 to 12, who face testifying in court attend this program. Parents and guardians are requested to attend a collateral program designed to address their specific concerns. **Why Kids' Court?** Children who testify in court are especially vulnerable to system-induced trauma. This can be the result of having to confront the accused publicly and re-telling what happened to them. King County Kids' Court helps children view testifying in court as something that can be accomplished rather than something about which they are only afraid and anxious. For further information, please contact:

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