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**CHILD SEXUAL AND PHYSICAL ABUSE INVESTIGATION
PROTOCOLS FOR
PIERCE COUNTY WASHINGTON**

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Children's Advocacy Center of Pierce County

Mission Statement

To reduce the traumatization and enhance safety of child abuse victims and their families by facilitating a collaborative, multidisciplinary approach to prevention, investigation, prosecution and treatment of child abuse.

The expected outcome of this multi-disciplinary team approach will be a reduction in the number of interviews of the victim, more consistent and skilled provision of services, increased efficiency and success in prosecution, reduced duplication of efforts by community agencies, and protection of child victims.

Therefore, the undersigned agree to the following protocol:

SECTION 1

I. Definitions

For the purpose of this protocol:

- Child abuse refers to neglect, and/or physical or sexual abuse of children.
- Offender refers to an adult or juvenile.
- Child or victim will be used interchangeably.
- CAC refers to the Children's Advocacy Center of Pierce County, located at 1112 S. 5th Street Tacoma, WA 98405. Children's Advocacy Center means a child-focused facility in good standing with the state chapter for children's advocacy centers and that coordinates a multidisciplinary process for the investigation, prosecution, and treatment of sexual and other types of child abuse. Children's advocacy centers provide a location for forensic interviews and coordinate access to services such as, but not limited to, medical evaluations, advocacy, therapy, and case review by multidisciplinary teams within the context of county protocols as defined in RCW.26.44.180 and 26.44.185 as defined by House Bill 2596.
- CAID refers to the Child Abuse Intervention Department at Mary Bridge Children's Hospital.
- CPS (Child Protective Services) refers to all DCFS and DLR social workers assigned to the investigation, and to Puyallup Tribal Child Protective Services.
- LE or Law Enforcement refers to any law enforcement agency such as local police departments, the State Patrol, the Director of Public Safety, and the Office of the Sheriff, under RCW 26.44.020(2), the Prosecuting Attorney, and to federal law enforcement agencies, Puyallup Tribal Police Department, United States Army Crimination Investigation Command, and the Air Force Office of Special Investigations.
- EMS or Emergency Medical Services refers to a network of personnel, equipment, and resources established for the purpose of delivering basic life support (BLS) and advanced life support (ALS) care to the citizens of our community. The network includes municipal fire departments, county fire districts, private ambulance, and military EMS providers.
- ME refers to the Pierce County Medical Examiner, the Assistant Medical Examiners and Investigators.
- MAMC SWs refers to all state licensed/certified or nationally certified social workers, psychologists, and marriage and family therapists, privileged to practice by Madigan Army Medical Center, employed by the Department of the Army, and assigned to investigate allegations of child abuse and neglect.
- MDT refers to a multidisciplinary team approach to the investigation of child abuse cases.
- PA, PAO or Prosecuting Attorney refers to the elected Pierce County Prosecuting Attorney, and his/her Deputy Prosecutors, the Municipal Court Prosecutors, the Puyallup Tribal Prosecutor, military Judge Advocates, and the United States Attorney for Western Washington, and his/her Assistants.
- Medical Provider refers to licensed, registered or certified medical practitioners including physicians, nurses, nurse practitioners or physician assistants that practice in a variety of settings to include primary care, emergency departments, clinics, hospitals or private practice.

- Child Forensic Interview refers to the information gathering process used to investigate allegations of physical or sexual abuse. This process is also used to explore possible evidentiary statements when a child has witnessed a violent crime such as homicide. Child Forensic Interviews in Pierce County are qualified under RCW 74.14B.010 and 43.101.224.
- Safety interviews refer to the information gathering process generally limited to assessing the overall safety and welfare of the child and assessing the alleged perpetrator's access to the child.
- FNES refers to Forensic Nurse Examiner Services operated by MultiCare Health System.

SECTION 2

II. Agency Roles and Responsibilities

1. Law Enforcement

Local Law Enforcement

For complaints made directly to local law enforcement agencies, customarily a patrol officer is dispatched to assess the situation. Initial considerations include: safety of the child, and whether a crime potentially has been committed.

If the child's safety is deemed to be at imminent risk, the child will be taken to a safe place, which may include protective custody with Child Protective Services.

If the complaint warrants action but is not criminal in nature, the matter will be referred to CPS, together with a general police report, within 72 hours. If the complaint warrants no action, and is deemed unfounded, the general report will reflect this disposition.

If a crime was potentially committed, a preliminary investigation will be conducted, including evidence collection, witness interviews, and possible detention of a suspect. If an immediate arrest occurs, a detective will be assigned for follow-up, and the case will be referred to the Prosecutor's Office by the next business day. If no immediate arrest is made, a detective/agent will be assigned for follow-up investigation, and coordination with other agencies. Because these cases are a high priority as demonstrated by RCW 10.46.085, detective assignments should be made as soon as practicable.

If the suspect is in a position of having contact with children or working with children, law enforcement should notify the employer as practicable without endangering the integrity of the investigation.

If a child forensic interview is necessary, law enforcement will comply with section III of the protocol pertaining to child interviews.

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 CPS 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 CPS within twenty-four hours. In all other cases, the law enforcement agency shall notify CPS within seventy-two hours after a report is received by the law enforcement agency

Federal Law Enforcement

The Federal Bureau of Investigation (FBI) exercises its jurisdiction and investigative responsibilities pursuant to federal statutes addressing various crimes against children including kidnapping, international parental kidnapping, and parental kidnapping through the use of Unlawful Flight to Avoid Prosecution warrants.

In cases of physical abuse or sexual exploitation of children in Pierce County, the FBI has jurisdiction in the following areas:

- Sexual and felony physical abuse of a child committed by a civilian on Joint Base Lewis McCord (JBLM).
- Sexual and felony physical abuse of a child on the Puyallup Indian Reservation when the offense occurs on Tribal Trust Land, and the offender is an adult Native American.
- The interstate transportation of children for sexual activity, such as juvenile prostitution (if the victim is under 18 years old), and luring over the internet, and telephone lines (if the victim is under 16 years old).

In most instances, local, tribal, and military law enforcement are initially notified of the above offenses. In order to determine federal jurisdiction, these departments should contact the FBI, and request to speak with the duty agent or a Crimes Against Children Coordinator. Once jurisdiction is established, the FBI will contact the United States Attorney's Office to obtain a prosecutorial opinion regarding the offense. Once a decision is made, the investigation can be worked jointly if there is joint jurisdiction, or solely by the FBI if there is exclusive federal jurisdiction.

The AFOSI, at McChord Air Force Base Proper, and CID at Fort Lewis Army Proper, will investigate all child physical and sexual assault allegations against United States military active duty members. AFOSI and CID should be notified by any local law enforcement agency investigating such a case. AFOSI and CID must immediately notify local law enforcement of potential crimes occurring off base or off post.

Puyallup Tribal Police will be the primary investigative agency for crimes occurring on land within the Puyallup Indian Reservation held in trust by the United States for the Puyallup Tribe or for an individual Indian. If one or more suspects are non-Indian, other law enforcement agencies normally will be contacted. If a felony crime is suspected, federal law enforcement authorities will be contacted.

If a crime occurs on land held in fee simple within the Puyallup Indian Reservation, the Tacoma Police Department or Pierce County Sheriff will be the primary investigative agency. If one or more suspect are Indian, Puyallup Tribal Police will be contacted.

a. Suspect and Witness Interviews

Primary responsibility for interviewing suspects lies with law enforcement. When law enforcement accepts responsibility for interviewing the suspect, and where CPS has involvement in the case, CPS shall be informed of the reasonable time-frame within which law enforcement expects to attempt to complete an interview of the suspect. Because CPS and DLR/CPS have established timeframes to complete their investigations, these agencies will advise law enforcement if they need to conduct their own interview in order to comply with their timeframes. When the subject of the interview is an active-duty member of the U.S. military, military special agents shall be informed of the reasonable time-frame within which law enforcement expects to attempt to complete an interview of the suspect.

Law enforcement will attempt to coordinate the suspect interview, and the interview of the person to whom the disclosure was made with the CPS worker or through CAC staffing. Law enforcement has primary responsibility for interviewing collateral witnesses during a criminal investigation.

b. Protective Custody

Anyone empowered by Washington statutes is to take children into protective custody when there are reasonable grounds to believe that the child is seriously endangered in his or her surroundings, and immediate removal appears necessary to protect the child.

Removal of children from their home is a drastic measure which can be traumatic for the child. Therefore, this step should be taken only when lesser measures are insufficient to protect the child.

2. Child Protective Services

CPS intake answers calls from both mandated and non-mandated reporters alleging abuse or neglect of children. Using a screening tool, they determine whether referrals are accepted for investigation or not, and the response time required by CPS investigators.

Emergent referrals require that CPS investigators have face-to-face contact with identified child victims within 24 hours. Emergent referrals involve situations where children are believed to be at imminent risk of harm, and/or when children are placed into protective custody.

Non-emergent referrals require that CPS have face-to-face contact with identified child victims within 72 hours, including weekends and holidays.

The purpose of the initial contact with the child is to gather sufficient information to assess immediate safety threats, and to initiate safety planning when indicated.

CPS will initiate a dependency petition if appropriate after consultation with the Attorney General's Office.

Madigan Social Work staff start investigations within 3 working days, and cases involving persons presenting at Madigan emergency room for examination, treatment and evaluation will be handled on an immediate basis by on-call personnel. If the allegations are criminal in nature, coordination with other agencies will occur, and a forensic interview may be sought. If the allegations are not criminal in nature, CPS and MAMC Social Work staff will jointly handle the interviews of family members, including a protective interview of the child.

CPS for the Puyallup Indian Tribe will handle cases arising on reservation lands, and the procedures followed will be consistent with those followed by State CPS workers.

If a child forensic interview is necessary CPS will comply with section III of the protocol pertaining to child interviews.

3. Emergency Medical Services

Emergency Medical Services personnel insure safety and provide medical aid as needed to save or assist the child. If child is clearly dead, do not move the body. Personnel are careful not to destroy potential evidence as outlined in Pierce County Patient Care Protocols Administrative Policy Crime Scene Preservation.

- A. EMS shall notify Law Enforcement and/or CPS to report any suspicion of abuse or neglect, child death or near death.
 - 1. Children's Administration Intake (CPS) –Tacoma, 8:00 a.m. – 4:30 p.m. M – F: 253-983-6100.
 - 2. Children's Administration Intake (CPS) –Seattle, 24 hour/after hours: 800-562-5624 or 866-END HARM.
MedCon expert consultation: 800-326-5300
- B. EMS personnel will communicate with LE and assure that the scene is safe.
- C. Forensic guidelines emphasizing crime scene preservation are important; however the most important role of EMS providers is to insure the preservation of life.
 - 1. EMS is in charge of the patient and should be aware of signs of possible abuse and neglect.
 - 2. Law Enforcement (LE) is in charge of the crime scene.
- D. While an emotional cause of death, such as apparent SIDS, may cause a scene to be difficult; this is not an acceptable reason to move or transport a deceased person. If the patient is obviously deceased, EMS providers should not disturb or move the body unless there is a clear potential the body will be lost or further damaged. EMS shall document why and what actions were taken.
- E. At the request of the Medical Examiner or LE, EMS will assist with completing the Sudden Unexplained Infant Death Investigation (SUIDI) form when an infant has died. EMS will make sure Law Enforcement has been notified and will provide contact information to Law Enforcement.
- F. EMS limits access and egress to a single path/route. This may be identified by LE; or if EMS arrives first, EMS will notify LE of their route.
- G. EMS limits the number of personnel entering a potential crime scene to only those essential to safely and efficiently care for the patient. Upon request from LE or Medical Examiners, EMS will provide a list of responders' names, and when they arrived/departed.
- H. EMS providers should not move anything; they should leave items alone unless absolutely necessary to perform life saving patient care.
- I. EMS providers will not cut through bullet/stab holes on patient's clothing or binding knots, etc. as this may destroy critical evidence.
- J. EMS providers will not use phones, sinks, toilets, garbage containers, or anything at a crime scene. They will only utilize equipment that was brought to the scene and only to remove equipment brought in if absolutely necessary.
- K. EMS will not take anything from a crime scene that can be left; they will give clothes, blankets, and sheets to LE.
- L. When practical, EMS providers will document everything they observe (lighting, weather, temperature, odors, bystanders' behavior, position of patient), moved, and performed as patient care. Include statements made by the patient, being as specific and exact as possible.

EMS should consider the following:

 - 1. All statements and demeanor (emotional state) of speakers;
 - 2. Explain that their job is to provide medical care; ask for caretaker's explanation with specific details; and record observations of both words and actions.
 - 3. Consider all personal observations of the environment as soon as possible. Focus all their senses on the surroundings. Describe the scene accurately and completely. Determine possibility of mechanism of injury.

4. Record the child's developmental level. Compare reasonableness of history given regarding mechanism of injury to child's age and developmental abilities and scene observations.
- M. EMS will document any unusual observations in a supplemental report.
 1. If no LE is present, EMS will document all adults and children present including who has left, noting what they did, said and their appearance.
- N. By invitation, EMS may participate in Multidisciplinary Team (MDT) meetings to review child abuse cases and /or attend Child Death Review.

4. Medical Provider

When any practitioner or medical provider has reasonable cause to believe that a child has suffered abuse or neglect he or she shall report the suspected abuse as required by RCW 26.44.030. Medical providers shall cooperate with the Law Enforcement and/or Child Protective Services during a child abuse investigation as required by RCW 26.44.030. In the event the medical provider does not have the specialized equipment or services to conduct pediatric forensic exams; the medical provider shall refer the victim child to Mary Bridge Children's Hospital and/or Mary Bridge Child Abuse Intervention Department.

5. Medical Examiner

Generally, when law enforcement is on the scene of a child death, law enforcement will notify the medical examiner's office. When the medical examiner's office responds to a report of a child death and law enforcement has not yet been notified, the medical examiner's office will notify law enforcement.

The medical examiner's investigators will be responsible for the custody of the body, the identification of the deceased, the notification of the next of kin, the personal property of the deceased, and the determination of the cause and manner of death. Law enforcement and the medical examiner's investigators should cooperate with each other during their mutual investigations. CPS should be notified of any child death as soon as possible.

6. Prosecuting Attorney

When suspects are arrested, an "in-custody" review of the file materials will occur on the next business day. If criminal charges are filed, a forensic interview of a child may follow, and coordination with other agencies to prepare for trial will occur.

If no charges are filed pending further investigation, the suspect is released, coordination with other agencies will occur, and a detective will handle follow-up investigation, which may include a forensic interview.

If no charges are filed, then no formal follow-up investigation is expected, and the decision will be communicated to the police agency making the arrest.

When investigations are started, without any arrest, the PA will participate with other agencies directly or through the Children's Advocacy Center to help plan the investigation. Assistance may be provided in obtaining court-ordered search warrants, laboratory examinations, and wire interceptions. The PA may also assist with locating witnesses, as well as with a forensic interview of a child, and/or a medical evaluation of a child.

Pursuant to federal law, procedures followed by Judge Advocates and Assistant United States Attorneys will vary from those described in this section. The role of the Pierce County Prosecuting Attorney in protecting children is to promptly decide whether or not to file charges upon receipt of initial and follow-up reports. CPS will be advised of charging decisions. In all cases where charges are filed, a “no contact” order forbidding contact between the offender and victim will be sought as permitted by Criminal Rule 3.2A. “No contact” will include no supervised contact. Violations of such an order should be reported to the Prosecuting Attorney’s Office for review of release conditions and filing of charges. In the event that more than one court order exists limiting or forbidding contact, the most restrictive order should be followed. Information coming to the attention of the PAO may be shared with law enforcement and/or CPS pursuant to Chapter 26.44 RCW.

7. Attorney General’s Office

If a dependency petition is filed in Juvenile Court, the AGO represents the Department of Social and Health Services. In order to help insure the safety of a child, and to potentially advocate for placement of the child out of his/her home, the Assistant Attorney General assigned to a specific case will maintain contact with the appropriate law enforcement agency, and with the Prosecutor’s Office as appropriate or as requested.

Where no dependency petition is filed, the AGO will provide legal advice and consultation to DSHS regarding specific reports of abuse or neglect.

In the event that a licensed facility is being investigated, the AGO will provide advice and consultation during the course of the investigation.

In the event of parallel Juvenile Court proceedings and criminal investigation/prosecution proceedings, the AGO will coordinate with and notify law enforcement and the Prosecutor’s Office of any action taken or decision made by the Juvenile Court that might affect the criminal proceedings. Information coming to the attention of the AGO may be shared with law enforcement and /or CPS pursuant to Chapter 26.44 RCW.

8. Children’s Advocacy Center (CAC)

MultiCare Health System (MHS)/Mary Bridge Children’s Hospital is the lead agency for the Children’s Advocacy Center of Pierce County (CAC), providing CAC case management and coordination of joint investigations. The MBCH Child Abuse Intervention Department (CAID) and the CAC are co-located on the MBCH campus in the MBCH Safe and Sound Building.

a. Joint Investigations

Agencies/disciplines jointly participating in Pierce County’s CAC are law enforcement, Prosecuting Attorney, mental health, medical, children’s advocacy, CPS, Attorney General, and all signatories to this protocol. In cases where the services of two or more disciplines are appropriate a joint investigation coordinated through the CAC will be initiated.

The types of cases calling for CAC involvement include the following:

- Cases involving sexual abuse
- Cases involving child death, or cases involving moderate to severe physical abuse requiring immediate medical attention:
- Head trauma
- Unexplained abdominal injuries, and ruptured organs
- Unexplained or multiple fractures, or fractures in various stages of healing
- Suspicious burns or burns consistent with abuse
- Lacerations to the face, genitalia or extremities
- Multiple bruises/lesions on different parts of the child's body
- Injuries resulting in significant sight, hearing or mental impairment; or
- Neglect resulting in any of the above injuries
- Strangulation that interferes with breathing
- Bruising or injuries to an infant or child who is not mobile

Referrals to the CAC are initiated through law enforcement or by CPS by sending a facsimile or email with basic information about the case to the CAC social worker. CAC staff then route the initial information to appropriate agencies as soon as possible. Simultaneously the cases are scheduled for review by the CAC's multi-disciplinary team staffing meetings, which are typically held once weekly, and should be attended by involved team members.

Upon receipt of initial information, the assigned agency representatives begin discussing/coordinating the investigation with CAC team members.

Discussion of the initial investigatory steps will occur, and the following steps may be planned and taken during the course of the joint investigation. These steps are not mandatory for each investigation, as the needs for each case will dictate the appropriate steps to be taken, and they are not listed in any particular sequential order:

- Victim's forensic interview
- Medical examination
- Sibling interview
- Parent/caretaker interview
- Interview to identify the suspect
- Safety assessment for the child
- Consideration of protective custody for the child
- History and information gathering
- Contacts with collateral witnesses
- Home visits
- Assessment of additional possible referrals for services
- Receipt of Prosecutor input in anticipation of charging review or for trial preparation

The CAC closes joint investigation files when each agency has completed its investigation.

9. Schools

School personnel are often the source of referral for child abuse victims because of their extensive contact with children on a daily basis. They are often the first persons to whom children disclose sexual abuse, physical abuse or neglect.

Professional school personnel are required by law to report all cases of child sexual abuse, physical abuse or neglect where there is reasonable cause to believe

that the child has suffered such harm. This includes teachers, administrators, registered or licensed school nurses, school social workers, school counselors, intervention and prevention specialists, psychologists, certified child care providers or their employees and child care centers. Professional school personnel shall report or cause a report to be made at the first opportunity, but no later than forty-eight hours after there is reasonable cause to believe that the child has suffered abuse or neglect.

Professional school personnel, as that term is defined in RCW 26.44.020(16), are individually responsible for reporting abuse or neglect. Failure to report when the individual has reasonable cause to believe a child has been abused or neglected is a gross misdemeanor that is punishable under RCW 26.44.080. While professional school personnel are obligated to report, all school personnel are strongly encouraged to report such cases of child abuse or neglect. Once a report is made and a formal investigation commences, school personnel have an important role as liaison between law enforcement, victims, their parents and/or guardians and witnesses.

Each school district in Pierce County should have policies and procedures for reporting child abuse and child neglect cases that support the interagency investigative process adopted by the county prosecuting attorney's office, law enforcement and CPS. School personnel should be trained in the identification of and legal requirements for reporting child abuse and neglect.

It is important that school policy and procedures promote cooperation and allow law enforcement and CPS personnel on the school grounds for the purpose of investigating reported abuse and neglect.

The legal obligation to report abuse or neglect is satisfied by reporting to either law enforcement or CPS.

When a report, disclosure, or statement describing child abuse or neglect is made, reasonable cause is established. Once reasonable cause is established, school personnel should not continue to interview or question the child victim or call in school counselors to try to determine if the report is credible. A school district professional employee should report at the first opportunity, but no later than forty-eight hours to law enforcement or CPS.

School personnel should collaborate with CPS and law enforcement for further investigation, deferring to trained interviewers from the investigating agency.

If a child makes a disclosure directly to school personnel, each person to whom the disclosure is made should document the disclosure. School personnel should continue to provide reassurance to the child as needed throughout the investigation but questions about the abuse should not be asked.

This protocol is not intended to eliminate or modify in any way the "reasonable cause" standard in RCW 26.44.030 for the mandatory reporting of abuse or neglect by professional school personnel and other mandatory reporters.

After a report of abuse or neglect has been filed, it is important that a school should have some mechanism in place to provide acceptance, support, consistency and structure to the children involved, as appropriate.

Upon receiving a report of abuse or neglect, law enforcement and/or CPS personnel shall interview the child or children involved at school when necessary. School personnel should not conduct an interview. Law enforcement and/or CPS personnel 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. Law enforcement or CPS will make that determination as per RCW 26.44.030.

For purposes of a report of abuse or neglect, school personnel should document injuries and statements. Law enforcement or CPS will have primary responsibility for documenting injuries with photographs. Law enforcement or CPS may request school personnel to document injuries with photographs, consistent with school district policy.

School personnel should not notify parents or guardians that a report has been made, except as required by law. If schools expel or suspend an alleged perpetrator, schools may notify the alleged perpetrator's parents or guardians of the expulsion or suspension.

School personnel should not notify parents or guardians that a child has been interviewed or placed into protective custody. The agencies of primary statutory responsibility for investigating the allegation are responsible for the timely informing of families and guardians. If parents or guardians make inquiry of the school prior to being formally notified by the investigating agency, the school should refer the inquiring party to the appropriate law enforcement agency or CPS social worker involved.

When the alleged perpetrator is a school employee, the school district must comply with RCW 28A.400.317. As such, an administrator shall cause a report to be made to the proper law enforcement agency if he or she has reasonable cause to believe that the misconduct or abuse has occurred as required by RCW 26.44.030. During the process of making a reasonable cause determination, the school administrator shall contact all parties involved in the complaint.

When the alleged perpetrator is a school employee or student, school administrators may need to investigate or evaluate the case. This may include matters of student discipline, special education, or the discipline or discharge of an employee. In such cases, law enforcement and CPS should recognize the school's interest in obtaining information and share information as soon as practicable, which may assist the school district in proceeding appropriately. This should include allowing school district personnel the opportunity to watch a child interview and/or review a record of the child interview to the extent permitted by law. Such information is protected and may be used only in an administrative investigation and discipline process. Such information may not be duplicated or published to anyone outside the administrative investigation and discipline process.

In addition, school administrators and law enforcement investigators should confer and address any concerns relative to the scope or necessity of a school investigation.

Law enforcement and CPS should recognize that certain records and information are protected from dissemination due to a school district's status as a non-law enforcement public entity. A school district should participate in the exchange of information with law enforcement and CPS to the extent permitted by the Family Education and Privacy Rights Act of 1974, 20 U.S.C. Sec. 1232 g., RCW 26.44.030 and RCW 13.34.069. Accordingly, a school district will make records and information of a child available to law enforcement and CPS when the child is the victim of abuse or neglect. According to RCW 28A.600.475, except as provided in RCW 13.40.480, parents and students are to be notified by the school district of all such orders or subpoenas in advance of compliance with them. A school district should attempt to expedite any exchange of information in such circumstances.

When the prosecutor's office files charges involving child abuse or a sexual offense against someone known to be a school employee, volunteer or a district contractor, the prosecutor's office should notify the school district.

For purposes of this protocol, a report should be made to CPS or law enforcement if there has been a report or statement by or about a child having any injury, sexual abuse, sexual exploitation, negligent treatment or maltreatment under any circumstances which indicate the child's health, welfare, or safety is harmed.

The primary investigating agency (CPS, law enforcement, or Prosecuting Attorney) shall be responsible for ensuring that the interview and investigation are lawful.

Each school district and Prosecuting Attorney shall designate a contact person for coordinating school district access to forensic interviews in cases where the suspect is a school district employee. A list of such persons, and their contact information, shall be distributed to each school district and the Prosecuting Attorney.

10. Crystal Judson Family Justice Center (CJFJC)

The Crystal Judson Family Justice Center provides advocacy, support, and an array of services to victims of domestic violence and their children. In the course of this work the CJFJC will:

- Report alleged abuse appropriately to CPS, and/or law enforcement.
- Refer are takers to seek medical attention for children at Mary Bridge's Emergency Department or CAID.
- Provide ongoing advocacy for victims and their families.

11. Sexual Assault Center for Pierce County (SACPC)

The SACPC provides advocacy for sexual assault victims, and their families. This is accomplished in the following ways:

- Report alleged abuse appropriately to CPS, and/or law enforcement.
- Caretakers will be urged to seek medical attention for children at Mary Bridge's Emergency Department or CAID.
- Providing ongoing advocacy for victims and their families.
- Provide ongoing treatment for primary victims age 13 years and older and provide ongoing treatment/advocacy for secondary victims.
- Provide 24 hour crisis line services.

12. Comprehensive Life Services

- Comprehensive Life Services provides onsite mental health services for child victims of sexual assault. Comprehensive Life Services also provides mental health treatment, advocacy and education to parents/caretakers/guardians. In the course of this work the therapist will: Report alleged abuse appropriately to CPS, and/or law enforcement.
- Provide evidence based treatment services to victims and their families.

SECTION 3

III. Child Interviews

a. Child Forensic Interviews:

Child Forensic Interviews in Pierce County are qualified under RCW 74.14B.010. and 43.101.224. Therefore the following elements apply to Child Forensic Interviews to reduce the number of interviews conducted with children, minimize trauma, and aid in the investigation processes:

Method:

- Child Forensic Interviews are generally conducted by trained Forensic Interviewers
- In most situations children between the ages of 3-15 will be interviewed by Child Forensic Interviewers. Children 16 and over will be interviewed by Law Enforcement, FBI, AFOSI and Military CID agents interview children 14 and older. Individuals 16 and over who are developmentally delayed that fall within the cognitive profile of age 3-15 will be interviewed by a child forensic interviewer.
- A referral to the CAC for a Child Forensic Interview should be made when one or more of the following conditions are present:
 - a clear disclosure of sexual abuse or felony physical abuse
 - a child has witnessed a violent crime
 - a confession by the alleged suspect
 - the event has been witnessed or recorded
- CPS and/or Law Enforcement are responsible for making referrals for a Child Forensic Interview as well as providing necessary information to process the referral; to include time restraints for emergent versus non-emergent cases
- Interviews are conducted as soon as possible after the investigation process has begun, taking into consideration the needs and abilities of the child and the needs of the investigation
- Interviews are usually conducted at the CAC, in rooms adjacent to an observation room
- Observers may include: Law Enforcement, MAMC Social Work Staff when the child is a military beneficiary, CPS, school personnel (when conducted on school premises), and other specifically authorized parties on a case-by-case basis
- Law enforcement and CPS are strongly encouraged to observe interviews related to their cases;
- Child Forensic Interviews are generally documented on DVDs and/or audio-tape with a summary report prepared by the Child Forensic Interviewer; custodian of said information is the PAO. Access to the documentation is governed by the Revised Code of Washington 26.44. et Seq. or lawful court order.
- Typically CPS, Law Enforcement, Prosecuting Attorney, and the Attorney General's Office are provided copies of summary report; MAMC will be provided a copy when a military independent is interviewed; Prosecuting Attorney's will have access to review DVDs and/or audio tape.
- Child Forensic Interviews may be conducted at a child's school when necessary for investigation; off-site interviews are generally documented on DVD or audio tape and a summary report is prepared by the Child Forensic Interviewer; CPS and/or Law Enforcement will be present to observe off-site interviews

The following additional guidelines should apply to forensic interviews: forensic interviews should not take place absent a court order, parental consent, or exigent circumstances, unless the child has been placed into protective custody

Court orders should generally be obtained by law enforcement for cases which have not been charged, or by a Deputy Prosecuting Attorney for cases that have been charged. A copy of the court order should be served on the child by the forensic interviewer at the beginning of the interview.

Parental consent should be obtained from at least one parent in the absence of a court order or exigent circumstances, and the consent should generally be in writing. Efforts to contact both a parent should be documented.

b. Child Safety Interviews:

- CPS and/or Law Enforcement will conduct safety interviews as part of their community caretaking function in cases where a child has disclosed to another child, the disclosure is vague, or if the allegation of physical or sexual abuse is not clear.

The following additional guidelines should apply to safety interviews: the child should be reassured that he or she is free to leave at any time, and any factors bearing on the consensual nature of the safety interview should be documented. The location and presence of the other persons should be documented. Participants in safety interviews shall avoid leading or coercive questions. The interview should be accurately documented.

Qualifications of Child Forensic Interviewers:

- Complete thorough, objective interviews which are guided by research based practices and standards, have an open mind, and avoid using leading or coercive questions
- Maximize the emotional comfort of children interviewed on-site and/or off-site
- Recognize the developmental level of children in regard to language and cognition; be aware and accommodate special needs such as developmental disabilities
- Document and preserve interviews
- Adhere to confidentiality practices
- Continue education and training in the field of Child Forensic Interviews; employer shall keep record of annual training and education child forensic interviewers have attended

Training of child forensic interviewers may include but is not limited to:

- Peer Review Network
- The Children's Justice Conference
- American Professional Society on the Abuse of Children (Forensic Interview Clinic)
- Washington Criminal Justice Training
- Review current articles and research
- NCA educational calls

SECTION 4

IV. Medical Evaluation, Evidence and Treatment

Specialized medical evaluation and treatment services are available to all CAC clients and coordinated with the multidisciplinary team response to provide follow-up referrals and/or treatment as necessary.

- A. All children referred to the CAC for forensic interviews and/or other services will be assessed to evaluate the need for medical evaluation.
- B. Medical evaluations are provided by health care providers with pediatric experience and child abuse expertise at the CAC or through the CAC's affiliation with the Mary Bridge Emergency Department.
- C. Specialized medical evaluations are available and accessible to all CAC clients regardless of ability to pay.
- D. The medical history is for purposes of medical diagnosis and treatment. The history should be taken from the presenting caregiver and the child. The history from each should be taken separately and in a confidential environment.
- E. Law enforcement may be called to place the child in protective custody. Medical personnel may take pictures and collect forensic specimens.
- F. Professionals with specialized training who conduct forensic physical evaluations of children are medical doctors or nurse practitioners who are experienced in child maltreatment and can make a diagnosis. There are such practitioners at the Mary Bridge Child Abuse Intervention Department (CAID) and the Mary Bridge Emergency Department. There are other trained professionals in the county as well. Consultation is available from the MB-CAID or after hours from the MB ED.
- G. Medical examinations are recommended in the following circumstances:
 - Suspected sexual assault occurring less than 72 hours ago
 - The child is symptomatic
 - Someone has witnessed a child being abused
 - The child has disclosed sexual assault of her/his body
 - Sexual abuse has been confessed by a perpetrator
 - The child exhibits concerning behaviors, such as "sexual acting out" or exhibits an acute behavioral change
 - There has been exposure to environmental risk factors, including unsupervised contact with a convicted sexual offender or with an individual accused of assaulting other children
- Acute sexual assault exams are recommended in the following circumstances:
 - Less than 72 hours since the assault
 - Female patients with a menstrual cycle can have acute exams up to 5 days after the alleged assault
 - Patient is symptomatic
 - Psychosocial considerations

- Non-acute sexual assault exams are recommended in the following circumstances:
 - Disclosure of abuse > than 72 hours prior
 - Sexual acting out behaviors
 - Each case is assessed individually. Social workers at CAID triage and consult with medical providers regarding need for exams and the timeframe. These exams are scheduled at CAID at a time convenient for the family.
 - Acute physical assault exams are recommended in the following circumstances:
 - Patient has findings/injuries
 - Patient is symptomatic
 - Patient experienced life threatening event
 - Strangulation victim
 - Non-Acute physical assault exams are recommended in the following circumstances:
 - No present findings; but history of serious abuse or neglect
 - Delayed disclosure of serious abuse
 - Child Abuse Consults
 - If the patient is an alleged victim of abuse as outlined in section 7 of the protocol regarding section a. Joint Investigations; the patient may need to be seen and evaluated or may need consultation.
- H. The purpose of the medical examination is to:
- Ensure the child is healthy
 - Provide medical evaluation, diagnosis and treatment as needed
 - Provide education to the child and family, and
 - To collect forensic materials for the investigation, if appropriate.

Therapeutic Intervention

A Master's level therapist is available on-site at the CAC for children referred for Sexual assault concerns. The therapist is available to provide up to 15 sessions focused on reducing the impact of Post-Traumatic Stress Disorder in clients. Less extensive treatment is also available to focus on increased safety, stabilization and resiliency. Clients may also be referred to other service providers based on their insurance type and specific needs. Referrals may also be made to agencies that specialize in services to Hispanic, Asian, and Native American individuals. Clients with medical coupons have the option to receive services through the State funded regional service centers.

The mental health professional is available to law enforcement, CPS, FI and Medical providers of the CAC for consultation.

Victim Support and Advocacy

Victim support and advocacy are available throughout the investigation and prosecution process. Local agencies provide victim advocacy and support in Pierce County.

- Medical social workers in responding hospitals and the Child Abuse Intervention Department at Mary Bridge Children's Hospital are available to support all pediatric clients in crisis, advocate for their needs, and offer support and resources.

- The Sexual Assault Center of Pierce County (SAC-PC) provides services to any victim of sexual assault and abuse to their family and friends. A 24 hour crisis line provides immediate assistance, information and emotional support available at (253) 474-7273 or 1-800-756-7273. An advocate is available to support and accompany a victim through medical, legal and court procedures. (reference on pg 18)
- The Children's Advocacy Center of Pierce County offers legal advocacy helping parents get connected with the appropriate community resources to change, modify, or file parenting plans when there are concerns w/ their partners. Some resources are available on-line. Education about how the legal process after an investigation has begun occurs and education about how to obtain restraining order if needed.
- The Crystal Judson Family Justice Center provides advocacy support and an array of services to support victims and families of domestic violence. On-going advocacy is available. (reference on pg 18)

The office of the Pierce County Prosecuting Attorney offers the Victim-Witness Assistance Service to clients whose case is referred for charging. This division of the PAO provides information, referrals, crisis intervention, courtroom escorts and support to crime victims. If a case is pending, the victim advocate will contact clients and make appropriate referrals. There are no fees for advocacy services.

SECTION 5

V. Complex Cases

Complex cases are defined as those involving one or more of the following:

- Multiple victims, typically outside of the “nuclear” family
- Multiple offenders with one victim
- Multiple offenders and multiple victims
- Multiple jurisdictions with investigative and/or prosecutorial authority.
- Child death

In complex cases, consideration will be given to using different child forensic interviewers for different victims, and the same investigators will observe the forensic interviews.

If multiple jurisdictions are involved, the agencies from Pierce County will interface with corresponding agencies, federal, tribal, state and local from other jurisdictions in order to come to agreement on respective duties, and plans for investigation and/or prosecution.

If complex cases arise entirely within Pierce County, in addition to the usual once-weekly CAC staffing meetings, a special staffing meeting may be called together immediately or as soon as reasonably possible. Whenever possible, this multi-disciplinary meeting will include the following:

- Law Enforcement
- Prosecuting authorities
- Child Protective Services
- Attorney General's Office
- Victim Services
- Medical
- Medical Examiner
- Emergency Medical Services

After the team is formed, topics to discuss, among others, may include the following:

- Who will lead the investigation?
- Who will interview the children?
- Who will contact and/or interview the suspects?
- What steps will be taken to avoid contaminating possible victims' memories/information?
- What course will the investigation take if children report details that may have bearing on other potential victims?
- Can information obtained from a child which refers to other potential victims be used without compromising the investigation or contaminating other witnesses? How can this be accomplished?
- Will potential victims be kept from speaking with other potential victims, and if so, how might that impact their well-being?
- How will all interviews be documented, and who will retain the records?
- How will parents/guardians and children who may have been at risk of victimization be notified?

- What information will be provided to them?
- Who will be identified as the person these individuals are to contact regarding the investigation?
- Who will be designated to speak with the media?
- What additional resources, if any, are needed by the multi-disciplinary team?
- When should periodic meetings be held to analyze the progress of the investigation, and to debrief the group?

After a multi-disciplinary staffing meeting has occurred, if deemed appropriate, assistance may be sought from the National Children's Advocacy Center in Huntsville, Alabama, the National Children's Alliance, the Bureau of Indian Affairs, the Family Advocacy Assistance Team, or the Washington State Patrol.

SECTION 6

VI. Information Sharing

Consistent with RCW 7.69A.030, 13.50 and 26.44, and other applicable laws information will be shared directly among agencies participating in the investigation or through CAC staffing. Agencies sharing information will make all attempts to insure the following:

- Protection of the child
- Integrity of the criminal investigation
- Confidentiality
- Protection of individual rights.

CPS/LAW ENFORCEMENT COMMUNICATION

Sending of CPS Referrals to Law Enforcement

In order for law enforcement to have more comprehensive information, CPS intake will print a full copy of the intake summary report, any relevant history, the identity and contact information of the referent and will route this copy to the appropriate law enforcement agency.

When possible these reports will be sent electronically to designated law enforcement personnel and/or established email accounts for this purpose. This will expedite a more timely receipt of CPS referrals and assignment of detectives after initial screening.

Law enforcement agencies that do not have the capacity to receive CPS referrals electronically will continue to receive reports via regular mail. CPS intake will mail these reports out daily.

After reviewing CPS referrals, law enforcement will communicate back to CPS the disposition of the referral. This includes advising CPS of both declined and assigned dispositions. CPS will document this information in their existing

database so as to alert assigned CPS investigators of the status.

Both CPS and law enforcement recognize the importance of communicating and collaborating on shared cases. It is critical that there be

timely and direct communication related to the sending and receiving of CPS referrals and police reports as well as between CPS investigators and assigned detectives or officers.

Inclusion of Law Enforcement in Decision Making

In situations in which both law enforcement and CPS are actively investigating a case, law enforcement will be made aware of CPS staffings, which center on decisions involving; case closure, removal of a child(ren), or return home of a child(ren). The two most common staffing are Family Team Decision Making meetings (FTDM) and Child Protection Team Staffing (CPT). CPS investigators will invite law enforcement to these meetings and/or solicit input from them as to their professional assessment of the situation.

DCFS will make concerted efforts to consult with the assigned detective prior to returning or removing any children to/from the home of the alleged offender when there is an active criminal investigation involving children.

Confidentiality

Information gathered during the investigation and/or shared between agencies is to be confidential and should not be disseminated except as authorized or required by law.

SECTION 7

VII. Case Closure

Each agency will close its case and notify appropriate agencies in accordance with its agency protocols. Victim notification will occur pursuant to agency regulations and State statutes. Cases staffed at the CAC are closed when safety issues are adequately addressed and a charging decision is made. In Pierce County, the Prosecuting Attorney will coordinate prompt dissemination of case disposition information to CAC agency members.

SECTION 8

VIII. Dispute Resolution

Having in mind that disputes are to be resolved at the lowest level, and that each agency has its particular role and duties, disputes will be discussed and resolved at regular CAC staffing meetings. If this solution fails, the respective agency leaders may be consulted, and asked to reconcile differences.

SECTION 9

IX. RCW Appendix

RCW 7.69A.030

Rights of child victims and witnesses.

*** CHANGE IN 2004 *** (SEE 6472-S.SL) ***

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, which apply to any criminal court and/or juvenile court proceeding:

- (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 or support person 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) Do 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.

RCW 10.46.085

Continuances not permitted in certain cases.

When a defendant is charged with a crime which constitutes a violation of RCW [9A.64.020](#) or chapter [9.68](#), [9.68A](#), or [9A.44](#) RCW, and the alleged victim of the crime is a person under the age of eighteen years, neither the defendant nor the prosecuting attorney may agree to extend the originally scheduled trial date unless the court within its discretion finds that there are substantial and compelling reasons for a continuance of the trial date and that the benefit of the postponement outweighs the detriment to the victim. The court may consider the testimony of lay witnesses and of expert witnesses, if available, regarding the impact of the continuance on the victim.

RCW 13.50.010

Definitions -- Conditions when filing petition or information -- Duties to maintain accurate records and access.

- (1) For purposes of this chapter:
 - (a) "Juvenile justice or care agency" means any of the following: Police, diversion units, court, prosecuting attorney, defense attorney, detention center, attorney general, the legislative children's oversight committee, the office of family and children's ombudsman, the department of social and health services and its contracting agencies, schools; persons or public or private agencies having children committed to their custody; and any placement oversight committee created under RCW [72.05.415](#);
 - (b) "Official juvenile court file" means the legal file of the juvenile court containing the petition or information, motions, memorandums, briefs, findings of the court, and court orders;
 - (c) "Records" means the official juvenile court file, the social file, and records of any other juvenile justice or care agency in the case;
 - (d) "Social file" means the juvenile court file containing the records and reports of the probation counselor.
- (2) Each petition or information filed with the court may include only one juvenile and each petition or information shall be filed under a separate docket number. The social file shall be filed separately from the official juvenile court file.
- (3) It is the duty of any juvenile justice or care agency to maintain accurate records. To this end:
 - (a) The agency may never knowingly record inaccurate information. Any information in records maintained by the department of social and health services relating to a petition filed pursuant to chapter [13.34](#) RCW that is found by the court to be false or inaccurate shall be corrected or expunged from such records by the agency;
 - (b) An agency shall take reasonable steps to assure the security of its records and prevent tampering with them; and
 - (c) An agency shall make reasonable efforts to insure the completeness of its records, including action taken by other agencies with respect to matters in its files.
- (4) Each juvenile justice or care agency shall implement procedures consistent with the provisions of this chapter to facilitate inquiries concerning records.
- (5) Any person who has reasonable cause to believe information concerning that person is included in the records of a juvenile justice or care agency and who has been denied access to those records by the agency may make a motion to the court for an order authorizing that person to inspect the juvenile justice or care agency record concerning that person. The court shall grant the motion to examine records unless it finds that in the interests of justice or in the best interests of the juvenile the records or parts of them should remain confidential.
- (6) A juvenile, or his or her parents, or any person who has reasonable cause to believe information concerning that person is included in the records of a juvenile justice or care agency may make a motion to the court challenging the accuracy of any information concerning the moving party in the record or challenging the continued possession of the record by the agency. If the court grants the motion, it shall order the record or information to be corrected or destroyed.
- (7) The person making a motion under subsection (5) or (6) of this section shall give reasonable notice of the motion to all parties to the original action and to any agency whose records will be affected by the motion.
- (8) The court may permit inspection of records by, or release of information to, any clinic, hospital, or agency which has the subject person under care or treatment. The court may also permit inspection by or release to individuals or agencies, including juvenile justice advisory committees of county law and justice councils, engaged in legitimate research for educational, scientific, or public purposes. The court may also permit inspection of, or release of information from, records which have been sealed pursuant to *RCW [13.50.050](#)(11). The court shall release to the sentencing guidelines commission records needed for its research and data-gathering functions under **RCW [9.94A.850](#) and other statutes. Access to records or information for research purposes shall be permitted only if the anonymity of all persons mentioned in the records or information will be preserved. Each person granted permission to inspect juvenile justice or care agency records for research purposes shall present a notarized statement to the court stating that the names of juveniles and parents will remain confidential.

- (9) Juvenile detention facilities shall release records to the sentencing guidelines commission under [**RCW 9.94A.850](#) upon request. The commission shall not disclose the names of any juveniles or parents mentioned in the records without the named individual's written permission.
- (10) Requirements in this chapter relating to the court's authority to compel disclosure shall not apply to the legislative children's oversight committee or the office of the family and children's ombudsman.

RCW 26.44.020 Definitions.

*** CHANGE IN 2010 *** (SEE [2596-S.SL](#)) ***

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

- (1) "Abuse or neglect" means sexual abuse, sexual exploitation, or injury of a child by any person under circumstances which cause harm to the child's health, welfare, or safety, excluding conduct permitted under [RCW 9A.16.100](#); or the negligent treatment or maltreatment of a child by a person responsible for or providing care to the child. An abused child is a child who has been subjected to child abuse or neglect as defined in this section.
- (2) "Child" or "children" means any person under the age of eighteen years of age.
- (3) "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.
- (4) "Child protective services section" means the child protective services section of the department.
- (5) "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.
- (6) "Court" means the superior court of the state of Washington, juvenile department.
- (7) "Department" means the state department of social and health services.
- (8) "Founded" means the determination following an investigation by the department that, based on available information, it is more likely than not that child abuse or neglect did occur.
- (9) "Inconclusive" means the determination following an investigation by the department, prior to October 1, 2008, that based on available information a decision cannot be made that more likely than not, child abuse or neglect did or did not occur.
- (10) "Institution" means a private or public hospital or any other facility providing medical diagnosis, treatment, or care.
- (11) "Law enforcement agency" means the police department, the prosecuting attorney, the state patrol, the director of public safety, or the office of the sheriff.
- (12) "Malice" or "maliciously" means an intent, wish, or design to intimidate, 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.
- (13) "Negligent treatment or maltreatment" means an act or a failure to act, or the cumulative effects of a pattern of conduct, behavior, or inaction, that evidences a serious disregard of consequences of such magnitude as to constitute a clear and present danger to a child's health, welfare, or safety, including but not limited to conduct prohibited under [RCW 9A.42.100](#). When considering whether a clear and present danger exists, evidence of a parent's substance abuse as a contributing factor to negligent treatment or maltreatment shall be given great weight. The fact that siblings share a bedroom is not, in and of itself, negligent treatment or maltreatment. Poverty, homelessness, or exposure to domestic violence as defined in [RCW 26.50.010](#) that is perpetrated against someone other than the child does not constitute negligent treatment or maltreatment in and of itself.
- (14) "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.

- (15) "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. 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.
- (16) "Professional school personnel" include, but are not limited to, teachers, counselors, administrators, child care facility personnel, and school nurses.
- (17) "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.
- (18) "Screened-out report" means a report of alleged child abuse or neglect that the department has determined does not rise to the level of a credible report of abuse or neglect and is not referred for investigation.
- (19) "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.
- (20) "Sexually aggressive youth" means a child who is defined in RCW [74.13.075](#)(1)(b) as being a sexually aggressive youth.
- (21) "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.
- (22) "Supervising agency" means an agency licensed by the state under RCW [74.15.090](#) or an Indian tribe under RCW [74.15.190](#) that has entered into a performance-based contract with the department to provide child welfare services.
- (23) "Unfounded" means the determination following an investigation by the department that available information indicates that, more likely than not, child abuse or neglect did not occur, or that there is insufficient evidence for the department to determine whether the alleged child abuse did or did not occur.

[2009 c 520 § 17; 2007 c 220 § 1; 2006 c 339 § 108; (2006 c 339 § 107 expired January 1, 2007); 2005 c 512 § 5; 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.]

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.

- (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) When any person, in his or her official supervisory capacity with a nonprofit or for-profit organization, has reasonable cause to believe that a child has suffered abuse or neglect caused by a person over whom he or she regularly exercises supervisory authority, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency, provided that the person alleged to have caused the abuse or neglect is employed by, contracted by, or volunteers with the organization and coaches, trains, educates, or counsels a child or children or regularly has unsupervised access to a child or children as part of the employment, contract, or voluntary service. No one shall be required to report under this section when he or she obtains the information solely as a result of a privileged communication as provided in RCW [5.60-060](#).

Nothing in this subsection (1)(b) shall limit a person's duty to report under (a) of this subsection. For this purposes of this subsection, the following definitions apply:

- (i) "Official supervisory capacity" means a position, status, or role created, recognized, or designated by any nonprofit or for-profit organization, either for financial gain or without financial gain, whose scope includes, but is not limited to, overseeing, directing, or managing another person who is employed by, contracted by, or volunteers with the nonprofit or for-profit organization.
 - (ii) "Regularly exercises supervisory authority" means to act in his or her official supervisory capacity on an ongoing or continuing basis with regards to a particular person.
- (c) 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](#).
 - (d) 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.
 - (e) 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.
- (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.

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.

RCW 26.44.080**Violation -- Penalty.**

Every person who is required to make, or to cause to be made, a report pursuant to RCW [26.44.030](#) and [26.44.040](#), and who knowingly fails to make, or fails to cause to be made, such report, shall be guilty of a gross misdemeanor.

RCW 26.44.180**Investigation of child sexual abuse — Protocols — Documentation of agencies' roles.**

- (1) Each agency involved in investigating child sexual abuse shall document its role in handling cases and how it will coordinate with other local agencies or systems and shall adopt a local protocol based on the state guidelines. The department and local law enforcement agencies may include other agencies and systems that are involved with child sexual abuse victims in the multidisciplinary coordination.
- (2) Each county shall develop a written protocol for handling criminal child sexual abuse investigations. The protocol shall address the coordination of child sexual abuse investigations between the prosecutor's office, law enforcement, children's protective services, children's advocacy centers, where available, local advocacy groups, community sexual assault programs, as defined in RCW [70.125.030](#), and any other local agency involved in the criminal investigation of child sexual abuse, including those investigations involving multiple victims and multiple offenders. The protocol shall be developed by the prosecuting attorney with the assistance of the agencies referenced in this subsection.
- (3) Local protocols under this section shall be adopted and in place by July 1, 2000, and shall be submitted to the legislature prior to that date.

[2010 c 176 § 2; 1999 c 389 § 4.]

RCW 26.44.185**Investigation of child sexual abuse-Revision and expansion of protocols-Child fatality, child physical abuse, and criminal child neglect cases.**

- (1) Each county shall revise and expand its existing child sexual abuse investigation protocol to address investigations of child fatality, child physical abuse, and criminal child neglect cases and to incorporate the statewide guidelines for first responders to child fatalities developed by the criminal justice training commission. The protocols shall address the coordination of child fatality, child physical abuse, and criminal child neglect investigations between the county and city prosecutor's offices, law enforcement, children's protective services, children's advocacy centers, where available, local advocacy groups, emergency medical services, and any other local agency involved in the investigation of such cases. The protocol revision and expansion shall be developed by the prosecuting attorney in collaboration with the agencies referenced in this section.
- (2) Revised and expanded protocols under this section shall be adopted and in place by July 1, 2008. Thereafter, the protocols shall be reviewed every two years to determine whether modifications are needed.

[2010 c 176 § 3; 2007 c 410 § 3.]

RCW 43.101.224**Training for persons investigating child sexual abuse.**

- (1) On-going specialized training shall be provided for persons responsible for investigating child sexual abuse. Training participants shall have the opportunity to practice interview skills and receive feedback from instructors.
- (2) The commission, the department of social and health services, the Washington association of sheriffs and police chiefs, and the Washington association of prosecuting attorneys shall design and implement statewide training that contains consistent elements for persons engaged in the interviewing of children for child sexual abuse cases, including law enforcement, prosecution, and child protective services.
- (3) The training shall: (a) Be based on research-based practices and standards; (b) minimize the trauma of all persons who are interviewed during abuse investigations; (c) provide methods of reducing the number of investigative interviews necessary whenever possible; (d) assure, to the extent possible, that investigative interviews are thorough, objective, and complete; (e) recognize needs of special populations, such as persons with developmental disabilities; (f) recognize the nature and consequences of victimization; (g) require investigative interviews to be conducted in a manner most likely to permit the interviewed persons the maximum emotional comfort under the circumstances; (h) address record retention and retrieval; and (i) documentation of investigative interviews.

RCW 74.14B.010**Children's Services workers -- Hiring and training.**

- (1) Caseworkers employed in children services shall meet minimum standards established by the department of social and health services. Comprehensive training for caseworkers shall be completed before such caseworkers are assigned to case-carrying responsibilities without direct supervision. Intermittent, part-time, and standby workers shall be subject to the same minimum standards and training.
- (2) On-going specialized training shall be provided for persons responsible for investigating child sexual abuse. Training participants shall have the opportunity to practice interview skills and receive feedback from instructors.
- (3) The department, the criminal justice training commission, the Washington association of sheriffs and police chiefs, and the Washington association of prosecuting attorneys shall design and implement statewide training that contains consistent elements for persons engaged in the interviewing of children, including law enforcement, prosecution, and child protective services.
- (4) The training shall: (a) Be based on research-based practices and standards; (b) minimize the trauma of all persons who are interviewed during abuse investigations; (c) provide methods of reducing the number of investigative interviews necessary whenever possible; (d) assure, to the extent possible, that investigative interviews are thorough, objective, and complete; (e) recognize needs of special populations, such as persons with developmental disabilities; (f) recognize the nature and consequences of victimization; (g) require investigative interviews to be conducted in a manner most likely to permit the interviewed persons the maximum emotional comfort under the circumstances; (h) address record retention and retrieval; and (i) documentation of investigative interviews.

WAC 180-40-270 Long-term suspension -- Prehearing and hearing process.

- (1) If a request for a hearing is received pursuant to WAC [180-40-265](#) within the required three school business days, the school district shall schedule a hearing to commence within three school business days after the date upon which the request for a hearing was received.
- (2) The student and his or her parent(s) or guardian(s) shall have the right to:
 - (a) Inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing,
 - (b) Be represented by legal counsel,
 - (c) Question and confront witnesses, unless a school district witness does not appear and the nonappearance of the witness is excused by the person(s) hearing the case based upon evidence of good reason for doing so submitted by the school district. The evidence submitted by the school district must at a minimum establish either:
 - (i) That the district made a reasonable effort to produce the witness and is unable to do so; or,
 - (ii) That it is not advisable for the student to appear due to an expectation and fear on the part of the responsible district official(s) or the student of retaliation against the student if he or she appears as a witness,
 - (d) Present his or her explanation of the alleged misconduct, and
 - (e) Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires.
- (3) The designee(s) of the school district assigned to present the district's case shall have the right inspect in advance of the hearing any documentary and other physical evidence which the student and his or her parent(s) or guardian(s) intend to introduce at the hearing.
- (4) The person(s) hearing the case shall not be a witness and the guilt or innocence of the student shall be determined solely on the basis of the evidence presented at the hearing.
- (5) Either a tape-recorded or verbatim record of the hearing shall be made.
- (6) A written decision setting forth the findings of fact, conclusions, and the nature and duration of the long-term suspension or lesser form or corrective action or punishment to be imposed, if any, shall be provided to the student's legal counsel or, if none, to the student and his or her parent(s) or guardian(s).

WAC 180-40-270 Long-term suspension -- Prehearing and hearing process.

- (1) If a request for a hearing is received pursuant to WAC [180-40-265](#) within the required three school business days, the school district shall schedule a hearing to commence within three school business days after the date upon which the request for a hearing was received.
- (2) The student and his or her parent(s) or guardian(s) shall have the right to:
 - (a) Inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing,
 - (b) Be represented by legal counsel,
 - (c) Question and confront witnesses, unless a school district witness does not appear and the nonappearance of the witness is excused by the person(s) hearing the case based upon evidence of good reason for doing so submitted by the school district. The evidence submitted by the school district must at a minimum establish either:
 - (i) That the district made a reasonable effort to produce the witness and is unable to do so; or,
 - (ii) That it is not advisable for the student to appear due to an expectation and fear on the part of the responsible district official(s) or the student of retaliation against the student if he or she appears as a witness,
 - (d) Present his or her explanation of the alleged misconduct, and
 - (e) Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires.
- (3) The designee(s) of the school district assigned to present the district's case shall have the right to inspect in advance of the hearing any documentary and other physical evidence which the student and his or her parent(s) or guardian(s) intend to introduce at the hearing.
- (4) The person(s) hearing the case shall not be a witness and the guilt or innocence of the student shall be determined solely on the basis of the evidence presented at the hearing.
- (5) Either a tape-recorded or verbatim record of the hearing shall be made.
- (6) A written decision setting forth the findings of fact, conclusions, and the nature and duration of the long-term suspension or lesser form or corrective action or punishment to be imposed, if any, shall be provided to the student's legal counsel or, if none, to the student and his or her parent(s) or guardian(s).

WAC 180-40-285 Expulsion -- Prehearing and hearing process.

- (1) If a request for a hearing is received pursuant to WAC [180-40-280](#) within the required three school business days, the school district shall schedule a hearing to commence within three school business days after the date upon which the request for a hearing was received.
- (2) The student and his or her parent(s) or guardian(s) shall have the right to:
 - (a) Inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing,
 - (b) Be represented by legal counsel,
 - (c) Question and confront witnesses, unless a school district witness does not appear and the nonappearance of the witness is excused by the person(s) hearing the case based upon evidence of good reason for doing so submitted by the school district. The evidence submitted by the school district must at a minimum establish either:
 - (i) That the district made a reasonable effort to produce the witness and is unable to do so; or,
 - (j) (That it is not advisable for the student to appear due to an expectation and fear on the part of the responsible district official(s) or the student of retaliation against the student if he or she appears as a witness,
 - (d) Present his or her explanation of the alleged misconduct, and
 - (e) Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires.
- (3) The designee(s) of the school district assigned to present the district's case shall have the right to inspect in advance of the hearing any documentary and other physical evidence which the student and his or her parent(s) or guardian(s) intend to introduce at the hearing.
- (4) The person(s) hearing the case shall not be a witness and the guilt or innocence of the student shall be determined solely on the basis of the evidence presented at the hearing.
- (5) Either a tape-recorded or verbatim record of the hearing shall be made.
- (6) A written decision setting forth the findings of fact, conclusions, and the expulsion or lesser form of corrective action or punishment to be imposed, if any, shall be provided to the student's legal counsel or, if none, to the student and his or her parent(s) or guardian(s).

WAC 180-40-305 Emergency expulsion -- Prehearing and hearing process.

- (1) If a request for a hearing within the required ten school business days is received pursuant to WAC [180-40-300](#), the school district shall immediately schedule and give notice of a hearing to commence as soon as reasonably possible and in no case later than the third school business day after receipt of the request for hearing.
- (2) The student and his or her parent(s) or guardian(s) shall have the right to:
 - (a) Inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing,
 - (b) Be represented by legal counsel,
 - (c) Question and confront witnesses, unless a school district witness does not appear and the nonappearance of the witness is excused by the person(s) hearing the case based upon evidence of good reason for doing so submitted by the school district. The evidence submitted by the school district must at a minimum establish either:
 - (i) That the district made a reasonable effort to produce the witness and is unable to do so; or,
 - (j) That it is not advisable for the student to appear due to an expectation and fear on the part of the responsible district official(s) or the student of retaliation against the student if he or she appears as a witness,
 - (d) Present his or her explanation of the alleged misconduct, and
 - (e) Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires.
- (3) The designee(s) of the school district assigned to present the district's case shall have the right to inspect in advance of the hearing any documentary and other physical evidence that the student and his or her parent(s) or guardian(s) intend to introduce at the hearing.
- (4) The person(s) hearing the case shall not be a witness and the guilt or innocence of the student shall be determined solely on the basis of the evidence presented at the hearing.
- (5) Either a tape-recorded or verbatim record of the hearing shall be made.
- (6) Within one school business day after the date upon which the hearing concludes, a decision as to whether or not the expulsion shall be continued shall be rendered, and the student's legal counsel or, if none, the student and his or her parent(s) or guardian(s) shall be notified thereof by depositing a certified letter in the United States mail. The decision shall set forth the findings of fact, the conclusions (including a conclusion as to whether or not the emergency situation giving rise to the emergency expulsion continues), and whether or not the emergency expulsion shall be continued or a lesser form of corrective action or punishment is to be imposed.
- (7) An emergency expulsion may be continued following the hearing on the basis that the emergency situation continues and/or as corrective action or punishment for the action(s) giving rise to the emergency expulsion in the first instance.

SECTION 10

X. Contacts

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Comprehensive Life Resources, Children's Community Services

Kathy Hagen, LICSW Program Manager253-396-5884

SECTION 11

We hereby acknowledge the above protocol to be effective immediately and agree to review it biennially.

DONE this _____ day of _____, 2012

MARK LINDQUIST
Prosecuting Attorney
Pierce County

ROB MCKENNA
Attorney General
Attorney General's Office

PAUL PASTOR
Sheriff
Pierce County

DONALD RAMSDELL
Chief of Police
City of Tacoma

NANCY SUTTON
Regional Administrator
Division of Children and Family Services

DIANE CECCHETTINI
CEO
MultiCare Health System

MADLYN MURREY, RN, MN
Administrator
Mary Bridge Children's Hospital
and Health Center

MARY QUINLAN
Director
Children's Advocacy Center of Pierce
County

TASHA CHURCH
Executive Director
Rebuilding Hope, Sexual Assault Center of Pierce County

KATHY HAGEN
Director
Comprehensive Life Resources Mental Health

KATHY BELDING
Regional Director, Women's Care
Franciscan Health System

KATHY BRESSLER
Interim Director, Emergency Services
St. Claire Hospital

JOE DUENAS
Chief of Police
Puyallup Tribal Police Department

DON SMITH
Prosecutor
Puyallup Tribe of Indians

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Executive Director
Puyallup Tribe Children's Services

HERMAN DILLON
Chairman
Puyallup Tribal Council

BETSY FEASTER
Operations Officer
Office of Special Investigation
McChord Air Force Base

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Department of the Army, Ft. Lewis

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Deputy Commander—Clinical Services
Madigan Army Medical Center

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Bonney Lake Police Department

JAMES ARSANTO
Chief of Police
Buckley Police Department

RONALD GOODPASTER
Chief of Police
DuPont Police Department

KEVIN WADE
Chief of Police
Safety Eatonville Police Department

RON SCHAUB
Chief of Public
City of Steilacoom

EDWIN KNUTSON
Chief of Police
Edgewood Police Department

BRAD BLACKBURN
Chief of Police
Fife Police Department

JOHN CHEESMAN
Chief of Police
Fircrest Police Department

MICHAEL DAVIS
Chief of Police
Gig Harbor Police Department

BRET FARRAR
Chief of Police
Lakewood Police Department

WILLIAM RHOADS
Public Safety Director
Milton Police Department

WILLIAM DRAKE
Chief of Police
Orting Police Department

JAMES COLLYER
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Roy Police Department

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Chief of Police
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JOHN GALLE
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BRAD MOERICKE, DEPUTY CHIEF
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JIM ARSANTO
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GINA DAVIS
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Bethel School District 403

SCOTT HUBBARD
Superintendent
Carbonado School District 19

DEBBIE LEBEAU
Superintendent
Clover Park School District 400

RICHARD STEWART
Superintendent
Eatonville School District 404

DR. FRANK HEWINS
Superintendent
Franklin Pierce School District 402

TERRY NELSEN-BOUCK
Superintendent
Peninsula School District 401

BILL FRITZ
Superintendent
Steilacoom School District

DR. ARTHUR JARVIS
Superintendent
Tacoma School District 10

DR. JUDY NEUMIER-MARTINSON
Superintendent
Dieringer School District 343

DR. STEVE MCCAMMON
Superintendent
Fife School District 417

MICHELLE CURRY
Superintendent
Orting School District 344

DR. TONY APOSTLE
Superintendent
Puyallup School District 3

CRAIG SPENCER
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Sumner School District 320

TOM LOCKYER
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White River School District 416

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University Place School District 83

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Buckley Fire Department

MATT MILLS
Fire Chief
Carbonado Fire Department

GREG HULL
Fire Chief
DuPont Fire Department

BOB HUDESPETH
Fire Chief
Eatonville Fire Department

SCOTTY FREEMAN
Fire Chief
Fort Lewis Fire and Emergency

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Fire Chief
McChord AFB Fire Department

GREG MILLER
Fire Chief
McNeil Island Fire Department

JAMES JAQUES
Fire Chief
Milton Fire Department

RANDY SHELTON
Fire Chief
Orting Fire Department

JACK ANDREN
Fire Chief
Puyallup Fire Department

DON TORBET
Fire Chief
Ruston Fire Department

RON SCHAUB
Fire Chief
Steilacoom Public Safety

STEVE STRINGFELLOW
Fire Chief
Sumner (PCFD #1)

RON STEPHENS
Fire Chief
Tacoma Fire Department

KEN SHARP
Fire Chief
PCFD #2 (Lakewood)

KEN SHARP
Fire Chief
PCFD #3 (University Place)

JOHN BURGESS
Fire Chief
PCFD #5 (Gig Harbor)

DOUG WILLIS
Fire Chief
PCFD #6 (CPFR)

GARY MCVAY
Fire Chief
PCFD #13 (Browns/Dash Pt)

ANDY MCAFEE
Fire Chief
PCFD #14 (Riverside)

TOM LIQUE
Fire Chief
PCFD #16 (Key Peninsula)

BOB VELLIAS
Fire Chief
PCFD #17 (SPFR)

PAUL WEB
Fire Chief
PCFD #18 (Orting)

REGGIE ROMINES
Fire Chief
PCFD #21 (Graham F&R)

JERRY THORSON
Fire Chief
PCFD #22 (EPFR)

GARRY OLSON
Fire Chief
PCFD #23 (Elbe)

C.J. HUTCHINS
Fire Chief
PCFD #25 (Crystal Mountain)

PAUL SOWERS
Fire Chief
PCFD #26 (Greenwater)

JIM BIXLER
Fire Chief
PCFD #27 (Anderson Island)

