



WASHINGTON STATE SEXUAL ASSAULT CHILD PROTOCOLS

History

In 1999, the Washington State Legislature passed legislation concerning investigations of alleged child sexual abuse (SB 5127). Key features of the legislation included that:

- Each county, under the leadership of the county prosecutor, must develop a written protocol for handling criminal child sexual abuse investigations that is based on state guidelines. These protocols were required to be in place by July 1, 2000 (RCW 26.44.180).
- Each agency involved in investigating child sexual abuse shall document its role in handling cases and how it will coordinate with other agencies and shall adopt a local protocol based on the state guidelines.
- Persons responsible for investigating child sexual abuse shall be provided with ongoing specialized training (RCW 74.14B.010).
- DSHS employees must document and preserve, in a near verbatim format, any questions and answers posed when interviewing children about alleged sexual abuse. These employees shall retain their original notes of the interview unless such notes are entered into the electronic data system (RCW 26.44.035).
- DSHS is to establish three pilot projects that rely on different methods and techniques for conducting and preserving interviews of children alleged to be victims of sexual abuse.
- Law enforcement agencies shall prohibit all officers from investigating an allegation of abuse or neglect involving a child for whom the officer is, or has been, a parent, guardian, or foster parent.

Above history provided by WSIPP <http://www.wsipp.wa.gov/rptfiles/childabusewrkgrp.pdf>

As part of the original legislation, a multidisciplinary statewide group was formed to create a statewide protocol that would serve as a template for local jurisdictions to use in creating their own local protocols by the legislative mandate date.

In 2007, the child abuse protocol law (RCW 26.44.185) was updated with the passage of HB 1333, which expanded the scope of child sexual abuse protocols to include coordination of fatality, serious physical abuse, and criminal child neglect cases.

In 2010, RCW 26.44.180 was updated to further define the language of local advocacy groups. It specifically names that community sexual assault centers be included in protocol review and child advocacy centers (CAC's) be included when they exist in the community. Additionally, RCW 26.44.185 specified inclusion of CAC's.

2012: Current law requires that protocols are reviewed and updated as necessary every two years. 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.

To support local jurisdictions with reviews and protocol coordination efforts, the Criminal Justice Training commission and WCSAP have provided ongoing support and training. The last large scale state training series provided by the two organizations was conducted November 2008 through April 2009.

[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.]