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SENATE BILL 5865

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State of Washington

64th Legislature

2015 Regular Session

By Senators Miloscia, Fraser, and McAuliffe

Read first time 02/06/15. Referred to Committee on Human Services,  
Mental Health & Housing.

1 AN ACT Relating to services for victims of sexual assault; and  
2 amending RCW 43.280.020, 43.280.050, 70.125.020, 70.125.030, and  
3 70.125.060.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 43.280.020 and 2012 c 29 s 3 are each amended to  
6 read as follows:

7 (1) The department of commerce is authorized to distribute funds  
8 that have been allocated to the grant program that it administers for  
9 serving victims of sexual assault.

10 (2) Activities that can be funded through this grant program are  
11 limited to those that:

12 (a) Provide effective services to victims of sexual assault;

13 (b) Increase access to and availability of services for victims  
14 of sexual assault, particularly if from underserved populations; and

15 (c) Create or build on efforts by existing community programs,  
16 coordinate those efforts, or develop cooperative efforts or other  
17 initiatives to make the most effective use of resources to provide  
18 treatment services to these victims.

19 (3) Funding for core, specialized, children's advocacy center,  
20 and underserved populations services, as defined in RCW 70.125.030,  
21 must be distributed through a funding formula to those applicants

1 that emphasize providing stable, victim-centered sexual assault  
2 services and possess the qualifications to provide those services.

3 (4) The department of commerce shall ensure that grant recipients  
4 assist victims to utilize private insurance and crime victims'  
5 compensation benefits first before grant funds are used for therapy  
6 services.

7 **Sec. 2.** RCW 43.280.050 and 2012 c 29 s 4 are each amended to  
8 read as follows:

9 (1) At a minimum, grant applications for specialized and  
10 underserved services must include the following:

11 (a) The geographic area from which the victims to be served are  
12 expected to come;

13 (b) A description of the extent and effect of the needs of these  
14 victims within the relevant geographic area;

15 (c) A proposed budget and an explanation of how the funds will be  
16 used, their relationship to existing services available within the  
17 community, and the need that they will fulfill;

18 (d) An explanation of what community organizations were involved  
19 in the community coordination that resulted in the development of the  
20 proposal; and

21 (e) Documentation of the applicant's capacity to provide  
22 specialized services and services for underserved populations, as  
23 defined in this chapter, and a description of how the applicant  
24 intends to comply with service standards and data collection as  
25 established by the department.

26 (2) At a minimum, grant applications for core services must  
27 include the following:

28 (a) The geographic area from which the victims to be served are  
29 expected to come;

30 (b) Assurance of the applicant's compliance with service  
31 standards, data collection, and management standards established by  
32 the department; and

33 (c) Documentation of the applicant's capacity to provide core  
34 services, as defined in this chapter.

35 (3) At a minimum, grant applications for children's advocacy  
36 centers must include the following:

37 (a) The geographic area from which the victims to be served are  
38 expected to come;

1        (b) Assurance that the organization is in good standing with the  
2 state chapter of children's advocacy centers.

3        **Sec. 3.** RCW 70.125.020 and 2012 c 29 s 9 are each amended to  
4 read as follows:

5        The legislature hereby finds and declares that:

6        (1) Sexual assault is a serious crime in society, affecting a  
7 large number of children, women, and men each year;

8        (2) Efforts over many years to distribute information and collect  
9 data have demonstrated the incidence of sexual assault that continues  
10 to impact communities, families, and individuals;

11        (3) Over the past three decades, law enforcement, prosecutors,  
12 medical professionals, child protective services, educators, mental  
13 health providers, public health professionals, and victim advocates  
14 have benefited from a commitment to training and learning regarding  
15 appropriate responses to and services for victims of sexual assault;

16        (4) This same effort has resulted in increased public awareness  
17 of sexual assault and its impact on communities, families, and  
18 individuals;

19        (5) Law enforcement, prosecutors, medical professionals, child  
20 protective services, educators, mental health providers, public  
21 health professionals, and victim advocates should continue to work  
22 closely and collaboratively to improve responses to and services for  
23 victims of sexual assault;

24        (6) The physical, emotional, financial, and psychological needs  
25 of victims and their families are particularly well-served by timely  
26 and effective services provided in local communities; and

27        (7) Persons who are victims of sexual assault benefit directly  
28 from continued public awareness and education, prosecutions of  
29 offenders, a criminal justice system which treats them in a humane  
30 manner, and access to victim-centered, culturally relevant services.

31        **Sec. 4.** RCW 70.125.030 and 2012 c 29 s 10 are each amended to  
32 read as follows:

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

35        (1) "Child protective services" means those services provided by  
36 the department designed to protect children from child abuse and  
37 neglect and safeguard such children from future abuse and neglect,  
38 and investigations of child abuse and neglect reports.

1       (2) "Children's advocacy center" means a child-focused facility  
2 in good standing with the state chapter for children's advocacy  
3 centers and that coordinates a multidisciplinary process for the  
4 investigation, prosecution, and treatment of sexual and other types  
5 of child abuse. Children's advocacy centers provide a location for  
6 forensic interviews and coordinate access to services such as, but  
7 not limited to, medical evaluations, advocacy, therapy, and case  
8 review by multidisciplinary teams within the context of county  
9 protocols as defined in RCW 26.44.180 and 26.44.185.

10       (3) "Community sexual assault program" means a community-based  
11 social service agency that is qualified to provide and provides core  
12 services to victims of sexual assault.

13       ~~((2))~~ (4) "Core services" means those services that are victim-  
14 centered community-based advocacy responses to alleviate the impact  
15 of sexual assault, as delineated in the Washington state sexual  
16 assault services plan of 1995 and its subsequent revisions.

17       ~~((3))~~ (5) "Department" means the department of commerce.

18       ~~((4))~~ (6) "Law enforcement agencies" means police and sheriff's  
19 departments and tribal law enforcement departments or agencies of  
20 this state.

21       ~~((5))~~ (7) "Multidisciplinary team" means a coordinated team of  
22 professionals and agencies that may include prosecutors, law  
23 enforcement, child protective services, medical services, and mental  
24 health services providing a child-focused services and intervention  
25 approach to child abuse cases through a nationally accredited  
26 children's advocacy center.

27       (8) "Personal representative" means a friend, relative, attorney,  
28 or employee or volunteer from a community sexual assault program,  
29 children's advocacy center, or specialized treatment service  
30 provider.

31       ~~((6))~~ (9) "Services for underserved populations" means  
32 culturally relevant victim-centered community-based advocacy  
33 responses to alleviate the impact of sexual assault, as delineated in  
34 the Washington state sexual assault services plan of 1995 and its  
35 subsequent revisions.

36       ~~((7))~~ (10) "Sexual assault" means one or more of the following:

37       (a) Rape or rape of a child;

38       (b) Assault with intent to commit rape or rape of a child;

39       (c) Incest or indecent liberties;

40       (d) Child molestation;

- 1 (e) Sexual misconduct with a minor;  
2 (f) Custodial sexual misconduct;  
3 (g) Crimes with a sexual motivation;  
4 (h) Sexual exploitation or commercial sex abuse of a minor;  
5 (i) Promoting prostitution; or  
6 (j) An attempt to commit any of the aforementioned offenses.

7 ~~((+8))~~ (11) "Specialized services" means those services intended  
8 to alleviate the impact of sexual assault, as delineated in the  
9 Washington state sexual assault services plan of 1995 and its  
10 subsequent revisions.

11 ~~((+9))~~ (12) "Victim" means any person who suffers physical,  
12 emotional, financial, and psychological impact as a proximate result  
13 of a sexual assault.

14 **Sec. 5.** RCW 70.125.060 and 1979 ex.s. c 219 s 6 are each amended  
15 to read as follows:

16 (1) If the victim of a sexual assault so desires, a personal  
17 representative of the victim's choice may accompany the victim to the  
18 hospital or other health care facility, and to proceedings concerning  
19 the alleged assault, including police and prosecution interviews and  
20 court proceedings.

21 (2) Where a nationally accredited children's advocacy center  
22 exists, if the victim is under the age of thirteen, a child advocacy  
23 center multidisciplinary team representative may be assigned to  
24 ensure coordination of the victim's medical, legal, and therapeutic  
25 response services.

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