
HOUSE BILL 1875

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68th Legislature

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By Representatives Couture, Rule, Schmidt, Low, Reed, Griffey, Timmons, Sandlin, Caldier, Reeves, and Hackney

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1 AN ACT Relating to increasing protections for child welfare
2 workers; amending RCW 9A.36.031 and 74.14B.010; reenacting and
3 amending RCW 74.14B.005; and adding a new section to chapter 74.14B
4 RCW.

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

6 **Sec. 1.** RCW 9A.36.031 and 2013 c 256 s 1 are each amended to
7 read as follows:

8 (1) A person is guilty of assault in the third degree if he or
9 she, under circumstances not amounting to assault in the first or
10 second degree:

11 (a) With intent to prevent or resist the execution of any lawful
12 process or mandate of any court officer or the lawful apprehension or
13 detention of himself, herself, or another person, assaults another;
14 or

15 (b) Assaults a person employed as a transit operator or driver,
16 the immediate supervisor of a transit operator or driver, a mechanic,
17 or a security officer, by a public or private transit company or a
18 contracted transit service provider, while that person is performing
19 his or her official duties at the time of the assault; or

20 (c) Assaults a school bus driver, the immediate supervisor of a
21 driver, a mechanic, or a security officer, employed by a school

1 district transportation service or a private company under contract
2 for transportation services with a school district, while the person
3 is performing his or her official duties at the time of the assault;
4 or

5 (d) With criminal negligence, causes bodily harm to another
6 person by means of a weapon or other instrument or thing likely to
7 produce bodily harm; or

8 (e) Assaults a firefighter or other employee of a fire
9 department, county fire marshal's office, county fire prevention
10 bureau, or fire protection district who was performing his or her
11 official duties at the time of the assault; or

12 (f) With criminal negligence, causes bodily harm accompanied by
13 substantial pain that extends for a period sufficient to cause
14 considerable suffering; or

15 (g) Assaults a law enforcement officer or other employee of a law
16 enforcement agency who was performing his or her official duties at
17 the time of the assault; or

18 (h) Assaults a peace officer with a projectile stun gun; or

19 (i) Assaults a nurse, physician, or health care provider who was
20 performing his or her nursing or health care duties at the time of
21 the assault. For purposes of this subsection: "Nurse" means a person
22 licensed under chapter 18.79 RCW; "physician" means a person licensed
23 under chapter 18.57 or 18.71 RCW; and "health care provider" means a
24 person certified under chapter 18.71 or 18.73 RCW who performs
25 emergency medical services or a person regulated under Title 18 RCW
26 and employed by, or contracting with, a hospital licensed under
27 chapter 70.41 RCW; or

28 (j) Assaults a judicial officer, court-related employee, county
29 clerk, or county clerk's employee, while that person is performing
30 his or her official duties at the time of the assault or as a result
31 of that person's employment within the judicial system. For purposes
32 of this subsection, "court-related employee" includes bailiffs, court
33 reporters, judicial assistants, court managers, court managers'
34 employees, and any other employee, regardless of title, who is
35 engaged in equivalent functions; or

36 (k) Assaults a person located in a courtroom, jury room, judge's
37 chamber, or any waiting area or corridor immediately adjacent to a
38 courtroom, jury room, or judge's chamber. This section shall apply
39 only: (i) During the times when a courtroom, jury room, or judge's
40 chamber is being used for judicial purposes during court proceedings;

1 and (ii) if signage was posted in compliance with RCW 2.28.200 at the
2 time of the assault; or

3 (1) Assaults a child welfare worker, as defined in RCW
4 74.14B.005, who was performing his or her official duties at the time
5 of the assault.

6 (2) Assault in the third degree is a class C felony.

7 **Sec. 2.** RCW 74.14B.005 and 2019 c 470 s 18 and 2019 c 64 s 26
8 are each reenacted and amended to read as follows:

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

11 (1) "Child welfare worker" means an employee of the department
12 whose job includes supporting or providing child welfare services as
13 defined in RCW 74.13.020 or child protective services as defined in
14 RCW 26.44.020.

15 (2) "Department" means the department of children, youth, and
16 families.

17 ~~((2))~~ (3) "Secretary" means the secretary of the department of
18 children, youth, and families.

19 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.14B
20 RCW to read as follows:

21 (1) A child welfare worker who is required to respond to a
22 private home or other private location to provide services to,
23 monitor, or investigate a family, may make a request to their
24 supervisor to be accompanied by a second trained individual when the
25 child welfare worker has concerns that violence could occur based on
26 a family member's history of violence.

27 (2) When a request is made under subsection (1) of this section,
28 the department shall arrange for a second trained individual to
29 accompany the child welfare worker unless it is not possible to
30 fulfill the request under the circumstances.

31 (3) The second trained individual that may accompany a child
32 welfare worker under this section may be:

33 (a) A law enforcement officer;

34 (b) A mental health professional;

35 (c) A first responder, such as a firefighter or emergency medical
36 personnel; or

1 (d) An employee of the department who is trained as a child
2 welfare worker and acts in a supervisory capacity with respect to
3 other child welfare workers.

4 (4) No retaliation may be taken against a child welfare worker
5 for requesting that a second trained individual accompany them in
6 providing services to, monitoring, or investigating a family.

7 **Sec. 4.** RCW 74.14B.010 and 2019 c 470 s 27 are each amended to
8 read as follows:

9 (1) Child welfare workers shall meet minimum standards
10 established by the department. Comprehensive training for child
11 welfare workers shall be completed before such child welfare workers
12 are assigned to case-carrying responsibilities as the sole worker
13 assigned to a particular case. Intermittent, part-time, and standby
14 child welfare workers shall be subject to the same minimum standards
15 and training. The minimum training standards under this section must
16 include training related to de-escalation strategies.

17 (2) Ongoing specialized training shall be provided for child
18 welfare workers responsible for investigating child sexual abuse.
19 Training participants shall have the opportunity to practice
20 interview skills and receive feedback from instructors.

21 (3) The department, the criminal justice training commission, the
22 Washington association of sheriffs and police chiefs, and the
23 Washington association of prosecuting attorneys shall design and
24 implement statewide training that contains consistent elements for
25 persons engaged in the interviewing of children, including law
26 enforcement, prosecution, and child protective services.

27 (4) The training required by this section shall: (a) Be based on
28 research-based practices and standards; (b) minimize the trauma of
29 all persons who are interviewed during abuse investigations; (c)
30 provide methods of reducing the number of investigative interviews
31 necessary whenever possible; (d) assure, to the extent possible, that
32 investigative interviews are thorough, objective, and complete; (e)
33 recognize needs of special populations, such as persons with
34 developmental disabilities; (f) recognize the nature and consequences
35 of victimization; (g) require investigative interviews to be
36 conducted in a manner most likely to permit the interviewed persons
37 the maximum emotional comfort under the circumstances; (h) address
38 record retention and retrieval; (i) address documentation of

1 investigative interviews; and (j) include self-care for child welfare
2 workers.

3 (5) The identification of domestic violence is critical in
4 ensuring the safety of children in the child welfare system. It is
5 also critical for child welfare workers to support victims of
6 domestic violence while victims continue to care for their children,
7 when possible, as domestic violence perpetrated against someone other
8 than the child does not constitute negligent treatment or
9 maltreatment in and of itself as provided in RCW 26.44.020. For these
10 reasons, ongoing domestic violence training and consultation shall be
11 provided to child welfare workers, including how to use the
12 department's practice guide to domestic violence.

13 (6) By January 1, 2021, the department shall:

14 (a) Develop and implement an evidence-informed curriculum for
15 supervisors providing support to child welfare workers to better
16 prepare candidates for effective supervisory and leadership roles
17 within the department;

18 (b) Develop specialized training for child welfare workers that
19 includes simulation and coaching designed to improve clinical and
20 analytical skills;

21 ~~((Based on the report required under RCW 43.216.7501(3),~~
22 ~~develop)) Develop and implement training for child welfare workers
23 that incorporates trauma-informed care and reflective supervision
24 principles.~~

25 ~~((For purposes of this section, "child welfare worker" means~~
26 ~~an employee of the department whose job includes supporting or~~
27 ~~providing child welfare services as defined in RCW 74.13.020 or child~~
28 ~~protective services as defined in RCW 26.44.020.)) The department
29 shall offer optional in-service training on de-escalation strategies
30 on at least an annual basis to all child welfare workers.~~

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