

**WAC 388-60B-0400 Behavioral assessment and interview criteria—**

**Who may conduct the interview and assessment and what must it include?**

(1) A participant must complete an individual interview and behavioral assessment with a certified program prior to starting any level of treatment.

(2) The purpose of the assessment is to determine:

(a) The level of risk, needs, and responsivity for the participant;

(b) The level of treatment the program will require for the participant; and

(c) Behaviorally focused individualized treatment goals or objectives for an initial treatment plan.

(3) Only treatment staff who meet the minimum qualifications for direct treatment staff as defined in this chapter may complete the interview and assessment process and all related paperwork.

(a) An assessment must be completed by a staff person who has been designated by the department at the staff or supervisor level as outlined in WAC 388-60A-0240 and 388-60A-0250;

(b) A trainee must not have sole responsibility for conducting an interview or assessment;

(c) A trainee may sit in on an interview and assessment process, but the staff or supervisor level person must conduct the interview and write the assessment.

(4) The assessment process must include:

(a) A behavioral assessment and screening interview with the participant;

(b) Collateral information and input from third party sources;

(c) The participant's legal history; and

(d) A summary of the results from all applicable evidence-based, empirical, and objective standardized tests.

(5) The assessment process is ongoing throughout treatment and changes to the participant's program based on updated assessment information must be documented in the participant's record.

(6) Each program certified for assessments must comply with the following:

(a) The program staff must meet in person and face to face with the participant to conduct the assessment, and the assessment must be kept in the participant's file;

(b) Information gathered by or provided to the program from the current victim, past victims, significant others, children, or other family members must not be included in the assessment unless:

(i) The program has written consent from that person to include such information in the written assessment; or

(ii) The program is quoting public information gathered from a public record such as a police report, protective order, no contact order, or a similar document;

(c) The assessment must be written, completed, signed, and dated by the staff or supervisor who completed the interview and assessment; and

(d) The program must document their reasonable efforts to share a completed assessment in a timely manner when it is requested by another certified program and an applicable release of information has been signed by the participant.

(7) **General assessment information:** During the assessment interview a program staff or supervisor must write the assessment and document information that includes the following:

- (a) The participant's referral source and contact information for the source when applicable;
- (b) Basic demographic and contact information;
- (c) The participant's current relationship status and their plans for the relationship;
- (d) The participant's access to the victim and their children, family, and coworkers;
- (e) An assessment of the participant's individual culture which includes:
  - (i) Gender identity;
  - (ii) Preferred pronouns;
  - (iii) Sexual orientation;
  - (iv) Religion or spiritual beliefs;
  - (v) Race;
  - (vi) Ethnicity; and
  - (vii) Groups with which the participant identifies;
- (f) The possible cultural context for the participant's views about using violence in family relationships;
- (g) An assessment of the participant's history of victimization that includes:
  - (i) Domestic violence victimization;
  - (ii) Sexual assault victimization; and
  - (iii) Other trauma history including complex trauma;
- (h) Current or past protective orders, no contact orders, parenting assessments, parenting plans, and orders for supervised visitation with children;
  - (i) A summary of information from police or incident reports for current and past incidents involving coercive or abusive behaviors;
- (i) The program must document the participant's specific abusive behaviors; and
  - (ii) The program must document whether there were children present during any incidents or in the immediate aftermath of an incident and what the children's exposure was to the abuse, the victim's injuries, and damage to property;
- (j) The participant's comments or views about specific abusive behaviors in current and past incidents;
- (k) Additional collateral information that is necessary to assess the participant's risks and needs, including but not limited to information from:
  - (i) Probation or parole officers;
  - (ii) The victim, previous partners, or a current partner if they choose to provide information;
  - (iii) Victim advocates;
  - (iv) 911 tapes;
  - (v) Guardians ad litem, CASAs, or parenting evaluators; and
  - (vi) Child protective service workers; and
- (l) An assessment of whether children have been effected in any way by the participant's domestic violence and if a parenting class specific to perpetrators of domestic violence will be required by the program.
- (8) **Domain 1:** An assessment of the participant's current and past high risk factors that include but are not limited to:
  - (a) Victim initiated separation from the participant in the last six months or other indication the victim may initiate separation;
  - (b) The infliction or threat of physical harm against an intimate partner including strangulation, physical, sexual, and psychological

abuse, or a pattern of assaultive, coercive, and controlling behaviors directed at achieving compliance from or control over that partner;

(c) Access to a firearm, previous use or threats to use a weapon as it is defined in chapter 9.41 RCW, or prior training with weapons;

(d) Signs of jealousy, possessiveness, isolation, monitoring, stalking, or holding a victim captive;

(e) Abuse of children, pets or an elderly person;

(f) Instability in the participant's life including but not limited to employment, new or increased substance use, friendships, or intimate relationships;

(g) Children of the victim that are not the participant's biological children;

(h) History of violence in or outside of the home and any police contacts for the violence;

(i) Previous domestic violence or anger management assessments or treatments;

(j) Ideation, attempts, or threats of homicide and suicide; and

(k) Repeated violations of probation, no contact orders, protection orders, or similar orders.

(9) **Domain 2:** A screening for traumatic brain injury, making appropriate referrals for further assessment or treatment when needed. Screening information gathered must include:

(a) Traumatic brain injury or report of injury to the frontal lobe from an accident, sports, military, or similar activities;

(b) Any history of concussions or brain disease or injuries from strokes or dementia; and

(c) A history of experiencing repeated blows to the head regardless of whether the participant ever lost consciousness.

(10) **Domain 3:** A screening for indicators associated with the participant's mental health, making appropriate referrals for further assessment or treatment when needed. The screening must include:

(a) A complete diagnostic evaluation when it is completed by an appropriately credentialed mental health professional practicing within their scope of practice; and

(b) Whether the participant reveals any of the following:

(i) Indicators associated with post-traumatic stress disorder;

(ii) Indicators associated with bipolar disorder;

(iii) Indicators associated with anxiety and depression;

(iv) Indicators associated with personality anomalies;

(v) Anti-social traits;

(vi) Sociopathic traits;

(vii) Psychopathic traits;

(viii) Previous or current mental health treatment; and

(ix) Other mental health or emotional indicators the participant or staff consider relevant to planning successful participation in domestic violence intervention treatment, such as psychosis.

(11) **Domain 4:** An assessment of the participant's belief system as it relates to:

(a) Hierarchical relationships;

(b) Spiritual, cultural, or religious beliefs about gender and family roles that condone partner violence;

(c) Readiness to change; and

(d) Level of accountability.

(12) **Domain 5:** A screening for substance use, making appropriate referrals for further assessment or treatment by a chemical dependency professional when needed. The screening must include:

(a) Past and current substance use;

(b) Information about charges, assessments, or treatments related to substance use; and

(c) Other substance use information the participant or staff consider relevant to successful participation in domestic violence intervention treatment.

(13) **Domain 6:** An assessment of the participant's environmental factors which must include:

(a) Criminal history from the participant's:

(i) Self-report;

(ii) A background check that covers each state they have lived in over the last ten years; and

(iii) Collateral sources;

(b) Friends and family with criminogenic behaviors;

(c) The absence or presence of pro-social supports;

(d) A brief employment history and current status including:

(i) Length of employment; and

(ii) Level of job satisfaction;

(e) Highest level of education completed and any barriers to education or learning, including literacy, learning disabilities, or language needs;

(f) The people who make up the participant's support system and how their beliefs do or do not support the participant's abusive behaviors;

(g) The participant's motivations for healthy family relationships;

(h) The participant's strengths, social activities, hobbies, and recreational activities; and

(i) Whether or not the participant is socially isolated.

(14) **Domain 7:** Documentation of the results from an evidence-based, empirical, and objective standardized test that assesses risk, lethality, or needs for domestic violence perpetrators and documentation of the participant's level of psychopathy when needed.

(a) Examples of acceptable assessments for risk, lethality, or needs for domestic violence perpetrators include but are not limited to:

(i) The Domestic Violence Inventory;

(ii) The Domestic Violence Screening Instrument - Revised;

(iii) The Ontario Domestic Assault Risk Assessment; and

(iv) The Spousal Assault Risk Assessment;

(b) If a program staff or supervisor has reason to believe it is needed or the participant has indicated any combination of three or more anti-social, sociopathic, or psychopathic traits, then the staff or supervisor must gather information related to the participant's level of psychopathy; and

(c) Examples of acceptable assessments for psychopathy include but are not limited to:

(i) Self-Report Psychopathy Scale (SRP4);

(ii) Hare P-scan; or

(iii) Psychopathy checklist (PCL-R or PCL-SV);

(A) The administration of the PCL requires appropriate credentials and training; and

(B) The Interpersonal measure of psychopathy (IM-P) may be used with the PCL-R.

(15) **Acute or critical factors:** The following assessment factors are considered critical or acute and indicate the participant is at a higher risk for lethality or recidivism and must be required to attend level three or four treatment unless the program's supervisor docu-

ments extraordinary reasons for an exception in the participant's record.

(16) Other assessment factors may indicate a participant is at a high risk even if they do not meet any of these factors. The critical or acute factors include but are not limited to:

(a) Previous incidents of physical assaults causing injury, sexual assaults, strangulation, or previous reported incidents toward more than one partner;

(b) Previous use or threats with weapons against an intimate partner or family member;

(c) Stalking behaviors;

(d) Physical, sexual, or assaultive violence against children, pets, or an elderly person;

(e) Attempts or threats of homicide or suicide in the last twelve months;

(f) Repeated violations of probation, no contact orders, protective orders, or similar orders; or

(g) A medium or high level of psychopathy.

(17) If the program cannot obtain one or more of the items required in the assessment, then the program must document within the assessment their reasonable efforts to obtain the information.

(18) During an assessment process, the program staff or supervisor who conducted the interview must document a completed DSHS domestic violence 'risks, needs and responsivity form,' which can be downloaded from <https://www.dshs.wa.gov/ca/domestic-violence/certification-process>.

(19) **Summary:** The assessment must contain a written summary which at a minimum includes findings from the behavioral assessment and interview with the participant, collateral information, and input from third party sources, and includes:

(a) A summary of the participant's social and legal history;

(b) An assessment of the degree of abusive cognitive and behavioral patterns;

(c) An assessment of the behaviors that need to be targeted in domestic violence intervention treatment;

(d) An assessment of the participant's level of accountability and their motivations and readiness to change;

(e) A summary and assessment of the results of all evidence-based, empirical, and objective standardized tests given through the assessment process; and

(f) The program's recommendation and rationale for no domestic violence intervention treatment or a condition for treatment that indicates level one, two, three, or four treatment that corresponds to the participant's risks and needs as determined through the interview and assessment process;

(i) The recommended level of treatment must not be diminished by factors such as the absence of legal charges, the type of legal charge the participant may have received, plea deals, or any other influences from outside entities; and

(ii) The program must recommend a level of domestic violence intervention treatment when intimate partner violence has occurred, unless the program has documented a reasonable and valid rationale for a recommendation of an alternative service or no treatment at all in the assessment; and

(g) All required and recommended referrals to other types of treatment such as substance use, parenting, or mental health treatment

in order for the participant to be successful in domestic violence intervention treatment.

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