

WAC 388-61A-1000 What definitions apply to this chapter? The following definitions apply to this chapter:

(1) **"Advocacy"** means that the client is involved with an advocate in individual or group sessions with a primary focus of safety planning, empowerment, and education of the client through reinforcement of the client's autonomy and self-determination. Advocacy also means speaking and acting for change or justice with, or on behalf of, another person or cause. Advocacy is survivor-centered and uses nonvictim blaming methods that include:

(a) Identifying barriers and strategies to enhance safety, including safety planning;

(b) Clarifying and increasing awareness of the power and control associated with domestic violence and the options one may have to obtain resources while staying safe; and

(c) Supporting independent decision making based on the unique needs and circumstances of each individual.

(2) **"Advocate"** means a trained staff person who works in a domestic violence program and provides advocacy to clients.

(3) **"Child care"** means the temporary care of a client's child or children by domestic violence program staff at the program's location or another location where the client is receiving confidential or individual services from the domestic violence program or is participating in activities sponsored by the domestic violence program, other than employment, and so long as the client remains on the premises.

(4) **"Children/youth activities"** means age appropriate activities other than children/youth advocacy, such as recreational and educational activities.

(5) **"Children/youth advocacy"** means age appropriate supportive services that strive to assist children/youth to express feelings about their exposure to domestic violence. It is an educational, rather than a therapeutic service and is focused on providing education about domestic violence, safety planning, and developing or enhancing problem solving skills. Advocacy can be provided on an individual basis and in group settings.

(6) **"Client"** means a victim of domestic violence who is accessing services at a domestic violence program. A client may also be referred to as a survivor, service recipient, or resident.

(7) **"Community advocate"** means a person employed or supervised by a domestic violence program who is trained to provide ongoing assistance and advocacy for victims of domestic violence in assessing and planning for safety needs, making appropriate social service, legal, and housing referrals, providing community education, maintaining contacts necessary for prevention efforts, and developing protocols for local systems coordination.

(8) **"Community-based domestic violence program"** or **"CBDVP"** means a nonprofit program or organization that provides, as its primary purpose, assistance and advocacy for domestic violence victims. Domestic violence assistance and advocacy includes crisis intervention, individual and group support, information and referrals, and safety assessment and planning. Domestic violence assistance and advocacy may also include, but is not limited to: Provision of shelter, emergency transportation, self-help services, culturally specific services, legal advocacy, economic advocacy, and accompaniment and advocacy through medical, legal, immigration, human services, and financial assistance systems. CBDVPs also provide community education and prevention efforts. Domestic violence programs that are under the auspices of, or the direct supervision of, a court, law enforcement or prosecu-

tion agency, or the child protective services section of the department as defined in RCW 26.44.020, are not considered CBDVPs.

(9) "**Community education**" refers to information that is provided in community settings about domestic violence and services related to victims of domestic violence. Community education activities include: training, presentations, outreach to specific communities or geographic areas, community events, and media events.

(10) "**Confidential communication**" means all information, oral, written, or nonverbal, that is transmitted between a victim of domestic violence and an employee or volunteer of a domestic violence program in the course of their relationship and in confidence, which means that the employee or volunteer will not disclose the information to a third person unless authorized in writing by the victim.

(11) "**Confidential information**" includes, but is not limited to, any information, advice, notes, reports, statistical data, memoranda, working papers, records, or the like, made or given during the relationship between a victim of domestic violence and a domestic violence program, however maintained. Confidential information includes personally identifying information as defined in this chapter, and any other information that would personally identify a victim of domestic violence who seeks or has received services from a domestic violence program.

(12) "**Crisis hotline or helpline**" means a designated telephone line of the domestic violence program that operates twenty-four hours a day, three hundred sixty-five days a year. A hotline/helpline provides crisis intervention, safety planning, information, and referral services.

(13) "**Crisis intervention**" means services provided to an individual in crisis to stabilize the individual's emotions, clarify issues, and provide support and assistance to help explore options for resolution of the individual's immediate crisis and needs.

(14) "**Culturally specific supportive services and prevention efforts**" means services and prevention efforts created by and for specific cultural populations that have been historically underserved or unserved. Services and prevention efforts are typically designed by and with individuals from the specific culture who are cognizant of the specific community generated risks and protective characteristics and often utilize the language and settings familiar to the population served.

(15) "**Department**" means the department of social and health services (DSHS).

(16) "**Domestic violence**" means the infliction or threat of physical harm against an intimate partner, and includes physical, sexual, and psychological abuse against the partner, and is a part of a pattern of assaultive, coercive, and controlling behaviors directed at achieving compliance from or control over that intimate partner. It may include, but is not limited to, a categorization of offenses as defined in RCW 10.99.020, committed by one intimate partner against another.

(17) "**Domestic violence program**" means an agency, organization, or program with a primary purpose and history of effective work in providing advocacy, safety assessment and planning, and self-help services for domestic violence victims in a supportive environment, and includes, but is not limited to, a CBDVP, emergency shelter, or domestic violence transitional housing program.

(18) "**Emergency shelter**" means a place of supportive services and safe, temporary lodging offered on a twenty-four hour, seven days per

week basis to victims of domestic violence and their children. Domestic violence programs may use hotels and motels for victims who need safe shelter, but the domestic violence program must also have an emergency shelter that meets the requirements of this chapter. The mere act of making a referral to emergency shelter is not itself considered provision of emergency shelter.

(19) **"Intimate partner"** means a person who is or was married, in a state registered domestic partnership, or in an intimate or dating relationship with another person at the present or at some time in the past. An intimate partner is also any person who has one or more children in common with another person, regardless of whether they have been married, in a domestic partnership with each other, or lived together at any time.

(20) **"Job shadowing"** means a work experience where an individual observes and learns about a job, activity, or activities by walking through the work day as a shadow to a skilled and competent employee. The experience is planned for and structured with the goal of observing behavior and situations, engaging in interactive questions and answers, and experiencing the link between learning and practice. Job shadowing may be anywhere from a few hours, to a day, week, or more, depending on the job or activity.

(21) **"Legal advocacy"** means personal support and assistance with victims of domestic violence to ensure their interests are represented and their rights upheld within the civil and criminal legal systems and administrative hearings. It includes:

- (a) Educating and assisting victims in navigating legal systems;
- (b) Assisting victims in evaluating advantages and disadvantages of participating in legal processes;
- (c) Facilitating victims' access and participation in legal systems; and
- (d) Promoting victims' choices and rights to individuals within legal systems.

(22) **"Legal advocate"** means a person employed by a domestic violence program or court system to advocate for victims of domestic violence, within the civil and criminal legal systems and administrative hearings, by attending court proceedings, assisting in document and case preparation, and ensuring linkage with the community advocate.

(23) **"Live training"** means events that are held at a specific time and not prerecorded, where participants have the opportunity to ask questions and hear the questions of others in real time. Examples of live training include events that are in person, teleconferences, and interactive.

(24) **"Lodging unit"** means one or more rooms used for a victim of domestic violence including rooms used for sleeping or sitting.

(25) **"Personally identifying information"** is individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including, but not limited to:

- (a) First and last name;
- (b) Home or other physical address;
- (c) Contact information (including postal, email or internet protocol address or telephone or facsimile number);
- (d) Social Security number;
- (e) Driver's license number, passport number, or student identification number;
- (f) Religious affiliation;

(g) Date of birth;
(h) Nine digit postal (ZIP) code;
(i) Physical appearance of;
(j) Case file or history; and
(k) Other information that would personally identify a victim of domestic violence who seeks or has received services from a domestic violence program, or such other information which, taken individually or together with other identifying information, could identify a particular individual.

(26) "**Prevention**" means efforts that are designed to ultimately eradicate domestic violence through the promotion of healthy, respectful, and nonviolent relationships. Successful domestic violence prevention efforts address change at both the individual and community levels, and tailor messages to diverse populations. Characteristics of promising prevention practices include working to decrease risk factors for perpetration of abuse as well as victimization while at the same time promoting positive factors that protect individuals from perpetrating or experiencing abuse. Domestic violence prevention includes strategies, policies, and programs that focus on at least one of the following:

(a) Increasing community dialogue about the root causes of intimate partner violence;
(b) Shifting cultural norms;
(c) Building skills for healthy relationships;
(d) Promoting respectful and healthy relationships.

(27) "**Resident**" means a client of the domestic violence program who is residing in an emergency shelter as defined in this chapter.

(28) "**Restroom facility**" means a bathroom with at least a common-use indoor flush-type toilet, one nearby sink for hand washing, and a bathtub or shower facility.

(29) "**Safety planning**" is a process of thinking through with the victim how to increase safety for both the victim of domestic violence and any children of the victim. Safety planning addresses both immediate and long-term risks, barriers, or concerns regarding the victim and any children in the context of their communities and in relationship with the domestic violence perpetrator. It is based on knowledge about the specific pattern of the domestic violence perpetrator's tactics and the protective factors of the victim and any children. Safety planning may be done formally, informally, in writing or orally, or in any other conversational process between the victim and advocate.

(30) "**Secretary**" means the department secretary or the secretary's designee.

(31) "**Self-study**" is a form of study in which one is, to a large extent, responsible for one's own instruction. Examples of self-study include reading articles, books, academic journals, training materials, engaging in online learning opportunities, and prerecorded webinars. Self-study content must be current or have historical relevance to the domestic violence advocacy field.

(32) "**Shelter**" means temporary lodging and supportive services offered by a CBDVP to victims of domestic violence and their children.

(33) "**Staff**" means trained persons who are part of a domestic violence program and are paid or volunteer to provide services to clients.

(34) "**Support group**" means an interactive group session of two or more victims of domestic violence that is facilitated by trained staff on a regular basis. Participants share experiences, offer mutual support, and receive information and education around a specific topic of

common interest. Support groups validate the experiences of victims, explore options, build on strengths, and respect participants' rights to make their own decisions. A shelter or house meeting where, for example, chores are discussed, and there is no advocacy provided, is not a support group.

(35) **"Supportive services"** means assistance and advocacy for victims of domestic violence and their children that are designed to meet the needs of victims and children and provided in accordance with the service model defined in this chapter. Supportive services include, but are not limited to, activities described in the definition of CBDVP.

(36) **"Underserved or unserved populations"** means populations who face barriers in accessing and using victim services, including populations underserved or unserved because of religion, sexual orientation, gender identity or expression, underserved or unserved racial and ethnic populations, and populations underserved or unserved because of special needs including language barriers, disabilities, immigration status, and age.

(37) **"Victim"** means an intimate partner who has been subjected to domestic violence.

(38) **"We," "us," or "our"** refers to the department and its employees.

(39) **"You," "I," or "your"** refers to the domestic violence program.

[Statutory Authority: Chapter 70.123 RCW. WSR 18-09-015, § 388-61A-1000, filed 4/10/18, effective 5/11/18.]