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[Menu](#)

State Statutes Search

Washington

Immunity for Reporters of Child Abuse and Neglect

To better understand this issue and to view it across States, download the PDF (</pubpdfs/immunity.pdf>) (481 KB) of this publication.

Current Through March 2015

Citation: Rev. Code § 26.44.060(1)-(2), (5)

Any person participating in good faith in making a report pursuant to the reporting laws or testifying as to alleged child abuse or neglect in a judicial proceeding shall be immune from any liability arising out of such reporting or testifying.

A person convicted of knowingly making a false report shall not be immune from liability under this subsection.

An administrator of a hospital or similar institution or any licensed physician taking a child into custody pursuant to § 26.44.056 shall not be subject to criminal or civil liability for such taking into custody.

A person who, in good faith and without gross negligence, cooperates in an investigation arising as a result of a report made pursuant to this chapter shall not be subject to civil liability arising out of his or her cooperation. This subsection does not apply to a person who caused or allowed the child abuse or neglect to occur.

[\(Back to Top\)](#)

Mandatory Reporters of Child Abuse and Neglect

To better understand this issue and to view it across States, download the PDF (</pubpdfs/manda.pdf>) (763 KB) of this publication.

Current Through August 2015

Professionals Required to Report

Citation: Rev. Code § 26.44.030

The following persons are required to report:

- Practitioners, county coroners, or medical examiners
- Law enforcement officers
- Professional school personnel
- Registered or licensed nurses, social service counselors, psychologists, or pharmacists

- Employees of the Department of Early Learning
- Licensed or certified child care providers or their employees
- Employees of the Department of Social and Health Services
- Juvenile probation officers
- Placement and liaison specialists, responsible living skills program staff, or HOPE center staff
- State family and children's ombudsman or any volunteer in the ombudsman's office
- Persons who supervise employees or volunteers who train, educate, coach, or counsel children or have regular unsupervised access to children
- Department of Corrections personnel
- Any adult with whom a child resides
- Guardians ad litem and court-appointed special advocates

The reporting requirement also applies to administrative and academic or athletic department employees, including student employees, of public and private institutions of higher education.

Reporting by Other Persons

Citation: Rev. Code § 26.44.030

Any person who has reasonable cause to believe that a child has suffered abuse or neglect may report.

Institutional Responsibility to Report

Not addressed in statutes reviewed.

Standards for Making a Report

Citation: Rev. Code § 26.44.030

A report is required when:

- A reporter has reasonable cause to believe that a child has suffered abuse or neglect.
- Any person, in his or her official supervisory capacity with a nonprofit or for-profit organization, has reasonable cause to believe that a child has suffered abuse or neglect caused by a person over whom he or she regularly exercises supervisory authority.
- Department of Corrections personnel observe offenders or the children with whom the offenders are in contact, and as a result of these observations have reasonable cause to believe that a child has suffered abuse or neglect.
- Any adult has reasonable cause to believe that a child who resides with them has suffered severe abuse.

Privileged Communications

Citation: Rev. Code §§ 26.44.030; 26.44.060

No one shall be required to report when he or she obtains the information solely as a result of a privileged communication.

Information considered privileged by statute and not directly related to reports required by this section must not be divulged without a valid written waiver of the privilege.

Conduct conforming with reporting requirements shall not be deemed a violation of the confidential communication privilege of §§ 5.60.060 (3) and (4) [pertaining to clergy-penitent and physician-patient privilege], 18.53.200 [pertaining to optometrist-patient privilege], and 18.83.110 [pertaining to psychologist-client privilege].

Inclusion of Reporter's Name in Report

Citation: Rev. Code § 26.44.030

The department shall make reasonable efforts to learn the name, address, and telephone number of the reporter.

Disclosure of Reporter Identity

Citation: Rev. Code § 26.44.030

The department shall provide assurances of appropriate confidentiality of the identification of persons reporting under this section.

(Back to Top)

Penalties for Failure to Report and False Reporting of Child Abuse and Neglect

To better understand this issue and to view it across States, download the PDF (</pubpdfs/report.pdf>) (416 KB) of this publication.

Current Through August 2015

Failure to Report

Citation: Rev. Code §§ 26.44.080; 9A.20.021

Every person who is required to make a report pursuant to the reporting laws and who knowingly fails to make such a report shall be guilty of a gross misdemeanor.

Every person convicted of a gross misdemeanor shall be punished by imprisonment in the county jail for up to 364 days or a fine of no more than \$5,000, or both.

This section applies to only those crimes committed on or after July 1, 1984. The fines in this section apply to adult offenders only.

False Reporting

Citation: Rev. Code §§ 26.44.060(4); 9A.20.021

A person who intentionally and in bad faith knowingly makes a false report of alleged abuse or neglect shall be guilty of a misdemeanor.

Every person convicted of a misdemeanor shall be punished by imprisonment in the county jail for no more than 90 days or a fine of no more than \$1,000, or both.

This section applies to only those crimes committed on or after July 1, 1984. The fines in this section apply to adult offenders only.

(Back to Top)

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↑ Back to top

CHILD WELFARE TOPICS (/TOPICS/)

Family-Centered Practice (</topics/famcentered/>)

Child Abuse & Neglect (</topics/can/>)

Preventing Child Abuse & Neglect (</topics/preventing/>)

Responding to Child Abuse & Neglect (</topics/responding/>)

Supporting & Preserving Families (</topics/supporting/>)

Out-of-Home Care (</topics/outofhome/>)

Achieving & Maintaining Permanency (</topics/permanency/>)

[Adoption \(/topics/adoption/\)](/topics/adoption/)
[Management & Supervision \(/topics/management/\)](/topics/management/)
[Systemwide \(/topics/systemwide/\)](/topics/systemwide/)

NATIONAL INITIATIVES

[National Adoption Month \(/topics/adoption/nam/\)](/topics/adoption/nam/)
[National Child Abuse Prevention Month \(/topics/preventing/preventionmonth/\)](/topics/preventing/preventionmonth/)
[National Foster Care Month \(/fostercaremonth/\)](/fostercaremonth/)

PUBLICATIONS (/CATALOG/)

[Publications Series \(/catalog/serieslist/\)](/catalog/serieslist/)
[Browse by Title \(/catalog/index/\)](/catalog/index/)
[Browse by Topic \(/catalog/topiclist/\)](/catalog/topiclist/)
[Índice de Títulos en Español \(/catalog/spanishindex/\)](/catalog/spanishindex/)

LIBRARY (/LIBRARY/)

[Search the Library \(https://library.childwelfare.gov/cwig/ws/library/docs/gateway/SimpleSearchForm\)](https://library.childwelfare.gov/cwig/ws/library/docs/gateway/SimpleSearchForm)

STATE RESOURCES (/STATE-RESOURCES/)

[State Statutes \(/topics/systemwide/laws-policies/state/\)](/topics/systemwide/laws-policies/state/)
[National Foster Care & Adoption Directory \(/nfcad/\)](/nfcad/)
[National Foster Care & Adoption Directory App \(/nfcad/app/\)](/nfcad/app/)
[State Guides & Manuals \(/topics/systemwide/sgm/\)](/topics/systemwide/sgm/)
[State Related Organizations Lists \(/organizations/\)](/organizations/)
[Adoption Assistance by State \(/topics/adoption/adopt-assistance/\)](/topics/adoption/adopt-assistance/)

MORE TOOLS & RESOURCES (/MORE-TOOLS-RESOURCES/)

[Logic Model Builders \(/topics/management/effectiveness/logic-model/\)](/topics/management/effectiveness/logic-model/)
[Related Organizations \(/organizations/\)](/organizations/)
[Learning Center \(/learningcenter/\)](/learningcenter/)
[Children's Bureau Resources \(/more-tools-resources/resources-from-childrens-bureau/\)](/more-tools-resources/resources-from-childrens-bureau/)
[Family Engagement Inventory \(/fei/\)](/fei/)

NEW ON INFORMATION GATEWAY (/NEWS-EVENTS/NEW-ON-INFORMATION-GATEWAY/)

NEWS AND EVENTS (/NEWS-EVENTS/)

[New From the Children's Bureau \(/news-events/new-from-the-childrens-bureau/\)](/news-events/new-from-the-childrens-bureau/)
[Free Subscriptions \(/subscribe/\)](/subscribe/)
[Event Calendar \(/calendar/\)](/calendar/)

ABOUT US (/ABOUTUS/)

[How to Report Child Abuse or Neglect \(/topics/responding/reporting/how/\)](/topics/responding/reporting/how/)
[Find Help With a Personal Situation \(/aboutus/find-help/\)](/aboutus/find-help/)
[Frequently Asked Questions \(/aboutus/faq/\)](/aboutus/faq/)
[Glossary \(/glossary/glossary/\)](/glossary/glossary/)
[Link to Child Welfare Information Gateway \(/linking/\)](/linking/)
[Disclaimer and Policies \(/disclaimer/\)](/disclaimer/)
[Search A to Z \(/atozindex/\)](/atozindex/)

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