RCW 7.69.030 Rights of victims, survivors, and witnesses. (1) There shall be a reasonable effort made to ensure that victims, survivors of victims, and witnesses of crimes have the following rights, which apply to any adult or juvenile criminal proceeding and any civil commitment proceeding under chapter 10.77 or 71.09 RCW:

(a) With respect to victims of violent or sex crimes, to receive, at the time of reporting the crime to law enforcement officials, a written statement of the rights of crime victims as provided in this chapter. The written statement shall include the name, address, and telephone number of a county or local crime victim/witness program, if such a crime victim/witness program exists in the county;

(b) To be informed by local law enforcement agencies or the prosecuting attorney of the final disposition of the case in which the victim, survivor, or witness is involved;

(c) With respect to victims of violent offenses, domestic violence, or sex offenses, to be informed by local law enforcement agencies or the prosecuting attorney that charges have been filed and when the defendant has been found not competent to stand trial and referred for restoration services;

(d) To be notified by the party who issued the subpoena that a court proceeding to which they have been subpoenaed will not occur as scheduled, in order to save the person an unnecessary trip to court;

(e) To receive protection from harm and threats of harm arising out of cooperation with law enforcement and prosecution efforts, and to be provided with information as to the level of protection available;

(f) To be informed of the procedure to be followed to apply for and receive any witness fees to which they are entitled;

(g) To be provided, whenever practical, a secure waiting area during court proceedings that does not require them to be in close proximity to defendants and families or friends of defendants;

(h) To have any stolen or other personal property expeditiously returned by law enforcement agencies or the superior court when no longer needed as evidence. When feasible, all such property, except weapons, currency, contraband, property subject to evidentiary analysis, and property of which ownership is disputed, shall be photographed and returned to the owner within ten days of being taken;

(i) To be provided with appropriate employer intercession services to ensure that employers of victims, survivors of victims, and witnesses of crime will cooperate with the criminal justice process or the civil commitment process under chapter 10.77 or 71.09 RCW in order to minimize an employee's loss of pay and other benefits resulting from court appearance;

(j) To have access to immediate medical assistance and not to be detained for an unreasonable length of time by a law enforcement agency before having such assistance administered. However, an employee of the law enforcement agency may, if necessary, accompany the person to a medical facility to question the person about the criminal incident if the questioning does not hinder the administration of medical assistance. Victims of domestic violence, sexual assault, stalking, or hate crime, as defined in RCW 49.76.020, shall be notified of their right to reasonable leave from employment under chapter 49.76 RCW;

(k) With respect to victims of violent and sex crimes, to have a crime victim advocate from a crime victim/witness program, or any other support person of the victim's choosing, present at any prosecutorial or defense interviews with the victim, and at any

judicial proceedings related to criminal acts committed against the victim. This subsection applies if practical and if the presence of the crime victim advocate or support person does not cause any unnecessary delay in the investigation or prosecution of the case. The role of the crime victim advocate is to provide emotional support to the crime victim;

(l) With respect to victims of violent offenses, domestic violence, or sex offenses, such victims may attend court proceedings or required interviews in person or remotely, including by video or other electronic means, as available in the local jurisdiction, to ensure access to justice to participate in criminal justice proceedings;

(m) With respect to victims and survivors of victims, to be physically present in court during trial, or if subpoenaed to testify, to be scheduled as early as practical in the proceedings in order to be physically present during trial after testifying and not to be excluded solely because they have testified;

(n) With respect to victims and survivors of victims in any felony case, any case involving domestic violence, or any final determination under chapter 10.77 or 71.09 RCW, to be informed by the prosecuting attorney of the date, time, and place of the trial and of the sentencing hearing or disposition hearing upon request by a victim or survivor;

(o) To submit a victim impact statement or report to the court, with the assistance of the prosecuting attorney if requested, which shall be included in all presentence reports and permanently included in the files and records accompanying the offender committed to the custody of a state agency or institution;

(p) With respect to victims and survivors of victims in any felony case or any case involving domestic violence, to present a statement, personally or by representation, at the sentencing hearing; and

(q) With respect to victims and survivors of victims, to entry of an order of restitution by the court in all felony cases, even when the offender is sentenced to confinement, unless extraordinary circumstances exist which make restitution inappropriate in the court's judgment.

(2) If a victim, survivor of a victim, or witness of a crime is denied a right under this section, the person may seek an order directing compliance by the relevant party or parties by filing a petition in the superior court in the county in which the crime occurred and providing notice of the petition to the relevant party or parties. Compliance with the right is the sole available remedy. The court shall expedite consideration of a petition filed under this subsection. [2025 c 375 s 7; 2024 c 297 s 10; 2023 c 197 s 11; 2022 c 229 s 1; 2009 c 138 s 5; 2008 c 286 s 16; 2004 c 120 s 8; 1999 c 323 s 2; 1997 c 343 s 1; 1993 c 350 s 6; 1985 c 443 s 3; 1981 c 145 s 3.]

Effective date—2025 c 375: See note following RCW 49.76.030.

Effective date—2024 c 297: See note following RCW 7.68.127.

Effective date—2008 c 286: See RCW 49.76.900.

Effective date—2004 c 120: See note following RCW 13.40.010.

Intent—1999 c 323: See note following RCW 9.94A.885.

Findings—1993 c 350: See note following RCW 7.69.020.

Severability—Effective date—1985 c 443: See notes following RCW 7.69.010.

Child victims and witnesses, additional rights: Chapter 7.69A RCW.