



DOMESTIC VIOLENCE DEFINITIONS

For Purposes of Employee Public Records Exemption Request

"Domestic violence" includes but is not limited to the following criminal acts when committed either by one family or household member against another family or household member, or one intimate partner against another intimate partner: Assault 1,2,3, or 4, Drive-by shooting, Reckless endangerment, Coercion, Burglary 1 or 2, Criminal trespass 1 or 2, Malicious mischief 1, 2, or 3, Kidnapping 1 or 2, Unlawful imprisonment, Violation of the provisions of a restraining order, no-contact order, or protection order restraining or enjoining the person or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, a protected party's person, or a protected party's vehicle, Rape 1 or 2, Residential burglary, Stalking, and Interference with the reporting of domestic violence. RCW 10.99.020(4).

"Domestic violence" means: Physical harm, bodily injury, assault, or the infliction of fear of physical harm, bodily injury, or assault; nonconsensual sexual conduct or nonconsensual sexual penetration; coercive control; unlawful harassment; or stalking of one intimate partner by another intimate partner; or . . . of one family or household member by another family or household member. RCW 7.105.010(9).

"Intimate partner" means: (a) Spouses or domestic partners; (b) former spouses or former domestic partners; (c) persons who have a child in common regardless of whether they have been married or have lived together at any time, unless the child is conceived through sexual assault; or (d) persons who have or have had a dating relationship where both persons are at least 13 years of age or older. RCW 7.105.010(20).

"Family or household members" means: (a) Persons related by blood, marriage, domestic partnership, or adoption; (b) persons who currently or formerly resided together; (c) persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren, or a parent's intimate partner and children; and (d) a person who is acting or has acted as a legal guardian. RCW 7.105.010(13).

"Sexual assault" means one or more of the following: Rape or rape of a child; Assault with intent to commit rape or rape of a child; Incest or indecent liberties; Child molestation; Sexual misconduct with a minor; Custodial sexual misconduct; Crimes with a sexual motivation; Sexual exploitation or commercial sex abuse of a minor; Promoting prostitution; or an attempt to commit any of the aforementioned offenses. RCW 70.125.030(7).

"Sexual abuse" means any form of nonconsensual sexual conduct including, but not limited to, unwanted or inappropriate touching, rape, molestation, indecent liberties, sexual coercion, sexually explicit photographing or recording, voyeurism, indecent exposure, and sexual harassment. RCW 7.105.010(2)(e).

"Stalking" A person commits the crime of stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime he or she intentionally and repeatedly harasses or repeatedly follows another person; and the person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or



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property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and the stalker either intends to frighten, intimidate, or harass the person; or knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person. RCW 9A.46.110(1).

"Stalking" means any of the following: (a) Any act of stalking as defined under RCW 9A.46.110; (b) Any act of cyber harassment as defined under RCW 9A.90.120; or (c) Any course of conduct involving repeated or continuing contacts, attempts to contact, monitoring, tracking, surveillance, keeping under observation, disrupting activities in a harassing manner, or following of another person that: (i) Would cause a reasonable person to feel intimidated, frightened, under duress, significantly disrupted, or threatened and that actually causes such a feeling; (ii) Serves no lawful purpose; and (iii) The respondent knows, or reasonably should know, threatens, frightens, or intimidates the person, even if the respondent did not intend to intimidate, frighten, or threaten the person. RCW 7.105.010(34).

"Harassment" A person is guilty of harassment if: (a) Without lawful authority, the person knowingly threatens: (i) To cause bodily injury immediately or in the future to the person threatened or to any other person; or (ii) To cause physical damage to the property of a person other than the actor; or (iii) To subject the person threatened or any other person to physical confinement or restraint; or (iv) Maliciously to do any other act which is intended to substantially harm the person threatened or another with respect to his or her physical or mental health or safety; and (b) The person by words or conduct places the person threatened in reasonable fear that the threat will be carried out. "Words or conduct" includes, in addition to any other form of communication or conduct, the sending of an electronic communication. RCW 9A.46.020(1).

"Unlawful harassment" means: (a) A knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, harasses, or is detrimental to such person, and that serves no legitimate or lawful purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial emotional distress to the petitioner; or (b) A single act of violence or threat of violence directed at a specific person that seriously alarms, annoys, harasses, or is detrimental to such person, and that serves no legitimate or lawful purpose, which would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial emotional distress to the petitioner. A single threat of violence must include: (i) A malicious and intentional threat as described in RCW 9A.36.080(1)(c); or (ii) the presence of a firearm or other weapon. RCW 7.105.010(36).