



# **BENTON COUNTY**

## **Domestic Violence, Sexual Assault, Stalking, Dating Violence, and Hate Crime Policy**

**February 2026**

The purpose of this policy is to establish and maintain a workplace committed to a safe and supportive climate; and to prevent and reduce the incidence and effects of domestic violence, sexual assault, stalking, dating violence, and hate crime (hereinafter “violence”).

### **I. Application**

Domestic violence, sexual assault, stalking and hate crimes are workplace issues even if incidents occur elsewhere. Benton County (hereinafter “the County”) recognizes that incidents of violence cross economic, educational, cultural, age, gender, racial, and religious lines and occur in a wide variety of context.

The County will take appropriate measures to prevent and address the effects of such violence in the context of:

- Manager/employee relationships;
- Intimate partner relationships; including marital, cohabiting, or dating;
- Non-intimate partner relationships, such as between coworkers;
- Parent/child relationships; and
- Violent acts of others that could potentially occur within the workplace.

The purposes and goals of this policy are to:

- Create a supportive and healthful work environment that helps employees to avoid the use of violence in any context; and
- Institutionalize responsive policies and procedures to assist employees who are impacted by violence, including the awareness of this policy and their responsibilities herein of employees and management; and
- Provide counseling or other remedial services to employees who are perpetrators of violence when applicable, and take disciplinary action to hold them accountable for violent behavior when it impacts the workplace, and
- Provide assistance and support to survivors of violence, such as information and referrals to community resources, to facilitate safety and support for survivors and their colleagues.

The policy applies to all Benton County employees, interns, volunteers, contractors, and consultants, including any temporary workers.

### **II. Definitions**

*Survivor or Victim:* An individual who is currently subject to, or has in the past been subject to, violence as applied in this policy.

*Perpetrator:* An individual who commits or threatens to commit an act of violence.

*Domestic Violence:* 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 family member, household member, or intimate partner, by another, as described in RCW 49.76.020.

*Sexual Assault:* Includes rape, assault with intent to commit rape, incest or indecent liberties, child molestation, crimes with sexual motivation, custodial sexual misconduct, sexual exploitation, promoting prostitution, or attempt to commit any of these offenses, as described in RCW 49.76.020.

*Stalking:* Includes intentionally and repeatedly harassing or following another person; intentionally contacting, following, tracking or monitoring, or attempting to do so after being given notice the person does not want to be contacted, followed, tracked, or monitored; knowingly and without consent installing or monitoring an electronic tracking device or causing such device to be installed, placed, or used to track the location of another person, as described in RCW 49.76.020.

*Hate Crime:* Includes maliciously and intentionally committing assault, damage or destruction of property, or threats resulting in a reasonable fear of harm to person or property, based in whole or in part because of the perpetrator's perception of another person's race, color, religion, ancestry, national origin, gender, sexual orientation, gender expression or identity, or mental, physical, or sensory disability, as described in RCW 9A.36.080. It includes, but is not limited to, offenses that are committed through online or internet-based communication.

*Family Member:* Any individual whose relationship to the employee can be classified as a child, spouse, parent, parent-in-law, grandparent, or a person with whom the employee has a dating relationship.

*Dating Violence:* Violent acts committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

*Protection or Restraining Order:* Sometimes called stay way orders, allow a survivor to petition the court for protection from a perpetrator, as well as establish custody and visitation guidelines and provide for other forms of support, such as economic support. Protection orders may also be issued in criminal cases as a condition of probation or condition of release particularly in a domestic violence, sexual assault, dating violence, stalking related crime, or hate crime.

*Workplace-Related Incidents:* Acts, attempted acts, or threatened acts by or against employees, the families of employees, and/or their property that imperil the safety or well-being of any person associated with an employee of the County, regardless of whether the act occurred in or outside the physical workplace.

*Workplace Incidents:* Acts, attempted acts, or threatened acts of violence that occur in the Benton County workplace. An employee is in the workplace while in, or utilizing the resources of the employer, including but not limited to facilities, work sites, equipment, or vehicles, or while on work-related travel.

*Non-Workplace Incidents:* Acts, attempted acts, or threatened acts of violence that occur anywhere outside of the County workplace as defined above.

*Workplace Safety Plan:* A strategy developed in collaboration with a survivor and victim service provider to implement workplace safety options, including but not limited to: handling of court protection orders; procedures for alerting security and law enforcement personnel of threats or incidents; temporary or permanent adjustments to work schedules, locations, contact information, change in parking spots, and requests for escorts to and from workplace facilities.

### **III. Confidentiality**

The County recognizes and respects an employee's right to privacy and the need for confidentiality and autonomy. The confidentiality of an employee's disclosure regarding violence will be maintained to the extent allowed by law, and unless to do so would result in physical harm to any person and/or jeopardize safety within the workplace. When information must be disclosed to protect the safety of individuals within the workplace, the County shall limit the breadth and content of such disclosure to information reasonably necessary to protect the safety of the disclosing employee and others, and to comply with the law.

### **IV. Survivors**

*Non-Discrimination and Non-Retaliation:* The County will not discriminate or retaliate against an employee because of the employee's status as a survivor of violence, if the County has knowledge of the status, either through direct knowledge or through the survivor providing notice to the County of the status.

The County will not retaliate against a survivor for requesting leave or reasonable accommodation, regardless of whether the request was granted.

*Leave and Other Reasonable Accommodation and Assistance:* The County recognizes that survivors of violence may need time off to obtain or attempt to obtain a protection or restraining order or other legal assistance to help ensure their health, safety, or welfare and/or that of family members. The County will work in collaboration with the employee to provide reasonable and flexible leave options when an employee or their family member is a survivor of violence. Paid leave will be applied in accordance with any applicable collective bargaining agreement, state law, and/or County leave policy.

When possible, an employee must provide reasonable notice of the need for leave, to the Elected Official or Department Head (EO/DH) in accordance with office/department policy. Depending on the duration and type of leave requested, the County may request documentation or other certification verifying that the employee or their family member is a survivor of violence. Confidentiality of all information provided under this policy will be maintained to the extent allowed by law.

The County will provide reasonable accommodation for a survivor who requests such accommodation for their safety and/or to maintain their work performance while at work. The County will engage in an interactive conversation with the survivor to determine their needs and create a plan consisting of necessary reasonable accommodations. Accommodations will be determined and documented in collaboration with the employee, their EO/DH, and HR. The plan will be shared on a need-to-know basis with only those employees and officials who are directly involved in the execution of the plan/accommodations.

*Protection and Restraining Orders:* The County recognizes that a survivor of violence may seek an order of protection, or may receive a protection or restraining order, as part of their efforts to become safe and as part of their workplace safety plan. If an employee chooses to disclose the existence of the protection or restraining order to the County, the County will file the order in a confidential and separate file from the employee's personnel file.

*Exemption from Public Records:* The County recognizes that survivors of violence may wish to exclude certain personal information from disclosure in response to Public Records Requests. Any employee wishing to request exemption or learn what information may be exempt from disclosure from the Public Records Act should contact the HR Director.

## **V. Employee Obligations**

Employees who have information about or witness an act of violence perpetrated by an employee, or who have information about or witness violence against an employee, are obligated to report the concern to the HR Director or the Risk Management Director, in writing when possible.

All supervisory employees are assigned responsibility for implementing this policy, ensuring compliance with and knowledge of its terms, taking immediate and appropriate corrective action if they witness inappropriate behavior, and notifying the HR Director or the Risk Management Director if they receive a complaint. A supervisor's failure to carry out these responsibilities may result in discipline.

The County will not retaliate against any employee for reporting information about alleged incidents of violence. Prohibited acts of retaliation are defined in the County's Policy Against Discrimination and Harassment and Reporting Procedures. Any employee who believes they have been subjected to adverse action as a result of making a report pursuant to this policy should contact the HR Director, in accordance with the County's Policy Against Discrimination and Harassment and Reporting Procedures.

## **VI. Perpetrators**

The County will conduct an inquiry into the merits of any allegation reported. This inquiry may include an investigation by a qualified investigator who is either a Benton County employee or the County may retain an outside investigator.

The alleged perpetrator may be placed on administrative leave for the course of the investigation. All County employees shall have a duty to cooperate with the investigation, including being truthful and forthcoming with any relevant information. Failure to do so could result in disciplinary action.

If the investigator concludes that an employee has engaged in a workplace-related or non-workplace incident as defined in Section II of this policy, then the employee will be subject to disciplinary action, up to and including termination. The employee may also be required to participate in counseling or other remedial measures.

An employee who is subject to a protection or restraining order, or named defendant in a criminal action as a result of a threat or act of violence must notify the HR Director or Risk Management Director immediately regarding the existence of such criminal or civil action. Failure to disclose the existence of such criminal or civil actions could result in disciplinary action, up to and including termination.

**VII. Reporting a Violation of This Policy**

A person who wishes to report a violation of this policy should contact the HR Director or Risk Management Director. A violation of this policy includes any allegations made in bad faith or contrary to the spirit of maintaining the safety of the workplace. Any allegations of violations of this policy will be investigated in accordance with the process set forth for the investigation of complaints. The County will not retaliate against any employee for reporting a violation of this policy.

**VIII. Resources**

If an employee requires assistance in identifying community resources for support, they can contact the HR Department or the County's Employee Assistance Program (EAP)

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Approved and accepted by the undersigned Benton County Elected Officials:

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