

Domestic Violence/Sexual Assault Advocate Confidentiality Laws

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State	Advocate privilege?	Language of the Statute
Alabama	Yes <u>Domestic Violence</u> ALA. CODE §30-6-8 (1981). <u>Sexual assault</u> ALA. CODE §15-23-41(1) (1987).	“Information received by the office, the circuit, any district attorney or his or her employees, or by authorized persons employed by or volunteering services to a facility, through files, reports, inspection, or otherwise, shall be deemed confidential information, except as otherwise herein provided, and shall not be disclosed publicly in such a manner as to identify individuals or facilities. Oral communications between a domestic violence victim and an advocate and written reports and records concerning the victim may not be disclosed without the written consent of the victim. This privilege does not relieve a person from any duty imposed pursuant to Section 26-14-1 or Section 38-9-2.” ALA. CODE §30-6-8 (1981). “Any information exchanged between a victim and a victim counselor in private or in the presence of a third party who is necessary to facilitate communication or further the counseling process and which is disclosed in the course of the counselor’s treatment of the victim for any emotional or psychological condition resulting from a sexual assault or family violence.” ALA. CODE §15-23-41(1) (1987).
Alaska	Yes <u>Domestic Violence</u> ALASKA STAT. §18.66.200(a) (1992).	“Except as provided in AS 18.66.210 or 18.66.220, a victim or victim counselor may not be compelled, without appropriate consent, to give testimony or to produce records concerning confidential communications for any purpose in a criminal, civil, legislative, or administrative proceeding.” ALASKA STAT. §18.66.200(a) (1992).
Arizona	Yes <u>Domestic Violence</u> ARIZ. REV. STAT. ANN. §12-2239(A) (2003). <u>Crime Victim Advocate</u> ARIZ. REV. STAT. ANN. §13-4430(A) (2012).	“In a civil action, a domestic violence victim advocate shall not be examined as to any communication made by the domestic violence victim to the domestic violence victim advocate.” ARIZ. REV. STAT. ANN. §12-2239(A) (2003). “A crime victim advocate shall not disclose as a witness or otherwise any communication made by or with the victim, including any communication made to or in the presence of others, unless the victim consents in writing to the disclosure.” ARIZ. REV. STAT. ANN. §13-4430(A) (2012).
Arkansas	No <u>Domestic Peace</u> ARK. CODE ANN. §9-4-	“Require all advocates and volunteers who provide direct services to victims to sign a written confidentiality agreement that prohibits the release of the following: (i) The names or other personal and identifying information about the victims who are served at the shelter; and (ii) The names or other personal and identifying information about the family or household members of the

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	106(5) (2003).	victims who are served at the shelter. (B) The confidentiality agreement shall not apply to advocates who testify in court. (C) The confidentiality agreement shall not prevent disclosure from federal grant review, audit, or reporting.” ARK. CODE ANN. §9-4-106(5) (2003).
California	No <u>Support Person</u> CAL. PENAL CODE §679.04 (West 2007).	“A victim of sexual assault as the result of any offense specified in paragraph (1) of subdivision (b) of Section 264.2 has the right to have victim advocates and a support person of the victim's choosing present at any interview by law enforcement authorities, district attorneys, or defense attorneys. However, the support person may be excluded from an interview by law enforcement or the district attorney if the law enforcement authority or the district attorney determines that the presence of that individual would be detrimental to the purpose of the interview.” CAL. PENAL CODE §679.04 (West 2007).
Colorado	Yes <u>Domestic Violence</u> COLO. REV. STAT. §13-90-107(k)(l) (2013). <u>Sexual Assault</u> COLO. REV. STAT. §13-90-107(k)(l) (2013).	“A victim's advocate shall not be examined as to any communication made to such victim's advocate by a victim of domestic violence, as defined in section 18-6-800.3(1), C.R.S., or a victim of sexual assault, as described in sections 18-3-401 to 18-3-405.5, 18-6-301, and 18-6-302, C.R.S., in person or through the media of written records or reports without the consent of the victim.” COLO. REV. STAT. §13-90-107(k)(l) (2003).
Connecticut	Yes <u>Domestic Violence</u> CONN. GEN. STAT. §52-146k(a)(3) (2012). <u>Sexual Assault</u> CONN. GEN. STAT. §52-146k(a)(3) (2012).	“‘Confidential communication’ means information transmitted between a victim of domestic violence or a victim of a sexual assault and a domestic violence counselor or a sexual assault counselor in the course of that relationship and in confidence by a means which, so far as the victim is aware, does not disclose the information to a third person other than any person who is present to further the interests of the victim in the consultation or any person to whom disclosure is reasonably necessary for the transmission of the information or for the accomplishment of the purposes for which such counselor is consulted, and includes all information received by, and any advice, report or working paper given or made by, such counselor in the course of the relationship with the victim.” CONN. GEN. STAT. §52-146k(a)(3) (2012).
Delaware	No	There is no statutory privilege between domestic violence/sexual assault victims and advocates.

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District of Columbia	Yes <u>Domestic Violence</u> D.C. CODE §14-310(a)(1) (2009).	“‘Confidential communication’ means information exchanged between a victim and a domestic violence counselor during the course of the counselor providing counseling, support, and assistance to a victim, including all records kept by the counselor and the domestic violence program concerning the victim and services provided to the victim.” D.C. CODE §14-310(a)(1) (2009).
Florida	Yes <u>Domestic Violence</u> FLA. STAT. ANN. §90-5036(1)(d) (West 1998). <u>Sexual Assault</u> FLA. STAT. ANN. §90-5035(1)(e) (West 2002).	“A communication between a domestic violence advocate and a victim is ‘confidential’ if it relates to the incident of domestic violence for which the victim is seeking assistance and if it is not intended to be disclosed to third persons other than: 1. Those persons present to further the interest of the victim in the consultation, assessment, or interview. 2. Those persons to whom disclosure is reasonably necessary to accomplish the purpose for which the domestic violence advocate is consulted. FLA. STAT. ANN. §90-5036(1)(d) (West 1998). “A communication between a sexual assault counselor or trained volunteer and a victim is ‘confidential’ if it is not intended to be disclosed to third persons other than: 1. Those persons present to further the interest of the victim in the consultation, examination, or interview. 2. Those persons necessary for the transmission of the communication. 3. Those persons to whom disclosure is reasonably necessary to accomplish the purposes for which the sexual assault counselor or the trained volunteer is consulted.” FLA. STAT. ANN. §90-5035(1)(e) (West 2002).
Georgia	No	There is no statutory privilege between domestic violence/sexual assault victims and advocates.
Hawaii	Yes <u>Domestic Violence</u> HAW. REV. STAT. §626-1, R. 505.5(a)(1) (2010). <u>Sexual Assault</u> HAW. REV. STAT. §626-1, R. 505.5(a)(1) (2010).	“A communication is ‘confidential’ if not intended to be disclosed to third persons other than those to whom disclosure would be in furtherance of the provision of counseling or treatment services to the victim or those reasonably necessary for the transmission of the communication.” HAW. REV. STAT. §626-1, R. 505.5(a)(1) (2010).

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Idaho	No	There is no statutory privilege between domestic violence/sexual assault victims and advocates.
Illinois	Yes <u>Sexual Assault</u> 735 ILL. COMP. STAT. ANN. 5/8-802.1(b)(4) (2013).	<p>“Confidential communication’ means any communication between a victim and a rape crisis counselor in the course of providing information, counseling, and advocacy. The term includes all records kept by the counselor or by the organization in the course of providing services to an alleged victim concerning the alleged victim and the services provided.”</p> <p>735 ILL. COMP. STAT. ANN. 5/8-802.1(b)(4) (2013).</p>
Indiana	Yes <u>Domestic Violence</u> IND. CODE ANN. §35-37-6-9 (West 2008).	<p>“The following persons or entities may not be compelled to give testimony, to produce records, or to disclose any information concerning confidential communications and confidential information to anyone or in any judicial, legislative, or administrative proceeding:</p> <p>(1) A victim.</p> <p>(2) A victim advocate or victim service provider unless the victim specifically consents to the disclosure in a written authorization that contains the date the consent expires.</p> <p>(b) A victim advocate, victim service provider, or victim may not be compelled to provide testimony in any judicial, legislative, or administrative proceeding that would identify the name, address, location, or telephone number of any facility that provided temporary emergency shelter to the victim of the offense or transaction that is the subject of the proceeding unless the facility is a party to the proceeding.</p> <p>(c) A victim service provider or victim advocate may not require a victim to consent to the disclosure of information concerning confidential communications and confidential information as a condition of the victim receiving services.</p> <p>(d) This section does not prohibit a victim from providing testimony concerning an offense.”</p> <p>IND. CODE ANN. §35-37-6-9 (West 2008).</p>
Iowa	No <u>Victim Counselor</u> IOWA CODE ANN. §915.20A (West 2008).	<p>“Confidential communication’ means information shared between a crime victim and a victim counselor within the counseling relationship, and includes all information received by the counselor and any advice, report, or working paper given to or prepared by the counselor in the course of the counseling relationship with the victim. ‘Confidential information’ is confidential information which, so far as the victim is aware, is not disclosed to a third party with the exception of a person present in the consultation for the purpose of furthering the interest of the victim, a person to whom disclosure is reasonably necessary for the transmission of the information, or a person with whom disclosure is necessary for accomplishment of the purpose for which the counselor is consulted by the victim.”</p> <p>IOWA CODE ANN. §915.20A (West 2008).</p>
Kansas	No	There is no statutory privilege between domestic violence/sexual assault victims and advocates.

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Kentucky	No <u>Victim Counselor</u> KY. R. 506(b) (2013).	“A client has a privilege to refuse to disclose and to prevent any other person from disclosing confidential communications made for the purpose of counseling the client, between himself, his counselor, and persons present at the direction of the counselor, including members of the client's family.” KY. R. 506(b) (2013).
Louisiana	No <u>Shelter Employee</u> LA. REV. STAT. ANN. §2124.1(A)(2) (1997).	“‘Privileged communication’ means a communication made to a representative or employee of a community shelter by a victim. It also means a communication not otherwise privileged made by a representative or employee of a community shelter to a victim in the course of rendering services authorized by R.S. 46:2124.” LA. REV. STAT. ANN. §2124.1(A)(2) (1997).
Maine	Yes <u>Sexual Assault</u> ME. REV. STAT. ANN. tit. 16, §53-A(2) (2007).	A sexual assault counselor or a rape crisis center may not be required to disclose to the court any records, notes, memoranda or documents containing confidential communications. When a court in the exercise of sound discretion determines the disclosure necessary to the proper administration of justice, information communicated to, or otherwise learned by, that sexual assault counselor in connection with the provision of sexual assault counseling services is not privileged and disclosure may be required.” ME. REV. STAT. ANN. tit. 16, §53-A(2) (2007).
Maryland	No	There is no statutory privilege between domestic violence/sexual assault victims and advocates.
Massachusetts	Yes <u>Domestic Violence</u> MASS. GEN. LAWS ANN. ch. 233, §20K (1986). <u>Sexual Assault</u> MASS. GEN. LAWS ANN. ch. 233, §20J (1998).	“‘Confidential communication’, information transmitted in confidence by and between a victim and a domestic violence victims' counselor by a means which does not disclose the information to a person other than a person present for the benefit of the victim, or to those to whom disclosure of such information is reasonably necessary to the counseling and assisting of such victim. The term includes all information received by the domestic violence victims' counselor which arises out of and in the course of such counseling and assisting, including, but not limited to, reports, records, working papers, or memoranda.” MASS. GEN. LAWS ANN. ch. 233, §20K (1986). “‘Confidential communication’, information transmitted in confidence by and between a victim of sexual assault and a sexual assault counselor by a means which does not disclose the information to a person other than a person present for the benefit of the victim, or to those to whom disclosure of such information is reasonably necessary to the counseling and assisting of such victim. The term includes all information received by the sexual assault counselor which arises out of and in the course of such counseling and assisting, including, but not limited to reports, records, working papers or memoranda.” MASS. GEN. LAWS ANN. ch. 233, §20J (1998).

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Michigan	Yes <u>Domestic Violence</u> MICH. COMP. LAWS ANN. §600.2157a(1)(a) (West 1985). <u>Sexual Assault</u> MICH. COMP. LAWS ANN. §600.2157a(1)(a) (West 1985).	“Confidential communication’ means information transmitted between a victim and a sexual assault or domestic violence counselor, or between a victim or sexual assault or domestic violence counselor and any other person to whom disclosure is reasonably necessary to further the interests of the victim, in connection with the rendering of advice, counseling, or other assistance by the sexual assault or domestic violence counselor to the victim.” MICH. COMP. LAWS ANN. §600.2157a(1)(a) (West 1985).
Minnesota	Yes <u>Domestic Violence</u> MINN. STAT. ANN. §595.02(l) (West 2013). <u>Sexual Assault</u> MINN. STAT. ANN. §595.02(k) (West 2013).	“A domestic abuse advocate may not be compelled to disclose any opinion or information received from or about the victim without the consent of the victim unless ordered by the court. In determining whether to compel disclosure, the court shall weigh the public interest and need for disclosure against the effect on the victim, the relationship between the victim and domestic abuse advocate, and the services if disclosure occurs. Nothing in this paragraph exempts domestic abuse advocates from compliance with the provisions of sections 626.556 and 626.557.” MINN. STAT. ANN. §595.02(l) (West 2013). “Sexual assault counselors may not be allowed to disclose any opinion or information received from or about the victim without the consent of the victim. However, a counselor may be compelled to identify or disclose information in investigations or proceedings related to neglect or termination of parental rights if the court determines good cause exists. In determining whether to compel disclosure, the court shall weigh the public interest and need for disclosure against the effect on the victim, the treatment relationship, and the treatment services if disclosure occurs. Nothing in this clause exempts sexual assault counselors from compliance with the provisions of sections 626.556 and 626.557.” MINN. STAT. ANN. §595.02(k) (West 2013).
Mississippi	No	There is no statutory privilege between domestic violence/sexual assault victims and advocates.
Missouri	Yes <u>Sexual Assault</u> MO. REV. STAT.	“A rape crisis center shall: (1) Require persons employed by or volunteering services to the rape crisis center to maintain confidentiality of any information that would identify individuals served by the center and any information or records that are directly related to the advocacy services provided to such individuals.”

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	§455.003(1) (2007). <u>Counselor Privilege</u> MO. REV. STAT. §337.540 (1986).	MO. REV. STAT. §455.003(1) (2007). “Any communication made by any person to a licensed professional counselor in the course of professional services rendered by the licensed professional counselor shall be deemed a privileged communication and the licensed professional counselor shall not be examined or be made to testify to any privileged communication without the prior consent of the person who received his professional services, except in violation of the criminal law.” MO. REV. STAT. §337.540 (1986).
Montana	Yes <u>Advocate Privilege</u> MONT. CODE ANN. §§26-1-812(1), (2) (1997).	“Unless a report is otherwise required by law, an advocate may not, without consent of the victim, be examined as to any communication made to the advocate by a victim and may not divulge records kept during the course of providing shelter, counseling, or crisis intervention services.” MONT. CODE ANN. §26-1-812(1) (1997). “This privilege belongs to the victim and may not be waived, except by express consent. The privilege continues even if the victim is unreachable. Consent may not be implied because the victim is a party to a divorce or custody proceeding. The privilege terminates upon the death of the victim.” MONT. CODE ANN. §26-1-812(2) (1997).
Nebraska	Yes <u>Confidential Communication</u> NEB. REV. STAT. §29-4303(1) (2004).	“A victim, an advocate without the consent of the victim, a third party as described in subdivision (3) of section 29-4302 without the consent of the victim, or a minor or incapacitated victim without the consent of a custodial guardian or a guardian ad litem appointed upon application of either party, shall not be compelled to give testimony or to produce records concerning a confidential communication for any purpose in any criminal, civil, legislative, administrative, or other proceeding.” NEB. REV. STAT. §29-4303(1) (2004).
Nevada	Yes <u>Confidential Communication</u> NEV. REV. STAT. §49.2456(1) (2003).	“A communication shall be deemed to be confidential if the communication is between a victim and a victim's advocate and is not intended to be disclosed to third persons other than: (a) A person who is present to further the interest of the victim; (b) A person reasonably necessary for the transmission of the communication; or (c) A person who is participating in the advice, counseling or assistance of the victim, including, without limitation, a member of the victim's family.” NEV. REV. STAT. §49.2456(1) (2003).

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New Hampshire	Yes <u>Domestic Violence</u> N.H. REV. STAT. ANN. §173-C:1(I) (2014). <u>Sexual Assault</u> N.H. REV. STAT. ANN. §173-C:1(I) (2014).	“‘Confidential communication’ means information transmitted between a victim, as defined in paragraph VI, of an alleged sexual assault, alleged domestic abuse, alleged sexual harassment, or alleged stalking, and a sexual assault or domestic violence counselor in the course of that relationship and in confidence by means which, so far as the victim is aware, does not disclose the information to a third person. The presence of an interpreter for the hearing impaired, a foreign language interpreter, or any other interpreter necessary for that communication to take place shall not affect the confidentiality of the communication nor shall it be deemed a waiver of the privilege. The term includes all information received by the sexual assault or domestic violence counselor in the course of that relationship.” N.H. REV. STAT. ANN. §173-C:1(I) (2014).
New Jersey	Yes <u>Victim Counselor</u> N.J. STAT. ANN. §2A:84A-22.14(b) (2001).	“‘Confidential communication’ means any information exchanged between a victim and a victim counselor in private or in the presence of a third party who is necessary to facilitate communication or further the counseling process and which is disclosed in the course of the counselor’s treatment of the victim for any emotional or psychological condition resulting from an act of violence. It includes any advice, report or working paper given or made in the course of the consultation and all information received by the victim counselor in the course of that relationship.” N.J. STAT. ANN. §2A:84A-22.14(b) (2001).
New Mexico	Yes <u>Victim Counselor</u> N.M. STAT. §31-25-3(A) (1987).	“A victim, a victim counselor without the consent of the victim or a minor or incapacitated victim without the consent of a custodial guardian or a guardian ad litem appointed upon application of either party shall not be compelled to provide testimony or to produce records concerning confidential communications for any purpose in any criminal action or other judicial, legislative or administrative proceeding.” N.M. STAT. §31-25-3(A) (1987).
New York	Yes <u>Sexual Assault</u> N.Y. C.P.L.R. 4510(b) (McKinney 2010).	“Confidential information privileged. A rape crisis counselor shall not be required to disclose a communication made by his or her client to him or her, or advice given thereon, in the course of his or her services nor shall any clerk, stenographer or other person working for the same program as the rape crisis counselor or for the rape crisis counselor be allowed to disclose any such communication or advice given thereon nor shall any records made in the course of the services given to the client or recording of any communications made by or to a client be required to be disclosed, nor shall the client be compelled to disclose such communication or records.” N.Y. C.P.L.R. 4510(b) (McKinney 2010).
North Carolina	Yes <u>Domestic Violence</u>	“Privileged Communications. -- No agent of a center shall be required to disclose any information which the agent acquired during the provision of services to a victim and which information was necessary to enable the agent to render the services; provided, however, that this subsection shall not apply where the victim waives the

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	N.C. GEN. STAT. ANN. §8-53.12(b) (West 2001). <u>Sexual Assault</u> N.C. GEN. STAT. ANN. §8-53.12(b) (West 2001).	privilege conferred.” N.C. GEN. STAT. ANN. §8-53.12(b) (West 2001).
North Dakota	Yes <u>Domestic Violence</u> N.D. CENT. CODE §14-07.1-18(1) (1993). <u>Sexual Assault</u> N.D. CENT. CODE §14-07.1-18(1) (1993).	“All agents, employees, and volunteers participating in a domestic violence or sexual assault program shall maintain the confidentiality of the: a. Address, telephone number, and other identifying information of a shelter, safe home, and place of emergency safe housing; b. Name, address, telephone number, personally identifying information, and case file or history of any client receiving services from a domestic violence or sexual assault program; and c. Name, address, telephone number, and other identifying information of an agent, employee, or volunteer providing services under a domestic violence or sexual assault program.” N.D. CENT. CODE §14-07.1-18(1) (1993).
Ohio	No	There is no statutory privilege between domestic violence/sexual assault victims and advocates.
Oklahoma	No <u>Domestic Violence Shelters</u> OKLA. STAT. ANN. tit. 74, §18p-3(B)(1) (West 2007).	“Except as otherwise provided by paragraph 3 of this subsection, the case records, case files, case notes, client records, or similar records of a domestic violence or sexual assault program certified by the Attorney General or of any employee or trained volunteer of a program regarding an individual who is residing or has resided in such program or who has otherwise utilized or is utilizing the services of any domestic violence or sexual assault program or counselor shall be confidential and shall not be disclosed.” OKLA. STAT. ANN. tit. 74, §18p-3(B)(1) (West 2007).
Oregon	No	There is no statutory privilege between domestic violence/sexual assault victims and advocates.
Pennsylvania	Yes <u>Sexual Assault</u> 23 PA. CONS. STAT. ANN. §6116 (West 1994).	“Unless a victim waives the privilege in a signed writing prior to testimony or disclosure, a domestic violence counselor/advocate or a coparticipant who is present during domestic violence counseling/advocacy shall not be competent nor permitted to testify or to otherwise disclose confidential communications made to or by the counselor/advocate by or to a victim. The privilege shall terminate upon the death of the victim. Neither the domestic violence counselor/advocate nor the victim shall waive the privilege of confidential communications by

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		reporting facts of physical or sexual assault under Chapter 63 (relating to child protective services), a Federal or State mandatory reporting statute or a local mandatory reporting ordinance.” 23 PA. CONS. STAT. ANN. §6116 (West 1994).
Rhode Island	No <u>Sexual Assault</u> Advisory Opinion to R.I. House of Representatives, 469 A.2d 1161, 1167 (R.I. 1983).	“‘Confidential communication’ shall mean any communication between a sexual assault victim and a sexual assault counselor obtained in his or her professional capacity in the course of rendering assistance or counseling to the sexual assault victim.” 469 A.2d 1161, 1167 (R.I. 1983).
South Carolina	No	There is no statutory privilege between domestic violence/sexual assault victims and advocates.
South Dakota	No	There is no statutory privilege between domestic violence/sexual assault victims and advocates.
Tennessee	No <u>Confidentiality</u> TENN. CODE ANN. §63-22-114 (West 1998).	“The confidential relations and communications between licensed marital and family therapists, licensed professional counselors or certified clinical pastoral therapists and clients are placed upon the same basis as those provided by law between attorney and client, and nothing in this part shall be construed to require any such privileged communication to be disclosed. However, nothing contained within this section shall be construed to prevent disclosures of confidential communications in proceedings arising under title 37, chapter 1, part 4 concerning mandatory child abuse reports.” TENN. CODE ANN. §63-22-114 (West 1998).
Texas	Yes <u>Confidential Communication</u> TEX. GOV’T CODE ANN. §420.071 (West 2007).	“(a) A communication between an advocate and a survivor, or a person claiming to be a survivor, that is made in the course of providing sexual assault advocacy services to the survivor is confidential and may not be disclosed except as provided by this subchapter. (b) A record of the identity, personal history, or background information of a survivor or information concerning the victimization of a survivor that is created by or provided to an advocate or maintained by a sexual assault program is confidential and may not be disclosed except as provided by this subchapter. (c) A person who receives information from a confidential communication or record as described by this subchapter may not disclose the information except to the extent that disclosure is consistent with the authorized purposes for which the information was obtained.

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		(d) This subchapter governs a confidential communication or record concerning a survivor regardless of when the survivor received the services of an advocate or sexual assault program.” TEX. GOV'T CODE ANN. §420.071 (West 2007).
Utah	Yes <u>Confidential Communication</u> UTAH CODE ANN. §77-38-204 (West 2008).	“The confidential communication between a victim and a sexual assault counselor is available to a third person only when: (1) the victim is a minor and the counselor believes it is in the best interest of the victim to disclose the confidential communication to the victim's parents; (2) the victim is a minor and the minor's parents or guardian have consented to disclosure of the confidential communication to a third party based upon representations made by the counselor that it is in the best interest of the minor victim to make such disclosure; (3) the victim is not a minor, has given consent, and the counselor believes the disclosure is necessary to accomplish the desired result of counseling; or (4) the counselor has an obligation under Title 62A, Chapter 4a, Child and Family Services, to report information transmitted in the confidential communication.” UTAH CODE ANN. §77-38-204 (West 2008).
Vermont	Yes <u>Victim Worker Privilege</u> VT. STAT. ANN. tit. 12, §1614(a)(2) (West 1993).	“A communication is 'confidential' if not intended to be disclosed to third persons other than those to whom disclosure is made in furtherance of the rendition of services to the victim or those reasonably necessary for the transmission of the communication.” VT. STAT. ANN. tit. 12, §1614(a)(2) (West 1993).

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Virginia	Yes <u>Domestic Violence</u> VA. CODE ANN. §§63.2-104.1(A), (B) (West 2012). <u>Sexual Assault</u> VA. CODE ANN. §§63.2-104.1(A), (B) (West 2012).	“In order to ensure the safety of adult, youth, and child victims of domestic violence, dating violence, sexual assault, or stalking, and their families, programs and individuals providing services to victims of sexual or domestic violence shall protect the confidentiality and privacy of persons receiving services. B. Except as provided in subsections C and D, programs and individuals providing services to victims of sexual or domestic violence shall not: 1. Disclose any personally identifying information or individual information collected in connection with services requested, utilized, or denied through sexual or domestic violence programs; or 2. Reveal individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of an incapacitated person as defined in § 64.2-2000, the guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.” VA. CODE ANN. §§63.2-104.1(A), (B) (West 2012).
Washington	Yes <u>Domestic Violence</u> WASH. REV. CODE ANN. §5.60.060(8) (West 2012). <u>Sexual Assault</u> WASH. REV. CODE ANN. §5.60.060(7) (West 2012).	“A domestic violence advocate may not, without the consent of the victim, be examined as to any communication between the victim and the domestic violence advocate.” WASH. REV. CODE ANN. §5.60.060(8) (West 2012). “A sexual assault advocate may not, without the consent of the victim, be examined as to any communication made between the victim and the sexual assault advocate.” WASH. REV. CODE ANN. §5.60.060(7) (West 2012).
West Virginia	No <u>Domestic Violence</u> W. VA. CODE ANN. §48-26-701(g) (West 2013). <u>Sexual Assault</u> W. VA. CODE ANN. §48-26-701(g) (West 2013).	“A victim of domestic violence ...shall not be required to provide consent to release his or her personally identifying information as a condition of eligibility for the services, nor may any personally-identifying information be shared in order to comply with federal or state reporting, evaluation, or data collection requirements...” W. VA. CODE ANN. §48-26-701(g) (West 2013). “A victim of...sexual assault...shall not be required to provide consent to release his or her personally identifying information as a condition of eligibility for the services, nor may any personally-identifying information be shared in order to comply with federal or state reporting, evaluation, or data collection requirements...” W. VA. CODE ANN. §48-26-701(g) (West 2013).

Prepared by the American Bar Association Commission on Domestic & Sexual Violence. <http://www.ambar.org/cdsv>
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Domestic Violence/Sexual Assault Advocate Confidentiality Laws

4/2014

State	Advocate privilege?	Language of the Statute
Wisconsin	Yes <u>Domestic Violence</u> WIS. STAT. ANN. §905.045(1)(c) (West 2013). <u>Sexual Assault</u> WIS. STAT. ANN. §905.045(1)(c) (West 2013).	“A communication or information is ‘confidential’ if not intended to be disclosed to 3rd persons other than persons present to further the interest of the person receiving counseling, assistance, or support services, persons reasonably necessary for the transmission of the communication or information, and persons who are participating in providing counseling, assistance, or support services under the direction of an advocate, including family members of the person receiving counseling, assistance, or support services and members of any group of individuals with whom the person receives counseling, assistance, or support services.” WIS. STAT. ANN. §905.045(1)(c) (West 2013).
Wyoming	Yes <u>Sexual Assault</u> WYO. STAT. ANN. §1-12-116(a)(ii) (West 1985).	“‘Confidential communication’ means information transmitted in confidence between a victim and an advocate in the course of that relationship and includes all information received by, and any report, working paper or document prepared by the advocate in the course of that relationship.” WYO. STAT. ANN. §1-12-116(a)(ii) (West 1985).

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