



Safe at Home: Wisconsin's Address Confidentiality Program



Wisconsin Department of Justice

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Safe at Home Staff

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Office of Crime Victim Services (OCVS)

Disclaimer

Victim Services Specialist \neq Lawyers

Our role is to implement the program through the provision of victim services and technical assistance, not legal advice.

Safe at Home



Address Confidentiality Program

Address Confidentiality Programs (ACPs)

- ❑ **Washington State had first in 1991**
- ❑ **37 address confidentiality programs**
- ❑ **Neighboring states: Illinois, Iowa, Michigan, & Minnesota**
- ❑ **National Association of Confidential Address Programs (NACAP)**

**Programs are not
uniform**

Safe at Home

- ☐ Began operation in April 2017
- ☐ Governed by WSS 165.68
- ☐ Legal substitute address
- ☐ Free mail forwarding
- ☐ Legal agent for service of process



Safe at Home Statistics

- **960 active households as of 3/14/24**
- **~2,036 active participants**
- **2.1 people is average household size**

Eligibility

- 1. Lives in Wisconsin**
- 2. Meets one:**
 - Victim or threat of abuse**
 - Parent or guardian of**
 - Resides with someone**
 - Fears for their physical safety**
- 3. Address is not known to feared person**
- 4. Will not disclose actual address to feared person**

Flexibility of Statute

- ❑ **Statute does not require criminal charges, a restraining order, a report to law enforcement**
 - No requirement of proof
- ❑ **Victims of crime**
 - Domestic violence, sexual assault, child abuse, stalking, human trafficking
- ❑ **Public facing with concerns**
 - Judges, police, public officials, victim advocates, or witnesses
- ❑ **Citizenship status not required**
 - No Social Security Number needed

Optimal Benefits When...

- ☐ **Participant just moved or about to move**
- ☐ **Entire household enrolls**
- ☐ **Utilization of address for all places**
- ☐ **Uses safety plan strategies created with AA**

Limitations of Safe at Home

Part of a safety plan

- ☐ Online information
- ☐ **Only protect participant's home, work, & school address, not their name or participation**
- ☐ Not “witness protection”
- ☐ It is a passive program

Not a magic wand; more of a wrench

Challenges of Safe at Home

- ☐ **Delayed mail**
- ☐ **Limited mail forwarded**
 - No packages or standard
- ☐ **Must often educate entities**
- ☐ **Data brokers**
- ☐ **Federal government is not obligated to accept SAH address**
- ☐ **Unhoused applicants and participants may lack an address**
- ☐ **Home ownership**
- ☐ **Should avoid USPS mail forwarding; participants must update others**

Participant's Responsibilities

- ❑ Updating address to SAH address
 - we don't do this
- ❑ Updating court with notice of participation
 - for each case
- ❑ Providing SAH notice forms
- ❑ Contact Safe at Home for questions
- ❑ Keeping SAH updated
 - Legal name & address changes

Benefits of Safe at Home

- ☐ Increased sense of security
- ☐ Reduce address exposure online
- ☐ State program – backing & validation
- ☐ Address *must* be accepted (better than a PO Box)
- ☐ Service of process is not in-person
- ☐ Help with safety plan
- ☐ No junk mail
- ☐ FREE

Disenrollment, Re-enrollment, & Renewal

- ☐ **Voluntary vs. Involuntary**
- ☐ **Lack of written notice of address or legal name changes**
- ☐ **Address becomes known to feared person**
- ☐ **Aging out of a household**
- ☐ **End of enrollment period**
- ☐ **Re-enrollment & renewal are possible**

Using Address



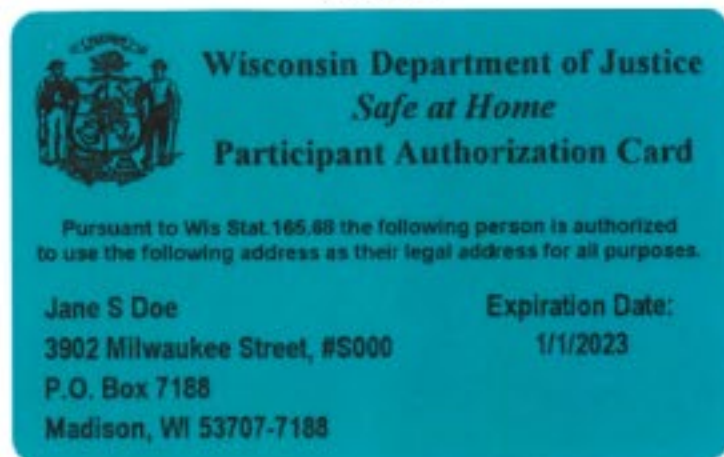
Enrollment Materials

Sent within 1-2 business days

Enrollment letter,
participant guide,
authorization card(s)
notification forms,
safety information,
voter affidavit, & opt-
out information.

Address format is the
same for everyone,
except ID: (#Sxxx or
#Wxxx).

FRONT




BACK




Who Must Accept Address?

- ❑ **Private entities:** healthcare providers, credit union, car dealership, insurance providers, grocery store, utilities**, retailers (online, too), private process servers
- ❑ **State or local government agencies:** law enforcement, DMV, public benefits administrators, CPS, court, health department, civil process
- ❑ **Individuals:** all of us as individuals must accept the address

Notice Forms



SAFE AT HOME
WISCONSIN ADDRESS CONFIDENTIALITY PROGRAM



Notice to Private Entities of Participation in Safe at Home

_____ is a participant in Safe at Home, Wisconsin's address confidentiality program. Safe at Home is administered by the Office of Crime Victim Services within the Wisconsin Department of Justice. Participants in Safe at Home have extremely high security needs and are assigned an alternate address that they can legally use for all purposes. This allows them to keep their actual address confidential and secure their safety.

The above named Safe at Home participant is legally authorized to use the following assigned address:

1001 Milwaukee Street, #8 _____
PO Box 7168
Madison, WI 53707

- As a business operating in the State of Wisconsin, you are required by law to accept this address as the location of legal address and use it on any correspondence, including any potential legal correspondence. For further verification of this customer's participation in Safe at Home, you may request to see their participant authorization card, which also contains their name, household authorization number, and assigned address. The 95____ (three-digit number) is a unique household identifier and must be included whenever sending correspondence to the Safe at Home participant customer.
- No person who has received a notification form from a program participant may refuse to use the assigned address for the program participant, may require the program participant to disclose his or her actual address, or may intentionally disclose to another person the actual address of a program participant. [See Wis. Stat. §105.09(5)(c)]
- The Department of Justice is the designated agent for service of process on behalf of this participant. [See Wis. Stat. § 105.08(3)(d)] Legal paperwork that does not require personal service may be sent via U.S. Postal Service mail to the participant's assigned address with the outside of the envelope clearly marked as "Service of Process." Legal paperwork that requires personal service should not be served to this participant at their assigned address or the participant's actual home, work, or school address. Personal service may be accepted by the Department of Justice at the Office of the Attorney General in the Wisconsin State Capitol Building located at 114 East State Capitol, Madison, WI, during business hours.
- Any person who intentionally releases information in violation of this section is guilty of a misdemeanor. [See Wis. Stat. § 105.09(7)]
- Questions about Safe at Home may be directed to (608) 286-6615 or safesathome@doj.state.wi.us. 100-0001 Rev. 12/01

- Finance
- Private entities
- State/Local government
- Landlord/property manager
- Court

Service of Process

- SAH can accept service of process on behalf of participants
- Service options:
 - In-person at DOJ's Madison Office:
17 W. Main St, Madison WI 53703
 - Mail:
PO BOX 7035, Madison WI, 53707
 - E-mail:
sahsop@doj.state.wi.us
- This helps prevent an actual address from being disclosed
- Participant receives call, option of email, then mail
- Participants can accept SOP— recommend not in home

Court Forms



Notice to Court

Participation

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

Plaintiff/Defendant

-VS-

Defendant/Respondent

Other

Notice to Court of Participation in Safe at Home

Case No. _____

This notice is to inform the court and all parties to the above-named action that _____ is a participant in Safe at Home, Wisconsin's address confidentiality program.

- Pursuant to §66.0504(2), Wis. Stats., the clerk shall redact all references to the last known address/actual address in the case number referenced above.
- Pursuant to §165.68(5)(a), Wis. Stats., a Safe at Home participant may use their Department of Justice assigned address for all purposes. Correspondence may be mailed to the above-named participant at the following assigned address:

Assigned Address
2902 Milwaukee St., #W _____
PO Box 7188
Madison, WI 53707

- The Wisconsin Department of Justice is the designated agent for service of process for this Safe at Home participant. Legal documents to be personally served to this Safe at Home participant may be served to the Department of Justice at the Office of the Attorney General in the Wisconsin State Capitol Building (114 East, State Capitol) during business hours. Additional information may be found at www.safefathome.wi.gov.
- No state or local agency or unit of government may refuse to use a program participant's assigned address for any official business, unless a specific statutory duty requires the agency or unit of government to use the participant's actual address. A state or local agency or unit of government may confirm with the department a person's status as a program participant. See Wis. Stat. §165.68(5)(b). To do so, contact Safe at Home directly at (608) 266-6613 or safefathome@doj.state.wi.us.
- No person who has received a notification form from a program participant may refuse to use the assigned address for the program participant, may require the program participant to disclose his or her actual address, or may intentionally disclose to another person the actual address of a program participant. See Wis. Stat. §165.68(5)(c).
- A person who intentionally releases actual address information of a Safe at Home participant is guilty of a misdemeanor. See Wis. Stat. §165.68(7).
- Safe at Home participant should note that this notice is not confidential and that they will need to complete a notice form for each case in which their actual address appears. The clerk will continue to use the Safe at Home assigned address until notified of a new address by the program participant.

Safe at Home Participant Signature: _____ Date: _____



Notice to Court Cancellation

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

Plaintiff/Petitioner

-VS-

Defendant/Respondent

Other

Notice to Court of Cancellation of Participation in Safe at Home

Case No. _____

This notice is to inform the court that _____ is no longer enrolled as a participant in Safe at Home, Wisconsin's address confidentiality program. Due to this change in enrollment status, the above-named individual is no longer authorized to use the following address:

Assigned Address
3902 Milwaukee St., #S_____
PO Box 7188
Madison, WI 53707

Update the above-named individual's address to the following:

New Address

All mail sent to the assigned address for the above-named individual will be returned to sender. The Department of Justice can no longer accept service of process on behalf of the above-named individual. Please update your records accordingly.

This notice is submitted to the court by:

- ☐ The above-named individual, or their representative, who is no longer enrolled in Safe at Home.

Signature: _____ Date: _____

- ☐ The director or an authorized designee of Safe at Home.

Signature: _____ Date: _____



Address Confidentiality & Disclosure



Lawful Disclosures of Address

- Verification of participation
- Court orders

Safe at Home shall request the court keep any record containing the actual address sealed and confidential.

- Law Enforcement requests for “official purposes”

Release of Address to Law Enforcement

- ❑ SAH may release an address to law enforcement for “official purposes”—statute does not require release
- ❑ We verify request is legitimate—likely we will contact dispatch
- ❑ Will want reason for address in writing
- ❑ No 24/7 line to call currently
- ❑ Please let us know if exigent circumstances exist

Criminal Statute

- ❑ WSS 165.68 (7) says “A person who intentionally releases information in violation of this section is guilty of a misdemeanor.”
- ❑ WSS 165.68 (5)(c) may be most relevant to review as it prohibits disclosure of a participant’s actual address to another person if notified of program participation.
- ❑ Statute references a “notification form”

Questions?



Contact Information

Safe at Home

Wisconsin Department of Justice

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Secure Fax (608) 261-8660

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Thank You!