



Office: Office of Community Partnerships	Number: OM-CP-2016-001
Program Area: General	Issue Date: Jan. 6, 2016
Title: Address Confidentiality Program	Deputy Executive Director: Julie Krow
Memo Type: Operation	
Pertinent State/Federal Statute and/or State/Federal Rule: §24-30-2101, C.R.S.	Expiry Date: 3 years after the effective date
Outcome: Ensure implementation and compliance with the Address Confidentiality Program	Effective Date: Immediately
Key Words: ACP, Address Confidentiality Program, Domestic Violence	

Intended Recipients: This communication has been sent to all county human service directors. Please forward pertinent information on to staff members as you deem necessary.

Purpose: This memo provides county departments of human/social services with information and procedures for complying with the Address Confidentiality Program (“ACP”) Act. The Act can be found in its entirety beginning at §24-30-2101, C.R.S.

Action: All county departments of human/social services and eligibility sites are required to accept the *ACP Authorization Card* as the applicant’s legal address. This address should replace all addresses that are currently being used in all existing and new files and systems.

Background: In May of 2007, HB07-1350 created the Colorado ACP. The ACP began accepting participants in July of 2008. There are currently about 2500 active participants statewide, and program participation grows each month. The ACP was initially placed in the Office of the Secretary of State, and in 2011, the program was transferred to the Colorado Department of Personnel & Administration.

During the 2008 legislative session, HB08-1274 proposed several changes to the ACP laws, and was referred to as the “ACP clean-up bill.” This bill, in part, gave the Department of Human Services (DHS) and the Department of Health Care Policy and Financing (HCPF) an additional year to begin compliance with the ACP laws.

In accordance with HB08-1274, DHS and HCPF are required to be in compliance with the ACP laws as of July 1, 2009. HB07-1350 and HB0-1274 are now incorporated into the Address Confidentiality Program Act.



Program Description: The Address Confidentiality Program (ACP) provides survivors of domestic violence, sexual offenses, or stalking with a legal substitute address to use in place of their actual address when they apply for or receive state or local government services. The goal of the ACP is to prevent an abuser or potential abuser from finding the survivor through government records.

ACP participants are authorized to use their substitute address in place of their home, school, and/or work address. The ACP also provides participants with a first-class mail forwarding service. When participants use the substitute address, mail is sent to the substitute address. The program receives participant mail and forwards the mail to the participant's actual confidential address. The ACP accepts registered mail, certified mail, legal mail, and personal service on behalf of participants.

Those interested in enrolling in the ACP must meet with an Application Assistant who has been trained and registered by the ACP. A listing of Application Assistants and enrolling agencies can be found on the ACP website at www.colorado.gov/acp. The Application Assistant determines whether an applicant meets eligibility criteria, and whether the program should be part of the survivor's safety plan. The Application Assistants complete the program referral by submitting the application (and evidence supporting the need for enrollment) to the ACP. The ACP processes applications within 2-3 business days and mails a welcome folder to the new participants. The folder contains program authorization cards, county residency letters, and instructions for interacting with various state and local government services.

Procedures: All ACP participants must present their *ACP Authorization Card* and *County Residency Letter* when applying for services. Every person enrolled in the ACP (including children) is provided with these two documents. ACP participants are provided with a process to add household members if needed. New household members are provided with *ACP Authorization Card* and *County Residency Letter*.

1. The *ACP Authorization Card* reflects the participant's legal substitute address. All county departments of human/social services and eligibility sites are required to accept the *ACP Authorization Card* as the applicant's legal address. This address should replace all addresses that are currently being used in all existing and new files and systems. The original card should be viewed and copied for documentation.
2. The *County Residency Letter* verifies the participant's county of residence. Each participant is provided with an original *County Residency Letter* based on the address provided on their enrollment application. Although the substitute address is located in Adams County, participants are directed to apply for benefits in the county where they actually reside. Some participants will reside in Adams County, but most will not. Participants must show their *County Residency Letter* as verification of county



residence, but this letter may not be copied or scanned. County residency should be verified from this letter and documented. When participants move to a new county, they are provided with new county residency letters. The participant is responsible for updating and initiating the transfer of benefits from one county to another.

3. County departments of human/social services and eligibility sites may contact the ACP to verify current program enrollment.
4. There are criminal penalties for knowingly and intentionally obtaining or disclosing an ACP participant's actual address information. *§24-30-2109(6), C.R.S. A participant's actual address is defined as, "a residential, work, or school address as specified on the individual's application to be a program participant...and includes the county, voting precinct number, and any unique identifying information related to the individual's residential, work, or school address." §24-30-212103, C.R.S. (as modified by HB15-1174).*
5. County departments of human/social services and eligibility sites are accountable and liable for protecting and maintaining the confidentiality of a participant's actual address. Therefore, the county departments of human/social services must develop and implement special procedures to ensure compliance with the ACP laws. Agencies cannot require the participant to disclose their actual address.
6. There are specific circumstances and/or services that may require the acquisition of the ACP participant's address. Actual address information can be obtained the following ways:
 - a. Non-emergency release:
 - i. The circumstances and procedures for acquiring an actual address on a non-emergency basis are outlined in §24-30-2110, C.R.S.
 - ii. A participant can also direct the ACP (in writing) to release their actual address. *§24-30-2110(13), C.R.S.*
 - b. Emergency release:
 - i. A criminal justice official can request actual address information via the process outlined in Rule 8.1 and 8.2 of the ACP Rules when the disclosure is required pursuant to a criminal justice trial, hearing, proceeding, or investigation, *§24-30-2110(12), C.R.S.* The Rules and information about the emergency release process can be found on the ACP website at www.colorado.gov/acp.



- ii. A court can order the ACP the release a participant's actual address. §24-30-2111, C.R.S.

7. Since participant mail is received and forwarded, mail is often delayed. The ACP laws accommodate the delay by providing participants with additional time to act under certain circumstances. Whenever the laws or rules of a program require or provide a participant the legal right to act within a prescribed period of ten days or less after the service of a notice by mail, the county department of human/social services and eligibility sites, must allow five additional days to the prescribed period for the ACP participant to act. §24-30-2104(3)(c), C.R.S.

8. All county departments of human/social services and eligibility sites should develop and implement procedures to ensure services for ACP participants are provided in a confidential and safe manner.

Please contact the ACP for information regarding:

- Application Assistant Training (for those who would be interested in enrolling clients in the ACP).
- Requesting that the ACP visit your staff meeting to provide a general overview of the program.
- ACP referrals. If a client is in need of services, you can contact the ACP or visit the website for a list of Application Assistants.

Supersedes: Not Applicable

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