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Your host today:



Gael Strack, JD
Chief Executive Officer
FJC Alliance

www.familyjusticecenter.org



The FJC Alliance Team



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Melissa Mack



Alexia Peters, JD



Your presenter today:



**Cathleen Patrick, Manager
Safe at Home Program
Secretary of State**



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Welcome

Presenter:



Cathleen Patrick, Manager
Safe at Home Program
Secretary of State

A Program of Secretary of State
Debra Bowen



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What is California's Safe at Home (SAH) Program?

- California's statewide confidential mail forwarding program for victims of domestic violence, stalking and sexual assault and individuals who are involved in reproductive health care services.
- Established in 1999 as a program of the Secretary of State's Office.
- Aids victims by preventing their information from being attained through state and local public records.
- A substitute mailing address (PO Box) as well as other benefits that provide additional security are offered to participants.



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Safe at Home Legislation:

SB 489/98

Enacted the Safe at Home program

AB 205/00

Added the confidential name change provisions

SB 1318/00

Added stalking victims as eligible applicants

AB 797/02

Added reproductive health care system employees and volunteers as eligible applicants

AB 184/03

Added DMV records suppression

AB 2169/06

Extended the Safe at Home program to 2013

SB 1062/06

Added sexual assault victims as eligible applicants

SB 1743/06

Removed confidential name change publishing requirement

AB 603/07

Extends voter registration confidentiality

AB 2304/08

Requires courts to not publish petitioner's info on court calendars, databases, etc.



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Facts about California Safe at Home:

- One of 35 states with confidential address programs.
- The most comprehensive confidential address program in the United States.
- Second largest enrollment (Washington State has largest)
- Used as a model for other states.
- Has provided an additional layer of protection to over 4,500 Californians.
- Only state that has the confidential name change provision.



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Benefits of enrollment in Safe at Home:

- Response to public records requests can be completed without disclosure of the victim's confidential location.
- The program benefits enable victims to reestablish themselves.
- Along with an overall safety plan, enrollment in the program provides "peace of mind" for participants.
- Participants have a mailing address is accepted by state and local agencies. Private entities and Federal agencies do not have to accept the SAH P.O. Box.



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Program Benefits:

- Confidential mail forwarding
- Confidential voter registration
- DMV records suppression
- Vehicle smog check confidentiality
- Confidential transfer of school records
- Confidential name change
- SAH serves as the agent for “service of process”



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How confidential mail forwarding works:

- Participant makes contacts and provides their SAH P.O. Box and unique four-digit ID# instead of their residence address to receive first class mail.
- Mail is forwarded within 48 hours of receipt, except weekends.
- Mail must be addressed to the participant's legal name.
- Mail received addressed to other parties, AKA's or inactive participants will be returned to sender.
- Forwarded mail is delayed 1 to 2 days.
- Only regular first-class mail, service of process and other certified mail is forwarded.



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Mail that is not forwarded:

Newspapers and magazines

- Catalogs
- Packages and boxes (with the exception of checks)
- Express – FedEx, UPS, etc.
- Prescriptions

It is recommended participants make other arrangements for mail not forwarded by SAH:

- use a friend or relative's address
- obtain a private P.O. Box for packages, magazines, prescriptions, etc.
- remove name and address information from mass mailing lists as the information can become public.



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Confidential Voter Registration:

- Participants can complete a confidential voter registration card at the time of enrollment or at any time during their active participation.
- Participants receive absentee voter status so they can vote by mail.
- Voter registration information is kept confidential from campaigns, pollsters and the media.
- Address information is not entered in the Statewide Voter Registration Database and the voter registration cards are stored in a secure location at the registrar's office until cancelled and returned to SAH.

**Register
to VOTE**



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DMV Records Suppression:

- Pursuant to Section 1808.21(d) of the California Vehicle Code, the Department of Motor Vehicles (DMV) will suppress the drivers license and vehicle registration records of SAH participants who qualify.
- Suppression restricts access of the records to only the DMV Confidential Records Unit (CRU) in Sacramento.
- Inquiries are verified by the CRU. The participant must inform the CRU if there is a risk in releasing information due to an alleged perpetrator's association with law enforcement.
- Suppression is voluntary and contingent on active participation in the SAH program.



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Vehicle Smog Check Confidentiality:

- Smog fees vary by county, therefore, a residence address must be provided at the smog facility to smog a vehicle.
- The Bureau of Automotive Repairs performs a special procedure which allows participants in the SAH program to smog their cars without providing a residence address.
- SAH acts as facilitator by receiving car registration information from the participant, providing the information to the BAR, and communicating the completion of the procedure to the participant.



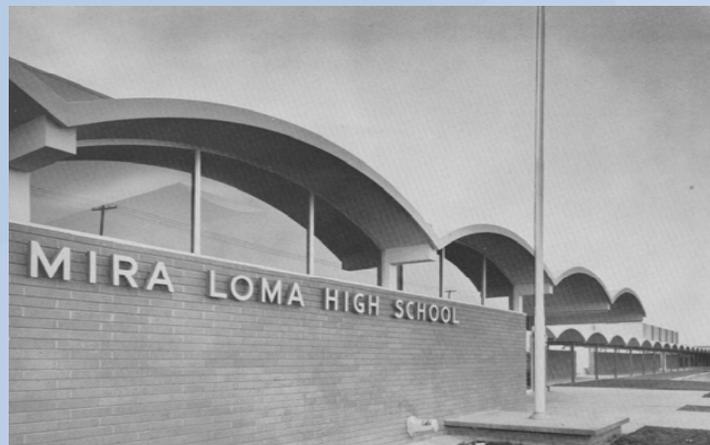
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Confidential Transfer of School Records:

- The transfer procedure protects the location of the enrolled student's new school and may prevent the information from being mistakenly communicated by the former school or district personnel to the alleged abuser.
- School records are transferred through the SAH program rather than directly from the previous school to the new school.
- SAH facilitates the transfer by communicating with personnel at each school and forwarding the record.



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Service of Process:

- Service of process is accepted for active participants, only.
- The server must provide two copies of the document to SAH.
- The service must be delivered to Sacramento SOS office (4th Floor Mail Room) between 8:00 a.m. to 5:00 p.m..
- Upon receipt, a copy is immediately forwarded to the participant via certified mail.



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Confidential Name Change:

- Participants are eligible to petition for a confidential legal name change through the California Superior Court system.
- The participant must complete and file with SAH the Intent to Change Name form along with a certified copy of the name change decree from the court.
- The petition, order of the court, and the copy published shall not recite the proposed new name, but shall indicate that the new name is “confidential and on file with the Secretary of State”.
- The Secretary of State provides new SAH documents and certification under the new name to the participant.
- The participant, if he or she qualifies, may use the SAH new name documentation to obtain a new SSN and Driver’s License number.



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New Confidential Name Change Procedures as of January 2010

- AB 2304/08 Went into effect Jan 2009 and gave the courts a year to establish new procedures for removing the SAH participants name from court databases, calendars and records that are available to the public or posted on the Internet.
- SAH worked with the Judicial Council to establish new procedures and forms that were released in December of 2009
- SAH is completing a new confidential name change package for participants to aid them in using this new process to help ensure that their name change will not appear on public records.



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Interaction with the Courts:

- The SAH P.O. Box address should be used on all court documents.
- Other parent notification is required if there are any pending court orders such as child visitation, custody or support.
- Pursuant to Government Code Sections 6207 and 6215.5, the SAH address shall be accepted and used instead of the residence address by court and law enforcement officials.



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Applicant Eligibility:

- Applicant must be a California resident.
- Applicant's address must be unknown to the perpetrator.
- Applicant must testify (by signing the application under penalty of perjury) that he or she is a victim of domestic violence, stalking or sexual assault and that he or she is in fear for his or her safety. If a victim of stalking, evidence is required.
- Applicant must agree to follow program rules by signing the application acknowledgement form.
- Applicant's children are eligible to enroll, however, if there are pending child custody/visitation issues, the other parent must be notified by certified mail of how to contact the participant via SAH.



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Application Process:

- Interested persons apply for SAH with a certified enrolling agency.
- There are over 225 Safe at Home enrolling agencies statewide.
- Enrolling agencies can be found on the SAH website or by contacting the toll free number.
- The enrolling agency assists the applicant with completing the SAH forms then sends completed materials to SAH along with any necessary documentation.
- SAH reviews the materials and evidence to make a determination to accept or deny the application.



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Required evidence for stalking victims:

- Police report
- Restraining order
- Police, court or government agency record or file
- Letter from victim advocate with substantial knowledge of abuse/harassment/threats (letter must be on agency letterhead and signed)
- Documentation from legal, clerical, medical or other professional (letter must be on letterhead and signed)
- Any other evidence that supports victim's sworn statement on application (must be notarized)



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Once the application is approved, the participant receives an enrollment packet that contains:

- A SAH laminated ID card to present when proof of enrollment is needed.
- An official certificate of enrollment.
- A SAH P. O. Box number in Sacramento to use as his or her “official” mailing address with state and local agencies.
- A unique four-digit ID number, which must be provided on all mail received.
- Information about the other SAH benefits and how to apply for them.
- A general information letter about the program to use when their actual street address is required by a private entities or by law.



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SAFE AT HOME PARTICIPANT ID CARD

<p>Safe at Home State of California Confidential Address Program</p> <p><i>Jane Doe</i> signature of participant or parent/guardian Jane Doe</p> <p>Has been certified by the Secretary of State to participate in the Confidential Address Program established by statutes SB 489/Ch. 1005/98 and SB 1318/Ch. 562/00. Authorization ID: 1290 Expires: 03/11/2013</p>
<p>This participant is authorized to use the address as follows:</p> <p>Jane Doe # 1290 P O Box 1198 Sacramento, CA 95812</p> <p>If a street address is required for non-mailing purposes use:</p> <p>219 Poppy View Lane Sacramento, CA 95812</p> <p>Questions concerning the valid use of this card, call: 1-877-322-5227 www.sos.ca.gov/safeathome</p>



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The Importance of Enrolling Agencies:

- Victims cannot apply directly with the Secretary of State for enrollment in the Safe at Home Program. SAH partners with state-designated non-profit agencies for enrollment assistance.
- Enrolling agencies include: Domestic Violence Shelters, Sexual Assault Crisis Centers, District Attorney's Victims Assistance programs, Family Justice Centers, and Reproductive Healthcare Centers.
- SAH enrolling agencies play a critical role in the success of our program. In addition to enrollment, they provide housing, counseling services and as valuable resources within the community for ongoing assistance.



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How to become a Safe at Home Enrolling Agency:

- SAH could not function without the support of our enrolling agencies and with budget cuts and the fiscal crisis, it is even more important that there are resources available in each county for survivors of domestic violence, stalking and sexual assault.
- If you are interested in becoming an enrolling agency, please contact SAH via our toll free number: (877) 322-5227
- Or you can contact us via email at: SafeatHome@sos.ca.gov



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Safety Plans for Participants:

- SAH will not provide complete protection against future abuse. The benefits provided should be used in conjunction with an overall safety plan.
- Participants need to be very careful about with whom they share their actual address, often family members will inadvertently give it to the abuser.
- SAH encourages participants to be careful of Internet usage and to stay away from websites like Facebook, MySpace, etc. Posting any personal information on the web can be very dangerous.
- Participants should work with advocates and organizations like the Stalking Resource Center to learn the latest tools to prevent being located by their abuser.



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When a physical address is required by an agency or business, the participant should:

- Ask if it is required by law or agency policy. If, yes...
- Show his or her SAH ID card to the representative.
- Request that the information be protected by a password or other security measure.
- Get assurance (in writing, if possible) that the information will not be shared with other parties.
- If needed, refer the agency or business representative to the SAH Program's toll-free number for more information.



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The following entities require the residence address:

- County Registrar of Voters (confidential)
- County Welfare/Social Services (confidential)
- Schools (for emergency contact only)
- Private Entities: Retailers, Utility Companies, (shared/sold to other companies)
- County Assessor (public- use confidential procedures available)
- New Ruling from Department of the Treasury, FinCEN on bank and credit union requirements



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Confidential Address Released:

- Court order request.
- Approval of SAH Law Enforcement Release Request, which includes a letter signed by the head of the law enforcement agency.
- Participant's termination or withdrawal from the program, at the discretion of the SAH manager.
- For verification of county of residence to Social Services, a Zip Code is released or the residence address if a home visit is required.



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Reasons for Termination:

- False information provided on the application.
- Participant enrolled to evade law enforcement.
- Participant enrolled to unlawfully avoid custody or visitation orders (also guilty of a misdemeanor).
- Participant obtained a legal name/address change without proper notification to SAH.
- Participant is unreachable.
- Mail is returned as undeliverable or service of process is refused.
- Participant moves out-of-state.



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Current Safe at Home Issues:

- Confidential Name Changes – Changing Social Security Numbers and getting new CA Driver's License Numbers
- Child Custody Issues – Visitation, Notifying Other Parent
- Making the Program Permanent
- Property Records and Internet Issues



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How to Reach Us:

Safe at Home

P.O. Box 846

Sacramento, CA 95812

(916) 653-1769

Toll free: (877) 322-5227

Online: www.sos.ca.gov/SafeAtHome

E-mail: safeathome@sos.ca.gov



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QUESTIONS?

Please submit your questions via your question feature on your toolbar.



“BECAUSE ALL CALIFORNIANS SHOULD FEEL AND BE SAFE AT HOME”

Secretary of State Debra Bowen



Become an FJC Alliance Member. It's Free!

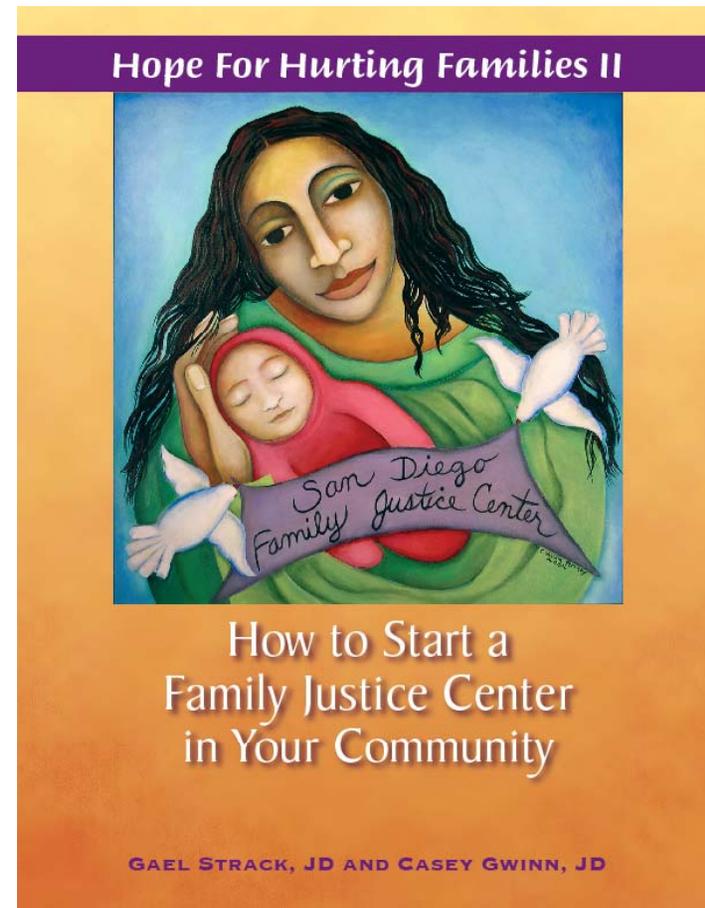
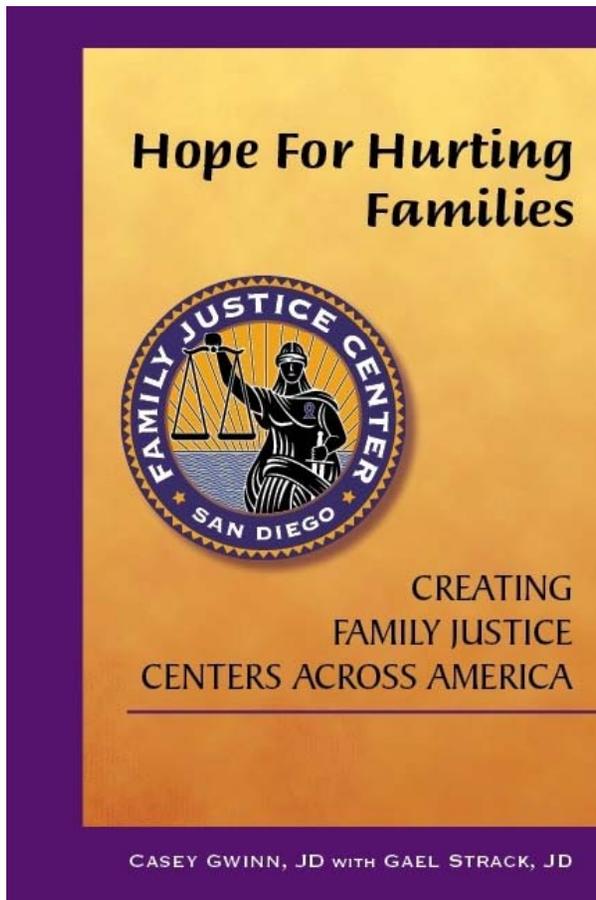
Benefits of Becoming a Member:

- Technical Assistance
- Training Opportunities
- Online Library of Resources
- Best Practices
- Upcoming events
- Starting a Family Justice Center

Visit our website www.familyjusticecenter.org click “Get Involved”



Read the Books



Available at www.familyjusticecenter.org





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*Thank you for joining today's
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