

# OFFICE OF THE ATTORNEY GENERAL ADDRESS CONFIDENTIALITY PROGRAM

## INFORMATION FOR LAW ENFORCEMENT OFFICERS

### What is the Address Confidentiality Program?

The Address Confidentiality Program (ACP) helps victims of domestic violence who have recently relocated to a new location unknown to their abuser keep their new address confidential. The ACP has three important components:

- The ACP provides participants with a legal substitute address which has no relation to their actual address.
- The ACP provides participants with a cost-free, confidential mail-forwarding service.
- The Office of the Attorney General acts as an agent for acceptance of service of legal process on behalf of the participant.



Participants may use the substitute address as their legal address for purposes of receiving state and local services and as their mailing address for first-class mail. The ACP limits public disclosure of a participant's actual address; however, the ACP is not retroactive and cannot provide absolute protection. For this reason, ACP participants are encouraged to seek counseling through a local domestic violence program to determine whether the ACP should be a part of their overall safety plan.

### What is the ACP Substitute Address?

The substitute address has no relation to a participant's actual location. All ACP participants are authorized to use the same ACP post office box - **P.O. Box 1133, Richmond, Virginia 23218**. The ACP assigns each participant a unique authorization code number which must be used as part of the substitute address.

### Who is Eligible to Participate in the ACP?

The ACP is intended to help victims of domestic violence, both adults and children, who have confidentially relocated to a location unknown by their abuser. The program will be available to participants statewide. Participation in the ACP is not transferable if a participant moves to another state.

Participation in the ACP is not permitted if the applicant is a sex offender required to register under the Sex Offender and Crimes Against Minors Registry program (Chapter 9, of Title 9.1 of the Code of Virginia), or is on parole or probation. Applicants who are residents of temporary housing for thirty (30) days or less are not eligible to enroll in the ACP until a permanent residential address is obtained.

### How Does a Victim Apply for the ACP?

A victim should complete an application packet for participation in the ACP through their local domestic violence program. The completed application packet is then forwarded to the ACP in Richmond, Virginia where it is reviewed and certified. Each certified participant is assigned a substitute address and a unique authorization code number, and is issued an ACP authorization card.

### **How Do Participants Use the ACP Substitute Address?**

Program participants choose when to use the substitute address. It is the participant's responsibility to notify state and local agencies that they are an ACP participant who wishes to use the ACP substitute address. When a program participant presents his or her authorization card, state and local government agencies must accept the ACP substitute address as though it is the person's actual residential address. When an ACP participant chooses to reveal his or her actual address, however, the state or local agency is not legally obligated to keep that information confidential.

In some situations, where a state or local government agency has bona fide statutory or administrative authority for use of or need of an individual's actual address, an agency may petition the Office of the Attorney General for an exemption to the ACP laws. If the Office of the Attorney General grants the agency an ACP exemption, program participants involved with that agency may have to reveal their actual location.

Even without an exemption, participants will be required to provide their actual address when purchasing firearms from a gun dealership. Participants will also be required to provide their actual address to law enforcement during the issuance of a traffic summons for a traffic violation and during a criminal investigation or arrest situation. **When possible, law enforcement officers are encouraged to use the participant's ACP substitute address when filling out warrants or other documents for filing with the court.**

### **How Does the ACP Handle Participant Mail?**

Once a participant begins using the substitute address, the participant's mail will be forwarded to the ACP P.O. Box in Richmond, Virginia. The ACP receives, sorts, repackages, and forwards all first class mail to each participant's actual residential address. The ACP does not forward magazines, catalogs or "junk" mail. The mail forwarding service does delay of the participant's receipt of his or her mail; however, the ACP forwards participant mail as promptly as possible.

### **How Does the ACP Accept Service of Legal Process?**

Through the ACP, the Attorney General acts as agent for service of process for legal documents directed to an ACP participant. Accordingly, any legal documents received or created for service by a law enforcement agency should be served on the Attorney General's Office at 900 E. Main Street, Richmond, Virginia 23219. Once service is received by the Attorney General on behalf of the participant, the participant is immediately notified by the ACP, and the legal documents are immediately forwarded to the participant.



When a law enforcement officer is required to serve a participant with a criminal warrant or summons, the officer may obtain the participant's actual address for service purposes. The officer would contact the VCIN Control Center at the Virginia State Police through the VCIN system in order to obtain the address information.

**When possible, law enforcement officers are encouraged to use the participant's ACP substitute address when filling out warrants or other documents for filing with the court.**

## Will the Office of the Attorney General Disclose a Participant's Address?

The Office of the Attorney General will verify whether or not someone is a participant in the program. However, the Office of the Attorney General will not disclose or make the participant's records (including the participant's address and phone number) accessible for inspection or copying unless directed to do so in a court order, or unless requested by a law enforcement agency in writing. Participant records are exempt from disclosure under the Virginia Freedom of Information Act (Va. Code Ann. § 2.2-3700 et. seq.).



A participant's actual address may be entered into the Virginia Criminal Information Network (VCIN) system by the Virginia State Police Control Center so that it may be made known to law-enforcement officers accessing the VCIN system for law enforcement purposes. The Virginia State Police will have the participants' address information; however, the address information will not be entered into VCIN until a request for the information has been made by law enforcement through the VCIN system. Otherwise, a law enforcement request for the participant's address information must be in writing, on agency letterhead and signed by the agency's chief law enforcement officer. The request must contain the stated reasons and legitimate purpose for the request.

### Traffic stops

In the event of a traffic stop, the ACP participant should advise the law enforcement officer of their participation in the program. The law enforcement officer may send a VCIN message to the Virginia State Police VCIN Control Center requesting the participant's actual address information. The VCIN Control Center will message back the participant's actual address for purposes of the traffic stop.

**When possible, law enforcement officers are encouraged to use the participant's ACP substitute address when filling out warrants or other documents for filing with the court.**

## How Do I Verify ACP Participation?

All ACP participants are issued an ACP authorization card. The ACP authorization card is not proof of identification, but includes the participant's name, signature, birth date, authorization code and substitute address. The card also includes an expiration date for each participant. Officers may ask to see the ACP authorization card. The following is a sample card:

COMMONWEALTH OF VIRGINIA Address Confidentiality Program		This program participant is authorized to use the following substitute address:	
Jane Doe (Full legal name of participant or parent/guardian)		Jane Doe PMB #### P.O. Box 1133 Richmond, VA 23218-1133	
is authorized to participate in the Address Confidentiality Program pursuant to Va. Ann. Code § 2.2-515.2.		The authorization code, name, post office box and zip code MUST be used on all correspondence to this participant.	
Birth Date 00-00-0000	Authorization Code 0000000000 00-00-0000	If you have any questions regarding the Address Confidentiality Program or the valid use of this authorization card, please call: (804) 692-0592.	
Participant Signature			

All ACP participants use the same ACP substitute address: P.O. Box 1133, Richmond, Virginia 23218-1133. Each ACP Participant has a unique ACP authorization code (e.g. 2011PMBxxx).

ACP participation and the participant's actual physical address can be verified by contacting the Virginia State Police VCIN Control Center through the VCIN terminal. If the participant has changed his or her driver's license address information to the ACP substitute address, a VCIN query will direct the officer to contact the VCIN Control Center. If the participant has not changed his or her driver's license address information, VCIN may not reflect participation in the ACP and the officer should contact the VCIN Control Center.

If you have questions, contact the ACP using the contact information provided.

## **How Do Participants Update Their Driver's License, Identification Card, or Vehicle Registration?**

In order to have the ACP address on a valid Virginia driver's license or photo identification card, participants will need to change the address with the Department of Motor Vehicles (DMV) and obtain a replacement document. Or, if a participant wishes to obtain a Virginia driver's license or photo identification card for the first time, they will need to establish the ACP address in DMV's records.

In order to change a current address to the ACP address or to establish a new record using the ACP address in DMV's records, participants must contact DMV's Identification Review Services group (DMV/IRS) by telephone at (804) 367-0064. Once the address is updated, the new driver's license or ID card will display the P.O. Box mailing address assigned by the Attorney General's Office.

When a participant is no longer enrolled in the Address Confidentiality Program they will be responsible for changing their address with DMV.

In addition, ACP participants will be responsible for notifying DMV of any change to the garage jurisdiction of vehicles registered in Virginia. Participants who own a motor vehicle registered in Virginia must change their address with DMV and obtain a replacement document.



## **When Does Participation in the Program Expire?**

Participants are certified for participation in the program for one year following the date of certification unless the participant withdraws from or is cancelled by the ACP before that date. A participant may voluntarily withdraw from the ACP at any time. The ACP may cancel a participant's certification in the following instances:

- If the participant obtains a name change;
- If the participant changes his/her address and does not notify the ACP within seven (7) days;
- If mail forwarded to the participant is returned as non-deliverable;
- If the participant knowingly uses false information during the application process;
- If the one-year certification period has expired and the participant has not submitted a renewal form;
- If the participant is placed on parole or probation while in the ACP; or
- If the participant is required to register as a sex offender (Va. Code Ann. § 9.1-900 et. seq.) while in the ACP.

## **How Do I Obtain More Information?**

The ACP is administered by the Office of the Attorney General. Laws governing the program are located in Va. Code Ann. § 2.2-515.2.

For any questions regarding the ACP, contact Melissa McMenemy, ACP Coordinator, at (804) 692-0592 or [mmcmenemy@oag.state.va.us](mailto:mmcmenemy@oag.state.va.us).

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