

STATE OF COLORADO
**Address Confidentiality
Program**



WHAT YOU NEED TO KNOW

Version 2.0

What is the Address Confidentiality Program (“ACP”)?

The Address Confidentiality Program (ACP) provides survivors of actual or threatened domestic violence, sexual offense, or stalking/harassment with a legal substitute address to use instead of their real address. Using the substitute address instead of a real address helps prevent abusers and potential abusers from locating survivors. The Colorado ACP began accepting participants July 1, 2008. Approximately 30 other states have similar address protection programs.

Who is Eligible to Enroll in the ACP?

There are three eligibility requirements:

1. Be a survivor of actual or threatened sexual assault, domestic violence, or stalking/harassment who fears for his or her safety (or a person who lives with an enrolling survivor).
2. The survivor must provide evidence of victimization. There are many ways to meet this requirement. Evidence examples include police reports, protection orders, agency documents or a letter from a professional who has provided the survivor with counseling, referral or other services.
3. The survivor has relocated within the past 90 days or is planning to relocate. The best time to enroll is when a survivor is planning to move to a location unknown to their abuser or has recently moved and not yet created any public records.

How Does a Person Enroll in the ACP?

Those interested in enrolling in the ACP must meet with an Application Assistant. Application Assistants provide survivor services and are trained and registered by the ACP. There are over 300 Application Assistants throughout Colorado. A listing of Application Assistants and enrolling agencies can be found on the ACP website under “Application Centers” at www.acp.colorado.gov.

How Does the ACP Work?

The ACP provides participants with a legal substitute address and a confidential mail-forwarding system. Survivors use the substitute address when they create or change public records. For example, participants can (and should) place the substitute address on their driver’s license or state ID. Participants can also use the substitute address for personal use - just like any new address. Participant mail goes to the substitute address and is routed to the ACP. The ACP then forwards participant mail to their actual address.

Will Enrolling in the ACP Keep Me Safe?

ACP participation does guarantee safety. If used correctly, the ACP can be a valuable addition to an overall safety plan. The ACP is intended to supplement, and not substitute for, a comprehensive safety plan.

Does the ACP Cost Anything?

There are no financial eligibility requirements and there is no cost to participants. Offenders who have been convicted of domestic violence crimes and/or stalking are required to pay a \$28 surcharge. The surcharge funds the ACP.

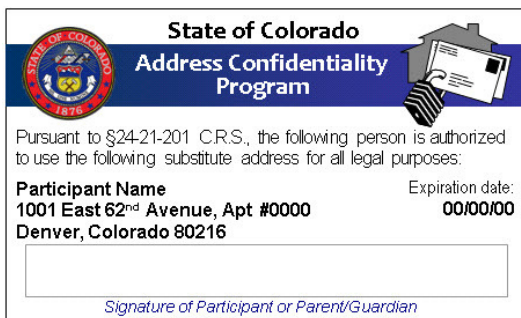
What is the Length of Enrollment?

The length of enrollment is four years. Participants may renew their enrollment at the end of the four year term or voluntarily withdraw from the program at any time.

What Does an ACP Authorization Card Look Like?

This is what the authorization card looks like. Every participant is issued an authorization card with the substitute address. Each participant is assigned an individual authorization number and each family is assigned an apartment number.

AUTHORIZATION CARD: FRONT



The front of the authorization card features the State of Colorado seal on the left. The title "State of Colorado Address Confidentiality Program" is centered at the top. Below the title, a blue banner contains an icon of a hand holding a document. The main text states: "Pursuant to §24-21-201 C.R.S., the following person is authorized to use the following substitute address for all legal purposes:". This is followed by the participant's name and address: "Participant Name: 1001 East 62nd Avenue, Apt #0000, Denver, Colorado 80216". To the right, the expiration date is listed as "00/00/00". At the bottom, there is a large empty box for the signature, with the text "Signature of Participant or Parent/Guardian" written below it.

AUTHORIZATION CARD: BACK



The back of the authorization card contains legal text and contact information. It begins with a quote: "When a program participant submits a current and valid address confidentiality program authorization card to the agency, the agency shall accept the substitute address... as the participant's residential, work, or school address when creating a new public record... §24-21-208 C.R.S.". Below this, it states: "This address shall be used as the participant's only address of record and must be used on all correspondence." Contact information includes: "Questions regarding the program or the use of this card: please call (303) 869-4911 toll-free at (888) 341-0002 e-mail acp@sos.state.co.us www.acp.colorado.gov". At the bottom, the authorization number is listed as "Authorization # 00000000".

Is the ACP Authorization Card an Official Form of Identification?

The ACP authorization card only provides evidence of ACP participation. It is not a form of state identification and it does not take the place of a state driver's license or state-issued identification card. The address printed on the ACP card is the participant's legal substitute address. The ACP authorization card can be used to change the address information on an official identification card to the ACP substitute address.

Who Will Accept the ACP address?

When a program participant presents a valid ACP authorization card, state and local government agencies must accept the ACP substitute address as an actual address and cannot require the participant to disclose his or her true address. **[Note: There are two exceptions. The substitute address cannot be used on documents related to real property, and must be used in conjunction with the actual address on ACP voter registration forms.]**

Private businesses are not required by law to accept the substitute address, but most businesses accept it. As a general rule, participants should use the substitute address for all purposes, and disclose their real address only when absolutely necessary.

How Can I Find out if Someone is an ACP Participant?

If an ACP participant presents an ACP authorization card and requests the use of their substitute address, the ACP can verify whether the ACP authorization card is current and valid. The ACP will not release a participant's actual address or phone number to any private third party.

Can the ACP Ever Disclose a Participant's Actual Address?

The ACP can disclose a participant's actual address and phone number to a law enforcement officer in an emergency situation when the participant is the subject of a law enforcement criminal investigation, *and* if the law enforcement official provides all of the documentation required by §24-21-210 (12), C.R.S.

The ACP could release an ACP participant's actual address to a state or local government agency pursuant to the process outlined in §24-21-210, C.R.S. However, the participant would be notified about the request for information and have the opportunity to decline the request.

Can Someone Enroll in the ACP to Avoid Criminal Prosecution?

The ACP program is not a good place to hide from criminal prosecution. As mentioned above, if a law enforcement official provides the documentation required by §24-21-210 (12), C.R.S., and the participant is the subject of a criminal investigation, the ACP must provide the official with the participant's actual information.

Can ACP Participants Receive Registered Mail or Subpoenas?

The ACP accepts personal mail and legal mail. When a person joins the ACP, they appoint the ACP as their legal agent for receipt of mail and service of process. When the ACP receives service on behalf of a participant, it is the same as a participant

receiving service. That is why participants must always keep the ACP informed of any address changes.

What about Divorce, Child Support or Child Custody Actions?

If, at the time of application, an applicant is subject to a court order related to dissolution of marriage proceedings, child support, or the allocation of parental responsibilities or parenting time, the ACP must notify the court that issued the order. The court should change records and create records that only reflect the substitute address.

The courts cannot consider ACP participation when making orders regarding parental responsibilities or parenting time, and ACP participation does not constitute evidence of domestic violence.

Can ACP Participants Vote?

New ACP participants receive ACP voter registration information and ACP voter registration forms upon ACP enrollment. ACP participants must provide their actual address and their substitute address when completing the ACP voter registration form. ACP participants should only use the ACP process for voter registration. They should not register to vote at the Department of Motor Vehicles or any county Human Services agency. The Colorado Secretary of State, Elections Division, ACP Voter Registration Coordinator is available to answer questions about the ACP voter registration and election process at (303) 894-2200 x6391.

Does the ACP Forward All Mail?

The ACP forwards all first-class mail, including registered and certified mail. First class mail includes all personal mail, bills, cards, letters etc. The ACP will also forward bank checks. The ACP cannot forward packages, magazines or junk mail. ACP participants can use their substitute address to open a post office box for receipt of packages.

How Do I Contact the ACP Office?

For more information about the Colorado ACP, please contact us at:

Colorado Address Confidentiality Program
1001 East 62nd Avenue, Denver, Colorado 80216

Metro area: (303) 869-4911
Toll free: (888) 341-0002

ACP Website: www.acp.colorado.gov
ACP e-mail: acp@sos.state.co.us