

# OFFICE OF THE ATTORNEY GENERAL ADDRESS CONFIDENTIALITY PROGRAM

## INFORMATION FOR DOMESTIC VIOLENCE PROGRAMS

### 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 abusers to 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 addresses.
- 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.



A participant may use the substitute address as his or her 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 plans.

### 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 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 abusers. Victims must be at least 18 years of age, a parent or guardian acting on behalf of a minor, a guardian acting on behalf of an incapacitated person, or an emancipated minor in order to apply. The program is available to participants statewide.

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.

Participation in the ACP is not transferable if a participant moves to another state.

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

A victim should complete an application packet for participation in the ACP through his or her 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 Programs Assist Victims in Applying for the ACP?**

All potential ACP participants are encouraged to apply through a local domestic violence program. We refer to the individuals at such programs who aid in the process as Application Assistants. The primary role of the Application Assistant is to determine whether participation in the ACP should be part of a victim's overall safety plan. A prospective participant should understand the ACP program alone cannot keep them safe, as it is only one part of an overall safety plan.

The Application Assistant can evaluate a client's eligibility by reviewing with the prospective participant:

- The advantages and disadvantages of participation;
- The responsibilities of participation; and
- The Checklist of Understanding.

If appropriate, after advising a prospective participant about how the program works and participant responsibilities, the Application Assistant can help the client in completing the application fully and properly to enroll him or her in the ACP.

### **What Is the ACP Application Package?**

#### **APPLICATION PACKAGE CONTAINS**

1. Summary of the ACP Program
2. ACP Application Form
3. Checklist of Understanding
4. ACP Submission Application Checklist

In addition to the application forms, potential participants are requested to include a copy of a valid government-issued picture identification and supporting documents verifying the address at which the client resides or will reside. Please note that some forms must be notarized. Failure to submit a complete application may prevent enrollment or result in a delay in enrollment.



#### **REMEMBER:**

The fewer people who know where the victim actually lives, the more effective the ACP will be.

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

Participants choose when to use the substitute address. Ideally, they will use the substitute address at all times. When they present the authorization card, state and local government agencies must accept the substitute address as the person's actual physical address.

PRIVATE BUSINESSES ARE **NOT** REQUIRED TO ACCEPT THE SUBSTITUTE ADDRESS. A participant must take this into consideration when choosing to do business that requires him or her to disclose his or her physical address.

In order to have the address appear on a valid Virginia driver's license or photo identification card, participants will need to change the address with the Department of Motor Vehicles and obtain a replacement document.

The ACP forwards only first class mail. For packages or other non-first class mail, participants should make arrangements to have such items sent to an alternate location, such as the address of a friend or family member.

## **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 participant's address information; however, the address information will not be entered into VCIN until a request for the information has been made by law enforcement personnel through the VCIN system.

In the event that the participant's abuser is a law enforcement officer, it is the responsibility of the ACP participant to seek a protective order (if permitted by the circumstances) against the law enforcement officer in order to prevent that officer's access to the participant's information through the VCIN system.

## **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 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 any legal papers directed to an ACP participant. Accordingly, any legal documents received 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, the participant is immediately notified by the ACP and the legal papers 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. Note: 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.

## **What Are the Responsibilities of the Participant?**

It is important that a participant understand his or her responsibilities, including:

- Providing factual and accurate information on the ACP application;
- Always letting the ACP know his or her actual physical address;
- Notifying the ACP of any changes in telephone contact information;
- Ensuring the ACP authorization number is on all mail addressed to his or her;
- Knowing that he or she is legally responsible for all obligations contained in documents addressed to him or her at the substitute address and forwarded to him or her by the ACP;
- Letting local and state government agencies know about his or her participation in the program and presenting his or her authorization card upon initial contact with the agencies;
- Limiting the number of people that know of or have access to his or her actual physical location;
- Never giving the U.S. Post Office a change of address card using the ACP substitute address, nei-  
ther upon entering, nor upon leaving the Program.



## **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 canceled 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).

Office of the Attorney General  
202 North Ninth Street  
Richmond, Virginia 23219  
(804) 786-2071  
[www.ag.virginia.gov](http://www.ag.virginia.gov)

Address Confidentiality Program  
P.O. Box 1133  
Richmond, Virginia 23218-1133  
(804) 692-0592  
[domesticviolence@oag.state.va.us](mailto:domesticviolence@oag.state.va.us)