

*Regulations of Connecticut State Agencies*

TITLE 54. Criminal Procedure

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*Agency*

**Office of the Secretary of the State**

*Subject*

**Address Confidentiality Program**

*Inclusive Sections*

**§§ 54-240a-1—54-240a-12**

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**Address Confidentiality Program**

**Sec. 54-240a-1. Definitions**

For purposes of Sections 54-240a-1 to 54-240a-12, inclusive of the Regulations of Connecticut State Agencies:

(1) “Address confidentiality program” or “program” or “ACP” means “Address confidentiality program” or “program” as defined in section 54-240 of the Connecticut General Statutes;

(2) “Agency” means “Agency” as defined in section 54-240 of the Connecticut General Statutes;

(3) “Applicant for renewal” means a program participant, a guardian or conservator of the person acting on behalf of an adult program participant, or a parent or guardian acting on behalf of a minor program participant, who applies to renew the certification of the participant pursuant to Sec. 54-240a-4 of the Regulations of Connecticut State Agencies;

(4) “Application assistant” means “Application assistant” as defined in section 54-240 of the Connecticut General Statutes;

(5) “Authorized personnel” means “Authorized personnel” as defined in section 54-240 of the Connecticut General Statutes;

(6) “Certification card” means “Certification card” as defined in section 54-240 of the Connecticut General Statutes;

(7) “Confidential address” means “Confidential address” as defined in section 54-240 of the Connecticut General Statutes;

(8) “Law enforcement agency” means “Law enforcement agency” as defined in section 54-240 of the Connecticut General Statutes;

(9) “Marriage records” means “Marriage records” as defined in section 54-240 of the Connecticut General Statutes;

(10) “Program address” means “Program address” as defined in section 54-240 of the Connecticut General Statutes;

(11) “Program applicant” means an adult person, a guardian or conservator of the person acting on behalf of an adult person, or a parent or guardian acting on behalf of a minor, who applies to participate in the program;

(12) “Program participant” or “participant” means “Program participant” or “participant” as defined in section 54-240 of the Connecticut General Statutes;

(13) “Record” means “Record” as defined in section 54-240 of the Connecticut General Statutes.

(Adopted effective March 23, 2005)

**Sec. 54-240a-2. Application for program participation**

(a) **Application forms.** The Secretary of the State shall prescribe application forms for program participation.

(b) **Application assistants.** Program applicants shall complete application forms with assistance from an application assistant.

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(c) **Delivery of completed applications.** Application assistants shall deliver completed application forms to the office of the Secretary of the State by depositing the same in the United States mail addressed to said office as indicated on the application forms.

(d) **False information.** False information contained in an application shall be considered grounds for refusal or cancellation of program certification.

(e) **Duty to provide current information.** A participant who changes his or her name or confidential address from the name or address listed on the program application shall provide written notification to the Secretary of the State not later than thirty days after such change. Failure to do so shall be considered grounds for cancellation of certification.

(Adopted effective March 23, 2005)

**Sec. 54-240a-3. Certification of program participants**

**Certification.** The Secretary of the State shall certify, as participants, individuals who have filed, or on whose behalf have been filed, properly completed applications.

(Adopted effective March 23, 2005)

**Sec. 54-240a-4. Certification renewal**

(a) **Certification renewal forms.** The Secretary of the State shall prescribe certification renewal forms for use by program participants.

(b) **Notice of expiration.** Not later than 30 days prior to the expiration of a participant's certification, the Secretary of the State shall mail notice of expiration, and certification renewal forms, to the participant's confidential address.

(c) **Delivery of completed certification renewal forms.** An applicant for renewal shall deliver completed certification renewal forms to the office of the Secretary of the State by depositing the same in the United States mail addressed to said office as indicated on the certification renewal forms.

(d) **Certification.** The Secretary of the State shall renew the certification of participants who have filed, or on whose behalf have been filed:

- (1) Properly completed certification renewal forms;
- (2) The participant's current certification card; and
- (3) A new certification card form.

(e) **False information.** False information contained in certification renewal forms shall be considered grounds for refusal of certification renewal or cancellation of certification.

(f) **Duty to provide current information.** A participant who changes his or her name or confidential address from the name or address listed on the certification renewal form shall provide written notification to the Secretary of the State not later than thirty days after such change. Failure to do so shall be considered grounds for cancellation of certification.

(Adopted effective March 23, 2005)

**Sec. 54-240a-5. Forwarding of program participant's mail**

(a) **Address requirements.** First class mail, addressed to a participant, must include the

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participant's name, certification code and program address as shown on the participant's current certification card.

(b) **Forwarding of first class mail.** The Secretary of the State shall forward first class mail, which has been addressed in accordance with subsection (a) of this section, from the participant's program address, to the participant's confidential address.

(c) **Mail returned as undeliverable.** If forwarded mail is returned to the Secretary of the State as undeliverable, the Secretary of the State shall attempt to resend the mail not later than one week after receipt. If the resent mail is returned to the Secretary of the State, the fact that such mail has been twice returned as undeliverable shall be considered grounds for cancellation of certification.

(d) **Noncompliant mail.** The Secretary of the State shall return to its sender:

(1) First class mail which has not been addressed in accordance with sub-section (a) of this section;

(2) Mail other than first class mail; and

(3) First class mail which has been returned to the Secretary of the State twice as undeliverable.

(Adopted effective March 23, 2005)

**Sec. 54-240a-6. Program certification withdrawal, cancellation and appeal from cancellation**

(a) **Withdrawal.** A participant may withdraw from the program in accordance with section 54-240k of the Connecticut General Statutes.

(b) **Cancellation.** When grounds for cancellation exist, the Secretary of the State may cancel a participant's certification in accordance with section 54-240k of the Connecticut General Statutes.

(c) **Appeal of Cancellation.** Not later than thirty days from the date notice of cancellation was mailed by the Secretary of the State, a participant may submit a written appeal of cancellation by depositing the same in the United States mail addressed to the Secretary of the State as indicated on the notice. The appeal shall address the reason(s) for cancellation, set forth in the notice, by explaining, as applicable:

(1) Why the participant was unable to notify the Secretary of the State of changes to the participant's name or confidential address;

(2) Why the application for participation or renewal contained false information;

(3) Why the participant was unable to apply for renewal prior to expiration;

(4) Why mail forwarded to the participant was returned to the Secretary of the State as undeliverable.

(d) **Notice of decision.** Not later than thirty days after receipt of an appeal of cancellation, the Secretary of the State shall send a written notice of decision to the participant.

(Adopted effective March 23, 2005)

**Sec. 54-240a-7. Agency use of program addresses**

(a) **Request for use of program address.** A participant may, at any time, request that an agency use the program address as the participant's residence, work or school address. Such participant shall present his or her certification card to any agency official creating a new record or updating an existing record pertaining to the participant and request the use in such record of the program address appearing on the certification card.

(b) **Processing of requests.** The agency official creating the new record, or updating an existing record, shall process the participant's request for use of the program address in accordance with section 54-240h of the Connecticut General Statutes.

(c) **ACP request form.** The Secretary of the State shall prescribe an ACP request form for use by the agency when processing a participant's request to use the program address.

(d) **Notification letter.** In lieu of an ACP request form, the agency may notify the Secretary of the State, in writing, when it has created or updated an existing record pertaining to a participant. The notice shall be on agency letterhead stationery and shall contain the name of the participant, the participant's certification code, and the signature and title of the agency official.

(e) **Completion and delivery of ACP request form or notification letter.** The agency official creating the new record, or updating an existing record, shall complete an ACP request form or notification letter at the time the request is processed. The agency official shall retain a copy of the ACP request form or notification letter, provide a copy to the participant, and forward the original to the ACP at P.O. Box 150469, Hartford, CT. 06115-0469.

(Adopted effective March 23, 2005)

**Sec. 54-240a-8. Confidentiality of marriage records**

(a) **Requests for confidentiality of marriage records.** Participants may request that their marriage records be kept confidential in accordance with section 54-240f of the Connecticut General Statutes.

(b) **Processing of requests.** Authorized personnel in the appropriate office of the registrar of vital statistics shall process the program participant's request for confidentiality of marriage records in accordance with section 54-240f of the Connecticut General Statutes.

(c) **ACP request form.** The Secretary of the State shall prescribe an ACP request form for use by authorized personnel in the appropriate office of the registrar of vital statistics when processing a participant's request for confidentiality of marriage records.

(d) **Notification letter.** In lieu of an ACP request form, the authorized personnel in the appropriate office of the registrar of vital statistics may notify the Secretary of the State, in writing, when he or she has processed a participant's request for confidentiality of marriage records. The notice shall be on the registrar of vital statistic's letterhead stationery and shall contain the name of the participant, the participant's certification code, and the signature and title of the authorized personnel in the appropriate office of the registrar of vital statistics.

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(e) **Completion and delivery of forms.** The authorized personnel in the appropriate office of the registrar of vital statistics shall complete an ACP request form or notification letter at the time the request is processed, and shall retain a copy of the ACP request form or notification letter, provide a copy to the participant, and forward the original to the ACP at P.O. Box 150469, Hartford, CT. 06115-0469.

(f) **Information release to law enforcement agency.** A request from a law enforcement agency for release of records in a participant's file shall be in writing, on agency letterhead stationery and signed by the agency's chief law enforcement officer.

(Adopted effective March 23, 2005)

**Sec. 54-240a-9. Voting by program participants**

(a) **Requests to be listed on voter registry list without street and house number.** A participant may request to be listed on a voter registry list without the participant's street and house number in accordance with section 54-240g of the Connecticut General Statutes.

(b) **Processing of requests.** Authorized personnel in the appropriate office of the registrar of voters shall process the program participant's request in accordance with section 54-240g of the Connecticut General Statutes.

(c) **ACP request form.** The Secretary of the State shall prescribe an ACP request form for use by authorized personnel in the appropriate office of the registrar of voters when processing a participant's request for confidentiality of his or her street and house number.

(d) **Notification letter.** In lieu of an ACP request form, the authorized personnel in the appropriate office of the registrar of voters may notify the Secretary of the State, in writing, when he or she has processed a participant's request to be listed on a voter registry list without the participant's street and house number. The notice shall be on the registrar of voter's letterhead stationery and shall contain the name of the participant, the participant's certification code, and the signature and title of the authorized personnel in the appropriate office of the registrar of voters.

(e) **Completion and delivery of forms.** The authorized personnel in the appropriate office of the registrar of voters shall complete an ACP request form or notification letter at the time the request is processed, and shall retain a copy of the ACP request form or notification letter, provide a copy to the participant, and forward the original to the ACP at P.O. Box 150469, Hartford, CT. 06115-0469.

(f) **Information release to law enforcement agency.** A request from a law enforcement agency for release of records in a participant's file shall be in writing, on agency letterhead stationery and signed by the agency's chief law enforcement officer.

(Adopted effective March 23, 2005)

**Sec. 54-240a-10. Agency exemption requests**

(a) **Method of request.** Agency exemption requests shall be made in accordance with section 54-240i of the Connecticut General Statutes.

(b) **Notice of exemption.** The Secretary of the State shall send notification, as provided

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in section 54-240i of the Connecticut General Statutes, to the participant's confidential address, by first class mail, prior to granting an exemption.

(Adopted effective March 23, 2005)

**Sec. 54-240a-11. Service of process**

A participant may be served as provided in section 54-240l of the Connecticut General Statutes.

(Adopted effective March 23, 2005)

**Sec. 54-240a-12. Records requests to the Secretary of the State**

(a) **Information release to law enforcement agency or State Elections Enforcement Commission.** A request from a law enforcement agency or the State Elections Enforcement Commission for release of any records in a participant's file, other than the program address, shall be in writing, on agency or commission letterhead stationery and signed by the agency's chief law enforcement officer, a commanding officer in the Division of State Police within the Department of Public Safety or the executive director of the State Elections Enforcement Commission. Such request shall include the request date and the name of the participant.

(b) **Verification of participation.** A person may request verification of the participation of a specific program participant by sending a written request to the Secretary of the State. Such request shall be signed by the requestor and include the name of the participant and the name of the requestor.

(c) **Notice of disclosure.** The Secretary of the State shall send notification to the participant's confidential address, by first class mail, on the same day that information is disclosed pursuant to subsection (b) of this section or pursuant to a court order. Such notice shall include:

- (1) Whether the disclosure was made pursuant to a court order or an individual's request;
- (2) The name of the person to whom the disclosure was made; and
- (3) The date on which the disclosure was made.

(Adopted effective March 23, 2005)