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## Editor's Note

# Home Address Exemptions are the Wrong Approach in Protecting Privacy

David Cuillier, Ph.D., Editor, *University of Arizona* \*

Blanket exemptions in public records laws to keep home addresses secret are well-intentioned, but will not protect people from harm, and will only further government corruption.

These broad-based exemptions need to end.

In this issue of the *Journal of Civic Information*, Jodie Gil, Robert A. Smith, and Kauther S. Badr of Southern Connecticut State University examine how states manage the release of home addresses in public records, and they provide an explanation for each state in the appendix. The study follows up a previously published manuscript in this journal by Gil in 2019.<sup>1</sup>

It turns out that states are all over the board on whether or not they consider home addresses open or closed. Some states employ balancing tests. Some give journalists and others more access to information than other people. Some states provide secrecy for information contained in public records about minors or individuals in law enforcement, such as police officers and judges. Some allow individuals to request their specific information be secret. Some exempt records in their entirety if they contain an address, such as gun permits. Some states even criminalize the release of home addresses from public records – a Class 6 felony in Arizona.

It's a mess, really, and likely to get more muddled this spring as legislatures propose further laws to protect individuals' privacy. Gil et al. provide excellent recommendations for policy makers on this topic, particularly in balancing privacy with the public's right to know.

The bottom line is that legislation broadly exempting home addresses from release in public records is harmful for several reasons:

1. These exemptions restrict legitimate, beneficial purposes

There are countless reasons why home addresses are essential to government accountability, journalism, and even the economy. Journalists need addresses to find key sources for legitimate newsgathering. Gil et al. list important stories that could not have been done without

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<sup>1</sup> Jodie Gil, *Tracing Home Address Exemptions in State FOI Laws*, 1 J.CIVIC INFO 1, 75-116 (2019), <https://journals.flvc.org/civic/article/view/115660/113900>.

home addresses in public records. Revelations include politicians who don't live in the communities they serve, prominent leaders who are slumlords, and the extent of police brutality exposed by journalists finding and talking to witnesses and victims.

Businesses need to know who they are dealing with, or lending money to. Even average people want to find long-lost friends or relatives. There was a reason why, in the not-so-distant past, everyone relied on that huge database of everyone's personal phone number and home address. We called it the white pages.

Knowing where people live has always mattered, and it always will.

## 2. Exemptions provide a false sense of security

The intent of these exemptions is that people will be able to protect themselves from stalkers and others who would harass or do harm. The reality, however, is that redacting home addresses in public records is not going to make a difference – nobody will be safer.

Take driver's license records, for example, which were once widely used for legitimate purposes to find people's home addresses. In 1989, stalker Robert John Bardo of Tucson was infatuated with actress Rebecca Schaeffer and angered by a romantic role she played that inflamed his jealousy. He paid a private investigator to get her address from motor vehicle records, then drove to her home in West Hollywood and killed her.

Congress passed the Driver's Privacy Protection Act (DPPA) to make driver's records secret. However, private investigators are exempt in the law, so someone could still obtain a home address. This law, even if in effect in 1989, would not have protected Schaeffer from Bardo.

Personal safety has not been protected by the DPPA, and the legitimate use of that information has been restricted by those who would do good for society – a well-intentioned law gone bad.

## 3. Home addresses are available elsewhere

A motivated stalker doesn't even need a private investigator – or public records – to get one's home address. Anyone with a credit card can acquire personal information online through commercial information providers.

For example, on Oct. 5, a former doctoral student at my university was arrested on suspicion of shooting and killing a department head. Had admissions officials conducted background checks on graduate student applicants, they would have quickly discovered the suspect had a violent criminal past.

I know because following the shooting I went online to Intelius and looked up the suspect's background. For \$24.86 per month, I have unlimited access to Intelius reports, which I use for news reporting class demonstrations. Anyone can go online and pay \$3.99 for a one-time report, or 95 cents for a one-week trial of all the addresses they want to look up.

Within a few minutes, I had the suspect's complete name, date of birth, previous jobs, relatives, phone number, home address, email address, neighbors' names, height, weight, ethnicity, list of previous convictions, and more.

Some of this information was gleaned from public records, and some from commercial sources, such as credit card companies. So much information is collected on every person that there is no way to keep it out of the public domain, including personally identifiable information.

It is too valuable for businesses – this information greases the nation’s economic machine, which is no doubt why a majority of public records requests are submitted by commercial interests.<sup>2</sup>

Ultimately, wholesale home address exemptions result in those with means – those who can afford the \$24.86 per month – to acquire this information, and those without means (including smaller news organizations and freelancers) left in the cold, furthering the information gap and societal power differentials.

#### 4. Exemptions are based on fear-inspiring anecdotes, not data

The assumption in home address exemptions is that criminals are finding people’s home addresses through public records all over the country, all the time. Is this true?

We have little empirical data to support this assumption (please, email me the studies if you know of any!). In fact, some research has found that property records online have no relation to increased crime.<sup>3</sup> Yet, people fear the worst.

I get it – people are more and more fearful for their personal safety and privacy. According to one study, the greater fear of privacy invasion, the less supportive one is of journalists having access to public records.<sup>4</sup>

In grad school I surveyed the 39 county clerks in Washington state to ask them if they knew of anyone using court records to harm someone. Only one knew of such a case, where a lawyer used court records to get back at an ex-spouse.<sup>5</sup>

No doubt there are cases where someone can point to the exact public record that included a home address, that a person requested, for doing harm. Many counties make it easy by providing search functions online to find the addresses of property owners.

But do we really know if home addresses in public records create a significant problem in society? I don’t think so.

#### 5. On a slippery slope toward criminalization

More and more states are passing anti-doxing laws to criminalize the dissemination of home address information intended to inflict harm on an individual. This is a slippery slope with constitutional concerns.

What happens if journalists, perhaps aggressive in holding public officials accountable, publish a sheriff’s home address in regard to an important matter of public interest? Could those journalists be thrown in jail? No way, right?

Yes way.

That’s what happened to the two owners of the *Phoenix New Times* when they published former Maricopa Sheriff Joe Arpaio’s home address in an investigation into his commercial property dealings. Arpaio conducted a three-year investigation into whether the newspaper

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<sup>2</sup> Margaret Kwoka, *FOIA, Inc.*, 65 DUKE L. J. 7, 1361-1437 (2016).

<sup>3</sup> Geoffrey Propheter, *Do Open Records Facilitate Criminal Behavior? The Case of Property Tax Records*, 28 J. PUB. MGMT. & SOC. POL’Y 1-2 (2021).

<sup>4</sup> David Cuillier, *Public Support for Press Access Declines as Personal Privacy Concerns Increase*, 25 NEWSPAPER RES. J. 4 (2004).

<sup>5</sup> David Cuillier, *AccessNorthwest Study Shows Access to Court Records Varies by County in Washington State*, AccessNorthwest (Oct. 7, 2004), <https://web.archive.org/web/20050304045254/http://www.wsu.edu/%7Eaccessnw/resources/court%20study.htm>.

illegally published his address, resulting in a subpoena and ultimately the jailing of the two journalists.<sup>6</sup>

No doubt more anti-doxing legislation will be proposed this spring, and in light of high-profile cases the constitutional concerns likely ignored.<sup>7</sup>

## 6. These exemptions don't pass scrutiny

An analogous way of thinking about this privacy-access dilemma is by applying an intermediate scrutiny test to home address exemptions, as a court might in determining the constitutionality of speech restrictions under the First Amendment:

1. Do these exemptions advance a substantial or important governmental interest in protecting people's privacy? No. Home address information can be obtained through a variety of other ways, as noted above. These exemptions do little to protect people, so they do little to advance that important government interest.
2. Is the restriction on information narrowly tailored in a way that does not substantially burden more information gathering than necessary? No. These exemptions restrict information gathering for legitimate purposes by journalists and average citizens who cannot afford subscriptions to commercial information services.

Unfortunately, the U.S. Supreme Court so far has yet to explicitly deem a constitutional right to public records, and has even upheld the DPPA.<sup>8</sup> But perhaps further court challenges to exemptions should apply a similar test in balancing privacy with the right to know.

This issue is not going away, and it is inevitable that more bills will be proposed in legislatures this spring to broadly exempt home addresses and other personal identifiers from public records. I would hope lawmakers would pause and not let fear drive further moves toward secrecy.

Without a doubt, the concerns of privacy invasion are valid, and the nature of U.S. politics and society appear to be headed down a dark path. But the solution is to put more resources and effort into policing the actual bad behavior, not closing down information. Stalking laws directly address stalking. Homicide laws address homicide. Other criminal laws address identity theft, doxing, and harassment.

Eviscerating public record laws is not the answer. If we criminalize access to information, then only criminals – and those with means – will have information.

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<sup>6</sup> See *Charges Dropped Against Arizona Media Executives*, Reporters Committee for Freedom of the Press (Oct. 19, 2007), <https://www.rcfp.org/charges-dropped-against-arizona-media-executives/>.

<sup>7</sup> See an excellent analysis of how these anti-doxing laws have significant First Amendment implications, in Frank LoMonte & Paola Fiku, *Thinking Outside the Dox: The First Amendment and the Right to Disclose Personal Information*, 91 UMKC L. Rev. 1 (2022).

<sup>8</sup> For analysis of the potential ramifications of this 2000 case, see Joey Senat, *Reno v. Condon Opens Door to More Access Limits*, 24 NEWSPAPER RES. J. 2 (2003).



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## Home Address Exemptions in State FOI Laws

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Article Information	Abstract
Received: Sept. 1, 2022	As more people express concerns about physical threats and harassment, state governments have responded by exempting home addresses from public disclosure. This survey of state open records law found that exemptions are common for public employees, law enforcement agents, victims and minors, and that general privacy exemptions are often – but not always – interpreted to withhold home addresses from release. Confidentiality programs for victims of domestic violence and sexual offenses have been instituted in 45 states, with more states considering proposals. While balancing tests for personal privacy may slow down records release, they can help prevent the wholesale closure of records and allow journalists to report on important issues related to home addresses.
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\* Jodie Gil is an associate professor of journalism at Southern Connecticut State University. Robert A. Smith, Jr., and Kauther S. Badr are associate professors of business law at Southern Connecticut. Please send correspondence about this article to Jodie Gil at [gilj4@southernct.edu](mailto:gilj4@southernct.edu). This manuscript won first place in the National Freedom of Information Coalition FOI Research competition, presented Oct. 19, 2022, at the online NFOIC summit, and follows up on a [study](#) by Gil published in this journal in August 2019.

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## Introduction

Many in positions of power or weakness are concerned their home address will be accessible by those trying to cause them harm. Several state laws have been revised to protect a growing number of public servants, victims and others from having their home addresses disclosable to the public. The information is often contained in routine public documents, accessible through open records laws in each state. With easier access to such records through Internet databases, and the ability to publish the information widely through social networks and websites, there have been growing concerns about the collection, storage and dissemination of such information on the local level. In this context we sought to understand the current climate of home address disclosure in state open records laws. Our research questions are:

- How does each state treat disclosure of home addresses included in public documents?
- Which individuals are considered exempt from disclosure?

The questions seem particularly relevant in our current climate. Congress has been reviewing a proposal to protect federal judges' home addresses and other personally identifying information, modeled after a state law passed in New Jersey in 2020. Across the country, state legislatures have recently reviewed similar proposals to limit home address disclosure for law enforcement agents, judges, court employees, public officials and elected officials. Meanwhile, the Uniform Law Commission has formed a study committee on the topic of "Redaction of Personal Information from Public Records," which could review the issue and potentially propose model state legislation on the topic.

## Context

### Home addresses as a contested record

Home addresses were selected for this review, rather than the more general category of personally identifying information, which doesn't always include home addresses. The tighter focus allows for a more accurate comparison across states. At the same time, home addresses -- as opposed to data such as birthdates -- have traditionally been considered routine directory information, making the shift in attitudes an interesting area to explore. For example, the Family Educational and Privacy Rights Act definition of publicly disclosable "routine directory" includes home addresses (FERPA, 2012). The New Mexico Attorney General summed up the evolution in an opinion in 2015:

"In the past, a public employee's personal contact information was considered a public record and subject to public inspection. Because home addresses and telephone numbers were already available to the public through publication in telephone directories and similar sources, there appeared to be little justification for denying public access to the same information contained in the records of public bodies. This view has changed in recent years, due to the wide availability of and access to information on the Internet, concerns about identity theft, and public pressure to limit unwanted telephone, mail and email solicitations." (Balderas, 2015, pages 27 – 28)

Though attorney general opinions and state court rulings on the topic stretch back decades, the first laws regarding home address privacy started appearing in the 1990s. In 1991, Washington state enacted the first Address Confidentiality Program, which allowed victims of domestic violence to use an alternative address on public records to protect them from stalking or more violence when they moved. In 1997, Nevada was the second state to enact a program, which “began when it became clear that in far too many cases, victims were being physically located through public records ... When victims enter into business relationships with state and local agencies, the use of the fictitious address both maintains the victim’s confidentiality and relieves those agencies of the difficult and costly responsibilities of maintaining confidential records” (Nevada Confidential Address Program, 2022). Currently, 45 states have such a program (Maloney, 2020), with several added or attempted in just the last decade. South Carolina lawmakers have rejected proposals to add a program in that state in the previous three legislative sessions. The S.C. Senate Committee of the Judiciary is reviewing a re-submitted proposal (South Carolina State Legislature, 2022). Utah legislators approved a bill in that state creating an Address Confidentiality Program, to go into effect in 2023 (Utah State Legislature, 2022).

In 1994, the federal Driver’s Privacy Protection Act restricted the release of personal information on licenses. The law was proposed in response to the stalking and murder of actress Rebecca Schaeffer, whose home address was disclosed through motor vehicle records. States adopted legislation in response to the federal law, and several now mention motor vehicle records in their open records laws, though how they implemented the regulations varied (Karras, 1999). Several states outline when personal information can be released, including by car insurers or in connection with lawsuits. Other states allow more information to be released than federal law. In Washington, D.C., for example, the statute lists several uses for which motor vehicle records can be released, including for research activities and statistical reports, if the personal information is not published (Motor and Non-Motor Vehicles and Traffic, 2018).

In recent years and in the current polarized political climate, concerns about doxing – publishing someone’s personally identifying information – and physical threats, have escalated the reactions and proposals to expand exemptions to additional people (Gil, 2019). One of the most high-profile cases prompted New Jersey to pass Daniel’s Law in 2020, which protects judges, prosecutors and law enforcement officers from home address disclosure. The law was proposed after the son of U.S. District Court Judge Esther Salas was murdered in their home (State of New Jersey, 2020). The law applies to state justice employees, so as a federal judge, Salas’s address is currently not protected. However, Salas has been campaigning to get Congress to pass a similar law at the national level. The Federal Bar Council has continued to implore lawmakers to resolve any controversy and pass judicial security legislation after the Daniel Aderl Judicial Security and Privacy Act of 2021 that would allow for the protection of judges while on and off the bench failed to pass (Kutner, 2022).

Other examples of public officials getting doxed abound. In 2020, the website “EnemiesOfThePeople.org” posted home addresses and emails for government officials who publicly called out President Donald Trump for his false claims that the presidential election was stolen (Markay & Rawnsley, 2020). During the initial months of the COVID-19 pandemic, healthcare workers reported higher rates of harassment than others, in an international study of 7,400 people, (Dye et al., 2020) prompting states such as Colorado to add public health and healthcare workers to protected classes for home address disclosure. “(The protected workers) do have a public-facing job, but just because you have a public-facing job doesn’t mean you should have threats against your family or yourself for doing the work you’ve been tasked with doing,”

Colorado state Rep. Andrew Boesenecker was quoted as saying when the bill passed (Coltrain, 2022). More recently, a group in Idaho shared the home addresses of judges, prosecutors, health care workers and social workers in fliers distributed around Boise. The doxing was in response to disagreement over a child protective services case (Dutton & Dawson, 2022).

Interestingly, journalists have also fallen victim to doxing and personal threats when readers disagree with their reporting. The Reporters Committee for Freedom of the Press outlined the threats to journalists who reported on cyber security issues in a 2015 article, citing examples ranging from delivery of unappetizing pizza to “swatting,” when an emergency response team is sent to a home (RCFP, 2015). And a recent trend is for critics of news reporting to simply call the reporting itself doxing. In February, BuzzFeed reporter Katie Notopoulos identified anonymous nonfungible token (NFT) collectors, who became prominent when the digital images started selling for hundreds of thousands of dollars each (Notopoulos, 2022). The owners, and their supporters, took to their social media accounts to denounce the story as doxing. Meanwhile Notopoulos received personal threats after publishing the story (Jhala, 2022). Similarly, in April, Washington Post reporter Taylor Lorenz published an expose on the identity of a woman who runs a right-wing TikTok channel called “Libs of TikTok,” that, the article claims, has influenced Republican politicians (Lorenz, 2022). The reporter faced similar backlash, with critics even purchasing space on a digital billboard in Times Square in New York City stating: “Taylor Lorenz Doxxed @LibsofTikTok” (Pool, 2022).

The harassment is not limited to those in the public eye. Often more vulnerable people have fallen victim to threats and doxing. For example, the family members of the victims of the 2012 Sandy Hook Elementary School shooting have been harassed by conspiracy theorists who believe the shooting was only a hoax. Police arrested a Florida man in 2020 for “unlawful possession of personal identification,” after he repeatedly harassed one Sandy Hook father by sharing the man’s social security number, birth date and credit report with his home address (Williamson, 2020). Identity theft also continues to be a major concern regarding personal information but seems more tied to social security numbers and birth dates.

## Data privacy

With evolving technology, data is more easily compiled and shared, compounding anxiety about releasing the information. For example, criminal records kept by local and federal governments have often been examples of controversial Freedom of Information Act (FOIA) requests. Further, around the time of the Watergate scandal, the unlawful surveillance of opposing political parties caused widespread distrust of the government and its ability to gather personal information. As such, the Privacy Act of 1974 was enacted and went into effect in 1975. The Act contains what are known as Fair Information Practice Principles (FIPPs) that require agencies to safeguard individual information and allows individuals to know how information collected about them is used and it enables individuals to correct inaccurate information (Overview of the privacy act: 2020 edition, 2021). Years later, privacy concerns and issues continued to be at the forefront of public concerns. In 1989, the Supreme Court of the United States held that “rap sheets” maintained by the government are exempt from disclosure as they pertain to information compiled on a private citizen and are not demonstrative of information pertaining directly to actions of the government (DOJ v. Reporters Comm. for Free Press, 1989). This precedent draws a distinction between mere individual curiosity about an individual’s confidential information vs. interest in governmental action and decisions for legitimate purposes. The public still has concerns about

both government and corporate use of data, with increasing numbers saying their information is less secure and that they lack control over their personal information (Auxier, et al., 2019).

### Home addresses in the public interest

Despite these many compelling examples of the dangers of home addresses being public, there are other compelling reasons to argue for disclosure, especially as it relates to holding public officials accountable and sharing information in the public interest. Reporters routinely use home addresses to verify identities and expose public officials violating local laws or otherwise benefitting from their positions. Similarly, reporters and researchers use location data to help the public understand public health issues.

One common focus on home addresses relates to election eligibility rules and voting. For example, former NFL running back Herschel Walker ran for the U.S. Senate seat in Georgia while still living in Texas. While senators only need to live in their district at the time of the election, reporting on this topic allows potential constituents to hold candidates accountable to that rule (Harrell, 2021). New York Times columnist Nicholas Kristof failed to get on the Oregon ballot for governor in 2022 because he was a registered voter in New York (Monahan, 2022). Similar residency questions have popped up for the New York City mayor (Glueck & Rubinstein, 2021) and a Congressional candidate in Montana (Lefebvre & Lippman, 2022), among others. President Donald J. Trump's former Chief of Staff Mark Meadows made headlines in 2022 for registering to vote at a North Carolina mobile home where he did not live (Bethea, 2022), which is particularly newsworthy considering Meadows and other Trump supporters continue to push claims of voter fraud during the 2020 election (Kessler, 2022). Meanwhile, even state employees have been held accountable for eligibility rules based on address verification. For example, a California Department of Education administrator resigned last year when reporters revealed he lived outside of the state (Mays, 2021), prompting an internal review that led to additional resignations for residency violations (Luthi, 2021).

It's unpredictable what news stories will require home address verification, and many important issues will likely be undiscoverable as states close off home addresses. This author's own reporting includes examples of stories where public officials were held accountable and were obtained through open records containing home addresses. Most notably, comparing city employment lists with tax delinquency lists revealed public officials in Ansonia, Connecticut owed more than \$50,000 in back-taxes in a year when the city tax rate continued to increase for residents. The reporting uncovered the city's tax collector was secretly giving tax clearances to several officials and friends, indicating they had paid their taxes when, in fact, they hadn't. (Mozdzer, 2012). In Shelton, Connecticut, an assistant state's attorney became newsworthy when he ran afoul of local zoning laws at his home (Mozdzer, 2010). In both cases, home addresses were not published in the final stories, but aided in the reporting and verification process. Some other recent examples include:

- A TV station connected the owner of a Texas trucking company with fatal safety violations to a new company he registered the day after a 28-car pileup killed four people (Jojola, 2021).
- Reporters in Oregon tracked heat wave deaths using address data. The Attorney General ordered the information released despite objections because "the public interest in the cases

and the need to understand policy failures that contributed to the deaths justified releasing the records” (Templeton & Samayoa, 2021).

- Pennsylvania journalists identified homes registered by the Federal Drug Enforcement Administration as being former meth labs – information that wouldn’t otherwise appear on rental or purchasing records, but could be important health information for future residents (Martines, 2022).
- Houston Chronicle reporters are holding the state Attorney General accountable for disclosing property ownership on ethics reports meant to prevent conflicts of interest (Root & Goldstein, 2022).
- Journalists at the Oregonian prompted a candidate for governor to pay his delinquent property taxes through their reporting on the topic (Borrud, 2022).

## Challenges

Confusing exemptions can lead records holders to err on the side of withholding. A 2017 decision from an appeals court in Pennsylvania highlights one such case (Butler School District v. PA for Union Reform, 2017). A citizen group had requested its school district’s property tax assessment list. The district withheld the entire list because it was too hard to figure out which addresses belonged to school employees, who are exempt from address disclosure and whose names would need to be redacted. The appeals court ordered the list be released, since it relates to taxable property. “An address contained in the Property List is not necessarily a personal identifier,” the court ruled. “The Property List is well-established as a public record to which the public has a right to access. Moreover, the address of an assessed property is an essential component of the assessment for tax purposes. In other words, as discussed below, a list of assessed properties is of little use without the addresses of the properties” (Butler School District, 2017, section A). Though the court eventually ordered the records released, the original lawsuit was filed in 2014, meaning several years passed before the information became public.

Others are likely to face similar struggles with public records requests. In West Virginia, courts are withholding all address information while they determine how to comply with a new law that protects current and former state and court employees or their immediate families (Dominion Post, 2022). One New Jersey clerk called the state’s proposal to exempt elected officials from home address disclosure a “freaking nightmare” (Biryukov, 2022). Elsewhere, journalists already report delays in public records requests, sometimes directly related to concerns over redacting private information (Sakariassen, 2020). A 2021 survey conducted by the National Freedom of Information Coalition found that “the greatest threats to government transparency today are legal exemptions primarily focused on protecting individual privacy” (Fettig & Cuillier, 2021).

These concerns are apparent in the disparate, and often confusing, approaches to home address disclosures among the various states. Each state has a unique public records law, which outlines definitions of records, and exemptions. Additionally, exemptions may appear in other state statutes, and through previous court interpretations of the law. Some states also rely on Attorney General opinions to understand what information is disclosable or exempt from disclosure. The study will examine how the states approach access to home addresses in public records through an analysis of public record laws and other documents, and then provides recommendations for how states might balance privacy with the public’s right to know.

## Method

This review started with a summary for each state, outlining how home addresses are handled in the respective public records statutes, state statutes and case law. The full state summary is available in Appendix A. The following resources were used in the analysis:

- The full text of the public records laws for each state,
- The Reporters Committee for Freedom of the Press Open Government Guide, and citizen guides published by attorneys general and FOI groups, which provide broader context and understanding of how the laws have been interpreted in the past, and
- News reports about proposed bills concerning public records access.

The review is thorough but likely incomplete. However, it serves as a starting point for understanding the broader picture of home address disclosure in the United States. In analyzing the 50 states, we identify common themes and the different approaches to handling home addresses in public records, and then provide our recommendations for balancing privacy with the public's right to know. This study builds on a previous paper (Gil, 2019), which looked at a limited set of records types, by expanding the review to include each state's full open records law.

## Results

In general, states approach home address exemptions differently: Some states require a balancing test for personal privacy; others carve out exemptions for individuals. Home addresses are sometimes exempted by default when an entire record group is considered private. Where states define personal information, home addresses are inconsistently considered. States often use more than one of these approaches, adding to the confusion for the public and records holders. And in some cases, different individuals have different rights to access the information. This section highlights several examples of the different approaches to home address disclosure in the United States, focusing on common trends.

### Definitions of personal information and privacy

No single definition of personally identifying information or personal privacy exists. Federal definitions of personal information vary (see FERPA and DPPA). States have also had different approaches. For example, Alaska's Public Records Act includes a definition of "personal information" that explicitly excludes home addresses and telephone numbers, if the number is published in a telephone directory (Alaska Public Records Act, 2018). Iowa exempts "personal information" for several classes but doesn't define it in the law. In Nevada, personal information is defined two different ways: "personally identifying information" includes home addresses when it relates to a Public Records Act amendment dealing with electronic records, but the definition used for "personal information" of National Guard members does not mention home addresses (Nevada Public Records Act, 2021).

Definitions of "personal information" may also appear in other statutes outside of the open records laws. In several states including Michigan, the motor vehicle regulations mirror the federal statute in defining "personal information," and "highly restricted personal information." Home

addresses are included in the lower designation, while “highly restricted personal information” is defined as social security numbers, disability status, digitized signatures, and those enrolled in Michigan’s Address Confidentiality Program (Mich. Vehicle Code, 2020). In West Virginia, state employees’ home addresses are exempted in a statute outside the state’s Freedom of Information Act, which defines “personal information” as home address, social security number, credit card numbers, driver’s license number, and marital status or formal legal name (West Virginia Public Records Management and Preservation Act).

In other instances, privacy, rather than personal information, is defined. Washington state, for example, includes a definition of “invasion of privacy” in the public records law, saying personal privacy is violated if the disclosure “would be highly offense to a reasonable person and is not of legitimate concern to the public” (Washington Public Records Act, 1987). Illinois’ definition of “private information” includes home addresses “except as otherwise provided by law or when compiled without possibility of attribution to any person” (Illinois Freedom of Information Act, 2016). These two definitions are among the different ways state laws enact balancing tests for determining which personal information can be disclosed.

### Balancing tests

Several states require an outside entity – usually a court, state attorney general, or a commission – to weigh in on the disclosure of confidential information. New Hampshire is an example of a state with a privacy balancing test used to evaluate home address disclosure on a case-by-case basis. The state’s law has a general exemption for records “whose disclosure would constitute an invasion of privacy” (N.H. Right-to-Know Law, 2016) and case law has set up a test to determine that invasion, as detailed by the attorney general (Foster, 2015, p. 28):

- Is there a privacy interest at stake that the disclosure would invade?
- Would disclosure inform the public about the conduct and activities of its government?
- Balance the public interest in disclosure against the government’s interest in non-disclosure

New Hampshire courts have used this balancing test to exempt the names and addresses kept by schools and of residential public utility customers from disclosure. The attorney general has issued advice to “generally redact or analyze the privacy interests” (Foster, 2015, p. 43) of home addresses, while not classifying them as sensitive data that should always be redacted.

In Kentucky, the law does not mention home addresses. Still, it has an exemption for “public records containing information of a personal nature, where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy” (Kentucky Open Records Act, 2021) which has been used in some cases to exempt home address disclosure for public employees and private citizens (Rogers, 2019). The “clearly unwarranted invasion of personal privacy” wording is the same as the Federal FOI Act (2016) and is used in several state laws. For example, Michigan’s personal privacy exemption is worded the same way. Courts have interpreted it to exempt home address disclosure for public employees, accident reports, donors to the state university, consumer complaints, handgun owners, and lottery winners (Nessel, 2019). In West Virginia, the privacy exemption is worded differently: to exempt “information of a personal nature such as that kept in a personal, medical or similar file, if the public disclosure of the information would constitute an unreasonable invasion of privacy, unless the public interest by clear and convincing evidence requires disclosure in this particular instance” (West Virginia Freedom of

Information Act). The phrasing favors nondisclosure, according to an analysis published in the Reporters Committee for Freedom of the Press Open Government Guide. Comparing the West Virginia statute to the privacy exemption in the federal act, McGinley and Weise (2019) write: “The simplest explanation of these differences is as follows: If the scales weigh heavily in favor of disclosure, both codes require disclosure; If the scales weigh heavily in favor of nondisclosure, both codes require nondisclosure; but if the scales weigh even or near even, the Federal Code favors disclosure while the West Virginia Code favors nondisclosure.”

Pennsylvania courts have ruled that the state’s constitutional right to privacy “requires that a balancing test be performed whenever it is asked to produce records in which people have a privacy interest” (Penn. Office of Open Records, 2022, p. 118). Other states have exemptions for information relating to personal safety. For example, Alabama doesn’t mention home addresses, but does have an exemption for “records relating to, or having an impact upon, the security or safety of persons, structures, facilities, or other infrastructures... the public disclosure of which could reasonably be detrimental to the public safety or welfare” (Alabama Open Records Law, 2004).

### Full records exemptions

Where full records are exempt from disclosure, home addresses are, by default, exempted from release. This review does not delve into this sub-topic; it is an area for additional research to augment this summary of exemptions. Some examples include states that restrict disclosure of voter registration rolls, gun permits and vital records, which are other places where home addresses might appear. In those cases, the exemption is more closely tied to the record type than the personal information appearing on it.

### Individual exemptions

Many states are relying on exemptions for certain individuals as they face new calls for privacy and protection. Common exemptions appear for: minors, victims, public employees, law enforcement agents, and donors. Those exemptions are generally approached in two ways: for home addresses appearing on employment documents, or for home addresses appearing on other public records, a more complicated approach.

Regarding employment documents, most states provide exemptions for the release of home addresses for public employees or retired public employees, although with different classes of employees outlined. For example, Indiana lists “public employees” and “public safety officers” generally (Indiana Public Records Act, 2021) while Florida lists individual categories, including personnel of the Department of Health and Department of Financial Services, specifically (Florida Public Records Act, 2022). Several states include exemptions for the broader record category of “personnel records,” allowing release only of details such as salary and dates of employment.

In addition to protecting employment records, some states allow certain individuals to request their home addresses be removed from other public records held by local and state governments. In Utah, for example, “at-risk government employees” can file a request to classify their home addresses as private on government records. The list of at-risk individuals includes peace officers, judges, prosecutors, law enforcement officials and state or local government employees based on their work assignments. Family members of the at-risk employees are also eligible (Utah Government Records Access and Management Act, 2019). Idaho also allows law



enforcement officers to apply for home address confidentiality on public records, and records holders may charge a fee (Idaho Address Confidentiality for Law Enforcement Officers, 2015). Texas has a similar provision but outlines a process by which the requester can appeal the decision to withhold the address (Texas Public Information Act, 2021). Judges, prosecutors, corrections officers, and other people working in criminal justice jobs, are often included in similar at-risk exemptions.

Recently, states have added exemptions for public health workers, as well. In California, reproductive health employees and public health officials can apply for the Address Confidentiality Program. In Colorado, health workers are included with other law enforcement officers in the definition of “protected person” (Colorado Personal Information on the Internet Act, 2022). In New Jersey, reproductive health workers and patients are exempt from home address disclosure (New Jersey Open Public Records Act, 2019), and eligible for the Address Confidentiality Program. In Ohio, mental health providers are exempt (Ohio Public Records Act, 2022). Oregon and Washington both exempt health care workers from home address release as well.

Several states have focused on voter registration as a common public record with home addresses – allowing anyone with a compelling safety concern to request confidentiality. The states with such provisions are Arkansas, Hawaii, Idaho, Missouri, Nevada and Utah. These provisions are in addition to the common Address Confidentiality Programs, which provide victims substitute addresses to use on public records, including voter registration. More research is needed to understand how these policies impact local records holders.

Exemptions for minors frequently appear in laws referencing recreation department programs. Arkansas, Connecticut, Illinois, Indiana, North Carolina, Ohio, and Texas all have provisions for minors enrolled in public programs. Other states, such as North Dakota, exempt minors more generally. Others (Tennessee, Ohio, Washington) exempt minor victims. Exemptions for victims are likewise varied, with some states exempting all victims and others specifying exemptions for only victims of sexual offenses or only prohibiting the offender to request information about the victim.

Exemptions for public utility customers and donors also appear in several states. California, Indiana, New Hampshire, Ohio, Oklahoma, Tennessee, Virginia, and Washington all have provisions exempting some utility customers from home address disclosure. Donors are exempted from disclosure in 10 states: Michigan, Nebraska, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas and Virginia.

#### Penalties for release of personal information

Several states have added wording that imposes penalties for releasing, publishing or selling personally identifying information. For example, California’s law requires permission from elected or appointed officials before publishing home address information (California Public Records Act, 2015). Colorado has a similar provision, which applies to human services workers, public health workers, judges, peace officers, prosecutors, public defenders and public safety workers (Colorado Personal Information on the Internet Act, 2022). Under the Colorado law, those workers can submit a request to state or local government officers to seek the removal of home address information from public records available online. In Arizona, the intentional release of home addresses of protected individuals is classified as a Class 6 Felony (Arizona Public Records Act). These penalties may otherwise appear in separate anti-doxing statutes, such as ones

recently proposed in Oregon and Washington state (Santos, 2022). A deeper look at how states use both anti-doxing and open records law adjustments to address the same problem is fertile ground for future research.

### Different rules for journalists

Perhaps recognizing the unique need of journalists to access home addresses in their reporting, some states have made exceptions to the exemptions for journalists. For example, in Colorado, while certain public officials can seek confidentiality in their home addresses, the law allows the news media to seek confirmation of home addresses even for those protected individuals who have been granted confidentiality (Colorado Open Records Act). In Ohio, journalists are allowed more access to records (Ohio Open Records Act, 2022). However, a journalist's request for state employee home addresses carved out an exemption through a 2005 state Supreme Court decision (*Dispatch Printing Co. V. Johnson, 2005*). These exceptions to the exemptions leave a little breathing room for journalists to continue reporting while protecting personal privacy. However, with the evolving news media industry, it may become harder to verify who is a professional journalist, leaving the record holder or a judge to interpret.

## Recommendations

This review demonstrates that the practice of withholding home addresses from public disclosure is well established and widespread across the states. Even states that don't include home address exemptions in their public records laws have protected individuals from disclosure when a balancing test was applied in the courts. Therefore, a recommendation urging states to treat home addresses as disclosable information is not practical or in line with current standards. There are compelling arguments for withholding home addresses from disclosure, as demonstrated in the several examples of threatening, harassment and physical harm done to public officials and victims. In contrast, if real threats exist for some classes of individuals, an argument could be made that all home addresses should be exempt from disclosure, so as not to privilege certain classes. On the other hand, there are compelling arguments to make home addresses available in instances where it helps journalists and members of the public hold officials accountable and research location-based issues.

This necessity requires a nuanced approach to disclosure – one favored by the states that have balancing tests built into their laws. Though these balancing tests could prompt delays and are subject to biased interpretations depending on the officials in power, they seem like the best fit for the complicated problem of privacy needs in the 21<sup>st</sup> century. An overarching balancing test for home address disclosure would help simplify the process for records holders faced with ever-increasingly confusing exemptions.

A second option would be to expand existing Address Confidentiality Programs, now active in 45 states, to include additional classes of people concerned about home address release. While the programs have started as a means to protect victims of domestic violence, stalking and sexual offenses, some states have added other eligible individuals. For example, in California, elder and dependent abuse victims, reproductive health care workers and other public health officials during COVID could join the program (California Safe at Home, 2022). Washington state, the first in the nation to adopt an Address Confidentiality Program in 1991, has since added criminal justice employees and elected officials who are targets of harassment as eligible to

participate (Washington Address Confidentiality Act, 2022). When states feel compelled to protect just a small class of individuals from home address disclosure, this may be an avenue to help streamline the process for records holders. The upside to this option is that it doesn't require complex analysis by records holders, as the addresses supplied are substitute addresses. Some states have tried a version of this approach, allowing individuals in protected groups to "opt out" of home address disclosure from public records. More research is needed to determine the burden this alternative approach puts on the records custodians.

Finally, as states consider individual exemptions, we advise a more balanced approach to who becomes exempt from disclosure. States like Virginia focus exemptions on everyday citizens whose information happens to be included in governmental documents – people like zoning complainants and members of citizen emergency response teams. Other states, such as Florida, focus on individuals whose jobs put them in the position of making decisions about others' freedom – judges, law enforcement agents and prosecutors. While it makes some sense to protect the public agents overseeing the justice system, an argument could be made that as people hold power over others, transparency is more critical regarding their actions. It's a delicate balance since most of their actions won't necessitate home address disclosure. States that provide additional access to journalists have found one approach to this problem, however imperfect the application may be.

It's important to note that home addresses may be otherwise available to the public, and restricting them in public records might limit needed access without fully solving the problems of violence and threats. For lawmakers considering changes to home address access, we recommend laws with flexibility and balance to allow for legitimate uses of the information to continue. Some potential elements to consider include an appeal process after home address withholding (Texas), verification allowances (Colorado), clear definitions of what addresses are considered public (Alaska), and balancing tests that acknowledge the different privacy needs for public officials and private individuals (Kentucky).

This review is limited in that it summarizes the published laws and available interpretations. The case law review, in particular, is limited to those states with robust analyses published by open government groups and attorneys general. Also, these summaries indicate the law as written, while the implications on the ground may differ from the law, in particular among records holders striving to navigate complicated and changing exemptions. However, it serves as a starting point and a good reference for those considering privacy issues and public documents.

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## Appendix A

<p><b>Alabama</b></p> <p><a href="#">Alabama Open Records Law</a></p>	<p>Currently, there is no specific exemption in the Alabama public disclosure laws regarding home addresses. Alabama’s public disclosure law exempts “records relating to, or having an impact upon, the security or safety of persons, structures, facilities, or other infrastructures . . . the public disclosure of which could reasonably be expected to be detrimental to the public safety or welfare.” <i>Ala. Code § 36-12-40</i>.</p> <p>The Reporters Committee for Freedom of the Press <a href="#">Open Government Guide for Alabama</a> lists other state statutes and court decisions that exempt home addresses for:</p> <ul style="list-style-type: none"> <li>• Victims. <i>Ala. Code § 15-23-69</i></li> <li>• Real estate appraisers. <i>Ala. Code § 34-27A-16(c)</i></li> <li>• Taxpayers. <i>Ala. Code § 40-2A-5(d)</i></li> <li>• Employees’ home addresses. (<a href="#">Attorney General opinion 88-00390</a>)</li> </ul> <p>Alabama has an <a href="#">Address Confidentiality Program</a> that allows victims of domestic violence to keep their address off the voter registration list.</p>
<p><b>Alaska</b></p> <p><a href="#">Alaska Public Records Act</a></p> <p><a href="#">State Records Alaska FOI Guide</a></p>	<p>Alaska’s Public Records Act exempts certain individuals from home address disclosure, including:</p> <ul style="list-style-type: none"> <li>• The “names, addresses, and other information identifying a person as a participant in the Alaska Higher Education Savings Trust... or the advance college tuition savings program” <i>Alaska Stat. 40.25.120 (a)(7)</i></li> <li>• Library patrons. <i>Alaska Stat. 40.25.140 (a)</i></li> </ul> <p>While not specifically indicating home addresses, law enforcement records are exempted to the extent that they would constitute an “unwarranted invasion of the privacy of a suspect, defendant, victim, or witness” or law enforcement records that “could reasonably be expected to endanger the life or physical safety of an individual.” <i>Alaska Stat. 40.25.120 (a)(6)(C) and (G)</i></p> <p>The act also excludes from release juvenile records, medical records and vital stats, which may include home address information. <i>Alaska Stat. 40.25.120 (a)(1),(2) and (3)</i></p> <p>Meanwhile, the act’s definition of “personal information” specifically excludes home address and telephone number, if it is published in a telephone directory. <i>Alaska Stat. 40.25.350(2)</i></p> <p>Alaska does not have an Address Confidentiality Program, however victims’ and witness addresses are considered confidential under the Victims Rights Act of 1991. <i>Alaska Stat. 12.61.110</i></p>
<p><b>Arizona</b></p>	<p>The exemptions to home address release included in the “Information identifying eligible persons” section of the Arizona Public Records Act (<i>Arizona Stat. 39-123</i>) include:</p>

<p><a href="#">Arizona Public Records Law</a></p> <p><a href="#">The Arizona Ombudsman Public Records Law Booklet (2020)</a></p>	<ul style="list-style-type: none"> <li>• Former public officials</li> <li>• Peace officers and family</li> <li>• Border patrol agents</li> <li>• Judges, justices</li> <li>• Public defenders, prosecutors</li> <li>• Corrections officers and support staff</li> <li>• Law enforcement support staff</li> <li>• Employees of Department of Child Safety and Adult Protective Services</li> <li>• National Guard members</li> <li>• Victims of domestic violence or stalking</li> </ul> <p>The act also exempts witnesses of a crime unless the address is where the crime took place. <i>Arizona Stat 39-123.01</i></p> <p>The Public Records Act defines intentional release of the home addresses of the above individuals as a class 6 felony. <i>Arizona Stat. 39-124a</i></p> <p>Home address disclosure is also addressed in court decisions, other state statutes and Attorney General opinions. For example, state employee addresses can be kept confidential (<i>Ariz. Attorney General Opinion 191-004</i>), according to the Ombudsman Public Records Law Booklet (2020).</p> <p>Arizona has an <a href="#">Address Confidentiality Program</a> that allows victims of domestic violence and sexual assault to use a substitute address on public records at the state and local levels.</p>
<p><b>Arkansas</b></p> <p><a href="#">Freedom of Information Act of 1967</a></p>	<p>Arkansas exempts several individuals from home address disclosure in its Freedom of Information Act, including:</p> <ul style="list-style-type: none"> <li>• non-elected state employees and municipal customers. <i>Ark. Code Ann. §25-19-105 (b)(13) and (20)(a)</i></li> <li>• Minors participating in recreation department programs. <i>Ark. Code Ann. §25-19-105 (b)(22)</i></li> </ul> <p>Other statutes protect other individuals from home address disclosure, including:</p> <ul style="list-style-type: none"> <li>• Public-school employees. <i>Ark. Code Ann. § 6-11-129(a)(1)(A)(viii)</i></li> <li>• Domestic violence victims on voter registration records. <i>Ark. Code Ann. § 7-5-112(a) and (c)</i></li> </ul> <p>Arkansas has an <a href="#">Address Confidentiality Program</a> that allows victims of domestic violence to use a P.O. Box on their driver’s license in lieu of their residential address.</p>
<p><b>California</b></p> <p><a href="#">California Public Records Act</a></p>	<p>California law exempts home address disclosure from several records, including:</p> <ul style="list-style-type: none"> <li>• Public housing. <i>Cal. Govt. Code § 6254.1</i></li> <li>• Public employee records. <i>Cal. Govt. Code § 6254.3</i></li> <li>• Voter registration. <i>Cal. Govt. Code § 6254.4</i></li> <li>• Public utilities. <i>Cal. Govt. Code § 6254.16</i></li> <li>• Reproductive health services. <i>Cal. Govt. Code § 6254.18</i></li> </ul>

	<ul style="list-style-type: none"> <li>• Firearms licenses for court employees and peace officers. <i>Cal. Govt. Code § 6254(u)</i>.</li> </ul> <p>Addresses of people involved in, or witness to, criminal incidents is disclosable, except if it endangers someone’s safety or the investigation. Certain victims’ addresses are not disclosable, though. <i>Cal. Govt. Code § 6254(f)</i></p> <p>It is a misdemeanor to publish home addresses of elected or appointed officials. State and local agencies must get written permission before publishing officials’ details online. <i>Cal. Govt. Code § 6254.21(b) and (a)</i></p> <p>California has an <a href="#">Address Confidentiality Program</a> called “Safe at Home” for many classes of victims to use a substitute mailing address for state, county and local public records. Those included in the program are:</p> <ul style="list-style-type: none"> <li>• Domestic violence victims</li> <li>• Sexual assault victims</li> <li>• Elder and dependent abuse victims</li> <li>• Reproductive health care workers</li> <li>• Public health officials (by executive order N-80-20 during COVID)</li> </ul>
<p><b>Colorado</b></p> <p><a href="#">Colorado Open Records Act</a></p>	<p>The Colorado Open Records Act specifically exempts home address disclosure for:</p> <ul style="list-style-type: none"> <li>• Public employees’ personnel files. <i>Colo. Rev. Stat. § 24-72-202(4.5)</i></li> <li>• Public school children. <i>Colo. Rev. Stat. § 24-72-204(3)(a)(VI)</i></li> <li>• Users of public utilities, facilities or services. <i>Colo. Rev. Stat. § 24-72-204(3)(a)(IX)</i></li> <li>• Individuals who have requested confidentiality for personal safety. <i>Colo. Rev. Stat. § 24-72-204(3.5)(b)</i></li> </ul> <p>Other statutes address publishing of personal information on the Internet, including home address in the definition. <i>Colo. Rev. Stat. § 18-9-313(2.7)</i> A “protected person” is defined as a human services worker, a public health worker, a judge, a peace officer, a prosecutor, a public defender, or a public safety worker. <i>Colo. Rev. Stat. § 18-9-313(1)(f)</i></p> <p>Colorado has an <a href="#">Address Confidentiality Program</a> for victims of sexual assault and domestic violence to use a substitute mailing address in place of a home address on state and local public records.</p>
<p><b>Connecticut</b></p> <p><a href="#">The Connecticut Freedom of Information Act</a></p>	<p>For people employed by Connecticut state agencies, the residential address is exempt from disclosure for the following:</p> <ul style="list-style-type: none"> <li>• Judges, magistrates, court employees and state marshals</li> <li>• Law enforcement officers</li> <li>• Corrections officers</li> <li>• Attorneys, including prosecutors and public defenders</li> <li>• Social worker who is employed by the Division of Public Defender Services</li> <li>• Inspector employed by the Division of Criminal Justice</li> <li>• Firefighters</li> </ul>

	<ul style="list-style-type: none"> <li>• State employees for the Department of Children and Families, Board of Pardons and Paroles, Department of Mental Health and Addiction Services and Commission on Human Rights and Opportunities <i>Conn. Gen. Stat. § 1-217(a)</i></li> </ul> <p>Other sections of the FOI Act exempt the following from home address disclosure:</p> <ul style="list-style-type: none"> <li>• Victims of sexual assault, information in law enforcement records. <i>Conn. Gen. Stat. § 1-210(b)3</i></li> <li>• Students in any public school or college. <i>Conn. Gen. Stat. § 1-210(b)11</i></li> <li>• Minors enrolled in public park programs. <i>Conn. Gen. Stat. § 1-210(b)23</i></li> <li>• Senior citizens enrolled in senior center programs. <i>Conn. Gen. Stat. § 1-210(b)25</i></li> </ul> <p>Other statutes prevent disclosure of home addresses for:</p> <ul style="list-style-type: none"> <li>• Probation officers, not related to their official employment duties. <i>Conn. Gen. Stat. § 54-108g</i></li> <li>• Abuse victims in the <a href="#">Address Confidentiality Program</a>. <i>Conn. Gen. Stat. § 54-240</i></li> </ul>
<p><b>Delaware</b></p> <p><a href="#">Delaware Freedom of Information Act</a></p>	<p>Delaware’s Freedom of Information Act only references one specific home address exemption – for those holding a firearm permit. <i>Del. Code Ann. tit. 29, § 10002(o)(11)</i></p> <p>However, Attorney General opinions, other statutes and case law have identified other situations where home addresses are confidential, according to a summary of the FOI Act published by the Reporters Committee for Freedom of the Press Open Government Guide. These include:</p> <ul style="list-style-type: none"> <li>• Public officials. <a href="#">Del. Op. Att’y Gen., No. 06-ib17</a></li> <li>• Victims of crimes, family members and witnesses. <i>Del. Code Ann. tit. 11, § 9403</i></li> </ul> <p>Delaware has an <a href="#">Address Confidentiality Program</a> that protects victims of domestic violence and sexual offenses, allowing them to use a substitute address for state and local agencies.</p>
<p><b>District of Columbia</b></p> <p><a href="#">District of Columbia Freedom of Information Act</a></p>	<p>The District of Columbia Freedom of Information Act does not specifically mention home addresses. However, public records containing “information of a personal nature may not be disclosed when public disclosure would constitute a clearly unwarranted invasion of personal privacy.” <i>D.C. Code § 2-534(a)(2)</i></p> <p>The privacy exemption has been interpreted by courts to prevent release of home addresses in certain situations, according to the Reporters Committee for Freedom of the Press <a href="#">Open Government Guide for D.C.</a></p> <p>Washington D.C. has an <a href="#">Address Confidentiality Program</a> for victims of domestic violence and sexual offenses to have a substitute address for public documents.</p>
<p><b>Florida</b></p>	<p>Florida has dozens of home address exemptions written into its law for various public employees and officials. It also exempts from disclosure other protected individuals, such as telecommunications customers. <i>Fla. Stat. Ann. § 119.071(5)(d)</i></p>

[Florida Public Records Act](#)

Florida's Public Records Act provides for the exemption of home addresses and telephone numbers from public disclosure for the following groups:

- Active or former law enforcement personnel
- Active or former correctional and correctional probation officers
- Active or former personnel of Department of Child & Family Services whose duties include the investigation of abuse, neglect, exploitation, fraud, theft, or other criminal activities
- Active or former personnel of Department of Health whose duties are to support the investigation of child abuse or neglect
- Active or former personnel of Department of Revenue or local governments whose responsibilities include revenue collection and enforcement or child support enforcement
- Certified firefighters
- Justices of the Supreme Court
- Other federal and state judges
- Current or former state attorneys, assistant state attorneys, state prosecutors, and assistant state prosecutors
- General and special magistrates
- Administrative law judges of Department of Administrative Hearing (DOAH)
- Child support enforcement hearing officers
- Current and former human resource, labor relations or employee labor relations directors, assistant directors, managers, or assistant managers of any local government agency or water management district whose duties include hiring and firing employees, labor contract negotiation, administration, or personnel-related duties
- Current and former code enforcement officers
- Current and former guardians ad litem
- Current and former juvenile probation officers, juvenile probation supervisors, detention superintendents, assistant detention superintendents, senior juvenile detention officers, juvenile detention officer supervisors, juvenile detention officers, house parents I and II, house parent supervisors, group treatment leaders, group treatment leader supervisors, rehabilitation therapists, and social services counselors of the Department of Juvenile Justice
- Current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel
- Current or former personnel of the Department of Health whose duties include, or result in, the determination or adjudication of eligibility for social security disability benefits, the investigation or prosecution of complaints filed against healthcare practitioners, or the inspection of healthcare practitioners or healthcare facilities licensed by the Department of Health

	<ul style="list-style-type: none"> <li>• Current or former member of the Armed Forces of the United States, a reserve component of the Armed Forces of the United States, or the National Guard, who served after September 11, 2001</li> <li>• Current or former nonsworn investigative personnel of the Department of Financial Services whose duties include the investigation of fraud, theft, workers' compensation coverage requirements and compliance, other related criminal activities, or state regulatory requirement violations</li> <li>• Current or former certified emergency medical technicians or paramedics</li> <li>• Current and former U.S. Attorneys and Assistant U.S. Attorneys</li> <li>• Current and former Judges of U.S. Courts of Appeal, U.S. District Judges, and U.S. Magistrates</li> </ul> <p><i>Fla. Stat. Ann. § 119.071(4)(d) and (5)(i)</i></p> <p>Florida has an <a href="#">Address Confidentiality Program</a> for victims of domestic violence.</p>
<p><b>Georgia</b></p> <p><a href="#">Georgia Open Records Act</a></p>	<p>The Georgia Open Records Act exempts home address disclosure for the following individuals or records:</p> <ul style="list-style-type: none"> <li>• Accident reports. <i>GA Code § 50-18-72 (a) (5)(j)</i></li> <li>• Jury list data. <i>GA Code §50-18-72(6)</i></li> <li>• Neighborhood watch or public safety notification records. <i>GA Code §50-18-72(19)</i></li> <li>• Public employees. <i>GA Code §50-18-72(21)</i></li> <li>• Records of the Department of Early Care and Learning. <i>GA Code §50-18-72(22)(B)(C)</i></li> <li>• 911 callers, unless the request is made by the accused in a criminal case. <i>GA Code §50-18-72(26)</i></li> <li>• Records of athletic or recreational programs for children under 12. <i>GA Code §50-18-72(27)</i></li> <li>• Records of the Metropolitan Atlanta Rapid Transit Authority or of any other transit system. <i>GA Code §50-18-72(30)</i></li> </ul> <p>It is unclear whether Georgia has an Address Confidentiality Program.</p>
<p><b>Hawaii</b></p> <p><a href="#">Hawaii Uniform Information Practices Act</a></p>	<p>Hawaii’s Uniform Information Practices Act has a general exemption for “government records which, if disclosed, would constitute a clearly unwarranted invasion of personal privacy.” <i>Haw. Rev. Stat. Ann. § 92F-13(1)</i></p> <p>Examples of “significant privacy interests” include “information that if disclosed would create a substantial and demonstrable risk of physical harm to an individual.” <i>Haw. Rev. Stat. Ann. § 92F-14(b)(10)</i></p> <p>Case law and Attorney General opinions outlined in the Reporters Committee for Freedom of the Press Open Government Guide for Hawaii highlight several instances where this exemption was used to withhold home addresses:</p> <ul style="list-style-type: none"> <li>• Visitors to state lands. See <a href="#">OIP Op. Ltr. No. F16-04 (May 26, 2016)</a></li> <li>• registration applications. See <a href="#">OIP Op. Ltr. No. 99-3 (June 1, 1999)</a></li> <li>• Licensed professionals. See <a href="#">Att’y Gen. Op. Ltr. No. 84-13 (Dec. 18, 1984)</a></li> <li>• Senior citizens. See <a href="#">OIP Op. Ltr. No. 99-6 (Oct. 25, 1999)</a></li> </ul>

	<p>Hawaii allows law enforcement officers and their family, and “persons otherwise determined by the clerk of the county in which the person is registered” to request their home address be kept confidential on voter registration documents if they fear for their safety. <i>Haw. Rev. Stat. Ann. § 11-14.5(b)</i></p> <p>Hawaii has an <a href="#">Address Confidentiality Program</a> that assigns a substitute address for victims of domestic violence or sexual offenses.</p>
<p><b>Idaho</b></p> <p><a href="#">Idaho Public Records Law</a></p> <p><a href="#">Idaho Attorney General Public Records Law Manual</a></p>	<p>Idaho lists individual exemptions to home address disclosure in its Public Records Act, including:</p> <ul style="list-style-type: none"> <li>• Records of custody review board. <i>Idaho Code § 74-105(3)</i></li> <li>• Victims. <i>Idaho Code. § 74-105(4)c</i></li> <li>• Current or former public officials. <i>Idaho Code § 74-106(1)</i></li> <li>• License or permit holders. <i>Idaho Code § 74-106(8)</i></li> <li>• Motor vehicle records. <i>Idaho Code § 74-106(15)</i></li> <li>• Voter registration records, “upon showing good cause by the voter to the county clerk in consultation with the county prosecuting attorney.” <i>Idaho Code § 74-106(25)</i>.</li> <li>• <a href="#">Address Confidentiality Program</a> participants. <i>Idaho Code § 74-106(27)</i>.</li> <li>• Law enforcement officers. <i>Idaho Code § 74-106(30); Idaho Code § 19-5803</i>.</li> <li>• Unclaimed property records. <i>Idaho Code § 74-106(33)</i>.</li> </ul> <p>Law enforcement officers who wish to have their home addresses removed from public records must submit an application and fee to the records holder. The confidentiality will be in effect for four years, at which time it would need to be renewed. <i>Idaho Code § 19-5803</i>.</p>
<p><b>Illinois</b></p> <p><a href="#">Illinois Freedom of Information Act</a></p>	<p>Illinois’ Freedom of Information Act states in its introduction that the act is “not intended to cause an unwarranted invasion of personal privacy,” or allow commercial requests, or disrupt public business. <i>5 Ill. Comp. Stat. Ann. 140/1</i></p> <p>The act’s definition of private information includes home addresses. <i>5 Ill. Comp. Stat. Ann. 140/2(c-5)</i></p> <p>The act also specifically exempts certain individuals from home address disclosure, including:</p> <ul style="list-style-type: none"> <li>• Employee payroll records. <i>5 Ill. Comp. Stat. Ann. 140/2.10</i></li> <li>• Victims, when requested by committed person. <i>5 Ill. Comp. Stat. Ann. 140/7(1)(e-9)</i></li> <li>• Contractors. <i>5 Ill. Comp. Stat. Ann. 140/2.25</i></li> <li>• Minors participating in recreational programs. <i>5 Ill. Comp. Stat. Ann. 140/7(1)(ee)</i></li> <li>• Participants in the <a href="#">Address Confidentiality Program</a>. <i>5 Ill. Comp. Stat. Ann. 140/7.5(bbb)</i></li> </ul> <p>The act also lists instances where home addresses are public:</p> <ul style="list-style-type: none"> <li>• Arrest reports. <i>5 Ill. Comp. Stat. Ann. 140/2.15(a)(i)</i></li> </ul> <p>Other statutes also exempt home address disclosure on public records:</p>

<p><b>Indiana</b></p> <p><a href="#">Indiana Public Records Act</a></p>	<ul style="list-style-type: none"> <li>• Voter information. <i>10 Ill. Comp. Stat. Ann. 5/1A-16.7(k)</i></li> </ul> <p>Indiana’s Public Records Act lists individual exemptions to home address release for:</p> <ul style="list-style-type: none"> <li>• Personnel files for public employees. <i>Ind. Code Ann. § 5-14-3-4(b)(8)</i></li> <li>• Emergency management workers and public safety officers. <i>Ind. Code Ann. § 5-14-3-4(b)(19)(L)</i></li> <li>• Public utility customers. <i>Ind. Code Ann. § 5-14-3-4(b)(20)(B)</i></li> <li>• Complainants to law enforcement. <i>Ind. Code Ann. § 5-14-3-4(b)(21)(B)</i></li> <li>• Correctional officer, probation officer, law enforcement officer, judge, victims (for information requested by an offender). <i>Ind. Code Ann. § 5-14-3-4(b)(23)(A)</i></li> <li>• Minors participating in programs, and their parents. <i>Ind. Code Ann. § 5-14-3-4(b)(24)(B)</i></li> </ul> <p>Home addresses are also exempted from disclosure in other statutes, including for:</p> <ul style="list-style-type: none"> <li>• Voter registration information. <i>Ind. Code Ann. § 9-14.1-4- 5.</i></li> <li>• Medical records of claimants for compensation for victims of violent crime. <i>Ind. Code Ann. § 5-2-6.1-11.5.</i></li> <li>• The personal information of claimants or victims of securities violations. <i>Ind. Code Ann. § 23-20-1-10.</i></li> </ul> <p>While death certificates are confidential, the statutes require health officials to create records from the death certificates that include home address. <i>Ind. Code Ann. § 16-37-3-9.</i></p> <p>Indiana has an <a href="#">Address Confidentiality Program</a> for victims of domestic violence and sexual offenses to use a substitute address for state and local government services.</p>
<p><b>Iowa</b></p> <p><a href="#">Iowa Open Records Act</a></p>	<p>Iowa outlines “confidential records” in its Open Records Act, exempting some “personal information” without specifying home addresses as part of that category. <i>Iowa Code § 22.7</i></p> <p>The personal information exemptions apply to:</p> <ul style="list-style-type: none"> <li>• Students. <i>Iowa Code § 22.7(1)</i></li> <li>• Officials, officers, or employees of government bodies. <i>Iowa Code § 22.7(11)(a)</i></li> <li>• Driver’s license records used for emergency response purposes. <i>Iowa Code § 22.7(66)</i></li> </ul> <p>The Attorney General has <a href="#">issued guidance</a> that home address, gender and birth date may be kept confidential.</p> <p>Other statutes also include home address exemptions:</p> <ul style="list-style-type: none"> <li>• Motor vehicle records. <i>Iowa Code § 321.11(2)</i></li> <li>• A law enforcement officers and their families. <i>Iowa Code § 80G.2(1)(a)</i></li> <li>• Medical records. <i>Iowa Code § 321.11(2)</i></li> <li>• Insurance information. <i>Iowa Code § 96.11(9)</i></li> </ul>



	<ul style="list-style-type: none"> <li>• Department of Corrections services. <i>Iowa Code § 904.602(e)</i></li> </ul> <p>Iowa has an <a href="#">Address Confidentiality Program</a> that allows victims of domestic violence and sexual offenses to use a substitute address for public records.</p>
<p><b>Kansas</b></p> <p><a href="#">Kansas Open Records Act</a></p>	<p>The Kansas Open Records Act specifically exempts home address disclosure for the following individuals:</p> <ul style="list-style-type: none"> <li>• Victims of sexual offenses. <i>Kan. Stat. Ann. § 45-221(10)(F)</i></li> <li>• Victims of stalking, domestic violence or sexual assault staying in a shelter or safehouse. <i>Kan. Stat. Ann. § 45-221(47)</i></li> <li>• Law enforcement officers. <i>Kan. Stat. Ann. § 45-221(51)</i></li> <li>• Parole, probation, correctional or court services officer. <i>Kan. Stat. Ann. § 45-221(51)</i></li> <li>• Judges. <i>Kan. Stat. Ann. § 45-221(51)</i></li> <li>• District, city, county or U.S. attorneys. <i>Kan. Stat. Ann. § 45-221(51)</i></li> <li>• Firearms license applicants or holders. <i>Kan. Stat. Ann. § 45-221(51)</i></li> </ul> <p>Those protected in <i>Kan. Stat. Ann. § 45-221(51)</i> can apply to have their identifying information restricted from public access on public websites, as well.</p> <p>Other statutes that would render home addresses private include:</p> <ul style="list-style-type: none"> <li>• Motor vehicle records. <i>Kan. Stat. Ann. § 45-230</i></li> <li>• Library records. <i>Kan. Stat. Ann. § 45-221(a)(23)</i></li> <li>• Vital statistics records, unless the applicant has a direct interest in the matter recorded. <i>Kan. Stat. Ann. § 65-2422d(c)</i>.</li> </ul> <p>Also, homes and addresses obtained through requests cannot be used for commercial purposes. <i>Kan. Stat. Ann. § 45-220(c)(2)</i></p> <p>Kansas has an <a href="#">Address Confidentiality Program</a>, called “Safe at Home,” that provides victims of domestic violence and sexual offenses with a substitute address for public records.</p>
<p><b>Kentucky</b></p> <p><a href="#">Open Records Act</a></p>	<p>Under the Kentucky Open Records Act, public records “containing information of a personal nature, where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy,” are not disclosable. <i>Ky. Rev. Stat. § 61.878(1)(a)</i>.</p> <p>That leaves interpretation regarding home address disclosure to the courts. The Reporters Committee for Freedom of the Press <a href="#">Open Government Guide for Kentucky</a> outlines court cases that use a two-step balancing test. “In applying the balancing test, the courts have given greater weight to the privacy interests of private individuals and low-level public employees than to those of high-level public officials and employees,” the guide notes. “This is because courts view the Open Records Act as being designed to monitor the activities of government, and not of private individuals.”</p>

	<p>Kentucky has an <a href="#">Address Confidentiality Program</a> that allows victims of domestic violence and sexual offenses to receive a substitute address for use on public documents.</p>
<p><b>Louisiana</b></p> <p><a href="#">Louisiana Public Records Law</a></p> <p><a href="#">Attorney General Guide to the Public Records Law (2018)</a></p>	<p>Louisiana’s Public Records Law exempts from home address disclosure:</p> <ul style="list-style-type: none"> <li>• public employees, if they request confidentiality. <i>La. Rev. Stat. Ann. § 44.11</i></li> <li>• Law enforcement officers engaged in hazardous activities (exempt from voter registration records). <i>La. Rev. Stat. Ann. § 44:4(23)</i></li> <li>• Toll patrons. <i>La. Rev. Stat. Ann. § 44:4(30)</i></li> <li>• Students in elementary or secondary schools. <i>La. Rev. Stat. Ann. § 44:4(33)(a)</i></li> </ul> <p>Other statutes also reference home address disclosure:</p> <ul style="list-style-type: none"> <li>• Law enforcement officers. <i>La. Rev. Stat. Ann. § 44.11</i> and <i>La. Rev. Stat. Ann. § 40:2532</i>.</li> <li>• Motor vehicle records. <i>La. Admin. Code tit. 55 § III.555(A)</i></li> </ul> <p>The state constitution also includes a right to privacy. The Louisiana Attorney General <a href="#">has advised</a> that “when determining whether a record is subject to the right of privacy, ask the following questions:</p> <ul style="list-style-type: none"> <li>• Does the individual have a subjective expectation of privacy in the information?</li> <li>• Is this expectation of privacy one that society at large is prepared to recognize as reasonable?</li> </ul> <p>If the court determines that both an objective and subjective expectation of privacy has been established, they next weigh the significance of that privacy interest against the public’s right to have access to that information.”</p> <p>Cases where this test was applied (<i>Shane v. Parish of Jefferson</i> and <i>Cull v. Cadaro</i>) have determined home addresses are private in some instances (private emails), but public in others (jury summons forms), according to the Attorney General’s guide to the public records law.</p> <p>Louisiana has an <a href="#">Address Confidentiality Program</a> for victims of abuse, sexual offenses or stalking, to use a substitute address on public records.</p>
<p><b>Maine</b></p> <p><a href="#">Maine Freedom of Access Act</a></p>	<p>Some home addresses exemptions are written into Maine’s Freedom of Access Act and other state statutes, including:</p> <ul style="list-style-type: none"> <li>• Public employees. <i>Me. Rev. Stat. Tit. 1 § 402(3)(O)</i></li> <li>• Library patrons. <i>Me. Rev. Stat. tit. 27, § 121(1)</i></li> <li>• Voters in the Address Confidentiality Program, or who submit a statement that they believe their immediate family member’s physical safety is in danger. <i>Me. Rev. Stat. tit. 21-A, § 22(1), (3), and (5)</i>.</li> <li>• Callers to 911. <i>Me. Rev. Stat. Tit. 25 § 2929</i></li> </ul> <p>Maine has an <a href="#">Address Confidentiality Program</a> that protects victims of domestic violence or sexual offenses by providing a substitute address for public records, including voter registration.</p>

<p><b>Maryland</b></p> <p><a href="#">Maryland Public Information Act</a></p>	<p>Certain home addresses are exempt from disclosure in the Maryland Public Information Act, including:</p> <ul style="list-style-type: none"> <li>• Retired employee records. <i>Md. Code Ann. § 4-312(b)</i></li> <li>• Student records. <i>Md. Code Ann. § 4-313(a)</i></li> <li>• Public employee records. <i>Md. Code Ann. § 4-331</i></li> <li>• Security system customers. <i>Md. Code Ann. § 4-339(b)</i></li> <li>• Senior citizen activities registrants. <i>Md. Code Ann. § 4-340(b)</i></li> </ul> <p>Maryland’s Public Information Act also lists some addresses that are not exempt from disclosure, including:</p> <ul style="list-style-type: none"> <li>• Notary public records. <i>Md. Code Ann. § 4-332(b)</i></li> <li>• Occupational or professional license holders, if their business address is not listed. <i>Md. Code Ann. § 4-333(b)</i></li> </ul> <p>Additionally, personal information on motor vehicle records are not disclosable. <i>Md. Code Ann. § 3-111(b)</i>.</p> <p>Maryland has an <a href="#">Address Confidentiality Program</a>, called “Safe at Home,” that provides victims of domestic violence and sexual offenses with a substitute address for use in public records.</p>
<p><b>Massachusetts</b></p> <p><a href="#">Massachusetts Public Records Law</a></p> <p><a href="#">A Guide to the Massachusetts Public Records Law</a></p>	<p>Massachusetts’ Public Records Law includes an exemption for materials that would constitute an “unwarranted invasion of personal privacy” (Exemption C).</p> <p>Massachusetts’ Public Records Law exempts certain individuals from home address disclosure including:</p> <ul style="list-style-type: none"> <li>• Firearms license holders. (<i>Exemption J</i>) <i>Mass. G.L. c. 66, § 10(d)</i></li> <li>• Public employees. (<i>Exemption O</i>) <i>Mass. G.L. c. 66, § 10(d)</i></li> <li>• Family members of public employees. (<i>Exemption P</i>) <i>Mass. G.L. c. 66, § 10(d)</i></li> <li>• Public Safety Personnel, Victims of Adjudicated Crimes and Persons Providing Family Planning Services. <i>Mass. G. L. c. 66, § 10B.</i></li> </ul> <p>Massachusetts has an <a href="#">Address Confidentiality Program</a> for victims of domestic violence and sexual offenses.</p>
<p><b>Michigan</b></p> <p><a href="#">Michigan Freedom of Information Act</a></p> <p><a href="#">Michigan Freedom of Information Handbook</a></p>	<p>The Michigan Freedom of Information Act only mentions home addresses specifically once: Exempting the release of materials that would disclose the home address of law enforcement agents or their family members, “unless the public interest in disclosure outweighs the public interest in nondisclosure in the particular instance.” <i>Mich. Comp. Laws Serv. § 15.243(1)(s)</i></p> <p>The act also includes a general exemption for “information of a personal nature, if public disclosure of the information would constitute a clearly unwarranted invasion of an individual’s privacy.” <i>Mich. Comp. Laws Serv. § 15.243(1)(a)</i>. This exemption has been used to support withholding home addresses in several instances.</p>

	<p>There is a significant amount of caselaw in the state regarding personal information and home addresses, in particular. Several are outlined in the Michigan <a href="#">Freedom of Information Handbook</a> published by the Attorney General, and include exemption of home addresses in/for:</p> <ul style="list-style-type: none"> <li>• Accident reports</li> <li>• Donors to Michigan State University</li> <li>• Consumer complaints</li> <li>• Private security guards</li> <li>• Unclaimed property holders</li> <li>• Registered handgun owners</li> <li>• Public employees</li> <li>• Lottery winners</li> </ul> <p>Michigan has an <a href="#">Address Confidentiality Program</a> for victims of domestic violence and sexual offenses to use a substitute address for public records.</p>
<p><b>Minnesota</b></p> <p><a href="#">Minnesota Government Data Practices Act</a></p>	<p>Minnesota outlines access to public records in its Government Data Practices Act. The act makes public all records, except those classified “as nonpublic or protected nonpublic, or with respect to data on individuals, as private or confidential.” <i>Minn Stat. § 13.03, subdivision 1</i></p> <p>Some individuals excluded from home addresses release include:</p> <ul style="list-style-type: none"> <li>• Rideshare participants. <i>Minn Stat. § 13.201</i></li> <li>• 911 callers. <i>Minn Stat. § 403.07, subd. 4</i></li> <li>• Department of Health records on drinking water and radon tests. <i>Minn Stat. § 13.3805, subd. 4 and 5</i></li> <li>• Employees of secure treatment facilities, state correctional facilities, Department of Corrections. <i>Minn Stat. § 13.43, subd. 5a</i></li> <li>• Undercover Law Enforcement officers. <i>Minn Stat. § 13.43, subd. 5a</i></li> <li>• Drivers. <i>Minn. Stat. Ann. § 168.346(1)(A) And (B)</i></li> <li>• Individuals enrolled in recreational programs. <i>Minn Stat. § 13.548</i></li> <li>• Retired public employees. <i>Minn Stat. § 13.63</i></li> <li>• Aquaculture permit customers. <i>Minn Stat. § 13.643, subd. 3</i></li> <li>• Board of Animal Health registrations. <i>Minn Stat. § 13.643, subd. 6</i></li> <li>• Research study participants. <i>Minn Stat. § 13.643, subd. 7</i></li> <li>• Pollution control claims. <i>Minn Stat. § 13.741</i></li> <li>• Victims of domestic abuse. <i>Minn Stat. § 13.80</i></li> </ul> <p>Minnesota’s law outlines the following home addresses as public:</p> <ul style="list-style-type: none"> <li>• Voter registration lists including home addresses are public records. <i>Minn. Stat. Ann. § 201.091(4).</i></li> <li>• Elected and appointed officials. <i>Minn Stat. § 13.601, subd. 3</i></li> <li>• Adults arrested by law enforcement agencies. <i>Minn Stat. § 13.82, subd. 2(j)</i></li> <li>• Medical examiner data on deceased individuals. <i>Minn Stat. § 13.83, subd. 2</i></li> </ul> <p>Minnesota has an <a href="#">Address Confidentiality Program</a>, called “Safe at Home,” that provides a substitute address for victims of domestic violence or sexual offenses.</p>

<p><b>Mississippi</b></p> <p><a href="#">Mississippi Public Records Act of 1983</a></p> <p><a href="#">Mississippi Model Public Records Rules</a></p>	<p>The Mississippi Public Records Act specifically exempts one category from home address disclosure:</p> <ul style="list-style-type: none"> <li>• Law enforcement or court personnel/officers. <i>Miss. Code Ann. § 25-61-12</i></li> </ul> <p>The Mississippi Attorney General has interpreted the statute to require disclosure of other public employee home addresses, according to the Reporters Committee for Freedom of the Press <a href="#">Open Government Guide for Mississippi</a>. See Office of Attorney General <a href="#">Opinion No. 2007-00514</a>.</p> <p>In a 2015 opinion, the Attorney General reinforced that home addresses in voter registration lists should be released, but that “generally, and unless authorized or required by statute, information such as addresses, telephone numbers and other related personal information including dates of birth, social security numbers, and driver’s license numbers, should not be made public.” See Office of Attorney General <a href="#">Opinion 2015-00065</a>.</p> <p>Mississippi has an <a href="#">Address Confidentiality Program</a> that gives a substitute address to victims of domestic violence and sexual offenses to use in public records.</p>
<p><b>Missouri</b></p> <p><a href="#">Missouri Sunshine Law</a></p>	<p>The Missouri Sunshine Law doesn’t specifically exempt disclosure of home addresses, but does include an exemption for “records which are protected from disclosure by law” (<i>Mo. Rev. Stat. § 610.021(14)</i>) and “individually identifiable personnel records” (<i>Mo. Rev. Stat. § 610.021(13)</i>), which would likely include home addresses of the public employees.</p> <p>Some other state statutes include home address exemptions for:</p> <ul style="list-style-type: none"> <li>• a person working as an undercover officer of a local, state, or federal law enforcement agency; persons in witness protection programs; and victims of domestic violence and abuse. <i>Mo. Rev. Stat. § 115.157(6)</i></li> <li>• Personal information, including home addresses, held by the Department of Revenue. <i>Mo. Rev. Stat. § 32.091(1)(3)</i></li> </ul> <p>Missouri has an <a href="#">Address Confidentiality Program</a>, called “Safe at Home,” that provides a substitute address for victims of domestic violence and sexual offenses to use for public records.</p>
<p><b>Montana</b></p> <p><a href="#">Public Records Act</a></p> <p><a href="#">Montana FOI Hotline</a></p>	<p>While home addresses aren’t mentioned as protected information in the Montana Public Records Act, the act does exclude information that if released “jeopardizes the safety of facility personnel, the public, students in a public school or inmates of a facility.” <i>§2-6-1003 MCA</i></p> <p>Meanwhile, the state’s constitution states: “No person shall be deprived of the right to examine documents or to observe the deliberation of all public bodies or agencies of state government and its subdivisions, except in cases in which the demand of individual privacy clearly exceeds the merits of public disclosure.” <a href="#">Montana Constitution, Article II, Part II. 9</a></p> <p>As such, there is a balancing test applied to all records when it comes to personal privacy concerns. Summaries of the public records law by the <a href="#">Reporters Committee</a></p>

	<p><a href="#">for Freedom of the Press</a> and the <a href="#">Montana FOI Hotline</a> do not outline any court cases dealing specifically with home addresses.</p> <p>A separate state statute restricts disclosure of home addresses on driver’s licenses. <i>§61-11-503 MCA</i></p> <p>One area of the law where addresses are specifically mentioned references them as disclosable records on marriage licenses. Marriage licenses, after 30 years, can be released to the public containing names and addresses of the parents of both parties. <i>§50-12-122 MCA</i></p> <p>Montana has an <a href="#">Address Confidentiality Program</a> that allows victims of domestic violence and sexual assault use a substitute address for voting and restraining order applications. <i>§40-15-117 MCA</i></p>
<p><b>Nebraska</b></p> <p><a href="#">Public Records Statutes</a></p>	<p>Home addresses are only specifically mentioned once in Nebraska’s Public Records Statutes, to exempt lists of donors, contact information and addresses of significant archeological or historical artifacts. <i>Neb. Rev. Stat. Ann. § 84-712.05 (16)</i></p> <p>"Routine directory information" including home addresses, is public for student records and personnel records. <i>Neb. Rev. Stat. Ann. § 84-712.05 (1), and (8)</i></p> <p>The Reporters Committee for Freedom of the Press <a href="#">Open Government Guide for Nebraska</a> cautions against relying just on the Public Records Statutes to determine a record’s access level.</p> <ul style="list-style-type: none"> <li>• For example, the Nebraska Uniform Motor Vehicle Records Disclosure Act protects home addresses on driver’s licenses from disclosure. <i>Neb. Rev. Stat. Ann. § 60-2905(6)</i>.</li> <li>• Also, state laws on conviction reports exempt victim address and telephone numbers from release. <i>Neb. Rev. Stat. Ann. § 81-1850</i></li> </ul> <p>Nebraska has an <a href="#">Address Confidentiality Program</a> that allows victims of domestic violence or sexual abuse to apply for a substitute address to use on any public documents and voter registration.</p>
<p><b>Nevada</b></p> <p><a href="#">Nevada Public Records Act</a></p>	<p>Home addresses are addressed in the Nevada Public Records Act, and several state statutes. Past court decisions regarding Nevada’s public records access have also carved out a balancing test weighing the public interest against privacy concerns, according to the <a href="#">RCFP Open Government Guide summary for Nevada</a>.</p> <p>The Nevada Public Records Act specifically lists home addresses as exempt in two scenarios:</p> <ul style="list-style-type: none"> <li>• Records of a local governmental agency that include the name, address, telephone number or other identifying information, if the information was used in an application for a recreational facility, or participation in an instructional or recreational activity. <i>Nev. Rev. Stat. §239.0105</i></li> <li>• Records containing personally identifying information collected by automated means “if the governmental entity determines that the disclosure of the personally identifiable information could potentially</li> </ul>

	<p>create negative consequences, including without limitation, financial loss, stigmatization, harm to reputation, anxiety, embarrassment, fear or other physical or emotional harm, for the person to whom the information pertains.” <i>Nev. Rev. Stat. §239.014</i></p> <p>The act also lists more than a hundred record types that are made confidential by other statutes, and not considered public records, some of which may include home addresses for certain groups. <i>Nev. Rev. Stat. §239.010</i></p> <p>For example, some public officials can request their personal information be kept confidential from county assessor, secretary of state or county/city clerk records. <i>Nev. Rev. Stat. §250.140(1) and Nev. Rev. Stat. § 293.908(1)</i>. Those individuals include:</p> <ul style="list-style-type: none"> <li>• Judges</li> <li>• Court clerks or administrator</li> <li>• Peace officer</li> <li>• Prosecutor or public defender</li> <li>• Code enforcement officers</li> <li>• Social workers</li> <li>• County managers</li> <li>• Family members of the above people</li> </ul> <p>Also:</p> <ul style="list-style-type: none"> <li>• Registered voters can submit a written request to have their address and phone numbers withheld from release on voter registration records. <i>Nev. Rev. Stat. §293.558(3)</i></li> <li>• Victims and their families are exempt from address disclosure from court records. <i>Nev. Rev. Stat. §179.5691</i></li> </ul> <p>The Public Records Act amendment dealing with electronic records specifically defines “personally identifiable information” as name, address, telephone number, date of birth and directory information. <i>Nev. Rev. Stat. §239.014(5)</i></p> <p>Nevada has an <a href="#">Address Confidentiality Program</a> for victims of domestic violence and sexual assault, which allows them to use a “fictitious address” on public records and voter registration. The program, launched in 1997, was the second in the nation, after Washington state.</p>
<p><b>New Hampshire</b> <a href="#">Right-to-Know law</a></p>	<p>Home addresses are not mentioned in New Hampshire’s Right-to-Know Law, however the law has a general exemption for records “whose disclosure would constitute invasion of privacy.” <i>N.H. Rev. Stat. § 91-A:5(IV)</i></p> <p>Past court decisions have set up a three-step analysis to determine an invasion of privacy, <a href="#">as summarized in the New Hampshire Attorney General’s 2015 memo on the law</a>:</p> <ol style="list-style-type: none"> <li>1. Is there a privacy interest at stake that would be invaded by the disclosure</li> <li>2. Would disclosure inform the public about the conduct and activities of its government?</li> </ol>

	<p>3. Balance the public interest in disclosure against the government’s interest in non-disclosure</p> <p>Courts have used this balancing test to exempt from disclosure the names and addresses kept by schools (<i>Brent v. Paquette, 1989</i>), and of residential public utilities customers (<i>Lany v. NH Public Utilities Commission</i>).</p> <p>Home addresses of substitute teachers hired during a strike were deemed disclosable by a separate court case. <i>Timberlane Regional Education Assn. C. Crompton (1974)</i></p> <p>Other state statutes also require home addresses be kept confidential for certain people, including:</p> <ul style="list-style-type: none"> <li>• Physical therapists and assistants. <i>N.H. Rev. Stat. § 328-A:15</i></li> <li>• Vision examination results in reports to the Blind Services Program. <i>N.H. Rev. Stat. § 329:20-a</i></li> <li>• Medical provider’s home address on insurance claim documents. <i>N.H. Rev. Stat. § 400-A:15-b</i></li> <li>• Juvenile arrestees (can be released, but unlawful to publish or make public) <i>N.H. Rev. Stat. § 169-B:37</i></li> <li>• Voter database. <i>N.H. Rev. Stat. § 645:45(VII)</i></li> </ul> <p>The Attorney General’s memo on the law gives guidance on what types of information to redact from public records before release. Home addresses appear on the list of data of which to “generally redact or analyze the privacy interests.” (pg. 43) More sensitive data, such as birth dates and social security numbers, are included in a list of information to always redact.</p> <p>New Hampshire has an <a href="#">Address Confidentiality Program</a>, that allows victims of domestic abuse to use a substitute address for state and local services and voter registration, and have their mail forwarded from the secure address.</p>
<p><b>New Jersey</b></p> <p><a href="#">Open Public Records Act</a></p>	<p>In New Jersey, home addresses are generally considered private, and more specifically exempted from disclosure for judges, prosecutors, law enforcement officers and victims.</p> <p>The state is home to Daniel’s Law, <a href="#">passed in 2020</a> to protect judges from home address disclosure. The law was passed in response to the murder of the son of a New Jersey federal judge, who is now advocating for a federal law with the same protections.</p> <p>The legislature is also considering a bill to add all elected officials and candidates to the list of people exempted from home address disclosure. (<a href="#">Bill A4094</a>)</p> <p>The New Jersey Open Public Records Act addresses personal information generally, and in several specific exemptions.</p>



	<p>The first section of the act, “Legislative findings, declarations,” states: “a public agency has a responsibility and an obligation to safeguard from public access a citizen’s personal information with which it has been entrusted when disclosure thereof would violate the citizen’s reasonable expectation of privacy...” <i>N. J. Stat. § 47:1A-1</i></p> <p>The Government Records Council conducts a balancing test on a case-by-case basis when personal information is requested, according to the council’s <a href="#">citizen guide to the Open Public Records Act</a>.</p> <p>Other sections of the Open Public Records Act specify home address exemption for:</p> <ul style="list-style-type: none"> <li>• Hunting license holders. <i>N.J. Stat. § 47:1A-1.1</i></li> <li>• Active or retired judicial officer. <i>N.J. Stat. § 47:1A-1.1</i></li> <li>• Prosecutors. <i>N.J. Stat. § 47:1A-1.1</i></li> <li>• Law enforcement officers. <i>N.J. Stat. § 47:1A-1.1</i></li> <li>• Public employees. <i>N.J. Stat. § 47:1A-10</i></li> <li>• Victims. <i>N.J. Stat. § 47:1A-2.2</i></li> <li>• Victims of sexual assault and domestic violence. <i>N.J. Stat. § 47:4-2</i></li> <li>• Reproductive health patients and providers. <i>N.J. Stat. § 47:4-2</i></li> </ul> <p>New Jersey has an <a href="#">Address Confidentiality Program</a> that provides victims of domestic violence and sexual assault, as well as reproductive health patients and providers, with a substitute address for all public records, and mail forwarding.</p>
<p><b>New Mexico</b></p> <p><a href="#">Inspection of Public Records Act</a></p> <p><a href="#">New Mexico Inspection of Public Records Act Compliance Guide, 2015</a></p>	<p>Home addresses are only specifically mentioned once in the New Mexico Inspection of Public Records Act, to exempt disclosure for suspects accused but not yet charged with a crime. <i>N.M. Stat. § 14-2-1</i></p> <p>Some court cases have also carved out exemptions. For example <i>Cox v. New Mexico Department of Public Safety</i> exempted disclosure of home addresses from citizen complaints.</p> <p>Additionally, in the most recent compliance guide for the public records act, the state Attorney General opines that home addresses are not public records, except in limited situations dealing with the public’s business, as referred to in the act’s purpose. <i>N.M. Stat. § 14-2-5</i></p> <p>New Mexico has an <a href="#">Address Confidentiality Program</a> called “Safe at Home” for victims of domestic violence and sexual assault.</p>
<p><b>New York</b></p> <p><a href="#">New York Freedom of Information Law</a></p>	<p>Text of the New York Freedom of Information Law includes a guideline allowing agencies to delete identifying details in records. <i>N.Y. Stat. § 89.2(a)</i></p> <p>The law defines an “unwarranted invasion of personal privacy,” including the sale or release of lists of names or addresses “if such lists would be used for solicitation or fund-raising purposes.” <i>N.Y. Stat. § 89.2(b)iii</i></p>

	<p>The law permits agencies to ask for a written certification from people requesting addresses. <i>N.Y. Stat. § 89.3(a)</i></p> <p>The exemptions also include home addresses on disciplinary records for:</p> <ul style="list-style-type: none"> <li>• Police officers</li> <li>• Peace officers</li> <li>• Firefighters</li> <li>• Paramedics</li> <li>• Family members of above</li> </ul> <p><i>N.Y. Stat § 89.2-b(b)</i></p> <p>Employees, former employees, and retirees are also exempt from home address disclosure. <i>N.Y. Stat. § 89.7</i></p> <p>The New York State Committee on Open Government publishes lists of <a href="#">case law</a> and <a href="#">advisory opinions</a>, including dozens related to inquiries about home address release. In general, the opinions are mixed, but tend to side with home address release when the address is related to a relevant public interest, such as voter registration lists or the sole address listed for license registrations.</p> <p>New York has an <a href="#">Address Confidentiality Program</a>, where victims of sexual assault and domestic violence can receive a substitute address to use on all state and local public documents.</p>
<p><b>North Carolina</b></p> <p><a href="#">North Carolina Public Records Law</a></p>	<p>The North Carolina Public Records Law outlines home address confidentiality for the following:</p> <ul style="list-style-type: none"> <li>• those involved in lethal injection. <i>N.C. G.S. § 132-1.2</i></li> <li>• lottery winners. <i>N.C. G.S. § 132-1.2</i></li> <li>• Victims of domestic violence or sexual crimes enrolled in the <a href="#">Address Confidentiality Program</a>, which allows victims to use a substitute address. <i>N.C. G.S. § 132-1.1</i></li> <li>• Names in the 911 database. <i>N.C. G.S. § 132-1.5</i></li> <li>• Minors participating in local government parks and recreation programs. <i>N.C. G.S. § 132-1.12</i></li> </ul> <p>The law also outlines two areas where home addresses are public:</p> <ul style="list-style-type: none"> <li>• Information released about witnesses to crimes. <i>N.C. G.S. § 132-1.4</i></li> <li>• Information released about those who are arrested of crimes. <i>N.C. G.S. § 132-1.4</i></li> <li>• However, “a public law enforcement agency shall temporarily withhold the name or address of a complaining witness if release of the information is reasonably likely to pose a threat” to the witness or the investigation. <i>N.C. G.S. § 132-1.4 (d)</i></li> </ul> <p>Other individuals exempted from home address release in other state statutes include:</p>

	<ul style="list-style-type: none"> <li>• Individuals in the Retirement System for Cities and Counties. <i>N.C. G.S. § 128-28(q)</i></li> <li>• Income tax payers. <i>N.C. G.S. § 105-259</i></li> <li>• Parents (on birth certificates). <i>N.C. G.S. § 130a-93</i></li> </ul>
<p><b>North Dakota</b></p> <p><a href="#">North Dakota Open Records Law</a></p>	<p>North Dakota has several exemptions to home address release in its Open Records Law. The statute lists both confidential information, which must be kept private, and exempt information, which may be withheld at the discretion of the record holder, according to the 2021 <a href="#">Open Records Guide</a> published by the Office of the Attorney General.</p> <p>The law prohibits release of home addresses for the following:</p> <ul style="list-style-type: none"> <li>• Prosecutors, judicial referees, juvenile court directors. <i>N.D. C.C. § 44-04-18.3</i></li> <li>• Supreme Court justices, district court judges. <i>N.D. C.C. § 44-04-18.3</i></li> <li>• Probation officers. <i>N.D. C.C. § 44-04-18.3</i></li> <li>• Employees of law enforcement agencies, state or local correctional facilities and the DOCR. <i>N.D. C.C. § 44-04-18.3</i></li> </ul> <p>The law allows, but does not require, home addresses to be withheld for the following:</p> <ul style="list-style-type: none"> <li>• Public employees. <i>N.D. C.C. § 44-04-18.1(2)</i></li> <li>• Individuals licensed by a state occupational/professional board, association, agency or commission. <i>N.D. C.C. § 44-04-18.1(4)</i></li> <li>• Victims of domestic violence or sexual offenses. <i>N.D. C.C. § 44-04-18.20</i></li> <li>• Individuals with information in law enforcement records. <i>N.D. C.C. § 44-04-18.7</i></li> <li>• Victim of crime information in records of a criminal justice agency, correctional facility or DOCR. <i>N.D. C.C. §12.1-34-02(11)</i></li> <li>• Minors. <i>N.D. C.C. § 44-04-18.13</i></li> <li>• Donors. <i>N.D. C.C. § 44-04-18.15</i></li> <li>• Consumer complaints. <i>N.D. C.C. § 44-04-18.17</i></li> </ul> <p>Additionally, other statutes include exemptions to home address release, including for those who call 911. <i>N.D.C.C. § 57-40.6-07(3)</i></p> <p>North Dakota does not have an Address Confidentiality Program.</p>
<p><b>Ohio</b></p> <p><a href="#">Ohio Public Records Act</a></p>	<p>While the state definition of “personal information” (<i>Ohio R.C. § 149.45</i>) does not include home addresses, several exemptions of home address disclosure are written into the Ohio Public Records Act and other state statutes, and carved out of court decisions.</p> <p>The Open Records Act exempts the following from home address disclosure:</p> <ul style="list-style-type: none"> <li>• Public utility customers. <i>Ohio R.C. § 149.43(1)(aa)</i></li> <li>• Victims of domestic violence or sexual offenses. <i>Ohio R.C. § 149.43(1)(ee)</i></li> <li>• Minors involved in a traffic accident involving a school vehicle. <i>Ohio R.C. § 149.43(1)(gg)</i></li> <li>• Donors to a public college or university. <i>Ohio R.C. §149.43(6)</i></li> </ul>

	<ul style="list-style-type: none"> <li>• Parole officers, probation officers, correctional employees. <i>Ohio R.C. § 149.43(7)</i></li> <li>• Prosecuting attorneys, judges, federal law enforcement officers. <i>Ohio R.C. § 149.43(7)</i></li> <li>• National Guard members, EMTs, firefighters, emergency services telecommunicator. <i>Ohio R.C. § 149.43(7)</i></li> <li>• Protective service workers, youth services employees. <i>Ohio R.C. § 149.43(7)</i></li> <li>• Mental health providers. <i>Ohio R.C. § 149.43(7)</i></li> <li>• Minors enrolled in recreational programs. <i>Ohio R.C. § 149.43(10)(a)</i></li> <li>• Individual not arrested by an officer, but appearing in police video footage. <i>Ohio R.C. § 149.43(17)(A)(I)</i></li> </ul> <p>The act also allows journalists more access to receive the information upon request (<i>Ohio R.C. § 149.43(17)(B)(9)(a)</i>) though it was a journalist’s request of state employee home addresses that carved out an exemption through a 2005 state Supreme Court decision (<i>Dispatch Printing Co. V. Johnson, 2005</i>).</p> <p>Ohio has an Address Confidentiality Program that allows victims of domestic violence and sexual offenses use a substitute address for public records and voting registration.</p>
<p><b>Oklahoma</b></p> <p><a href="#">Oklahoma Open Records Act</a></p>	<p>The Oklahoma Open Records Act preamble outlines that “except where state or federal statutes create a confidential privilege, persons who submit information to public bodies have no right to keep this information from public access nor reasonable expectation that this information will be kept from public access.” <i>O.S. §24A.2</i></p> <p>Still, home addresses are a record type that have been outlined in statutes, and the Open Records Act, as protected from disclosure for many individuals. Those exempted from home address disclosure include:</p> <ul style="list-style-type: none"> <li>• Donors to the State System of Higher Education. <i>O.S. §24A.16a</i></li> <li>• Permit holders with the Department of Wildlife Conservation. <i>O.S. §24A.23(A)</i></li> <li>• Current and former public employees. <i>O.S. §24A.7d</i></li> <li>• People appearing on law enforcement audio or video who are not arrested. <i>O.S. §24A.8a(9)</i></li> <li>• Drivers license information. <i>O.S. §24A.3h(2)</i></li> <li>• State license applicants and holders. <i>O.S. §24A.3.1</i></li> <li>• Public utility customers. <i>O.S. §24A.10(D)</i></li> </ul> <p>Oklahoma has an <a href="#">Address Confidentiality Program</a> that allows victims of domestic violence or sexual offenses to use a substitute address for state and local public records.</p>
<p><b>Oregon</b></p> <p><a href="#">Public Records Law</a></p>	<p>Oregon public records law and state statutes include over 500 exemptions to disclosure.</p>

<p><a href="#">Attorney General list of public records exemptions</a></p>	<p>Oregon allows several classes of people to request their address be removed from voting records, and names removed from public tax or other real estate records.</p> <p>Many of the individual home address exemptions are conditional, happening if confidentiality is requested, “unless the public interest requires disclosure in the particular instance.” <i>ORS 192.345</i></p> <p>As such, the exemption of home addresses is possible, but happens on a case-by-case basis. Because of the breadth of classes included in individual exemptions, it’s safe to say Oregon considers home addresses private in most situations.</p> <p>The Oregon Public Records Law and state statute home address exemptions specifically include:</p> <ul style="list-style-type: none"> <li>• Electors who have demonstrated personal safety concerns. <i>ORS 192.345(20)</i></li> <li>• Interested donors to public universities. <i>ORS 192.345(25)</i></li> <li>• Subjects of medical research. <i>ORS 192.345(30)</i></li> <li>• Public safety officers or county juvenile department employees. <i>ORS 192.345(31)</i></li> <li>• Attorneys. <i>ORS 192.345(32)</i></li> <li>• Mass transit customers. <i>ORS 192.345(38)</i></li> <li>• Civil code enforcement officers. <i>ORS 192.345(39)</i></li> <li>• Public body employee or volunteers. <i>ORS 192.355(3)</i></li> <li>• Public employee retirees. <i>ORS 192.355(12)</i></li> <li>• Library users. <i>ORS 192.355(23)</i></li> <li>• State certification or license holders. <i>ORS 192.355(41)</i></li> <li>• Veterans. <i>ORS 192.355(42)</i></li> <li>• Petitioners for adoption. <i>ORS 109.308</i></li> <li>• Victims of domestic violence, stalking, or sexual offenses. <i>ORS 192.822</i></li> <li>• Marijuana registry card holders. <i>ORS 475B.882(1)(b)</i></li> <li>• Health professionals. <i>ORS 676.405(2)</i></li> <li>• <u>Election workers.</u> <i>ORS 247.965(1)</i></li> </ul> <p>Oregon has an <a href="#">Address Confidentiality Program</a> that provides substitute addresses for victims of domestic violence, stalking or sexual assault for drivers licenses, marriage licenses, child support payments, and public school enrollment.</p>
<p><b>Pennsylvania</b> <a href="#">Right-to-Know Law</a></p>	<p>The Pennsylvania Right-to-Know Law includes a general exemption for personal security. <i>65 Pa. Stat. Ann. § 67.708 (b)(1)(ii)</i>.</p> <p>The law also specifically excludes home address release for the following:</p> <ul style="list-style-type: none"> <li>• Law enforcement officer of judge. <i>65 Pa. Stat. Ann. § 67.708 (b)(6)(i)(C)</i></li> <li>• Child 17 years of age or younger. <i>65 Pa. Stat. Ann. § 67.708 (b)(30)</i></li> </ul> <p>Home addresses have been exempted in several instances through court cases interpreting a personal security exemption in the Right-to-Know Law. The</p>

	<p>Pennsylvania Supreme Court ruled that the state’s constitutional right to privacy “requires that a balancing test be performed whenever it is asked to produce records in which people have a privacy interest,” and ruled that home addresses of public employees are among those records that should be exempted from disclosure. <a href="#">Office of Open Records case law index, pg. 118, 148 A.3d 142 (Pa. 2016)</a></p> <p>However, in the following year, the Commonwealth Court of Pennsylvania found that a school district property list, which included home addresses, was a public record that must be disclosed. The district had initially withheld the entire list from release because it couldn’t determine which addresses belonged to school employees. <a href="#">172 A.3d 1173 (Pa. Commw. Ct. 2017)</a></p> <p>Pennsylvania also has an <a href="#">Address Confidentiality Program</a>, that provides victims of domestic violence and sexual assault with alternative addresses for their public records.</p>
<p><b>Rhode Island</b></p> <p><a href="#">Access to Public Records Law</a></p>	<p>Rhode Island doesn’t specifically exempt release of home addresses in its Access to Public Records Act, but includes personal privacy exemptions, including:</p> <ul style="list-style-type: none"> <li>• “personal individually identifiable records otherwise deemed confidential by federal or state law or regulation, or the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” <i>R.I. Gen. Laws § 38-2-2 (4)(A)(i)(b)</i></li> <li>• Law enforcement records that could “reasonably be expected to constitute an unwarranted invasion of personal privacy” or “could reasonably be expected to endanger the life or physical safety of any individual,” two phrases that could be used to exempt home addresses from release. <i>R.I. Gen. Laws § 38-2-2 (4)(D)</i></li> </ul> <p>The state attorney general has relied on the 1989 Supreme Court decision in <i>Dept. of Justice v. Reporters Committee for Freedom of the Press</i> to deny access to records based on privacy concerns, according to the <a href="#">RCFP Open Government Guide summary of Rhode Island’s law</a>.</p> <p>Rhode Island has an <a href="#">Address Confidentiality Program</a> that allows victims of domestic violence to keep their home address off public records.</p>
<p><b>South Carolina</b></p> <p><a href="#">Freedom of Information Act</a></p>	<p>The South Carolina Freedom of Information act specifically mentions home addresses in two places, both dealing with commercial uses of the addresses:</p> <ul style="list-style-type: none"> <li>• An exemption for “unreasonable invasion of personal privacy” lists one example of “information of a personal nature,” as home addresses of individuals with a disability “when the information is requested for person-to-person commercial solicitation of handicapped persons solely by virtue of their handicap.” <i>S.C. Code Ann. § 30-4-40 (2)</i></li> <li>• Meanwhile, the act also includes the wording: “the home addresses and home telephone numbers of employees and officers of public bodies revealed in response to a request pursuant to this chapter may not be utilized for commercial solicitation. However, this provision must not be interpreted to restrict access by the public and press to information contained in public records.” <i>S.C. Code Ann. § 30-4-50(B)</i></li> </ul>

	<p>Still, state case law and attorney general opinions support the practice of withholding home addresses from release. A 2018 Attorney General’s <a href="#">opinion on the release of home addresses</a> from state traffic reports recommended withholding home addresses and birthdates, citing the “unreasonable invasion of personal privacy” exemption in the FOI act and case law.</p> <p>In <a href="#">Glassmeyer v. City of Columbia</a> (2015), a South Carolina Court of Appeals found “home addresses, personal telephone numbers, and email addresses of the applicants [for public jobs] are information in which the applicants have a privacy interest.”</p> <p>South Carolina does not have an Address Confidentiality Program, though bills have been introduced for the past three legislative sessions to create one. The current proposal <a href="#">is being reviewed</a> by the Senate Committee of the Judiciary.</p>
<p><b>South Dakota</b></p> <p><a href="#">South Dakota Sunshine Law</a></p>	<p>The South Dakota Sunshine law only mentions home addresses once: in an exemption for donors of archeological, historical or paleontological items. <u>S.D. Stat §1-27-1.5(14)</u></p> <p>Other exemptions include:</p> <ul style="list-style-type: none"> <li>• “personally identifying data” of campers at state properties. S.D. Stat §1-27-1.5(21)</li> <li>• “records which, if disclosed, would constitute an unreasonable release of personal information.” <i>S.D. Stat §1-27-1.5(22)</i></li> <li>• “records, which, if released, could endanger the life or safety of any person.” <i>S.D. Stat §1-27-1.5(23)</i></li> </ul> <p>An exemption regarding personal information for students allows for “routine directory information” to be public, citing the U.S. Code FERPA definition, which includes home addresses.</p> <p>The RCFP <a href="#">Open Government Guide for South Dakota</a> notes that the state’s law was first enacted in 2009, giving courts little time to establish interpretations. The state’s Attorney General does not have any open records guide for the public, or published opinions on <a href="#">its website</a>.</p> <p>South Dakota does not have an Address Confidentiality Program.</p>
<p><b>Tennessee</b></p> <p><a href="#">Tennessee Public Records Act</a></p>	<p>Tennessee’s Public Records Act definition of “personally identifying information” does not include home addresses. <i>T.C.A. § 10-7-504(a)(29)(C)</i></p> <p>The law handles home address exemptions on an individual basis. Those exempted from release of home addresses include:</p> <ul style="list-style-type: none"> <li>• Patients. <i>T.C.A. § 10-7-504(a)(1)</i></li> <li>• Individuals with a court protection order on utility records and other governmental records. <i>T.C.A. § 10-7-504(a)(15), T.C.A. § 10-7-504(a)(16)</i></li> <li>• Individuals involved in motor vehicle accidents. <i>T.C.A. § 10-7-504(a)(31)</i></li> </ul>

	<ul style="list-style-type: none"> <li>• Public employees (state, county, municipal or federal law enforcement agent operating in the state) or immediate family members. <i>T.C.A. § 10-7-504(f)</i></li> <li>• Law enforcement personnel information. <i>T.C.A. § 10-7-504(g)</i></li> <li>• Individuals requesting information from the Department of Correction or Board of Parole. <i>T.C.A. § 10-7-504(j)</i></li> <li>• Persons seeking compensation as crime victims. <i>T.C.A. § 10-7-504(k)</i></li> <li>• Victims of sexual assault. <i>T.C.A. § 10-7-504(q)</i></li> <li>• Minor victims of any criminal offense. <i>T.C.A. § 10-7-504(t)</i></li> <li>• Donors to the state museum. <i>T.C.A. § 10-7-504(x)</i></li> <li>• Participants in any property alert service or program, which alerts participants when a document is filed and indexed in the register of deeds office. <i>T.C.A. § 10-7-504(aa)</i></li> <li>• Individuals who have been arrested, but not yet convicted, of an offense. <i>T.C.A. § 10-7-504(bb)</i></li> </ul> <p>The Open Records Council tracks exemptions, which include statutory exemptions, on <a href="#">its website</a>.</p> <p>Other state statutes exempt the following home addresses from release:</p> <ul style="list-style-type: none"> <li>• Voter registration. <i>T.C.A. § 2-6-502(b)</i></li> <li>• Lottery winners. <i>T.C.A. § 4-51-124(a)(7)</i></li> <li>• Guests at state parks. <i>T.C.A. § 11-1-102(c)(3)</i></li> <li>• Adoption records. <i>T.C.A. § 36-1-304</i></li> <li>• Donors to public higher education institutions. <i>T.C.A. § 49-7-140</i></li> </ul> <p>Student records are generally confidential, but the name, age, address, dates of attendance, grade levels completed and class placement, may be disclosed. <i>T.C.A. §10-7-504(a)(4)</i></p> <p>Tennessee has an <a href="#">Address Confidentiality Program</a> for victims of domestic violence or sexual assaults, that allows them to get a substitute address for state and local public records.</p>
<p><b>Texas</b></p> <p><a href="#">Texas Public Information Act</a></p>	<p>The Texas Public Information Act lists several individuals exempt from home address disclosure, and case law has carved out other exemptions.</p> <p>The law exempts many individuals from home address disclosure on employment paperwork, and allows most law enforcement officials and public servants to opt out of disclosure on other government documents (except tax appraisals and county/district clerks), according to the Texas Attorney General’s <a href="#">Public Information Handbook</a>.</p> <p>The opt-out option relieves the record holder from needing an Attorney General opinion to withhold the address, but also allows the requester to appeal the decision.</p> <p>Those exempt from home address disclosure include:</p>



	<ul style="list-style-type: none"> <li>• Employees or officials of a governmental body. <i>Tex. Code. § 552.024(a)</i></li> <li>• Individuals licensed to practice law. <i>Tex. Code. § 552.1176</i></li> <li>• Peace officers. <i>Tex. Code. § 552.1175</i></li> <li>• employees of Texas Department of Criminal Justice. <i>Tex. Code. § 552.1175</i></li> <li>• Law enforcement officers, corrections officers. <i>Tex. Code. § 552.1175</i></li> <li>• Commissioned security officers. <i>Tex. Code. § 552.1175</i></li> <li>• Employees of the Office of the Attorney General assigned to law enforcement office. <i>Tex. Code. § 552.1175</i></li> <li>• Juvenile probation officer. <i>Tex. Code. § 552.1175</i></li> <li>• Military members. <i>Tex. Code. § 552.1175</i></li> <li>• District attorneys, U.S. States attorney or federal public defenders, or their family. <i>Tex. Code. § 552.1175</i></li> <li>• Federal or state judges. <i>Tex. Code. § 552.1175</i></li> <li>• Child protective services caseworkers. <i>Tex. Code. § 552.1175</i></li> <li>• Elected public officers. <i>Tex. Code. § 552.1175</i></li> <li>• Firefighters or emergency medical services personnel. <i>Tex. Code. § 552.1175</i></li> <li>• Neighborhood watch members. <i>Tex. Code. § 552.127</i></li> <li>• Crime victims. <i>Tex. Code. § 552.132</i></li> <li>• Clients, donors, employees or board members for a family violence shelter or sexual assault program. <i>Tex. Code. § 552.138</i></li> <li>• Minors participating in recreational programs. <i>Tex. Code. § 552.148</i></li> <li>• Applicants for appointment by governor. <i>Tex. Code. § 552.021</i></li> <li>• Individuals who apply for federal disaster funds. <i>Tex. Code. § 552.160</i></li> <li>• Individuals involved in executions of convicts. <i>Tex. Code. § 552.1081</i></li> </ul> <p>Texas has an <a href="#">Address Confidentiality Program</a> that allows victims of domestic violence or sexual crimes to request a replacement address to use for voter registration, licenses and school registrations.</p>
<p><b>Utah</b></p> <p><a href="#">Utah Government Records Access and Management Act</a></p>	<p>Utah’s Government Records Access and Management Act (GRAMA) outlines which records are considered “private,” and therefore not disclosable to the general public. Among those records include:</p> <ul style="list-style-type: none"> <li>• Employment records. <i>Utah Code Ann. § 63G-2-302(g)</i></li> <li>• “Other records containing data on individuals the disclosure of which constitutes a clearly unwarranted invasion of personal privacy.” <i>Utah Code Ann. § 63G-2-302(d)</i></li> </ul> <p>The personal privacy exemption has been interpreted by courts to include home addresses of licensed dog owners, according to the Reporters Committee for Freedom of Press <a href="#">Open Government Guide for Utah</a>. See <i>Mr. Pooper Scooper Inc. V. Murray City &amp; Sandy City</i>, No. 02-06.</p> <p>“At-risk government employees” can file a request to classify home addresses as private on government records. <i>Utah Code Ann. § 63G-2-303(2)</i></p> <p>At-risk employees listed in the statute include:</p> <ul style="list-style-type: none"> <li>• Peace officers</li> <li>• Judges</li> </ul>

	<ul style="list-style-type: none"> <li>• Prosecutors</li> <li>• Law enforcement officials</li> <li>• State or local government employees, based on work assignments</li> <li>• Family members of the above</li> </ul> <p>Other statutes have mentioned home address exemptions, including:</p> <ul style="list-style-type: none"> <li>• Firearms permit holders. <i>Utah Code Ann. § 53-5-708(1)</i></li> <li>• Voter registration for those who submit a request to be classified as private. <i>Utah Code Ann. § 20A-2-104(4)(d)</i></li> </ul> <p>Utah passed a bill that would create an Address Confidentiality Program in 2023. (<a href="#">Utah H.B. 00117, 2022</a>)</p>
<p><b>Vermont</b></p> <p><a href="#">Vermont Access to Public Records Act</a></p>	<p>Vermont’s Access to Public Records Act outlines only one specific instance of home address exemption:</p> <ul style="list-style-type: none"> <li>• <a href="#">Address Confidentiality Program</a> records held by the Secretary of State. <i>Vt. Stat. Ann. Tit. 1 § 317(c)(29)</i></li> </ul> <p>Additionally, while it doesn’t specify home addresses, the public employee exemption would likely apply to home addresses in employment files. <i>Vt. Stat. Ann. tit. 1, § 317(c)(7)</i>.</p> <p>Vermont’s law also mentions a “clearly unwarranted invasion of personal privacy” exemption related to crime records, public agency lists, and policy development. <i>Vt. Stat. Ann. Tit. 1 § 317(c)(4), (10) and (12)</i></p>
<p><b>Virginia</b></p> <p><a href="#">Virginia Public Records Act</a></p>	<p>The Virginia Public Records Act includes several references to home address exemptions, and others are listed in other statutes.</p> <p>The Public Records Act exempts home address disclosure for:</p> <ul style="list-style-type: none"> <li>• “Personal contact information furnished to a public body or any of its members for the purpose of receiving electronic communications” including home address. <i>Va. Code. Ann. § 2.2-3705.1(10)</i></li> <li>• Subscriber data for 911 systems. <i>Va. Code. Ann. § 2.2-3705.2(6)</i></li> <li>• Complaints about zoning enforcement. <i>Va. Code. Ann. § 2.2-3705.3(8)</i></li> <li>• Student records. <i>Va. Code. Ann. § 2.2-3705.4(B)</i></li> <li>• Disabilities transportation services. <i>Va. Code. Ann. § 2.2-3705.5(13)</i></li> <li>• Public utility customers. <i>Va. Code. Ann. § 2.2-3705.7(7)</i></li> <li>• Toll services customers. <i>Va. Code. Ann. § 2.2-3705.7(16)</i></li> <li>• Lottery winners. <i>Va. Code. Ann. § 2.2-3705.7(17)</i></li> <li>• Citizen emergency response team members. <i>Va. Code. Ann. § 2.2-3705.7(20)</i></li> <li>• Donors to the Veterans Services Foundation. <i>Va. Code. Ann. § 2.2-3705.7(28)</i></li> </ul> <p>“Personnel information” is also exempted from release, which would likely include home addresses. <i>Va. Code. Ann. § 2.2-3705.1(1)</i></p> <p>Other statutes that include home address exemptions include:</p>

	<ul style="list-style-type: none"> <li>• Voter registration for those using alternate addresses. <i>Va. Code Ann. § 24.2-444(C)</i>.</li> </ul> <p>Virginia has an <a href="#">Address Confidentiality Program</a> for victims of domestic violence and sexual offenses to receive a substitute address for public records, voting registration and school paperwork.</p>
<p><b>Washington</b></p> <p><a href="#">Washington Public Records Act</a></p>	<p>Washington’s Public Records Act includes a definition of personal privacy that sets up a balancing test. “A person’s ‘right to privacy’...is invaded or violated only if disclosure of information about the person: (1) Would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public.” <i>Wash. Rev. Code. Ann. § 42.56.050</i></p> <p>The act also includes specific references to home address exemptions for:</p> <ul style="list-style-type: none"> <li>• Public employees. <i>Wash. Rev. Code. Ann. § 42.56.250(4)</i></li> <li>• Driver’s license applications. <i>Wash. Rev. Code. Ann. §42.56.230(7)</i></li> <li>• Participants in bump-fire stock buy-back program. <i>Wash. Rev. Code. Ann. § 42.56.230(12)</i></li> <li>• Minor victims of sexual assault. <i>Wash. Rev. Code. Ann. § 42.56.240(5)</i></li> <li>• Public utilities customers. <i>Wash. Rev. Code. Ann. §42.56.330(2)</i></li> <li>• Rideshare participants. <i>Wash. Rev. Code. Ann. §42.56.330(3)</i></li> <li>• Health care professionals. <i>Wash. Rev. Code. Ann. §42.56.350(2)</i></li> <li>• Check cashers license applications. <i>Wash. Rev. Code. Ann. § 42.56.450</i></li> <li>• Vulnerable individuals (seniors with mental or physical disabilities) and their caretakers. <i>Wash. Rev. Code. Ann. §42.56.640(2)(b)</i></li> </ul> <p>Washington statutes outline that voter registration lists, including home addresses, are open for public inspection. <i>Wash. Rev. Code. Ann. §29A.08.710(2)</i></p> <p>Washington had the country’s first <a href="#">Address Confidentiality Program</a>, launched in 1991. Protected individuals include domestic violence and sexual offense victims, as well as criminal justice employees who have been threatened.</p>
<p><b>West Virginia</b></p> <p><a href="#">West Virginia Freedom of Information Act</a></p>	<p>West Virginia’s Freedom of Information Act exempts home address disclosure in two instances:</p> <ul style="list-style-type: none"> <li>• “Personal information of law enforcement officers maintained by the public body in the ordinary course of the employer-employee relationship.” <i>W. Va. Code §§ 29B-1-4(a)(21)</i></li> <li>• Public utility customer information. <i>W. Va. Code §§ 29B-1-4(a)(23)</i></li> </ul> <p>West Virginia’s law also sets up a personal privacy balancing test in <i>W. Va. Code §§ 29B-1-4(a)(2)</i>: Exempting “information of a personal nature such as that kept in a personal, medical or similar file, if the public disclosure of the information would constitute an unreasonable invasion of privacy, unless the public interest by clear and convincing evidence requires disclosure in this particular instance.”</p> <p>Courts have used this balancing test to exempt workmen’s compensation fund reports with home addresses (see: <i>Robinson v. Merritt</i>, 1988), according to the</p>

	<p>Reporters Committee for Freedom of the Press <a href="#">Open Government Guide for West Virginia</a></p> <p>Other home address protections appear in different West Virginia statutes, including:</p> <ul style="list-style-type: none"> <li>• Motor vehicle records. <i>W. Va. Code § 17A-2A-3(f)</i></li> <li>• Government employee deferred compensation plan members. <i>W. Va. Code § 5-10B-2</i></li> <li>• State officers, employees or retirees. <i>W. Va. Code § 5A-8-21(b)</i></li> <li>• Vital stats records. <i>W. Va. Code § 64-32-14</i></li> </ul> <p>West Virginia has an <a href="#">Address Confidentiality Program</a>, that provides a substitute address for victims of domestic violence and sexual offenses to use in public records.</p>
<p><b>Wisconsin</b></p> <p><a href="#">Wisconsin Public Records Act</a></p> <p><a href="#">Wisconsin Public Records Act Compliance Guide</a></p>	<p>The Wisconsin Public Records Act exempts from home address disclosure:</p> <ul style="list-style-type: none"> <li>• Public employees. <i>Wis. Stat. § 19.36(10)(a)</i></li> <li>• Law enforcement informants. <i>Wis. Stat. § 19.36(8)(b)</i></li> <li>• Individual holding local or state public office. <i>Wis. Stat. § 19.36(11)</i></li> </ul> <p>Victims of domestic abuse, sexual assault or stalking can request their name and address be removed from election polls and registration. See <i>Wis. Stat. § 6.47(2)</i> and <i>§ 165.68(4)(d)</i>.</p> <p>Wisconsin case law includes mixed interpretations of home address disclosure. For example, in <a href="#">State ex rel. Journal/Sentinel, Inc. V. Arreola</a> (1996) the court found police officers have a right to keep their home addresses private. In contrast, <a href="#">Hathaway v. Joint Sch. District No. 1</a> (1984) found student parent’s names and addresses would be public records.</p> <p>Wisconsin has an <a href="#">Address Confidentiality Program</a> for victims of domestic violence and sexual offenses, “or those who simply fear for their physical safety,” to use a substitute address on public records.</p>
<p><b>Wyoming</b></p> <p><a href="#">Wyoming Public Records Act</a></p>	<p>The Wyoming Public Records Act does not include any specific reference to home address disclosure.</p> <p>The two categories of exemptions require balancing tests, according to the Reporters Committee for Freedom of the Press <a href="#">Open Government Guide for Wyoming</a>.</p> <ul style="list-style-type: none"> <li>• Records that may be withheld if the harm from disclosure would outweigh the public’s right to know. <i>Wyo. Stat. Ann. § 16-4-203(b)</i>.</li> <li>• Records the custodian “shall deny” (including personnel files). <i>Wyo. Stat. Ann. § 16-4-203(d)</i>. (The OGG notes the state Supreme Court has ruled these records may be withheld if disclosure would cause an unwarranted invasion of privacy.)</li> </ul> <p>Other state statutes outline home addresses on voting records is public. <i>Wyo. Stat. Ann. § 22-2-113(d)</i>.</p> <p>Wyoming does not have an Address Confidentiality Program.</p>