

# Agency Bulletin #1

## Department of Attorney General's Address Confidentiality Program

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### Summary

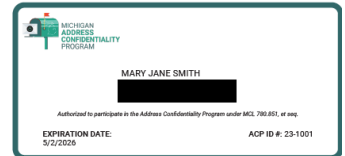
In December 2020, Governor Whitmer signed into law the [Address Confidentiality Program Act, 2020 PA 301, MCL 780.851, et seq.](#) The Address Confidentiality Program (ACP) was created to conceal the addresses of victims of stalking, domestic violence, sexual assault, human trafficking, and individuals at risk of being threatened or physically harmed from being located by their perpetrators through public records.

ACP is a statewide confidentiality program administered by the Michigan Department of Attorney General. ACP operates to shield a program participant's actual physical address by providing an official designated (substitute) address and free mail forwarding service.

### How ACP works

Once enrolled in the ACP, a program participant will receive an ACP Participant ID card to verify their participation in the program. This card includes the program participant's unique identification number, the designated address, and expiration of participation.

The designated address is an actual address which includes a PO Box number in the Lansing area. Program participants use the designated (substitute) address when interacting with state and local government agencies. When presented with the ACP Participant ID card, state and local government agencies must accept the designated address as the participant's legal residential address when creating a public record. **Agencies may make a copy of the program participant's ID card for record keeping purposes.** Private companies are not required by law to use the designated (substitute) address; however, program participants can request they use it.



This law does not prohibit a program participant from disclosing their confidential address; however, they are highly encouraged to limit who has access to it to help avoid disseminating the information they seek to protect.

ACP provides a free mail forwarding service. The Department of Technology, Management and Budget (DTMB) is responsible for forwarding program participant's mail. Each day DTMB is open for business, all first-class, certified, and registered mail sent to the designated address will be repackaged and forwarded to the participant's actual physical address (the confidential or shielded address). This service does not forward third-class mail or packages. DTMB is designated as the program participant's agent for the purpose of receiving service of process.

### Certification period

A program participant is certified in the program for four years. They may renew their certification as long as they meet the renewal eligibility requirements. Upon renewal, the program participant will receive an updated participant ID card with a new expiration date.

**Examples how the designated address can be used:**

- Driver's license/State ID card
- Vehicle registration
- Voter registration
- Public schools
- Public library
- State benefits and services (DHHS services, etc.)

**Disclosure of a program participant's confidential address**

A department of this state, a law enforcement agency, or a local unit of government may request the ACP to provide the confidential address of a program participant if the request is for a legitimate governmental purpose. A request may only be submitted if the agency was unsuccessful in contacting the program participant using their designated address.

Requests for the confidential address can be made through the ACP State Agency Portal on the AG's website at [Michigan.gov/agacp](http://Michigan.gov/agacp). The website is currently under development. Allow 3-5 business days for the request to be completed.

The ACP will review all requests made through the portal to determine what information should be released. Requests can be made for the program participant's enrollment status and confidential address. However, requests made for the confidential address will be granted for legitimate governmental purpose only.

If the program participant is not identified in the request as a suspect in a criminal investigation, the program participant will receive notice of the request.

**Violation of disclosure**

Except as otherwise provided by law, a person that is authorized to access a confidential address or provided access to a confidential address shall not disclose it to any other person unless the disclosure is authorized under law. If violated, a person may be guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both.

### **Emergency release**

The Michigan Intelligence Operations Center in the Department of State Police (MSP) shall only access the database in exigent circumstances and provide a program participant's confidential address to a law enforcement agency if all of the following information is provided:

(a) the originating agency identifier; (b) a description of the exigent circumstances; (c) the incident report number; and (d) whether the program participant is a suspect in a criminal investigation related to the exigent circumstances. See MCL 780.865(3).

The MSP will notify the ACP if a program participant's information is provided to a law enforcement agency. If the program participant is not identified as a suspect in a criminal investigation, the ACP will forward the notice to the program participant.

### **Intersection with FOIA**

Information about a program participant is not subject to disclosure under the Freedom of Information Act. 1976 PA 442, MCL 15.231 to 15.246, and may only be disclosed as authorized under law. See MCL 780.855(12); MCL 780.857(6); and MCL 780.873(3).

**If an agency has questions about ACP, please contact us at 313-456-0190  
or AG-ACP@michigan.gov**